City of Memphis
TENNESSEE

A C Wharton, Jr.
Mayor

December 7, 2009

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Mark Chambers

be appointed to the City of Memphis Board of Ethics with a term expiring January 12, 2012.

I have attached biographical information.

Sincerely,

A C Wharton
Mayor

ACW/lar

c: Council Members

Mark R. Chambers

7915 Hampton Oaks Cove

Cordova, TN 38016

Phone: (901) 870-2920

Fax: (901) 202-2090

EDUCATION

Southern Illinois University at Carbondale — Carbondale, IL

- Major: Behavior Analysis and Therapy — August 2002
- Degree: Master of Science

Southern Illinois University at Carbondale — Carbondale, IL

- Major: Philosophy — May 1999
- Degree: Bachelor of Arts

PROFESSIONAL EXPERIENCE

Mark Chambers — Memphis, TN

Independent Practitioner of Behavior Analyst Services — Aug 2007-Present

- Consult with provider agencies/families regarding individuals with varying developmental disabilities; mental retardation, autism and/or psychological disorders
- Evaluate individual's behavior using behavioral assessments and develope individualized behavior support plans
- Conduct weekly direct observations, data analysis and staff training
- Participate with inter-disciplinary clinical meetings, initial and monthly report writing and documentation
- Provide crisis intervention when needed
- Complete all applicable administrative tasks with running an independent practice

Behavioral Services of Tennessee — Memphis, TN

Eco-Behavior Analyst — Aug 2002-Aug 2007

- Provided complete management of residential services for service recipients with severe behavior challenges:
  - selection and supervision of direct care staff
  - ensuring recipient's care and living conditions meet federal, state, and agency guidelines
  - conducting regular meetings to assess needs of and satisfaction by conservators and recipient's support team
  - performing routine risk assessments.
- Consulted with provider agencies/families regarding individuals with varying developmental disabilities; mental retardation, autism and/or psychological disorders
- Evaluated individual's behavior using behavioral assessments and developed individualized behavior support plans
- Conducted weekly direct observations, data data analysis and staff training
- Participated with inter-disciplinary clinical meetings, initial and monthly report writing and documentation
- Provided crisis intervention when needed

Project 12-Ways Carbondale, IL

Behavioral Counselor/Therapist Jan 2001-Aug 2002

- Provided home-based treatment for families with a history of abuse and neglect
- Conducted behavioral assessments; taught functional skills such as child and parent interactions, home cleanliness and safety, daily routines, infant care skills, problem/negotiation skills, child management, and other individualized protocols
- Completed termination, status, and court reports
- Supervised and trained graduate students in conducting behavioral assessments and services

PROFESSIONAL CERTIFICATION

- Board Certified Behavior Analyst (2005 - present)

PROFESSIONAL ORGANIZATIONS

- Association for Behavior Analysis International (ABAI)
- Tennessee Association for Behavior Analysis (TABA)
- Association of Professional Behavior Analysts (APBA)

AWARDS

- "Behavior Analyst of the Year" – Behavioral Services of Tennessee (2005)

PUBLICATIONS

- Chambers, M. R., & Rehfeldt, R.A. (2003). Assessing the Acquisition and Generalization of Two Mand Forms with Adults with Severe Developmental Disabilities. *Research in Developmental Disabilities*, 24, 265-280.
- Chambers, M. R., & Rehfeldt, R.A. (2003). Effects of Rules on Preference for Reliable Reinforcement in a 5-Year Old Child. *North American Journal of Psychology*, 5, 67-74.
- Rehfeldt, R.A., & Chambers, M. R. (2003). Functional Analysis and Treatment of Verbal Perseverations Displayed by an Adult with Autism. *Journal of Applied Behavior Analysis*, 36, 259-261.

