

# Community Oversight Board

## MEETING MINUTES

Tuesday, February 26, 2019 – 4:00 PM

Metro Office Building

800 2<sup>nd</sup> Avenue South Nashville, TN 37210

The Chair called the meeting to order at 4:06 p.m. and announced the presence of a quorum for the conducting of business.

Board Members in Attendance During the Course of the Meeting: *Jamel Campbell-Gooch, Robert Cooper, Jr., Ashlee Davis, Phyllis Hildreth, Walter Holloway, Adele Lewis, Danita Marsh, Andres Martinez, Brenda Ross, and Emmett Turner (1); Absent: Matthew Sweeney (1).*

Others in Attendance: *Alex Dickerson (Metro Legal), Marcus Floyd (Mayor's Office), Mel Fowler-Green (Metro Human Relations Commission), Elizabeth Swinson (Metro General Services), Elizabeth Waites (Metro Clerk), and Members of the Public*

### Approval of minutes

Member Cooper moved to defer approval of the minutes for the meeting on February 12, 2019, which motion was seconded by Member Martinez and approved by a voice vote of the Board.

### Discussion of board committees

Member Cooper moved to defer formal adoption of standing committees until such time as the Executive Director has been appointed. The motion was properly seconded and adopted, and the Chair announced that this item will be deferred until approximately 30 days after appointment of an Executive Director.

### Proposed By-Laws

Member Martinez introduced the proposed by-laws as drafted by the By-Laws Committee for review by the Legal Department. The Chair announced that this item is deferred to the next regular meeting.

### Metro Code 2.68.030 Appeal Notification Policy

Member Lewis moved to adopt the policy as proposed, which motion was seconded by Member Holloway and approved by a voice vote of the Board. A copy of the policy as approved is attached as Exhibit A.

### Discussion of proposed office space

Elizabeth Swinson of the Metropolitan Department of General Services proposed the leasing of available space located at 404 James Robertson Pkwy, 11<sup>th</sup> floor (Parkway Towers), authorization of which is subject to Metro Council approval. Member Lewis moved to approve Metro's proceeding with its intent to lease the proposed property, which motion was seconded by Member Campbell-Gooch and approved by a voice vote of the Board.

#### Discussion of General Assembly Legislation HB0658/SB1407

Marcus Floyd of the Mayor's Office provided a to-date legislative history of the companion bills. Member Hildreth moved to create a task force of one to be chaired by Member Campbell-Gooch for the purpose of consulting the community to craft a statement that will represent the views of the Board in opposition to proposed legislation that would change the board's powers and membership criteria as passed in Amendment 1; for the Executive Committee of the Board to meet before March 5, 2019; and for the Board to delegate authority to the Executive Committee to adopt a statement to be issued on behalf of the entire Board. Member Ross seconded the motion, which was adopted by a voice vote of the Board.

#### Discussion to Attend and/or Receive Training at the National Association of Community Oversight of Law Enforcement (NACOLE) Regional Conference in Nashville, TN

Member Martinez moved to affirm that COB members who are available should attend the regional conference proposed by NACOLE on May 17 at the Nashville Public Library as formal COB training, to commend NACOLE for hosting the meeting in Nashville, and to ask NACOLE to invite MNPB officers to participate. The motion was properly seconded by Member Cooper. Chair Davis requested public comment, and meeting attendee Gicola Lane was heard on the matter. The Chair closed the public comment period, and called for a vote on the motion. Thereupon, the roll was taken, as follows: "Ayes" (6): Members Cooper, Hildreth, Marsh, Martinez, Ross and Turner; "Noes" (2): Members Campbell-Gooch and Holloway.

#### Email addresses published on nashville.gov

The Chair announced that requested changes should be sent to Marcus Floyd by Friday, March 1, 2019, to be referred to the Metro Clerk's office to update the published member contact information.

#### COB Executive Director search

Marcus Floyd announced that 38 applications had been submitted to date to Metro Human Resources, and the job posting would remain open until March 3, 2019. Chair Davis requested a report from Member Ross at the next regular meeting on the initial applicant review, and from Member Campbell-Gooch on interviews to the extent updates are available by each at that time.

#### Discussion regarding future meeting times

The Chair announced that March 12 and 26 will be the March regular meeting dates, and a doodle poll will be sent out for the April dates.

#### Discussion of future meeting locations

The Chair announced that notice of the next regular meeting will be provided to Members and the public upon confirmation of availability of alternative public meeting spaces.

#### Announcements

Member Holloway announced on February 28 at 10:00 a.m., the new MNPB building is holding the dedication of the new building.

Legal counsel Alex Dickerson provided Metro Code section 2.222 to the Board members, and asked that each member review.

#### Adjournment

Member Holloway moved to adjourn, which motion was seconded by Member Hildreth and approved by a voice vote of the Board. The meeting adjourned at 7:21 p.m.

# THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY COMMUNITY OVERSIGHT BOARD

## Appeals Statement

<b>Policy Name:</b>	Appeals Statement		
<b>Category:</b>	Metro Community Oversight Board		
<b>Effective Date</b>	Feb. 26, 2019	<b>Last Reissue/Revision Date:</b> Feb. 26, 2019	
<b>Responsible Program or Bureau:</b>	Executive Director	<b>Review-By Date:</b> Feb. 26, 2023	
<b>Contact:</b>	Executive Director	<b>Phone Number:</b> TBD	

**I. Policy Summary**

By authority of Metro Code Section 2.68.030: "Each board or commission of the metropolitan government shall make a standard announcement at the beginning of every meeting informing the public as to the process and timeframe for appealing a decision of the board or commission. Such announcement shall advise that persons interested in appealing a decision of the board or commission seek the independent advice of legal counsel to ensure that the appeal is filed in a timely manner and that all procedural requirements have been satisfied. The language for the announcement required by this section shall be approved by the department of law.

**II. Policy**

The following will be read by the Chair of the Metro Community Oversight Board at the beginning of each Board meeting and will be included in each Board agenda:

"Pursuant to the provisions of § 2.68.030 of the Metropolitan Code of Laws, please take notice that decisions of The Metropolitan Government of Nashville and Davidson County Community Oversight Board may be appealed to the Chancery Court of Davidson County for review under a common law writ of certiorari. Any appeal must be filed within sixty days after entry of a final decision by the Board. Any person or other entity considering an appeal should consult with an attorney to ensure that time and procedural requirements are met."

**III. Applicability**

All Metro Community Oversight Board meetings

**IV. Procedure**

The Metro Community Oversight Board staff member responsible for assembling and distributing the agenda shall include the policy language in each agenda. At the start of each meeting, the Chair shall read aloud the text of the policy language.

**V. Related Links and Information**

[Metropolitan Ordinance No. BL2006-1050](#)

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

**RECOMMENDED BY:**

**APPROVED BY:**

  
\_\_\_\_\_  
Ashlee Davis  
Chair, Metro Community Oversight Board

3/11/19  
Date

**APPROVED AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
Assistant Metropolitan Attorney

2/27/19  
Date

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FILED METROPOLITAN CLERK