



EXECUTIVE ORDER

BY THE MAYOR

No. 01-2009

AN ORDER ESTABLISHING STANDARDS OF PERFORMANCE FOR A TRANSPARENT AND OPEN MEMPHIS CITY GOVERNMENT

WHEREAS, the people's defense from government corruption is reasonable and timely access to the public's records and direct contact with public officials; and

WHEREAS, existing policies and practices of Memphis City Government and the actions of city officials and employees should necessarily adhere to high standards which fend off the appearance of impropriety while instilling trust and confidence of citizens in local government; and

WHEREAS, a public commitment by the Office of the Mayor to open government, transparency and establishment of new standards will facilitate the expansion of the public's access to its government;

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 laws of the State of Tennessee, do hereby direct and order as follows:

1. Properly submitted requests for open records to the City shall be acknowledged in writing within not more than 5 business days. Acknowledgement shall include a date certain when the request for records will be met and/or any specific legal or operational issues that must be addressed prior to filling the request.
 - i. Nothing in this directive shall be construed as encouraging the delay of meeting open records requests.
 - ii. Whenever possible, a properly submitted open records request should be filled as expeditiously as is practicable.
2. All commonly used city forms and documents required to be completed by the public shall be available on the City website within not less than 180 days. The most commonly used forms and documents should be formatted to allow for completion and submission online.
3. Important city information will be available to the public via common social media venues such as Twitter, Facebook and YouTube and other commonly utilized social media sites within 45 days.
4. The position, department, salary and fringe benefits of every City employee will be available on the City's website within 60 days. This information will be updated at least every 30 days.
5. Notification of all contracts executed by the Mayor shall be posted on the City's website within 10 business days following execution of the contract. Prior to execution of the contract, the following information shall be available online:

- i. The date of award and name of successful bidder or proposer
- ii. The status of the contract as it progresses through the required steps for review and approval.

6. A listing of all city contractors, by owner, company name and contract amount shall be posted on the City website at least semi-annually. The first posting shall occur within 60 days.

7. A listing of all City properties sold or purchased, including buyer or seller and price of the transaction shall be posted on the City website at least semi-annually. The first posting shall occur within 60 days.

8. Within 90 days, the following information shall be available on the City website or in printed form upon request:

- i. The City's total bonded debt, interest paid, financial institutions involved in the transactions and date when debt is to be paid in full;

- ii. Total value of the City's pension fund, monthly gain or loss in the value of the fund and detailed list of investments and fund managers;

- iii. A summary or abridged version of the City Charter and listing of most common ordinances.

9. The Office of the Mayor shall provide opportunities for citizens to share their concerns about city government through meetings with community groups, polling, and other avenues that stress feedback from local citizens.

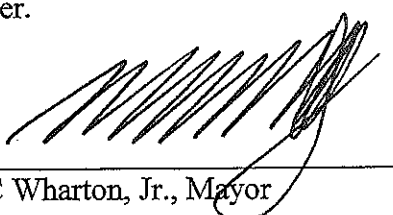
10. Periodically but not less than once every two months, the Mayor and/or the Chief Administrative Officer will provide a forum where citizens are able to gather in the Mayor's office or at a location designated to discuss issues related to the responsibilities of City government.

11. In the event of the determination of illegal activities on the part of an official, employee or any individual within City government, records pertaining to the impropriety and information regarding the matter will be made available to the public in as timely a manner as possible, so long as release of the information does not compromise an official internal or external investigation.

12. 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.

13. This Order shall be recorded by the Comptroller along with any subsequent orders issued by the Office of 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.

14. This Order shall become effective within seven (7) days after the date of this Order.


A C Wharton, Jr., Mayor

Executed this 10th day of July, 2009