PROFESSIONAL PRESENTATIONS

- Chambers, M. R., Gonzalez, C. V., Short, J. J., & Lu, J. (September, 2004). The Use of the Posey Transport Belt to Decrease Escape Maintained Dropping. Poster presented at the meeting of the Tennessee Association for Behavior Analysis, Memphis, TN.
- Chambers, M. R., & Gonzalez, C. V. (September, 2004). The Effects of Functional Engagement Procedures on Psychogenic Polydipsia. Poster presented at the meeting of the Tennessee Association for Behavior Analysis, Memphis, TN.
- Chambers, M. R. & Rehfeldt, R.A. (March, 2003). A Comparison of Two Procedures for Establishing Mand Skills in Adults with Severe Developmental Disabilities. Poster presented at the Southern Illinois University Annual Research Day, Carbondale, IL.
- Chambers, M. R. & Rehfeldt, R.A. (October, 2002). A Comparison of Two Procedures for Establishing Mand Skills in Adults with Severe Developmental Disabilities. Poster presented at the meeting of the Mid-American Association for Behavior Analysis, Kalamazoo, MS.
- Chambers, M. R. & Rehfeldt, R.A. (May, 2002). Assessing the Acquisition and Generalization of Two Mand Forms with Adults with Severe Developmental Disabilities. Poster presented at the meeting of the Association for Behavior Analysis, Toronto, Ontario.
- Chambers, M. R., Rehfeldt, R. A., & Randich, L. (May, 2002). Establishing Preferences for Unreliable Reinforcement in a Typically Developing Child and Adults with Dual Diagnoses. Poster presented at the meeting of the Association for Behavior Analysis, Toronto, Ontario.

- Rehfeldt, R. A., Chambers, M. R., & Randich, L. (May, 2001). Investigating Preference for Unreliable Reinforcement in Adults with Dual Diagnoses and Typically Developing Children. Poster presented at the meeting of the Association for Behavior Analysis, New Orleans, LA.
- Rehfeldt, R. A., & Chambers, M. R. (2001). Investigating preference for reliable reinforcement. Paper presented at the annual meeting of the Behavior Analysis Society of Illinois, Springfield, Illinois.

PROFESSIONAL SERVICE

Division of Mental Retardation Services - Behavior Supports Committee — Memphis, TN

Rotating Member — 2004-present

- Responsible for approving behavior support plans prior to their implementation based on ethical guidelines that ensure that the least restrictive potentially effective procedures are always attempted first, and has chosen only those procedures that are necessary to eliminate the inappropriate behavior and to increase appropriate behavior.

Tennessee Association for Behavior Analysis — Memphis, TN

Publication Committee Member — 2004

- Participated in the development of published material for the organization

EDITORIAL SERVICE

Experimental Analysis of Behavior Bulletin — Carbondale, IL

Editorial Consultant — 2001

- Provided peer review recommendations and approval of articles with publication pending

UNIVERSITY SERVICE

Committee to Elect Rehabilitation Institute's Teacher of the Year — Carbondale, IL

Southern Illinois University's Behavior Analysis and Therapy Program Representative — 2001

- Developed questionnaire/assessment tool to determine teacher ranking

ACTIVITIES

Cordova Leadership Council, Non-Profit 501(c)3 Organization — Cordova, TN

Board Member — 2005-present

- Attend monthly meetings of the board of directors
- Participate in the planning and voting on the actions taken by the group 'to inform and empower the people of Cordova to affect positive change in their community'
- Host forums on community related matters
- Serve as Secretary of the Board of Directors
- Serve as President during the 2005-2006 and 2006-2007 terms

City of Memphis
TENNESSEE

A C Wharton, Jr.
Mayor

December 7, 2009

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Robert T. Dawkins

be appointed to the City of Memphis Board of Ethics with a term expiring January 12, 2014.

I have attached biographical information.

Sincerely,

A C Wharton
Mayor

ACW/lar

c: Council Members

Robert T Dawkins, CTFA
7797 Fawn Ridge Cove
Cordova, TN 38016
901-382-7900 (w)
901-755-9197 (h)

Business Experience

Love Worth Finding Ministries 2009
Director, Ministry Relations

Bellevue Foundation 2000-2009
Founding President

SunTrust/ National Bank of Commerce 1977-2000
Senior Trust Officer/First-Vice President
Retired 2000

Memphis Light Gas and Water 1972-1977
Senior Financial Analyst

Union 76 Oil Company California 1969-1972
Business Counselor and Sales Representative

Family Background

Born and raised in Memphis
Married,40 years, 3 grown children, 3 grandchildren

Educational Summary

Post Graduate studies in Finance
CTFA, 1992, Certified Trust Financial Advisor
Designation awarded by Institute of Certified Bankers

Advanced Administration Estates and Trusts, Cannon School,
University of Notre Dame

Money Management Fundamentals,
Wharton School of Business, University of Pennsylvania

University of Memphis, 1969
Bachelor of Business Administration

Graduated Christian Brothers High School, 1964
Attended Whitehaven Junior High
Attended Idlewild Elementary School

Community Involvement

Kiwanis Club of Memphis, Past-President, 30 year member
Kiwanian of the Year, 1994-1995, Legion of Honor 2007
Estate Planning Council of Memphis
Planned Giving Council of Memphis
Bellevue Baptist Church, 50 year member
Past-Chairman of Deacons and other Committees
i.e.: Finance Committee, Building Committee
Committee on Committees, Bellevue Loves Memphis
Former Sunday School Teacher, 20 years
National Hemophilia Foundation, Memphis Chapter,
Past-President
Mid-South Fly Fishers Federation
Junior Achievement, Past-Advisor

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A C Wharton, Jr.
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December 7, 2009

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Ruth A. Pollard

be appointed to the City of Memphis Board of Ethics with a term expiring January 12, 2016.

