

CITY COUNCIL RESOLUTION

WHEREAS, the City of Memphis Charter, Home Rule Amendment, Section 8, states, "The Legal Department of the City is hereby constituted a department under the Mayor. It shall be headed by a City Attorney appointed as department heads are appointed and removable in the same manner as said department heads."; and

WHEREAS, the Charter gives specific rules on the appointment and removal of department heads, "The several principal administrative divisions shall be headed by directors who shall be appointed by the Mayor with the approval of a majority of the Council; a Director shall be subject to removal by the Mayor with a concurrence of a majority of the Council."; and

WHEREAS, recent revelations that the current City Attorney and Chief Ethics Officer Elbert Jefferson is being investigated by federal authorities about his approval of a rushed payment of \$55,000.00 of City funds to an attorney hired to represent Willie W. Herenton in a private matter; his failure to notify the Mayor Pro Tem and CAO that he had been questioned by the FBI about such actions; and his failure to notify his superiors, Mayor Pro Tem and CAO, that records involving the aforementioned payment were recently subpoenaed by the grand jury, cause great concern about the City Attorney's abilities and judgment.

NOW, THEREFORE, BE IT RESOLVED That the Memphis City Council urges Mayor Pro Tem Lowery to immediately remove Elbert Jefferson from the Office of City Attorney based on these questionable practices.

ADOPTED: September 15, 2009

BILL MORRISON
Council Member