

Memo

To: Matt Brookshire, Mayor, City of Lenoir City
Dale Hurst, Administrator, City of Lenoir City
From: Russ Newman, Planning Director *RN*
CC: Files
Date: November 6, 2007
Re: Appointment of New Members to the Lenoir City Planning Commission

A state statute amendment adopted in July, 2007 has changed the membership requirements for Municipal Planning Commissions that function as regional planning commissions (T.C.A. 13-3-102). The requirement is that at least 2 members of a commission with more than 5 members but fewer than 11 members be residents of the regional area outside the corporate limits.

The regional area is the designated urban growth area for the City of Lenoir City (see attached map). There are not currently any members who reside outside the city.

Please have City Council make appointments to the planning commission so that the Commission can be legally organized as required by state law. If you would like input from the planning commission on potential members please contact me or any members of the Commission. Thank you for your assistance.



Chapter No. 253 (SB 1613/HB 1294). Membership on municipal planning commission designated as regional. Amends T.C.A. § 13-3-102 to require at least one member of a municipal planning commission with five members and designated as a regional planning commission and at least two members of such a commission with more than five but fewer than 11 members to reside within the regional area outside the municipal boundaries served by the regional commission.

Effective date: July 1, 2007.

Chapter No. 521 (SB 281/HB 267). State funding increase for development districts. Amends T.C.A. § 13-14-111 to increase state funds for development districts based upon the per capita assessments local governments agree to. Counties may pay the per capita assessment of any city or town in the county.

Effective date: June 26, 2007.

PUBLIC OFFICIALS

Chapter No. 206 (SB 2053/HB 1469). Reporting of taking of public money. Amends T.C.A. Title 8, Chapter 4, to require any public official with a reasonable belief that a theft, forgery, credit card fraud, or other act of unlawfully taking public money, property, or services has occurred to report this to the comptroller. The comptroller will prescribe the method for making these reports. Grants civil and criminal immunity to the reporting official unless the official benefited from the act.

Effective date: May 22, 2007.

Chapter No. 325 (SB 1264/HB 1874). Disqualification for office-related infamous crime. Amends T.C.A. § 40-20-114 to disqualify forever from holding any state or local office a person convicted of an infamous crime committed

while the person was holding office and involving the duties of the office.

Effective date: July 1, 2007.

PURCHASING

Chapter No. 84 (SB 2056/HB 1471). Purchasing by municipalities with charter requirements relative to competitive bidding. Amends T.C.A. § 6-56-302, part of the Municipal Purchasing Law of 1983, to remove language bringing all municipalities under that state law. Municipalities that have charter provisions dealing with competitive bidding and either establishing bid limits in the charter itself or allowing bid limits to be set by ordinance but setting a maximum may continue to operate under the charter provisions, but the municipality must by charter or ordinance establish general bid procedures, including public advertising, securing and opening bids, and any exemptions from competitive bidding. Any exemptions must be substantially similar to those in T.C.A. § 6-56-304.

For municipalities with charter provisions that deal with competitive bidding but that set no bidding limits, the municipality may by ordinance set a limit not exceeding \$25,000 over which public advertisement and competitive bidding must precede purchases. These municipalities must also by ordinance set a dollar limit not exceeding 40 percent of this bid limit amount over which the municipality need not advertise but when possible must obtain three competitive bids and below which no advertisement or competitive bidding is required. The ordinance must also establish procedures for public advertising, securing and opening bids, and any exemptions from competitive bidding, which must be substantially similar to those in T.C.A. § 6-56-304.

Effective date: May 3, 2007.