I have attached biographical information.

Sincerely,

A C Wharton
Mayor

ACW/lar

c: Council Members

Biographical notes for RUTH A. POLLARD

- Ruth A. Pollard is a native Memphian
- Wife of Thomas W. Pollard (deceased)
- Mother of five children:
  - Herschel
  - Rhonda
  - Dana
  - Gregory
  - Mitchell
- Grandmother of nine
- Member of Mt. Vernon Baptist Church since 1964
  - Volunteer for the Annual Summer Youth Program
- Owner of The Unlimited Men & Boys Store for 20 years (retired)
- Former Member of the Shelby County Democratic Party for 8 years
  - Currently serving on the Executive Committee
  - Delegate at the 2008 Democratic National Convention
- Committee Organizer for the election of Mayor Willie Herenton
- Campaign Manager for Ike Griffin (candidate for City Council)
- Public Relations Coordinator for the election of County Commissioner Sidney Chism
- Community Organizer for the Red Oaks Community for 31 years
  - Chairperson for the "National Night Out" (4 years)

Hobbies:

- Traveling
- Sewing / Alterations
- Gardening
- Community Advocate

January 4, 2009

Mr. Keith Norman
Chairman
Shelby County Democratic Party

Mr. Norman,

Please accept this letter as my resignation from the Shelby County Democratic Party and committee responsibilities. I have worked with the committee for the past 9 years and have given considerable thought to my current action.

I wish all of the fine members of the Democratic Party continued success in their efforts to establish sound practices in politics and to promote the party as a positive legislative body in the Memphis community.

Sincerely,

Ruth A. Pollard

Executive Committee Member
Shelby County Democratic Party

City of Memphis
TENNESSEE

A C Wharton, Jr.
Mayor

December 7, 2009

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Carol K. George

be appointed to the City of Memphis Board of Ethics with a term expiring January 12, 2012.

I have attached biographical information.

Sincerely,

A C Wharton
Mayor

ACW/lar

c: Council Members

CAROL K. GEORGE

1268 LaPaloma
Memphis, TN 38114
Phone: (901) 406-6131 E-mail: chekg48@hotmail.com

RESUME IN BRIEF

PROFESSIONAL EXPERIENCE

Carol K. George Realtors, LLC *1989- present*

Principal Broker

Oversee daily company operations and supervise the activities of all affiliates associated with the company in terms of negotiating listings and assisting in writing sales contracts for selling and exchange of real estate. Insure that all agents abide by the *Realtors Code of Ethics*, which are designed to protect the public in all phases of the business.

Memphis Area Association of Realtors

Professional Standards Committee *2000-2005*

Heard complaints from both the public and real estate agents regarding varying realty transactions. Rendered decisions in executive session based on the evidence provided in the hearings.

Grievance Committee *1997-2000*

Reviewed complaints from both the public and real estate agents to determine whether such complaints warranted elevation to the *Professional Standards Committee* for a hearing on the issue.

Housing Initiatives Committee *2004-2005*
Affordable Housing Forum *2004-2005*
CRS Local Members Committee *2004-2005*

Governing Documents Committee *2002-2003*

Reviewed the association's governing documents and made revisions where necessary.

Budget and Finance Committee *1998-2001*

Determined the association's budget based on current finances

AREAS OF EXPERTISE

- Ethics and Professional Responsibility
- Taxation
- Real Estate Finance
- Land Study

CERTIFICATIONS

- GRADUATE, *Realtors Institute* — CERTIFIED RESIDENTIAL SPECIALIST

EDUCATION

- Memphis State University — Major: Business — *1972-1975*

COMMUNITY SERVICE

Inner City Progress Initiative, *Steering Committee Member* *2006-present*
Glenview-Edgewood Manor Association, *Member* *2006-present*

REFERENCES

CONTACT INFORMATION AVAILABLE UPON REQUEST

- **City Councilwoman Wanda M. Halbert**
- **City Director Robert Lipscomb**
- **Attorney Cary Woods**

City of Memphis
TENNESSEE

A C Wharton, Jr.
Mayor

December 7, 2009

The Honorable Shea Flinn, Chairman
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City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Pete Scatamacchia

be appointed to the City of Memphis Board of Ethics with a term expiring January 12, 2014.

