

Item _____

SUBSTITUTE

Moved by: _____

Prepared by Craig E. Willis

Seconded by: _____

Approved by Craig E. Willis

RESOLUTION TO AMEND RULE 6(e) OF THE BOARD OF COMMISSIONERS' PERMANENT RULES OF ORDER TO PROVIDE CLARITY AND TRANSPARENCY IN CAPTIONS AND SET FORTH INFORMATION DEEMED NECESSARY IN THE BODY OF RESOLUTIONS AND ORDINANCES FOR LEGISLATIVE OVERSIGHT. SPONSORED BY COMMISSIONER HEIDI SHAFER.

WHEREAS, The Shelby County Permanent Rules of Order, Rule 27, Section (a) allows for the Board of Commissioners to amend the Permanent Rules of Order by a majority vote of the legally constituted body; and

WHEREAS, This Board is charged by the Charter of Shelby County with the duty of appropriating funds for various county governmental operations, which requires it to exercise appropriate legislative oversight; and

WHEREAS, This Board endeavors to be fully transparent when acting upon Ordinances and Resolutions and whenever action is authorized by this Board which will result in an expenditure of public and/or taxpayer funds; and

WHEREAS, This Board will be better enabled to fully consider any request for expenditure, or amendment to an authorization for expenditure, if the Caption to the Item is fully explanatory as to the fiscal ramifications of such Item.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That Rule 6(e) of the Permanent Rules of Order (PRO) for the Shelby County Board of Commissioners be, and is hereby amended by striking subsection (e) in its entirety and substituting in lieu thereof the following:

Rule 6

(e) Caption of Items; Operative Clauses in Body of Resolutions and Ordinances.

- (1) All Items shall include a clear, easily understandable caption which shall contain:
 - (i) A concise statement identifying such Item as a Resolution or Ordinance and describing the action/approval sought, and in addition to information required by subsection (e)(1)(ii) hereof, shall state the full dollar amount of the total expenditure authorized, and if the Item amends a previous authorization it shall clearly so state and indicate the total amount authorized to be expended after the amendment to the amount previously authorized to be expended is approved by the Commission;
 - (ii) If an Item authorizes the expenditure of funds, the following statement: “This item requires the expenditure of (source of funds) in the amount of \$_____”;
 - (iii) The following statement: “Sponsored by: Commissioner _____”; unless exempted by subsection (f); and
 - (iv) Blanks for the name of the mover and seconder, which shall be filled in by the Minutes Clerk after approval of each Item.
- (2) Whenever execution or implementation of the authorized action by the administration and/or contractor, or other entity, will span a time period exceeding six (6) months, such Items shall include in an operative Clause of the Resolution or Ordinance a provision for written quarterly updates or other periodic reports to be provided to the Commission setting forth whether benchmarks for implementation have been timely achieved, and informing the Commission of its current status and projected completion date, including expenditures to date.
- (3) Any Item that authorizes an expenditure, or amends any such authorization, shall include in the operative Clause(s) of the Resolution or Ordinance, in reasonable detail, the exact use of the funds, information identifying the entity or entities with whom such funds will be expended or awarded, the public necessity or public purpose for the expenditure, a provision stating the full amount authorized or approved, or, if an amendment to an authorization, the original amount authorized or approved; the exact dollar amount of the increase requested to be expended or authorized to be expended; the total sum tax payers of Shelby County will be responsible for and

obligated to expend, directly or indirectly, if the expenditure is authorized, even if such Item involves the receipt of grant and/or matching funds; and if the Item involves an expenditure funded through the issuance of bonds, notes or other paper or debt instruments, the current interest rate(s) and anticipated rate of interest.

BE IT FURTHER RESOLVED, That all other Rules shall remain in full force and effect as currently written.

BE IT FURTHER RESOLVED, That the Permanent Rules of Order, as hereby amended, shall remain in full force and effect until such time as these Rules, or any of them, are subsequently amended or repealed.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, § 2.06(B).

Mark H. Luttrell, Jr.
Shelby County Mayor

Date: _____

ATTEST:

Clerk of County Commission

ADOPTED: _____