Whereas, on March 28, 2013, Michigan Public Act 436 of 2012 ("PA 436") became effective and Kevyn D. Orr became the Emergency Manager ("EM") for the City of Detroit (the "City") with all the powers and duties provided under PA 436; and

Pursuant to Section 9(2) of PA 436, the EM "shall act for and in the place and stead of" the Detroit Mayor (the "Mayor") and City Council (the "Council"); and

Section 9(2) of PA 436 also grants the EM "broad powers in receivership to rectify the financial emergency and to assure the fiscal accountability of the [City] and the [City's] capacity to provide or cause to be provided necessary governmental services essential to the public health, safety, and welfare;" and

Further, Section 9(2) of PA 436 prohibits, during the pendency of receivership, the Mayor and the Council from exercising "any powers of those offices except as may be specifically authorized in writing by the [EM] or as otherwise provided by [PA 436] and are subject to any conditions required by the [EM];" and

Pursuant to Section 10(1) of PA 436, the EM may "issue 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 [PA 436], 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;” and

Section 12(1)(a) of PA 436 authorizes the EM, “notwithstanding any charter provision to the contrary,” to “[a]nalyze the factors and circumstances contributing to the financial emergency of the local government and initiate steps to correct the condition;” and

Section 12(1)(b) of PA 436 authorizes the EM “notwithstanding any charter provision to the contrary,” to “[a] mend, revise, approve, or disapprove the budget of the local government, and limit the total amount appropriated or expended;” and

Section 12(1)(d) of PA 436 authorizes the EM “notwithstanding any charter provision to the contrary,” to “[r] equire and approve or disapprove, or amend or revise, a plan for paying all outstanding obligations of the local government;” and

Section 12(1)(dd) of PA 436 authorizes the EM, “notwithstanding any charter provision to the contrary,” to “[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 or resolutions of the local government” as provided in the Michigan Home Rule City Act, Act 279 of 1909, Michigan Compiled Laws §§ 117.1 to 117.38 (the “Home Rule Act”); and

Section 12(1)(ee) of PA 436 authorizes the EM, “notwithstanding any charter provision to the contrary,” to “[t] ake any other action or exercise any power or authority of any officer, employee, department, board, commission, or other similar entity of the local government, whether elected or appointed, relating to the operation of the local government. The power of the [EM] shall be superior to and supersede the power of any of the foregoing officers or entities;” and

Pursuant to Section 12(2) of PA 436, “during the pendency of the receivership, the authority of the chief administrative officer and governing body to exercise power for and on behalf of the local government under law, charter, and ordinance shall be suspended and vested in the [EM];” and

Section 11-101 of the 2012 City of Detroit Charter (the “City Charter”) provides that the “City shall provide, by ordinance, for the establishment and maintenance of retirement plans coverage for city employees;” and

Section 11-102 of the City Charter provides that the “retirement plans of the city existing when this Charter takes effect, including the existing governing bodies for administering those plans, the benefit schedules for those plans and the terms for accruing rights to and receiving benefits under those plans shall, in all respects, continue in existence exactly as before unless changed by this Charter or an ordinance adopted in
accordance with this article;” and

Section 47-4-4 of Chapter 47 of the 1984 Detroit City Code (the “City Code”) provides that “[a]ny amendment of the Plan which alters any term in this Chapter 47, requires an amendment of this ordinance approved by the Council;” and

Section 3(k) of the Home Rule Act requires that the City’s charter provide for “adopting, continuing, amending, and repealing the city ordinances and for the publication of each ordinance before it becomes operative;” and

Section 4-115 of the City Charter requires, among other things, that “[e]very proposed ordinance shall be in writing...[and that] [a]ny ordinance which repeals or amends an existing chapter, article, division, or section of the Detroit City Code shall set out in full the chapter, article, or division or section to be repealed or amended, and shall clearly indicate language to be omitted and language to be added;” and

Section 4-115 of the City Charter also requires that the proposed ordinance shall be distributed to each Council member and the Mayor and that it be placed in the Office of the City Clerk (the “Clerk”), and “such other public places,” and that the Clerk “publish a summary of the proposed ordinance in a daily newspaper of general circulation in the City together with a notice establishing the time and place for a public hearing thereon” to occur not earlier than five days after the publication; and