I have attached biographical information.

Sincerely,

A C Wharton
Mayor

ACW/lar

c: Council Members

City of Memphis

BIOGRAPHICAL INFORMATION
APPOINTMENT TO BOARD/COMMISSION

Board of Ethics
BOARD/COMMISSION

Name: Pete Scatamacchia Date of Birth: 7-20-57

Business Address: 4359 BF Goodrich Blvd Phone: 795-2300

E-Mail Address: Scatamacchia.Pete@Mem.Sysco.com

Profession/Employer: President/CEO Harvin's-Sysco

Education: BA Business University of Memphis

Name of Spouse: Karen Number of Children: 3

Home Address: 4882 Shady Gr. Rd Phone: 252-6946

City: Memphis State: Tn Zip: 38112

I certify that I am a resident of the City of Memphis (Unincorporated areas and surrounding counties are not considered). Yes ✓ or No ____ If yes, how long? 3 yrs.

I will be representing District: 1, 2, 3, 4, (5), 6, or 7

Professional Organization/Associations: ____

Other Organizations/Associations: Tiger Scholarship Fund, Board of Directors M-Club-University of Memphis B.O.D.

Other Interests: Golf Hunting

City of Memphis
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A C Wharton, Jr.
Mayor

December 7, 2009

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Alicia Howard

be appointed to the City of Memphis Board of Ethics with a term expiring January 12, 2016.

I have attached biographical information.

Sincerely,

A C Wharton
Mayor

ACW/lar

c: Council Members

Alicia A. Howard

1503 Union Avenue, Suite 201
Memphis, TN 38104
(901) 725-7110/ (901) 336-7722
E-Mail: aliciahowardlaw @yahoo.com

Education:

1977-1980	Southside High School, Memphis, TN. Earned H. S. Diploma in May, 1980. Graduated 3rd in class of 423. Extra-Curricula: Student Council (president), Majorettes (captain), National Honor Society (president).
1980	Emory University, Atlanta, GA.
1981	Christian Brothers College, Memphis, TN.
1981-1984	Howard University, Washington, DC. Earned B.A. Degree in 1984. Graduated Magna Cum laude. Major: English/Pre-Law Minor: Business Administration Extra-Curricula: Marching Band (Dancer), Liberal Arts Student Council
1984-1986	George Washington National Law Center, Washington, DC. Earned Juris Doctor Degree in 1986.

Experience:

1986-1988	*Intern,* Public Defender's Office, Washington, D.C.
1986-1988	*Pretrial Services Agent,* Pretrial Services, Washington, DC.
1988-1989	*Law Clerk,* Shelby County Circuit Court Judges, Memphis, TN.
1989-1992	*Attorney and Compliance Manager,* TPI Restaurants, Inc., Memphis, TN.
1992-1997	*Assistant City Attorney,* City Attorney's Office, Memphis, TN. Appointed by Mayor W. W. Herenton.
1997-present	*Attorney,* Private Practice, Memphis, TN.

Professional Associations:

Admitted to Tennessee Bar in 1990
Admitted and Approved to Practice in all State Courts and the Federal Court of the District
Member, Memphis and Shelby County Bar Association
Member, National Bar Association, Ben Jones Chapter
Member, Association of Women Attorneys

Community Services

Mentor
Intern Supervisor
Founder and Sponsor, Alumni Association, Memphis Academy of Health Sciences
Member, Parent Action Committee, City University

Personal

Mother of Three: Justin (20), Joshua (15) and Jessica (13)
Member, Brown Baptist Church

City of Memphis
TENNESSEE

A C Wharton, Jr.
Mayor

December 7, 2009

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

Vaness M. Harvey

be appointed to the City of Memphis Board of Ethics with a term expiring January 12, 2012.

I have attached biographical information.

Sincerely,

A C Wharton
Mayor

ACW/lar

c: Council Members

Biography for Vaness M. Harvey

Vaness Harvey was born on August 6, 1938 in Memphis, Tennessee. She was the oldest of three children who were all reared in the Historic Douglass Community. Upon graduation for Douglass High School in 1956, she attended Tennessee State Agricultural and Industrial University. While studying for a Bachelor's Degree in Health and Physical Education, Vaness participated in many activities that help to form her foundation for the woman many know of today. She completed her degree in May of 1960 and her dream of fulfilling the lives of children came to fruition in the fall of that same year.

