REFERENDUM ORDINANCE NO. _____

A REFERENDUM ORDINANCE, PURSUANT TO ARphericalTICLE XI,§ 9 OF THE
CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT), TO
AMEND PROVISIONS OF THE CHARTER OF THE CITY OF MEMPHIS, THE SAME
BEING CHAPTER 11 OF THE ACTS OF 1879, AS AMENDED, RELATIVE TO
MAYOR, COUNCIL, AND APPOINTED SALARIES

WHEREAS, the City Charter vests the responsibility of setting and approving the salaries of
the Mayor, Chief Administrative Officer, and Directors with the City Council;

WHEREAS, the City Council desires to clarify the authority to fix and determine the
salaries of Mayor, City, Council, Chief Administrative Officer, and Appointed Directors
and Deputy Directors by Ordinance to ensure transparency and scrutiny from the Citizens
of Memphis.

WHEREAS, it is deemed advisable to allow the citizens of Memphis to decide whether
granting the City Council the authority to determine salaries by Ordinance and allowing
public input during the process is in the best interests of the citizens of the City of Memphis.

Section 1. Proposed Amendment Authorized.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
MEMPHIS,
TENNESEE, That pursuant to Article XI, Section 9 of the Constitution of the State of
Tennessee, as amended, a proposal for amending the Charter of the City, as set forth in
this ordinance, shall be published and submitted by the City of Memphis to its qualified
voters at the first state general election, which shall be held in the City of Memphis on
November 8, 2022, and which shall be held at least sixty (60) days after such
publication.

Section 2. Publication of Home Rule Amendment as required by Tennessee Constitution.

BE IT FURTHER ORDAINED, That the Comptroller is hereby directed to cause this
Ordinance, as finally adopted, to be published pursuant to provisions of Article XI,
Section 9 of the Constitution of the State of Tennessee immediately after adoption by the
City Council.

Section 3. Certification and Delivery to Election Commission.

BE IT FURTHER ORDAINED, That upon the adoption of this Ordinance becoming

effective as required by law, the Comptroller of the City of Memphis shall immediately certify adoption of this Ordinance and deliver a certified copy thereof to the Shelby County Election Commission in charge of holding the general State election on November 5, 2024, and shall request that the proposed amendment to the Home Rule Charter of the City of Memphis, in the preferred form set forth in this Ordinance, be placed on the ballot.

Section 4. Proposal and preference.

BE IT FURTHER ORDAINED, That the City Council does hereby adopt the suggested proposal and form of question to be placed on the ballot for a referendum vote on a Home Rule Amendment to the Charter of the City of Memphis in a State General election to be held on the 5th day of November, 2024, which question shall read as follows:

"Shall the City of Memphis Charter be amended to authorize the City Council by ordinance to fix and determine the salaries of the Mayor, City Council, Chief Administrative Officer, and Appointed Directors and Deputy Directors?

I, Shirley Ford, Director of Finance for the City of Memphis do hereby certify that the foregoing amendment shall have _____ impact on the annual revenues and expenditures of the City.

FOR THE AMENDMENT	(YES) __
AGAINST THE AMENDMENT	(NO) __

Section 5. Effective Date of Charter Amendment.

BE IT FURTHER ORDAINED, That this Ordinance shall take effect for the purposes set forth herein sixty (60) days after approval by a majority of the qualified voters voting thereon in an election to be held on the 5th day of November, 2024, the public welfare, requiring it.

Section 6. Certification of Results.

BE IT FURTHER ORDAINED, That the Shelby County Election Commission certify the result of said election on the referendum question to the Comptroller of the City of Memphis, who shall see that said result is made a part of the Minutes of the Council of the City of Memphis.

Section 7. BE IT FURTHER ORDAINED, That the Mayor be and is hereby authorized

to appropriate and expend out of general revenues of the City of Memphis, Tennessee, a sum sufficient to pay a pro-rata cost attributable to the inclusion of the proposed amendment on the ballot for the election to be held on the 5th day of November, 2024 and for the cost of seeking a declaratory judgment as to the enforceability of proposed amendment if approved by the qualified voters of the City.

Section 8. Nonconflicting - Conflicting Laws.

BE IT FURTHER ORDAINED, That from and after the effective date of this Home Rule Amendment, all laws constituting the present Charter of the City of Memphis in conflict with the subject matter of this amendatory Home Rule Ordinance shall be immediately annulled, vacated, and repealed and all laws constituting the present Charter of the City of Memphis not in conflict with this amendatory Home Rule Ordinance, be and the same are here continued in full force and effect.

Section 9. Severability.

BE IT FURTHER ORDAINED, that if any clause, section, paragraph, sentence or part of this Ordinance shall be held or declared to be unconstitutional and void, it shall not affect the remaining parts of this Ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this Ordinance notwithstanding the parts so held to be invalid, if any.

Section 10. Publication as Required by the City Charter.

BE IT FURTHER ORDAINED, that this Ordinance shall also be published by the Comptroller at the same time and manner as required by the City's Charter for all ordinances adopted by the City Council.

Section 11. Enactment of Referendum Ordinance.

BE IT FURTHER ORDAINED, that the adoption of this Referendum Ordinance shall take effect from and after the date it shall have 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.

SPONSOR:
Martavius Jones

MARTAVIUS JONES
CHAIRMAN

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