SHELBY COUNTY BOARD OF COMMISSIONERS
AGENDA ROUTE SHEET

Referred to Commission Committee **GENERAL GOVERNMENT**

For Commission Action on **AUGUST 31, 2009**

RESOLUTION AMENDING THE FY2010 OPERATING BUDGET OF THE SHELBY COUNTY ELECTION COMMISSION TO PROVIDE FUNDING IN THE AMOUNT OF $1,000,000 FOR THE CITY OF MEMPHIS SPECIAL ELECTION FOR THE OFFICE OF CITY MAYOR ON OCTOBER 15, 2009; APPROPRIATING SAID FUNDS; AND REQUESTING THE CITY OF MEMPHIS REIMBURSE SHELBY COUNTY FOR SAME AS REQUIRED BY LAW. THIS RESOLUTION AUTHORIZES THE EXPENDITURE OF $1,000,000. SPONSORED BY COMMISSIONER JOE FORD.

CHECK ALL THAT APPLY BELOW:

_____ This Action does NOT require expenditure of funds.

_____ This Item requires/approves expenditure of funds as follows (complete all that apply):

County General Funds: $_____: County CIP Funds: $_____

State Grant Funds: $ _____: State Gas Tax Funds: $_____

Federal Grant Funds: $_____

Other funds (Specify source and amount): $_____

Other pass-thru funds (Specify source and amount):

Originating Department: **ELECTION**

APPROVAL:

	(Type your name & phone #.)	(Initials)	(Date)
Dept. Head:	Richard Holden 545-4127	RH	8/18/09
Elected Official:			
Division Director:			
CIP – A&F Director:			
Finance Dept.:	Mike Swift	MDS	8/20/09
County Attorney:	Christy Kinard 545-4233 (Richards 8/20/09)	CK	08/20/09
CAO/Mayor:	James F. Huntzicker 545-4514		8/20/09

SUMMARY SHEET

I. Description of Item

On July 21, 2009, the Memphis City Council passed a resolution declaring the Office of City Mayor to be vacant effective July 30, 2009 and requesting the Shelby County Election Commission to hold a special election to fill the vacancy. The Election Commission is required to hold a special election not less than 75 days nor more than 80 days after receiving notice of the facts requiring a special election when there is no regular primary or general election already being held within 30 days of such notice. The Election Commission met on August 4, 2009 and called a special municipal election for the City of Memphis for October 15, 2009.

This resolution amends the FY 2010 Operating Budget for purposes of providing funding for the expenses to be incurred by the Election Commission for the special municipal election to fill the vacancy in the office of City Mayor. This resolution also appropriates the necessary funds and requests the City of Memphis to reimburse the County for all expenses related to the special municipal election as required by state law.

II. Source and Amount of Funding

County General Funds in the amount of $1,000,000 will be utilized from Account No. 010-202905. City of Memphis will reimburse the County for all expenses from its General Fund.

III. Contract Items

IV. Additional Information Relevant to Approval of this Item

The Shelby County Election Commission recommends approval of this item.

ITEM # _____

PREPARED BY: Christy L. Kinard

APPROVED BY: Christy L. Kinard
Assistant County Attorney

RESOLUTION AMENDING THE FY2010 OPERATING BUDGET OF THE SHELBY COUNTY ELECTION COMMISSION TO PROVIDE FUNDING IN THE AMOUNT OF $1,000,000 FOR THE CITY OF MEMPHIS SPECIAL ELECTION FOR THE OFFICE OF CITY MAYOR ON OCTOBER 15, 2009; APPROPRIATING SAID FUNDS; AND REQUESTING THE CITY OF MEMPHIS REIMBURSE SHELBY COUNTY FOR SAME AS REQUIRED BY LAW. THIS RESOLUTION AUTHORIZES THE EXPENDITURE OF $1,000,000. SPONSORED BY COMMISSIONER JOE FORD.

WHEREAS, On July 21, 2009, the Memphis City Council passed a resolution declaring the Office of City Mayor to be vacant effective July 30, 2009 and requesting the Shelby County Election Commission to hold a special election to fill the vacancy; and

WHEREAS, In accordance with Tenn. Code Ann. § 2-14-102, the Shelby County Election Commission met on August 4, 2009 and called a special municipal election for the City of Memphis for October 15, 2009 because the Election Commission is required to hold a special election not less than 75 days nor more than 80 days after receiving notice of the facts requiring a special election when there is no regular primary or general election already being held within 30 days of such notice; and

WHEREAS, When a municipal election is not held on the same day as a county-wide election, Tenn. Code Ann. § 2-12-109(b) requires all expenses incurred by the Shelby County Election Commission or its members in the performance of its duties, including compensation of its employees and election officials, must be paid by the municipality upon certification of said expenses by the Chairman and Secretary of the Election Commission; and