In the fall of 1968, she left Porter Junior High School to become the First Black Educator at Fairview Junior High. There she tore down the segregated walls by having the first multi-cultural cheerleading squad. She also coached girl's basketball and track for 21 years. In 1994 she retired after 34 years of service to the Memphis City Schools System.

While teaching she never forgot the community that she was raised. She attended church at Greater First Baptist Chelsea where she was the financial secretary and Sunday School teacher for 35 Years. She continues to uphold all of the Christian values she learned as a child growing up in the Douglass Community.

At the present time Vaness is the Director of the Douglass Community Center Super Seniors. She assists the senior population of her community with meals, companionship, hobbies, and most of spiritual growth. The is not the only activity Vaness is involved in, she is a Life Member of the Tennessee State National Alumni Association, enthusiastically engaged in the National Douglass Alumni Corporation and the Memphis Chapter of AARP.

Vaness is the proud mother of one daughter, Antionette L. Harvey and the Grandmother of two: Krystalin, 15 and Kirsten, 11

City of Memphis
TENNESSEE

A C Wharton, Jr.
Mayor

December 7, 2009

The Honorable Shea Flinn, Chairman
Personnel, Intergovernmental & Annexation Committee
City Hall - Room 514
Memphis, TN 38103

Dear Chairman Flinn:

Subject to Council approval, it is my recommendation that:

The Honorable Robert A. Lanier

be appointed to the City of Memphis Board of Ethics with a term expiring January 12, 2014.

I have attached biographical information.

Sincerely,

A C Wharton
Mayor

ACW/lar

c: Council Members

Turner, Ann

From: Robert Lanier [hentzau@comcast.net]
Sent: Monday, October 26, 2009 2:38 PM
To: Turner, Ann
Subject: Biographical Information for Robert Lanier

Here is my brief biographical info. Please let me know if you need more information as my curriculum vitae has been packed away since my retirement!
Robert Lanier
452-4667
493-6561

ROBERT ALLISON LANIER

Age 71
Born in Memphis
Married 26 years to the former Linda Carol MacLeod No children (2 dogs and 2 cats)

1982-2004 Judge of the Circuit Court of Tennessee for the 30th Judicial District at Memphis (22 years)
Voted Judge of the Year twice by the Memphis Bar Association Author of several books and articles on local history and law

President of the Memphis Humane Society in 1973 Co-founder of the Tennessee Humane Association Co-founder of Memphis Heritage Author of several State humane laws enacted in the 1970s

Classic film and passenger train buff

EXECUTIVE ORDER

BY THE MAYOR

No. 2-2009

AN ORDER ESTABLISHING HIGH ETHICAL STANDARDS FOR CITY EMPLOYEES REGARDING THE ACCEPTANCE OF GIFTS AND CONFLICTS OF INTEREST

WHEREAS, it is essential that the highest ethical standards be maintained by City employees to ensure the proper performance of government business and instill confidence in the citizenry regarding the operation of their government; and

WHEREAS, it is important to provide clear guidance to employees at every level of government about the standards to which they should adhere regarding the acceptance of gifts and conflicts of interest; and

WHEREAS, this Order is intended support and offer guidance to the provisions set forth within the City Ethics Ordinance, Section 2-42 of the City Code of Ordinances or any other governing state or federal laws.

NOW THEREFORE, I A C Wharton, Jr., Mayor of the City of Memphis, Tennessee by virtue of the executive and administrative authority vested in me by the Charter of the City of Memphis and statutes and law of Tennessee, do hereby direct and order as follows:

1. **Persons covered.** This Order shall apply to all City employees with the exception of the members of the Memphis City Council and their staff.

2. **Employee responsibilities.** Each employee shall avoid any action, whether or not specifically prohibited by statute, regulation or this Order, which might result in or create the appearance of:

   i. Using public office for private gain;
   ii. Giving preferential treatment to any person;
   iii. Impeding government efficiency or economy;
   iv. Losing complete independence or impartiality;
   v. Making a government decision outside of official channels;
   vi. Affecting adversely the confidence of the public in the integrity of the government.

3. **Gift.** No employee shall solicit or accept, directly or indirectly, on behalf of himself or herself or any member of the employee's household, any gift, including but not limited to any gratuity, service, favor, food, entertainment, lodging, transportation, loan, loan guarantee or any other thing of monetary value from any person or entity that:

   i. Has or is seeking to obtain contractual or other business or financial relations with the department, division or agency of the City in which the individual is employed; or

ii. Conducts operations or activities that are regulated by the department, division or agency of the City for which the individual is employed; or

iii. Has interests that may be substantially affected by the performance or nonperformance of the employee's official duties.