Section 4-118 of the City Charter provides that “[a]n ordinance shall become effective only upon publication by the City Clerk.” Section 4-118 of the City Charter further states that: “As soon as practicable after enactment of any ordinance...the City Clerk shall have the law published in a daily newspaper of general circulation in the City together with a notice of its enactment, which shall include the effective date. After publication, each ordinance shall be printed in a form for codification within the Detroit City Code;” and

Unions representing affected employees either have received or will receive a letter informing them of the substance of this Order; and

The EM has determined, at this time, it is necessary and appropriate to adopt the following changes to the City Code:

I. Adoption of Ordinance No. 17-14 to Freeze Benefit Accruals for All Participants in the General Retirement System

Proposed Ordinance No. 17-14, as set forth in the attached Exhibit A (including a version showing the additions to the City Code), will amend Chapter 47 of the City Code by adding to Article I, Common Provisions of the General Retirement System, a new Section 47-1-27, entitled “Freeze of General Retirement System as of June 30, 2014.” This section will provide that (A) benefit accruals under the 1973 Defined Benefit/Defined Contribution
Plan and the 1998 Defined Contribution Plan will cease effective June 30, 2014; (B) with limited exception, no employee hired or rehired by the City after June 30, 2014 will be eligible to become a participant in the 1973 Defined Benefit/Defined Contribution Plan or the 1998 Defined Contribution Plan as in effect on June 30, 2014; and (C) certain employees who are employed with the City on June 30, 2014 will have the opportunity to elect to have a portion of the employee’s accrued sick leave bank included in the calculation of Average Final Compensation as of June 30, 2014; and

II. Adoption of Ordinance No. 18-14 to Provide for Limitations on Payments by the General Retirement System

Proposed Ordinance No. 18-14, as set forth in the attached Exhibit B (including a version showing the omissions from and additions to the City Code), will amend Chapter 47 of the City Code, Retirement Systems, Article I, Common Provisions of the General Retirement System. In particular Section 47-1-18 will be amended to limit payments by the General Retirement System so that neither the General Retirement System nor the trustees charged with management of the Retirement System may provide any savings plan, annuity plan, or other participant investment or savings vehicle that provides an annual return to investing participants that in any year is greater than the actual investment return net of expenses of the Retirement System’s invested reserves for the year in which the return is earned and accrued, provided that effective June 30, 2014 for any plan year beginning on or after July 1, 2014, such return shall be no less than zero and no greater than the lesser of (A) 5.25% or (B) the actual investment return net of expenses of the Retirement System’s invested reserves for the second fiscal year immediately preceding the fiscal year in which the annual return is credited; and

III. Adoption of Ordinance No. 19-14 to Repeal Various Sections of Chapter 47 of the City Code Entitled “Retirement Systems” Due to Memorialization of the General Retirement System of the City of Detroit in a Separate Written Document

Proposed Ordinance No. 19-14, as set forth in the attached Exhibit C (including a version showing the omissions from the City Code), will amend Chapter 47 of the City Code, as herein amended, by repealing Sections 47-1-1 through 47-1-30, 47-2-1 through 47-2-30, 47-3-1 through 47-3-20 and 47-4-1 through 47-4-10, because, consistent with Ordinance No. 20-14, the terms and general provisions of the General Retirement System will be memorialized in a separate written document entitled “Combined Plan for the General Retirement System of the City of Detroit, Michigan,” and which separate document hereafter will comprise the exclusive terms of the Detroit General Retirement System; and

IV. Adoption of Ordinance No. 20-14 to Enable the Memorializing of the
Detroit General Retirement System in a Separate Written Document

