

**CITY OF MEMPHIS, SHELBY COUNTY, TENNESSEE**  
**MEMPHIS CHARTER COMMISSION MEETING**  
**August 29, 2007**

**CALL TO ORDER:** Commissioners George Brown called the meeting to order at 3:15 p.m. The following members of the Board, constituting a quorum, were present: Willie Brooks, George Brown Jr., Marsha Campbell, Sylvia Cox, Janis Fullilove, Myron Lowery and Sharon Webb.

Others in attendance include: Jennifer Falkof, City of Memphis, Compliance and Inter-governmental Relations Attorney; Bridgett Handy-Clay, City of Memphis, Open Record Coordinator; and Professor Wirks, Rhodes College; among others.

The meeting began with a prayer lead by Commissioner Webb.

**MINUTES:** Chairman Brown noted that the minutes from the Board's meeting of May 23, 2007 would be approved at the next Board meeting.

**OPEN DISCUSSION:** Chairman Brown noted that a propose budget for legal services was submitted to City Councilman Tom Marshall in the amount of \$220,600. He stated that the list of items identified within the budget are estimated costs to meet the needs of the committee and called the board's attention to the line item within their packet called Outside Counsel for \$151,000. Chairman Brown stated to keep cost down, his plan is to ask the Board's legal counsel to solicit additional pro-bono legal services. He stated that several legal professionals have made mention to him that they are willing to assist the Charter Commission as volunteers. He reiterated how important their assignment is and that it is in the best interest of the community to spend tax payer dollars wisely and then asked if there were any questions or comments.

Commissioner Lowery asked Chairman Brown to explain the Overhead line item within the budget. It was explained that those funds would cover any miscellaneous items needed for the Board to complete its task. In addition to the discussions, Commissioner Fullilove asked Chairman Brown to explain the Marketing/Public Relation line item. Chairman Brown explained that those funds are to be used for publications. Commissioner Brooks voiced his concerns about there not being a line item in the budget for an Administrative person. He stated that the budget wasn't conclusive with the board's plan to hire an Administrative Assistant and he would not support it unless the position is included. Ms. Falkof explained that the proposed budget includes all the work needed to accomplish the board's mission. In closing, Chairman Brown offered an opportunity to amend the proposed budget. Commissioner Lowery moved to have the budget amended to include an Administrative Assistant as part of the \$151,000 line item for Legal Services. Upon a motion made by Mr. Lowery, seconded by Ms. Webb, the Board unanimously approved the proposed budget in the amount of \$220,600.

Next, Chairman Brown commended the board for doing an outstanding job in the community. He stated that their presence outside the board room has allowed the citizens of Memphis and the Metropolitan area to openly express their concerns. He stated the Board's charge is to determine what changes, if any, will occur in the charter and suggested that they make no recommendations until after the City of Memphis Municipal Election, which is to be held October 4, 2007. Chairman Brown recommended that the Board select an Attorney as soon as possible to start reviewing and organizing the work that's before them. He stated, come March 2008 a list of proposed changes to the Charter should be compiled and ready to be placed on the ballot in no later than August 2008.

Commissioner Brooks asked if the Board elects to utilize the services of an attorney immediately, what would be the scope of work. Chairman Brown stated the attorney's duties will include; soliciting additional help and meeting with individuals who are familiar with the City's Charter to discuss the clean-up process. After discussing the Attorney's scope of work, Chairman Brown recommended that Mr. Ricky E. Wilkins, with The Law offices of Ricky Wilkins be retained as the Charter Commission Legal Counsel. He further stated that Mr. Wilkins is a very competent attorney and he plans to ask him to consider adjusting his rate. Commissioner Lowery stated that he also had several local attorneys approach him and express their interest in participating as a volunteer. He stated if the attorney that the Board selected wishes to offer a fee to those assisting him for the services they provide, he had no problem with that. Chairman Brown asked if there were any other questions or comments. Commissioner Brooks expressed his concern about the attorney fees and asked if the Board plans to have them sign a contract. Commission Brown stated the terms of the agreement would be discussed later.

Next, the board members decided that as long as the Attorney understands that they are expected to solicit help, there will be a cap on the fees, and the final decisions will be made by the Board, they are willing to move forward with the partnership. Upon a motion made by Commissioner Brooks and seconded by Commissioner Lowery, the Board voted unanimously to accept Attorney Ricky Wilkins as Lead Legal Counsel for the Charter Commission.

**OTHER BUSNIESS:** Chairman Brown introduced Ms. Bethany Peery, a third year law student at the University of Memphis and asked Ms. Falkof to explain services the Board receives from individual sources. Ms. Falkof recapped the services of MTAS, and stated that Professor Wirls is willing to continue providing his services, and last of all that Professor Romance, who is in charge of legal methods at the University of Memphis, has offered services of several students to help with research. Chairman Brown called the board's attention to the list of citizen concerns. Beginning with term limits he stated that once the researched information has been compiled, Board members along with the people who compiled the documents would begin the discussion phase. He stated that each issue relating to the City's Charter will be handled in the same manner and noted that there may be some additional legislative concerns that need the attention of the Charter Commission. He further stated that he's interested in hearing from MLGW representatives and the Mayor.

Commissioner Lowery expressed his concerns about both the Mayor and MLGW not attending the meetings they were invited to.

Next, Chairman Brown suggested the board make a decision on which items relating to the Charter should be discussed at the next scheduled board meeting. Professor Wirls stated he's willing to assist with research on the advantages and disadvantages of term limit and ethics, which should help the Board focused on major areas of concerns. Chairman Brown thanked Professor Wirls for his invitation and stated that he's more interested in getting feedback from the Board members on term limit and ethics. Commissioner Webb stated that she felt that the items which have come before the Committee needs to be categorized to show the effect it will have on the group that proposed the change and the benefits the City of Memphis will acquire if the changes are made. Commissioner Lowery asked Chairman Brown to invite the board's Attorney to present his ideas on cleaning-up the Charter. In closing, the board agreed to meet on September 27, October 11, and October 30, 2007

**ADJOURMENT:** There being no further business Chairman Brown thanked everyone for attending and stated that the next Board meeting is on September 27, 2007, at 3:00 p.m. The meeting was adjourned at 4:40 p.m

Respectfully Submitted

Bridgett Handy- Clay