4. **Exceptions.** The prohibition on accepting gifts in paragraph 3 does not apply to:

i. A gift given by a member of the employee's immediate family, or by an individual if the gift is given for a non-business purpose and is motivated by a close personal friendship;

ii. Informational materials, such as books, periodicals, audio or video, or sample merchandise helpful as a part of the employee's duties in determining the appropriateness of the product for use as a part of City business;

iii. Unsolicited tokens or awards of appreciation, honorary degrees or bona fide awards in recognition of public service, provided that any such item can not be readily converted to cash;

iv. Food, refreshments, foodstuffs, entertainment or beverages provided as a part of a meal or other event if the value of such items does not exceed $50.00 per occasion and is not given for the performance of an act, or refrain from performance of an act, that the employee would be expected to perform, or refrain from performing, in the regular course of his duties or that might reasonably be interpreted as an attempt to influence such employee's action, or reward him for past action, in executing business of the City;

v. Food, refreshments, foodstuffs, entertainment or beverages provided as a part of a meal or other event in which the employee is attending or is a speaker or part of a panel discussion at a scheduled meeting of an established or recognized membership organization; and

vi. Loans from established financial institutions made in the ordinary course of business on usual and customary terms.

vii. Voluntary, legally disclosed political campaign contributions given in accordance with applicable federal and state statutes to an individual covered by the provisions of this Order who has announced his or her intention to seek elected office.

5. **Financial Interests.** No employee shall enter into or derive any benefit, directly or indirectly, from any contractual arrangement with the City or its agencies. The normal employment compensation of a spouse whose regular, ongoing employer or business has a contractual arrangement with the City shall not be considered a benefit to the employee provided that the employee did not assist his or her spouse in securing the contract with the City.

6. **Use of Information or Property.** No employee shall directly or indirectly:

i. Use, disclose or allow the use of official information which was obtained through or in connection with his or her City employment and which has not been made available to the general public for the purpose of furthering the private interest or personal profit of any person, including the employee; or

ii. Engage in a financial transaction as a result of, or primarily relying upon information obtained through his or her government employment; or

iii. Make use of facilities, equipment, personnel or supplies of the City for private use or gain, except to the extent that the use is incidental or deminimus or is lawfully available to the general public.

7. **Disclosure of Financial Interests**. Certain positions of employment appointed by the Mayor shall be required to file a disclosure of financial interests annually. This disclosure requirement shall apply to the Mayor, Chief Administrative Officer, Deputy Chief Administrative Officer, Division Directors, Division Deputy Directors and any employee whose immediate superior is either the Mayor or the Chief Administrative Officer.

8. **Information Required for Disclosure.** Each employee listed in paragraph 7 shall annually disclose the following information:

i. The name and address of any business in which the employee or spouse or minor child of the employee has a financial interest exceeding 5% and the nature of the employee's interest in the business;

ii. The address and nature of interest in any real property which the employee or spouse or minor child of the employee has a financial interest exceeding 5% excepting the primary personal residence of those individuals;

iii. Any non-governmental position held, whether compensated or not, with any business entity, non-profit, labor group, educational institution or other similar entity, together with the nature and amount of any compensation;

iv. Any litigation involving the City or any entity with a relationship to the City, in which the person is a party or has a financial interest;

v. Any felony conviction within 20 years of the date of the disclosure;

vi. Any debts, guarantees or endorsement of debts aggregating over $5,000 owed to one creditor at any time during the year, excluding loans from established financial institutions made in the ordinary course of business on usual and customary terms;

vii. Any debts of the employee, spouse or minor child which are secured or guaranteed by any individual other than the employee, parent, spouse or minor child.

9. **Compliance.** The Chief Ethics Officer, and the City Attorney when serving as Chief Ethics Officer, shall take steps on an annual basis to ensure compliance with this Order include the following:

i. Creation and dissemination of annual disclosure forms;

ii. Maintenance of completed disclosure forms and ensuring that they are available for public inspection;

iii. Prepare and deliver training to all employees with regard to the standards set forth in this Order;

iv. Investigate any reported violations of this Order and report the findings to the Mayor.

10. **Ethics Training.** The ethics training program to be provided by the Chief Ethics Officer in accordance with the City's ethics ordinance shall be mandatory for personnel described in paragraph 7 and strongly encouraged for all employees as space allows. The

training should not simply be a review of this Order or any other ethics ordinance, policy or law. Instead, training should emphasize ethical decision making in complex and/or high pressure situations.