Proposed Ordinance No. 20-14 as set forth in the attached Exhibit D (including a version showing the additions to the City Code), will amend Chapter 47 of the City Code effective July 1, 2014, by adding the title of “Enabling Provisions” to Article I and by adding to Article I a new Section 47-1-1 to enable the City to memorialize the Detroit General Retirement System in a separate written document pursuant to (A) Article 11, Section 11-101 of the City Charter, which provides that the City shall provide, by ordinance, for the establishment and maintenance of retirement plan coverage for city employees, and (B) Section 11-102 of the City Charter, which provides for changing the terms of the retirement plans by Charter or an ordinance. The Detroit General Retirement System will be memorialized in a separate written document entitled “Combined Plan for the General Retirement System of the City of Detroit, Michigan,” which document hereafter will comprise the exclusive terms of the Detroit General Retirement System and be kept in the Office of the City Clerk for the City of Detroit; and

Together, the attached Exhibits A, B, C, and D shall be referred to as the “Ordinances”; and

Further, the EM believes that such revisions are necessary and appropriate to safeguard and assure the financial accountability of the City and promote the City’s successful restructuring.

It is hereby ordered that:

1. Consistent with Section 4-115 of the City Charter, the Clerk is hereby instructed, subject to Paragraph 2 below, to publish this Order and Exhibits A, B, C, and D hereto showing the proposed amendments to Chapter 47, Article I of the City Code in a daily newspaper of general circulation in the City no later than June 19, 2014.

2. In connection with the publication identified in Paragraph 1 above, the text of this Order and Exhibits A, B, and D shall be published in their entirety; however, consistent with Section 4-115 of the City Charter and to avoid any confusion that the Detroit General Retirement System is being eliminated, the Clerk is hereby instructed to publish Exhibit C to this Order in summary form, rather than in its entirety, identifying in the summary the omitted sections of Chapter 47 of the City Code as provided in the preamble to the proposed Ordinance.

3. Consistent with Section 4-115 of the City Charter, the Clerk shall file and maintain availability of a copy of the Ordinances, including a version of Exhibit C that includes the omitted sections of Chapter 47 of the City Code, in the Office of the City Clerk and shall provide a complete set of such documents to the Council and the Mayor.
4. Consistent with Section 4-115 of the City Charter, a public hearing regarding the amendments to Chapter 47, Article I of the City Code proposed in the Ordinances will take place on June 24, 2014 at 10:00 AM at the Erma L. Henderson Auditorium on the 13th floor of the Coleman A. Young Municipal Center.

5. All orders of the EM, ordinances, and resolutions of the Council, and all parts of orders, ordinances, or resolutions, in conflict with this Order (including the attached Ordinances) are hereby repealed to the extent of such conflict.

6. Nothing in this Order shall be interpreted as contrary to Federal law.

7. Absent any further EM Order to the contrary, the amendments made hereby to Chapter 47, Article I of the City Code, as reflected in the Ordinances, shall be effective on the effective date provided for in the applicable Ordinance.

8. Absent any further EM Order to the contrary, as soon as practicable following the conclusion of the public hearing described in Paragraph 4, and no later than June 27, 2014, the Clerk is hereby instructed to publish the Ordinances in a daily newspaper of general circulation in the City, together with a notice of their enactment, which shall include the effective date of such Ordinances. After publication, the Clerk is further instructed to take such steps as are necessary or appropriate for the Ordinances to be printed in a form for codification within the City Code and take such other steps as may be required with respect to the Ordinances under Section 4-119 of the City Charter.

9. If any component of this Order is declared illegal, unenforceable, or ineffective by a court of competent jurisdiction, such component shall be deemed severable so that all other components contained in this Order shall remain valid and effective.

10. The EM may modify, amend, rescind, replace, supplement, or otherwise revise this Order at any time.

11. Nothing in this Order shall be, or be deemed to be, a limitation, modification, waiver, or relinquishment by the EM of any right or power available under PA 436, all of which rights and powers are expressly preserved.

12. This Order shall be effective immediately.

13. This Order shall be distributed to the Mayor, Council members, all department heads, and the State of Michigan Department of Treasury.

