

CITY OF HAMTRAMCK
OFFICE OF THE EMERGENCY MANAGER
CATHY L. SQUARE

3401 Evaline
Hamtramck, MI 48212
Telephone: (313) 876-770

Dated: June 27, 2014

ORDER NO. S-011

RE: Adopt ordinance to appropriate the sums of money necessary to meet the expenditures set forth in the budget recommended for the operation of the City of Hamtramck, Michigan; to defray the debts, expenditures, and liabilities of said City for the fiscal years for 2015-2016, to set forth millage rates, to adopt fee schedule for public records and services, and to adopt water and sewage disposal rates.

**TO: City Clerk
 Mayor
 City Council
 Department Heads**

The Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.1541, et. seq.) in Section 10(1) states that “[a]n emergency manager shall issue orders to the appropriate local elected and appointed officials and employees, agents, and contractors of the local government the orders the emergency manager considers necessary to accomplish the purposes of [the] act, including, but not limited to, orders for the timely and satisfactory implementation of a financial and operating plan... or to take actions, or refrain from taking actions, to enable the orderly accomplishment of the financial and operating plan.” Any such orders are binding on the local elected and appointed officials and employees, agents, and contractors of the local government to whom they are issued.

Section 12(1) provides that an Emergency Manager may take one or more of the following actions: **(a)** Analyze factors and circumstances contributing to the financial emergency of the local government and initiate steps to correct the condition; **(b)** Amend, revise, approve, or disapprove the budget of the local government, and limit the total amount appropriated or expended; **(d)** Require and approve or disapprove, or amend or revise, a plan for paying all outstanding obligations of the local government; and **(dd)** “[e]xercise solely, for and on behalf of the local government, all other authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances....” Further, **Section 21(1)** requires an Emergency manager to adopt and implement a budget plan, including all contractual and employment agreements, for the local government commencing with the termination of receivership.

WHEREAS, a financial emergency exists with respect to the City, and the Emergency Manager has been appointed by the State of Michigan with the power and authority to oversee the financial condition of the City; and

WHEREAS, the Emergency Manager is authorized under Public Act 436 to issue the orders the manager considers necessary to accomplish the purposes of the Public Act 436, including, but not limited to, orders for the timely and satisfactory implementation of a financial plan developed pursuant to Public Act 436; and

WHEREAS, Emergency Manager Square introduced the attached ordinance at a public meeting on June 27, 2014; and,

WHEREAS, the proposed ordinance was distributed to each member of the Council and the Mayor by the Clerk; and,

WHEREAS, a summary of the proposed ordinance and time and place of consideration by the Emergency Manager was published in the Macomb Daily on June 21, 2014; and,

WHEREAS, the Emergency Manager at a public meeting on June 27, 2014 announced that she is adopting the proposed ordinance.

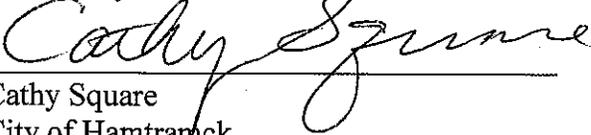
NOW, THEREFORE, BE IT ORDERED AND RESOLVED, by the Emergency Manager of the City of Hamtramck, that

1. That the attached Ordinance No. xxxx, an ordinance to appropriate the sums of money necessary to meet the expenditures set forth in the budget recommended for the operation of the City of Hamtramck, Michigan; to defray the debts, expenditures, and liabilities of said City for the fiscal years 2015-2016 to set forth millage rates, to adopt fee schedule for public records and services, and to adopt water and sewage disposal rates, is adopted
2. That the City Clerk shall take all actions required under the law to reflect the attached ordinance changes on the City books and records, including publication of the adopted ordinance.

The Order shall have immediate effect.

Copies of the documents referenced in this Order are to be maintained in the offices of the City Clerk and may be reviewed and/or copies may be obtained upon submission of a written request consistent with the requirements of the Michigan Freedom of Information Act and subject to any exemptions contained in that state statute and subject to any exemptions allowed under that statute (Public Act 442 of 1976, MCL 15.231, et. seq.).

This order is effective as indicated and is necessary to carry out the duties and responsibilities required of the Emergency Manager as set forth in the Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Manager.


Cathy Square
City of Hamtramck
Emergency Manager

cc: State of Michigan Department of Treasury