11. This Order shall be implemented consistent with applicable law and is not intended to, and does not create, any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by any party against the City of Memphis, its divisions, departments, agencies or entities, its officers, employees, agents or any other person.

12. This Order shall be recorded by the Comptroller along with any subsequent orders issued by the Office of the Mayor in a hard bound volume to be maintained by the Office of Council Records. The Office of Council Records shall also maintain each executive order online for electronic access.

13. Upon signature, this Order shall become effective on January 1, 2010.

A C Wharton, Jr., Mayor

Executed this 7th day of December 2009

RESOLUTION

WHEREAS, the Council of the City of Memphis approved Misc Subdivision Outfalls, project number SW01001 as part of the Public Works Fiscal Year 2010 Capital Improvement Budget; and

WHEREAS, bids were taken on November 13, 2009 for the Summer Raleigh LaGrange S/D sewer extension with the lowest complying bid of seven being $61,228.90 submitted by Roy Holmes Construction; and

WHEREAS, it is necessary to transfer an allocation of $67,352.00 funded by Sewer Revenue Bonds from Misc Subdivision Outfalls, project number SW01001 to Summer Raleigh S/D SW Ext, project number SW01030; and

WHEREAS, it is necessary to appropriate $67,352.00 funded by Sewer Revenue Bonds to Summer Raleigh S/D SW Ext, project number SW01030 for the following:

Contract Amount	**$61,229.00**
Project Contingencies	**$6,123.00**
Total	**$67,352.00**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2010 Capital Improvement Budget be and is hereby amended by transferring an allocation of $67,352.00 funded by Sewer Revenue Bonds from Misc Subdivision Outfalls, project number SW01001 to Summer Raleigh S/D SW Ext, project number SW01030.

BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of $67,352.00 funded by Sewer Revenue Bonds chargeable to the Fiscal Year 2010 Capital Improvement Budget and credited as follows:

Project Title:	**Summer Raleigh S/D SW Ext**
Project Number:	**SW01030**
Amount:	**$67,352.00**

ORDINANCE NO: _____

ORDINANCE TO AMEND CHAPTER 15, SECTION 15-11
OF THE CITY OF MEMPHIS CODE OF ORDINANCES REGARDING
THE DIMENSIONS OF LIMBS AND LOGS COLLECTED BY THE CITY

WHEREAS, Chapter 15, Section 15-11(d) of the existing City Code of Ordinances does not adequately address the dimensions of trees and logs collected by the City; and

WHEREAS, it is deemed appropriate to amend Section 15-11(d) to increase the size of trees and logs collected by the City from three (3) inches to thirteen (13) inches in diameter to allow residents greater flexibility and to provide the City better manageability.

SECTION 1. NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Chapter 15, Section 15-11(d) is hereby amended to read as follows:

> (d) Limbs or logs in excess of thirteen (13) inches in diameter and five (5) feet in length will not be collected by the City.

SECTION 2. BE IT FURTHER ORDAINED, That the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

Harold Collins,
Chairman of the Council

_____

Attest
Patrice Thomas, Comptroller

_____

CONSTRUCTION ENGINEERING SERVICES, INC.

Donald D. Colvin, President

November 17, 2009

Mr. Jack Sammons, CAO
City of Memphis
125 North Main Street
Memphis, TN 38103

RE: OPD Case # S 09-013
Gaskell Industrial Subdivision
Re-Subdivision of Lot #3

Dear Mr. Sammons:

We respectfully request an appeal of the Land Use Control Board's decision rendered on November 12, 2009 in regards to the above referenced case. We are specifically appealing the following:

L.U.C.B. CONDITIONS

3. The applicant shall be required to dedicate and improve the Old Getwell Road frontage of proposed Lot 3B with curb, gutter, and sidewalk 34 feet from the centerline. The Standard Improvement Contract covering this work shall also include the installation of a sidewalk along the New Getwell Road frontage of proposed Lot 3A.

4. Both proposed Lots 3A and 3B will be required to comply with the provisions of the Landscaping Ordinance. With any future building or parking expansion(s) with the exception that Condition #1 above must be complied with prior to the recording of the plat or release of any performance bond for the road improvements to Old Getwell Road.

The Board rejected our variance requests to waive the installation of sidewalks on New Getwell Road and fully improve Old Getwell Road with curb, gutter, sidewalk and pavement widening.