Dated: June 16, 2014

By: Kevyn D. Orr
Emergency Manager  
City of Detroit

cc: State of Michigan Department of Treasury  
Mayor Michael Duggan  
City Department Heads  
Members of Detroit City Council
ORDINANCE NO. 17-14

SUMMARY

The proposed ordinance will amend Chapter 47 of the City Code by adding to Article I, Common Provisions of the General Retirement System, a new Section 47-1-27, entitled “Freeze of General Retirement System as of June 30, 2014.” This section will provide that (A) benefit accruals under the 1973 Defined Benefit/Defined Contribution Plan and the 1998 Defined Contribution Plan will cease effective June 30, 2014; (B) with limited exception, no employee hired or rehired by the City after June 30, 2014 will be eligible to become a participant in the 1973 Defined Benefit/Defined Contribution Plan or the 1998 Defined Contribution Plan as in effect on June 30, 2014; and (C) certain employees who are employed with the City on June 30, 2014 will have the opportunity to elect to have a portion of the employee’s accrued sick leave bank included in the calculation of Average Final Compensation as of June 30, 2014.
BY ORDER OF THE EMERGENCY MANAGER, CITY OF DETROIT:

AN ORDINANCE to amend Chapter 47 of the 1984 Detroit City Code by adding to Article I, Common Provisions of the General Retirement System, a new Section 47-1-27, entitled "Freeze of General Retirement System as of June 30, 2014," to provide (A) that benefit accruals under the 1973 Defined Benefit/Defined Contribution Plan and the 1998 Defined Contribution Plan will cease effective June 30, 2014; (B) that, with limited exception, no employee hired or rehired by the City after June 30, 2014 will be eligible to become a participant in the 1973 Defined Benefit/Defined Contribution Plan or the 1998 Defined Contribution Plan as in effect on June 30, 2014; and (C) that certain employees who are employed with the City on June 30, 2014 will have the opportunity to elect to have a portion of the employee’s accrued sick leave bank included in the calculation of Average Final Compensation as of June 30, 2014.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 47 of the 1984 Detroit City Code, Retirement Systems, is amended by adding, effective as of June 30, 2014, to Article I, Common Provisions of the General Retirement System, a new Section 47-1-27, Freeze of General Retirement System as of June 30, 2014, to read as follows:

Sec. 47-1-27. Freeze of General Retirement System as of June 30, 2014.

Notwithstanding anything in Articles I, II, III, or IV of Chapter 47 of the 1984 Detroit City Code to the contrary, effective as of June 30, 2014 (the “Freeze Date”) –

(a) No new employee hired by an Employer on or after July 1, 2014 shall become a member who is eligible to accrue a benefit under the terms of the General
Retirement System in effect as of the Freeze Date:

(b) No employee who is rehired by an Employer on or after July 1, 2014 shall become a member who is eligible to accrue either a benefit or service credit for any purpose under the terms of the General Retirement System in effect as of the Freeze Date; provided, however, that a member who is entitled to a Frozen Accrued Benefit as defined in subsection (c) of this Section 47-1-27 and who is rehired by an Employer on or after July 1, 2014 but prior to the date the member incurs a six-year break in service shall be eligible to accrue service credit following rehire solely for the purpose of determining the member’s eligibility for payment of his Frozen Accrued Benefit;

(c) Benefit accruals for members with respect to service rendered prior to July 1, 2014 will be frozen based on a member’s years of service, Average Final Compensation, and the pension multiplier formulae as of such Freeze Date ("Frozen Accrued Benefit");

(d) Except as otherwise provided in subsection (e) of this Section 47-1-27, compensation of a member shall be frozen effective as of the Freeze Date for purposes of determining the member’s Frozen Accrued Benefit. No compensation of any type earned by a member after the Freeze Date shall be taken into consideration for purposes of determining the member’s Frozen Accrued Benefit under the General Retirement System;

