City of Memphis
TENNESSEE

MEMPHIS CITY COUNCIL
Myron Lowery
Chairman

Berlin F. Boyd
William C. Boyd
Joe W. Brown
Harold B. Collins
Kemp Conrad
George Shea Flinn, III
Edmund H. Ford, Jr.
Janis Fullilove
Wanda M. Halbert
Reid Hedgepeth
Bill Morrison
Jim Strickland

April 29, 2015

To the Citizens of District 9:

Having received a letter of resignation from Councilman Shea Flinn effective immediately, I hereby declare a vacancy in City Council District 9, Position 2.

The City Charter requires a vacant seat to be filled within 30 days. The City Council will fill the interim appointment according to our Rules of Procedure, Rule No. 54. A citizen of District 9 will be appointed by the Council on May 19, 2015.

This is the City Council's process for filling a City Council vacancy per our Rules of Procedure:

Upon notification of a vacancy on the Council, the Chairman shall request written nominations from Council members of a qualified individual(s) they would like considered for the position. Additionally, the public may nominate candidates and interested candidates may personally submit a letter indicating their interest in the vacant seat. The name, address and birth date of all candidates should be included in the nominating letter. Interested candidates will also be asked to provide proof of residency as described by the City of Memphis Human Resources Division. The names of the supporters on the qualifying petition of the candidates will be certified by the Shelby County Election Commission. All other information will be verified by the Council Staff.

Required documents for Proof of Residency shall be at least one (1) of the following:

- valid Tennessee drivers license or state identification
- Tennessee vehicle registration
- current Memphis Light Gas & Water bill (within previous 30 days)

and at least two (2) of the following:

- mortgage papers or lease agreement in candidate's or spouse's name
- address section of federal tax return or tax bill for residence
- recent bank or credit union statement in candidate's or spouse's name (within previous 30 days)
- voter registration card

Signatures of twenty-five (25) registered voters residing in the Council district in which the vacancy exists shall be obtained. Said signatures and proof of residency shall be submitted to the Council Office on a form which includes a sworn, affirmative statement regarding the residency of the candidate by noon on Thursday, May 14.

The Council will make its selection at its meeting on May 19. During the Regular Meeting of the Council, all nominees will be given an opportunity to deliver a speech, may be questioned by the Council, and will be voted on at the same time.

The Chairman will have the discretion to establish time limits for voting when an impasse seems likely and to table voting to the next meeting so as to not disrupt and delay normal Council business.

All citizens of District 9 interested in serving in this capacity may pick their petition, affidavit form and proof of residency from the City Council and submit completed documents back to the Council no later than 12:00 noon on May 14 to:

Myron Lowery
Memphis City Council
City Hall
125 N. Main, Suite 514
Memphis, TN 38103

A map of District 9 is available on the Council's website at www.memphiscitycouncil.com

Sincerely,

Myron

Myron Lowery
Chairman

/lg

Attachment: Rules of Procedure, Rule No. 54

cc: All Council Members
Mayor AC Wharton, Jr.

I. VACANCIES (54)

54.

Upon notification of a vacancy on the Council, the Chairman shall requests written nominations from Council members of a qualified individual(s) they would like considered for the position. Additionally, the public may nominate candidates and interested candidates may personally submit a letter indicating their interest in the vacant seat. The name, address and birthdate of all candidates should be included in the nominating letter. Interested candidates will also be asked to provide proof of residency as described by the City of Memphis Human Resources Division. The candidates will be certified by the Shelby County Election Commission. Required documents for Proof of Residency shall be at least one (1) of the following: valid Tennessee driver's license or state identification; Tennessee vehicle registration; current Memphis Light Gas & Water bill (within previous 30 days), and at least two (2) of the following: mortgage papers or lease agreement in candidate's or spouse's name; address section of federal tax return or tax bill for residence; recent bank or credit union statement in candidate's or spouse's name (within previous 30 days); voter registration card.

Signatures of twenty-five (25) registered voters residing in the Council district in which the vacancy exists shall be obtained. Said signatures and proof of residency shall be submitted to the Shelby County Election Commission on a form which includes a sworn, affirmative statement regarding the residency of the candidate by noon on the Thursday preceding the Tuesday meeting when the Council shall fill the vacancy.

During the Regular Meeting of the Council, all nominees will be given an opportunity to deliver a speech, may be questioned by the Council, and will be voted on at the same time. A roll call vote shall be taken with each Council member indicating the name of their choice to fill the vacant seat. Voting will begin with the Council person whose name appears first on the voting board. With each successive round of voting, the person who voted first in the previous round will vote last.

The Deputy Comptroller will tabulate the votes and inform the Chairman of the vote count for each nominee at the conclusion of each round of voting. The procedures in the initial round will be repeated as many times as necessary until a nominee garners seven (7) votes. Beginning at the second round of voting, a nominee receiving less than two (2) votes will be dropped from the list of nominees. After three (3) rounds of voting, the Chairman may accept a motion to consider the top two (2) vote-getters.

The Chairman will have the discretion to establish time limits for voting when an impasse seems likely and to table voting to the next meeting so as to not disrupt and delay normal Council business.

STATE OF TENNESSEE
CANDIDATE NOMINATING PETITION

We the undersigned registered voters in the city of Memphis, County of Shelby, State of Tennessee, hereby nominate

_____

(NAME OF CANDIDATE) **(ADDRESS OF CANDIDATE)**

of Memphis, as a candidate for the interim office of City Council District 9-2 to be voted on in the election held by the City Council which will be no later than the 19th day of May, 2015.

**** TO BE COMPLETED BY THE CANDIDATE ****

I hereby direct that my name appear on the official ballot as follows, and I declare, under penalty of perjury, that I have reviewed the qualifications for the office sought herein and hereby certify that I meet said qualifications and that the information provided over my signature is true and correct:

_____
PRINT NAME

_____ _____ _____
(residential address of candidate) (zip code) (residential phone)

_____ _____ _____
(business address of candidate) (zip code) (business phone)

CANDIDATE'S SIGNATURE _____
(Required Under TCA 2-5-102)

T.C.A. 2-19-109 provides that a person who knowingly makes any false entry on an election document commits a class D felony.

NOMINATING SIGNATURES

(must be registered voters who are eligible to vote to fill this office)

*(Cannot sign for another – no ditto** marks)* *(Address as listed on voter registration – No P.O. Boxes)*

1. Sign here _____ Street address _____
   Print here _____ City/county/state/zip _____
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CERTIFICATION

The Undersigned candidate for Council District 9-2 does hereby certify under oath that he/she is not delinquent in the payment of any ad valorem property taxes due the City of Memphis as of the date of this certification.

Dated:_____

_____

SWORN TO AND SUBSCRIBED before me a Notary Public in and for Shelby County, Tennessee on this the _____day of _____, 2015.

_____
NOTARY PUBLIC

My Commission Expires:

_____