

**Metropolitan Board of Ethical Conduct
Minutes of Meeting**

Tuesday, October 24, 2023

The Board of Ethical Conduct held a meeting on this date in Metropolitan Council Committee Room 1 of the Second Floor of the Historic Courthouse in Nashville, Tennessee.

Persons in Attendance:

Diane DiIanni, Board Chair
Joseph Gutierrez, Board Member
Larry Patton, Board Member
John Spragens, Board Member
Kinika Young, Board Member

Nicki Eke, Legal Counsel
Courtney Mohan, Legal Counsel
Austin Kyle, Metropolitan Clerk
Shawn Reed, Deputy Clerk

Call to Order

The Chair called the meeting to order at 9:04 a.m.

Public Comment Period

No members of the public requested to speak.

Approval of Minutes of August 25, 2023

Ms. Young moved to approve the minutes of August 25, 2023, which motion was seconded and approved by the following vote: “Ayes” (5): DiIanni, Gutierrez, Patton, Spragens, and Young; “Noes” (0); “Abstain” (0).

Announcement of Appeal Rights

The Clerk announced that parties who disagree with a final decision of the Board may appeal by filing a writ of certiorari with the Davidson County Chancery Court within sixty (60) days of entry of the Order, and parties are encouraged to seek independent legal advice to ensure that applicable procedures and deadlines are properly followed.

Discussion of Annual Lobbyist Reporting

Chair Di Ianni presented an overview of the current lobbyist reporting requirements pursuant to the Metro Code of Laws. The Clerk had previously provided a link to the lobbyist reports that had been submitted for 2021 and 2022 as well as a report listing the lobbyists that were not in compliance with the reporting requirements. The Clerk noted four lobbyists that failed to submit reports in consecutive reporting years as well as lobbyist that had registered for the current year without submitting a report for the previous year.

A draft letter to the Vice Mayor regarding the lobbyist reporting issues had previously been sent and reviewed by the Board. Chair Di Ianni recommended some changes to the draft letter and opened the floor to discussion of the letter. Mr. Gutierrez suggested a change to the Board's procedures that would direct the Clerk to submit the non-compliant lobbyist report to the Council annually after reviewed by the Board. Mr. Spragens suggested additional edits to the draft letter. After discussion, it was determined that two separate motions would be needed to first incorporate recommended changes to the Board's Procedures and Organizational Rules and second to approve the letter as amended to the Board.

Mr. Gutierrez moved to amend the Board's Procedures and Organization Rules to reflect that upon receipt of the annual lobbyist report from the Metro Clerk at the annual March meeting of the Board, within 30 days the Clerk will be directed to submit a report to the Metro Council on behalf of the Board that will include a summary of the following information: the number of registered lobbyists, the number of clients represented, the number of non-compliant lobbyists, the number of non-compliant lobbyists registered the following year, and the full report that was presented to the Board. The motion was seconded and approved by the following vote: "Ayes" (5): DiIanni, Gutierrez, Patton, Spragens, and Young; "Noes" (0); "Abstain" (0).

Ms. Young moved to approve the letter to the Vice Mayor as amended and for the Clerk to deliver it by hand to the Vice Mayor as well as by email to all members of the Council by October 27, 2023, which motion was seconded and approved by the following vote: "Ayes" (5): DiIanni, Gutierrez, Patton, Spragens, and Young; "Noes" (0); "Abstain" (0).

Next Steps/Scheduling

The amended Procedures and Organizational Rules of the Board will be on an upcoming meeting agenda for review and discussion.

At this time, the next meeting is the annual standing meeting of the Board on Monday, March 4, 2024.

Adjournment

Upon motion properly seconded, the meeting was adjourned at 9:50 a.m.