(e) Any member who, as of June 30, 2014, would have been eligible to elect to use a portion of his unused accrued sick leave to increase his Average Final
Compensation ("Sick Leave Rollover") if the member had been eligible to retire and had elected to retire as of June 30, 2014, shall have a one-time election as of June 30, 2014 ("Special Election") to add the value of twenty-five percent (25%) of the member's unused sick leave accrued for purposes of the Sick Leave Rollover in accordance with the terms of the applicable collective bargaining agreement, City Employment Terms or Detroit Code of Ordinance to the earnings used in computing Average Final Compensation for purposes of determining the member's Frozen Accrued Benefit; provided, however, that at least twenty-five percent (25%) of the member's sick leave accrued for purposes of the Sick Leave Rollover in accordance with the terms of the applicable collective bargaining agreement, City Employment Terms or Detroit Code of Ordinance remains in the member's sick leave bank at the time the completed Special Election form is received by the Retirement System and, provided further that the completed Special Election form is received by the Retirement System no later than August 15, 2014. A member's Special Election shall be made in the manner set forth by the Board of Trustees and the Retirement System. Notwithstanding anything in this subsection (e) to the contrary, a member's Special Election will be void and the determination of the member's Average Final Compensation for purposes of calculating the member's Frozen Accrued Benefit will not take into account any of the member's unused sick leave, if (i) the electing member would not have been eligible to receive an immediate service retirement if he retired as of June 30, 2014, and (ii) the electing member's employment with an Employer is terminated before the electing member becomes eligible for an immediate service retirement under the Retirement System:

(f) Service earned after the Freeze Date shall be credited to a member solely for
purposes of determining the member's vesting in and eligibility for payment of his or her Frozen Accrued Benefits. Service credit for all members for benefit accrual purposes under the terms of the General Retirement System in effect as of the Freeze Date shall be frozen effective as of the Freeze Date and no member shall earn service credit with respect to benefits payable under the terms of the General Retirement System in effect as of the Freeze Date (except for vesting and benefit payment eligibility purposes) after the Freeze Date:

(g) No member shall make contributions to the Annuity Savings Fund under the General Retirement System in effect as of June 30, 2014 with respect to wages earned on or after July 14, 2014, and all Annuity Savings Fund contributions made on or after July 14, 2014 shall be made to and in accordance with the terms of the Combined Plan for the General Retirement System of the City of Detroit, Michigan; and

(h) The 1998 Defined Contribution Plan will be closed to all employees hired or rehired by an Employer on or after July 1, 2014. On or after July 1, 2014, no person may make an election to participate in the 1998 Defined Contribution Plan, and no future contributions will be made to or accepted by the 1998 Defined Contribution Plan with respect to wages earned on or after July 1, 2014.

The foregoing terms of Section 47-1-27 shall be referred to as the "Freeze" of the provisions of the General Retirement System as in effect on the Freeze Date and the provisions of Articles I, II, III, or IV of Chapter 47 of the 1984 Detroit City Code shall be interpreted and construed by the Board of Trustees and the Retirement System to give full effect to the Freeze. To the extent that a conflict arises between this Section 47-1-27 and other provisions in Chapter
47. or any collective bargaining agreement or other document governing the terms of employment of any employee, the Board of Trustees and the Retirement System are directed to interpret any inconsistency or ambiguity to give full effect to the Freeze.

Section 2. If any word, clause, sentence, paragraph, provision, or section of this ordinance is invalidated by any Court of competent jurisdiction, the remaining words, clauses, provisions, paragraphs, and sections shall not be affected and shall continue in full force and effect.

Section 3. All ordinances, resolutions, orders, collective bargaining agreements or other documents governing terms of employment, or parts thereof, whether codified or not codified, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

Section 4. This ordinance is declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

Section 5. This ordinance is effective for all purposes as of June 30, 2014 in accordance with Section 4-118 of the 2012 Detroit City Charter.

Approved as to form:

[Writting]

Melvin Hollowell
Corporation Counsel

Charles Naimy, Deputy

6/13/14
ORDINANCE NO. 18-14

SUMMARY

The proposed ordinance will amend Chapter 47 of the City Code, Retirement Systems, Article I, Common Provisions of the General Retirement System. In particular Section 47-1-18 will be amended to limit payments by the General Retirement System so that neither the General Retirement System nor the trustees charged with management of the Retirement System may provide any savings plan, annuity plan, or other participant investment or savings vehicle that provides an annual return to investing participants that in any year is greater than the actual investment return net of expenses of the Retirement System's invested reserves for the year in which the return is earned and accrued, provided that effective June 30, 2014 for any plan year beginning on or after July 1, 2014, such return shall be no less than zero and no greater than the lesser of (i) 5.25% or (ii) the actual investment return net of expenses of the Retirement System's invested reserves for the second fiscal year immediately preceding the fiscal year in which the annual return is credited.
BY ORDER OF THE EMERGENCY MANAGER, CITY OF DETROIT:

