

**CITY OF BENTON HARBOR
OFFICE OF THE EMERGENCY MANAGER
ORDER NO. 14-31**

TONY R. SAUNDERS II
200 East Wall Street
Benton Harbor, MI 49022

Originally Issued: March 7, 2014

Amended: July 1, 2016

WHEREAS, Section 10 of Public Act 436, the Local Financial Stability and Choice Act (the Act), provides for the issuance of Emergency Manager Orders; AND

WHEREAS, by operation of law, such orders supersede any conflicting city charter provisions; AND

WHEREAS, Section 23 of the Act provides that, prior to removing a city from receivership, the Governor may appoint a receivership transition advisory board; AND

WHEREAS, by the letter dated March 10, 2014, the Governor appointed a receivership transition advisory board to monitor the continued financial recovery in the City of Benton Harbor; AND

WHEREAS, by the same appointment letter, the Benton Harbor Receivership Transition Advisory Board is authorized to recommend amendments and modifications to existing emergency manager orders to the State Treasurer; AND

WHEREAS, the Benton Harbor Receivership Transition Advisory Board has recommended a restoration of local control to the State Treasurer, which is achieved by significant modifications to Order 14-31.

NOW THEREFORE, BE IT ORDERED:

1. The Mayor shall:

- A. Faithfully fulfill the duties of the Mayor under the city charter, unless modified by this or other emergency manager orders.

2. The City Manager shall:
 - A. Faithfully fulfill the duties of the City Manager under the city charter, unless modified by this or other emergency manager orders.
 - B. Be authorized to purchase budgeted goods and services up to \$5,000.00 per transaction.
3. The Mayor, City Manager, and City Council shall:
 - A. Fulfill their respective duties under the charter, unless modified by this or other emergency manager orders.
 - B. Prudently budget for the financial stability of the City.
 - C. Maintain a rolling two year financial plan which shall be available for review by the public. This financial plan shall comply with applicable law, including the city's code of ordinances.
 - D. Provide quarterly to the public by the 20th calendar day following the end of each quarter, a detailed revenue and expenditure budget-to-actual report for each budgeted fund, as prepared by the Finance Director.
4. This order supersedes all previous emergency manager orders to the extent that they conflict.
5. Should any provision of this order be found to be unenforceable, the remainder of the order shall continue in full effect.
6. This order may be amended by the State Treasurer.