When Mr. Anglin purchased this property he thought he was buying two lots. There are two tax parcels and he has been paying taxes as if they were separate lots. Not until Mr. Anglin decided to try to sell one of the buildings did he discover he would have to subdivide in order to sell only one building. As stated by OPD, we do not know how more than one main building on a lot came about. We are attempting to rectify this issue by the subdivision approval request.

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The Gaskell Industrial Subdivision was recorded in 1971 and there were no improvements required. The subdivision directly to the north of Lot 3 was recorded in 1970 and contains full urban road improvements. Old Getwell Road south of Lot 3 on both sides has no improvements and the development is fully built out with no hope of improving the street, curb, gutter and sidewalk. We are simply attempting to divide Lot 3 into two lots, which should have been done before the second building was built. We are not developing anything. It is already developed.

The existing right of way is 68' as demonstrated by the preliminary plan and as recorded on the Gaskell Industrial Subdivision plan recorded in Plat Book 46, Page 4 of the S.C.R.O. There would be no need for dedication.

We do not feel that improvements to the existing right-of-way at Lot 3B would alter existing conditions on Old Getwell Road since they would not change south of the lot. Most of Old Getwell between Winchester Road and this property has curb, gutter, and sidewalk on the east side, although in some areas the curb has been covered up and sidewalk removed and/or added to the parking. There are no improvements south of Lot 3B on either east or west side as far as Raines Road. Very little of the west side of Old Getwell has either sidewalk or curb. In many areas, you cannot tell where the street ends and the parking begins.

On New Getwell, we are asked to add sidewalk along this property line. In approximately 1.235 mile stretch of New Getwell from Lamar Avenue to Raines Road there is approximately 1½ blocks that has sidewalks. We don't feel adding 214 feet more in front of our property will aid in pedestrian safety since the remainder is developed and unlikely to ever add sidewalk.

The appellant's information is as follows: Ronald Anglin, 4039 Old Getwell Memphis, TN 38118, 901-365-7260.

We request approval of our appeal to reverse the rejection of our waiver request decision of the Land Use Control Board.

Sincerely yours,

CONSTRUCTION ENGINEERING SERVICES, INC.

Donald D. Colvin, P.E.

DDC:mdb
cc: Mary Baker, Deputy Director

RESOLUTION AMENDING THE PERMANENT RULES OF PROCEDURE OF THE MEMPHIS CITY COUNCIL

Whereas, Section 45 of the Council's Rules of Procedure provide for the orderly transaction of business during meetings of the Council and specifically outline the circumstances under which a member can speak on matters that have been placed on the floor; and

Whereas, Section 45 further provides that a member "shall not be recognized the second time on the same subject until all members who wish to speak have had an opportunity to do so"; and

Whereas, while the Rules impose time limitations on citizens speaking on matters before the Council, but there are no such limitations on the length of speeches made by members of the Council during debate.

Now, therefore, be it resolved by the Council of the City of Memphis that the Council Rules of Procedure, as presently adopted, be and the same are hereby amended by adding the following language:

F. CODE OF ETHICS

The length of the time to speak for each Council member is limited to a total of not more than five (5) minutes, per motion, to be used in sum or in part when first recognized to speak on a matter or the remaining time may be used when recognition is sought the second time.

BE IT FURTHER RESOLVED that the Rules of Procedure, as amended above, be and the same are hereby approved and adopted by the Council.

ADOPTED: January 12, 2009

Jim Strickland, Council member

Harold Collins, Chairman

ORDINANCE NO. 5338

AN ORDINANCE TO ESTABLISH MEETING DATES FOR CITY COUNCIL MEETINGS IN 2010

WHEREAS, Referendum Ordinance No. 4274 approved by the qualified voters of the City authorizes the Council to establish by ordinance the Tuesdays of every month on which the Council shall meet; and

WHEREAS, from time to time it becomes necessary to change the meeting dates because of official holidays and other days of great importance, and in the interest of time and efficiency; and

NOW, THEREFORE, BE IT ORDAINED that the Council of the City of Memphis shall meet on the following dates during 2010 at 3:30 p.m. at Council Chambers at City Hall:

JANUARY 12	JANUARY 26
FEBRUARY 9	FEBRUARY 23
MARCH 9	MARCH 23
APRIL 13	APRIL 27
MAY 11	MAY 25
JUNE 8	JUNE 22
JULY 6	JULY 20
AUGUST 10	AUGUST 24
SEPTEMBER 14	SEPTEMBER 28
OCTOBER 12	OCTOBER 26
NOVEMBER 9	NOVEMBER 23
DECEMBER 7	DECEMBER 21

Harold B. Collins
Chairman