AN ORDINANCE to amend Chapter 47 of the 1984 Detroit City Code, Retirement Systems, Article I, Common Provisions of the General Retirement System, by amending Section 47-1-18 to limit payments by the General Retirement System so that neither the General Retirement System nor the trustees charged with management of the Retirement System may provide any savings plan, annuity plan, or other participant investment or savings vehicle that provides an annual return to investing participants that in any year is greater than the actual investment return net of expenses of the Retirement System’s invested reserves for the year in which the return is earned and accrued, provided that for any plan year beginning on or after July 1, 2014, such return shall be no less than zero and no greater than the lesser of (i) 5.25% or (ii) the actual investment return net of expenses of the Retirement System’s invested reserves for the second fiscal year immediately preceding the fiscal year in which the annual return is credited.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 47 of the 1984 Detroit City Code, Retirement Systems, is amended by amending, effective as of June 30, 2014 for plan years beginning on and after July 1, 2014, Article I, Common Provisions of the General Retirement System, Section 47-1-18, Board of Trustees; Adoption of Mortality and Other Tables of Experience and Rates of Interest; Limitations on Payments By Retirement System, to read as follows:

Sec. 47-1-18. Board of Trustees; Adoption of Mortality and Other Tables of Experience and Rates of Interest; Limitations on Payments By Retirement System.

(a) The Board shall adopt such mortality and other tables of experience, and a rate or rates
of regular interest, as shall be necessary for the operation of the System on an actuarial basis, *provided that* the authority granted by this section shall not permit or be used to provide for an interest rate which would violate the prohibitions of Subsections (b) and (c) of this section or the plan for the adjustment of debts of the City of Detroit, as confirmed by an order of the United States Bankruptcy Court for the Eastern District of Michigan in the City's chapter 9 bankruptcy case (*In re City of Detroit, Michigan, Case No. 13-53846*).

(b) The Retirement System and the trustees charged with management of the System shall not make any payment to active or retired participants other than payments that are required by the Retirement System plan as established by this Code to govern the System or the plan for the adjustment of debts of the City of Detroit, as confirmed by an order of the United States Bankruptcy Court for the Eastern District of Michigan in the City's chapter 9 bankruptcy case (*In re City of Detroit, Michigan, Case No. 13-53846*).

This prohibition applies to all payments that are not authorized by this Code, whether such payments be those commonly referred to as a "thirteenth check" or by any other name.

(c) The Retirement System and the trustees charged with management of the System shall not provide any savings plan, annuity plan, or other participant investment or savings vehicle that provides an annual return to investing participants which in any year is greater than the actual investment return net of expenses of the Retirement System invested reserves for the year in which the return is earned and accrued, *provided that* such return shall neither be greater than the assumed annual return as expressed in the plan's valuation for that year nor less than zero. This prohibition shall apply to all payments made to participants in annual returns credited to accounts of investing members in the Annuity Savings Fund of the Defined Contribution Plan of 1973
from the effective date of this amendment Ordinance 37-11 to June 30, 2014. Notwithstanding anything in this section to the contrary, effective for plan years beginning on and after July 1, 2014, the annual rate of return credited to a member's account in the Annuity Savings Fund of the 1973 Defined Contribution Plan shall be no less than zero and no greater than the lesser of (i) 5.25% or (ii) the actual investment return net of expenses of the Retirement System's invested reserves for the second fiscal year immediately preceding the fiscal year in which the annual return is credited.

Section 2. If any word, clause, sentence, paragraph, provision, or section of this ordinance is invalidated by any Court of competent jurisdiction, the remaining words, clauses, provisions, paragraphs, and sections shall not be affected and shall continue in full force and effect.