WHEREAS, The City Council approved an amendment to the FY2010 Operating Budget of the City of Memphis to transfer $1,000,000 from the City's General Fund for purposes of reimbursing Shelby County for the cost of holding the special municipal election; and

WHEREAS, The Shelby County Election Commission met on August 19, 2009 and approved a resolution requesting the Shelby County Board of Commissioners to approve an amendment to the FY2010 Operating Budget in the amount of $1,000,000 for the special municipal election and requesting the City of Memphis to reimburse Shelby County for same in accordance with state law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSONERS OF SHELBY COUNTY, TENNESSEE, That the FY2010 Operating Budget for the Shelby County Election Commission is hereby amended to provide funding in the amount of $1,000,000 for a special municipal election, as set forth in Exhibit "A," and said funds are hereby appropriated.

BE IT FURTHER RESOLVED, That the City of Memphis is hereby requested to reimburse Shelby County for all expenses incurred by the Shelby County Election Commission for the special municipal election to be held on October 15, 2009 to fill the vacancy in the office of City Mayor as required by state law.

BE IT FURTHER RESOLVED, That this resolution shall take effect in accordance with law, the public welfare requiring it.

_____
A C Wharton, Jr., County Mayor

DATE: _____

ATTEST:

_____
Clerk of County Commission

Adopted: _____

PROJECTED EXPENSES FOR OCTOBER 15, 2009, MEMPHIS MAYORAL SPECIAL ELECTION

EXHIBIT A

Fund 010 Section 202905 - Memphis Municipal Elections

ACCOUNT	DESCRIPTION	40,101
	SALARIES	
5102	SALARIES & LABOR	
5109	Temporary Employees	320,000
5110	SALARIES-ELECTION WORKERS	180,000
	SALARIES TOTAL	**500,000**
5154	OVERTIME	60,000
	OVERTIME TOTAL	**60,000**
	FRINGE BENEFITS	
5515	FICA	33,169
5516	MEDICARE COVERAGE	6,529
5591	OJI EXPENSE	6,979
5592	UNEMPLOYMENT COMP	1,481
	FRINGE BENEFITS TOTAL	**48,158**
	TOTAL PERSONNEL COST	**608,158**
	SUPPLIES	
6016	DATA PROCESSING SUPPLIES	40,000
6042	MATERIALS - OPERATIONAL	35,000
6052	OFFICE SUPPLIES	10,000
6054	PAPER PRODUCTS	4,000
	TOTAL SUPPLIES COST	**89,000**
	SERVICES	
6404	ADVERTISING & LEGAL NOTICES	90,000
6428	FREIGHT, SHIPPING & STORAGE	49,922
6433	HOSPITALITY	6,000
6446	LOCAL TRANSPORTATION	1,000
6461	PRINTING-OUTSIDE	32,469
	TOTAL SERVICES COST	**179,391**
	PROFESSIONAL AND CONTRACTED SERVICES	
6678	PROFESSIONAL FEES	40,000
	TOTAL PROFESSIONAL & CONTRACTED SVS	**40,000**
	RENT, UTILITIEIS AND MAINTENANCE	
6714	RENT- BUILDING & LAND	100,000
6794	RENT - LEASE/PURCHASE	21,150
6795	RENT - EQUIPMENT	1,000
	TOTAL RENT, UTILITIES AND MAINTENANCE	**22,150**
	O&M CONTRA EXPENDITURE	
6831	PETROLEUM SERVICES	1,206
6852	PRINTING INSIDE	30,095
6854	MAIL SERVICES	8,000
6874	TELECOMUNICATIONS SERVICE	22,000
	TOTAL O&M CONTRA EXPENDITURE	**61,301**
	TOTAL OPERATION & MAINTENANCE EXPENSE	**391,842**
	TOTAL PERSONNEL EXPENSE	**608,158**
	TOTAL MEMPHIS MUNICIPAL ELECTION EXPENSE	**1,000,000**
4411	**REVENUE-CITY OF MEMPHIS REIMBURSEMENT TOTAL**	(1,000,000)
	TOTAL COST TO COUNTY FOR MUNICIPAL ELECTIONS	-

Offset Accounts for Intergovernmental Expenditures:

071-301902	4516	Petroleum Sales - Internal	(1,206)
071-301902	6060	Petroleum Products	1,206
961-307305-	4513	Printing - Internal Services	(30,095)
961-307305	6461	Printing-Outside	30,095
961-307304	4514	Mail Service - Internal	(8,000)
961-307304	6459	Postage & Mail Service	8,000
962-201501	4512	Telecommunication Internal	(22,000)
962-201501	6750	Telecommunication External	22,000
		TOTAL INTERGOVERNMENTAL	-