Section 3. All ordinances, resolutions, orders, collective bargaining agreements, or other documents governing terms of employment, or parts thereof, whether codified or not codified, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

Section 4. This ordinance is declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

Section 5. This ordinance is effective for all purposes as of June 30, 2014 in accordance with Section 4-118 of the 2012 Detroit City Charter.

Approved as to form:

Melvin Hollowell
Corporation Counsel
Charles Raffy, Deputy
A version of Exhibit C showing the omissions from the City Code in their entirety is available for inspection in the City Clerk's office.
ORDINANCE NO. 19-14

SUMMARY

The proposed ordinance will amend Chapter 47 of the City Code, as herein amended, effective June 30, 2014, by repealing Sections 47-1-1 through 47-1-30, 47-2-1 through 47-2-30, 47-3-1 through 47-3-20 and 47-4-1 through 47-4-10, because, consistent with Ordinance No. 20-14, the terms and general provisions of the General Retirement System will be memorialized in a separate written document entitled "Combined Plan for the General Retirement System of the City of Detroit, Michigan," and which separate document hereafter will comprise the exclusive terms of the Detroit General Retirement System.
ORDINANCE NO. 20-14

SUMMARY

The proposed ordinance will amend Chapter 47 of the City Code effective July 1, 2014, by adding the title of “Enabling Provisions” to Article I and by adding to Article I a new Section 47-1-1 to enable the City to memorialize the Detroit General Retirement System in a separate written document pursuant to (A) Article 11, Section 11-101 of the City Charter, which provides that the City shall provide, by ordinance, for the establishment and maintenance of retirement plan coverage for city employees, and (B) Section 11-102 of the City Charter, which provides for changing the terms of the retirement plans by Charter or an ordinance. The Detroit General Retirement System will be memorialized in a separate written document entitled “Combined Plan for the General Retirement System of the City of Detroit, Michigan,” which document hereafter will comprise the exclusive terms of the Detroit General Retirement System and be kept in the Office of the City Clerk for the City of Detroit.
BY ORDER OF THE EMERGENCY MANAGER, CITY OF DETROIT:

AN ORDINANCE to amend Chapter 47 of the 1984 Detroit City Code by adding the title of "Enabling Provisions" to Article I and by adding to Article I Section 47-1-1 to enable the City to memorialize the Detroit General Retirement System in a separate written document pursuant to (A) Article 11, Section 11-101 of the 2012 Detroit City Charter, which provides that the City shall provide, by ordinance, for the establishment and maintenance of retirement plan coverage for city employees; and (B) Section 11-102 of the 2012 Detroit City Charter, which provides for changing the terms of the retirement plans by Charter or an ordinance.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 47 of the 1984 Detroit City Code, Retirement Systems, be amended by titling Article I and by adding, effective as of July 1, 2014, to Article I, Section 47-1-1 to read as follows:

CHAPTER 47

RETIREMENT SYSTEMS

ARTICLE I

ENABLE PROVISIONS

Sec. 47-1-1. Detroit General Retirement System.

Notwithstanding any collective bargaining agreement or other documents governing terms of employment to the contrary, effective as of July 1, 2014, the Detroit General Retirement System shall hereinafter be memorialized in a separate written document entitled "Combined Plan for the General Retirement System of the City of Detroit, Michigan," which shall comprise
the exclusive terms of the Detroit General Retirement System and be kept in the Office of the City Clerk for the City of Detroit.

Section 2. If any word, clause, sentence, paragraph, provision, or section of this ordinance is invalidated by any Court of competent jurisdiction, the remaining words, clauses, provisions, paragraphs, and sections shall not be affected and shall continue in full force and effect.

Section 3. This section is intended to replace, in its entirety, Chapter 47 of the 1984 Detroit City Code. All ordinances, resolutions, orders, collective bargaining agreements, or other documents governing terms of employment, or parts thereof, whether codified or not codified, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

Section 4. This ordinance is declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

Section 5. This ordinance is effective for all purposes as of July 1, 2014 in accordance with Section 4-118 of the 2012 Detroit City Charter.

Approved as to form:

[Signature]
Melvin Hollowell
Corporation Counsel

[Signature]
Charly Raimi, Deputy