



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

FREDDIE O'CONNELL
MAYOR

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DEPARTMENT OF LAW
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TO: MEMBERS, BOARD OF ETHICAL CONDUCT

FROM: THOMAS CROSS, DEPUTY DIRECTOR OF LAW
COURTNEY MOHAN, ASSOCIATE METROPOLITAN ATTORNEY

RE: DEPARTMENT OF LAW REPORT – ETHICS COMPLAINT OF
LYDIA YOUSIEF AGAINST FORMER ARTS COMMISSION BOARD
MEMBER WILL CHEEK

DATE: MARCH 27, 2024

I. BACKGROUND AND RECOMMENDATION

On March 8, 2024, Lydia Yousief¹ filed an ethics complaint against Will Cheek, a former member of the Metropolitan Arts Commission (“Arts Commission”).² The complaint alleges that Mr. Cheek violated the Tennessee Open Meetings Act, worked for arts organizations while taking action regarding distribution of funds to those organizations, and failed to take action to distribute Arts Commission funds in an equitable manner.³

It is the opinion of the Department of Law that one of the allegations described in the Complaint, if true, could be deemed a violation of the Standards of Conduct—namely that Mr. Cheek’s outside relationship with other arts organizations could have improperly influenced his independent judgment and votes as a commissioner. The Department of Law recommends that the remainder of the claims set forth in the Complaint be dismissed.

¹ The Complaint states that it was submitted by Alayna Anderson, Christine Hall, Lydia Yousief, and Sangeetha Ekambaram. However, only Lydia Yousief signed the Complaint. Because Metropolitan Code § 2.222.040(C)(1)(b) requires that a complaint “be signed by the complainant and notarized,” only Lydia Yousief is considered a complainant.

² The signed and notarized March 8, 2024 complaint of Lydia Yousief is attached as Exhibit A.

³ For purposes of accessing links embedded therein, the unsigned complaint of Lydia Yousief is attached as Exhibit B.

II. DUTY OF THE DEPARTMENT OF LAW

Metropolitan Code § 2.222.040(C)(1)(e) requires the Department of Law to evaluate the Complaint and issue a report advising whether the facts alleged, if true, would give rise to a violation of the Standards of Conduct and recommending either that the Complaint be dismissed or that the Board conduct a hearing.

The Complainant requests that outside counsel rather than the Department of Law review the complaint. The Complaint does not list any employee of the Department of Law as a respondent or assert ethical violations against the Department of Law. Nonetheless, the attorneys mentioned by name in the Complaint and referenced in the Metro Human Relations Commission (“MHRC”) report (described below) were not involved in the preparation of this report.

III. THE BOARD’S JURISDICTION

At the time the Complaint was filed, Mr. Cheek was an active member of the Arts Commission. Mr. Cheek subsequently resigned as a commissioner. This Board has the authority “[t]o conduct an investigation and make recommendations about any member’s conduct as provided [in subsection C of Metropolitan Code § 2.222.040].”⁴ Section (C) provides that “[a]ny person may submit a complaint alleging that any one or more...members of a metropolitan government board or commission have violated the standards of conduct or an executive order currently in effect which regulates the ethical standards of conduct for employees of the metropolitan government.”⁵ Chapter 2.222 of the Metropolitan Code does not address whether complaints may be filed against former commission members. However, this Complaint was filed when Mr. Cheek was still an active member of the Arts Commission. And some of the remedies available to the Board upon a finding of a violation of the Standards of Conduct could be pursued against a

⁴ Metropolitan Code § 2.222.040(A)(5).

⁵ Metropolitan Code § 2.222.040(C)(1)(a).

former commission member, so the Complaint is not wholly moot.⁶ Upon finding a violation, the Board may:

- i. Recommend to the council that the elected official or member of the board or commission be censured;
- ii. Recommend to the violating elected official or member of a board or commission resign his or her respective position;
- iii. Refer the matter to the district attorney general for appropriate action; and/or
- iv. Refer the matter to the director of law with a request that appropriate civil action be instituted by the metropolitan government for restitution or other relief.⁷

Because Mr. Cheek has already resigned, the second of these actions is not available.

III. ALLEGATIONS IN THE COMPLAINT

A. Background

Among its responsibilities, Arts Commission distributes funds for Arts projects.⁸ The Arts Commission met on July 20, 2023, to discuss and vote on the distribution of funds to Thrive applicants and nonprofit applicants.⁹ The Arts Commission met again on August 17, 2023, rescinded its July vote, and reconsidered how the funds should be distributed,¹⁰ ultimately voting to adopt a different funding arrangement than it had approved at the July meeting.¹¹ On March 4, 2024, following the receipt of a Title VI

⁶ The Complainant asks “this Board to file a resolution with the Metropolitan Council to censure this individual from serving on any board or commission in Metropolitan Nashville.” A “censure” is defined as “[a]n official reprimand or condemnation; an authoritative expression of disapproval or blame; reproach.” CENSURE, Black’s Law Dictionary (11th ed. 2019). To the extent the Complainant requests that Mr. Cheek be barred from serving on another board or commission in the future, such an action is outside the definition of a “censure” and is not among the four actions available to the Board pursuant to Metropolitan Code § 2.222.040(C)(3)(a).

⁷ Metropolitan Code § 2.222.040(C)(3)(a).

⁸ Metropolitan Code § 2.112.040(D), (H).

⁹ See Exhibit C, Minutes from July 20, 2023 Arts Commission Meeting.

¹⁰ See Exhibit D, Minutes from August 17, 2023 Arts Commission Meeting.

¹¹ *Id.*

complaint filed in October 2023, the MHRC released a report evaluating the actions of the Arts Commission related to the distribution of funds.

B. Summary of Allegations

The Complaint alleges that Mr. Cheek violated the Standards of Conduct through the following acts:

- Having private communications with other Commissioners regarding Arts Commission business in violation of the Tennessee Open Meetings Act;
- Providing pro bono legal counsel to arts organizations while serving as an Arts Commission member and making decisions regarding funding of such organizations; and
- Taking actions that are against the equitable distributions of grant funding such as:
 - ❖ Voting against funding for Thrive applicants;
 - ❖ Making misleading statements about his support of equity in grant funding at his January 2023 confirmation hearing; and
 - ❖ Having biases in favor of organizations he is associated with.

IV. ANALYSIS OF THE COMPLAINT

The Metropolitan Standards of Conduct were enacted in response to state legislation mandating that local governmental entities adopt ethical standards for all officials and employees of such entities.¹² The intent of the state legislation is set forth in Tenn. Code. Ann. § 8-17-101 as follows:

It is the intent of the general assembly that the integrity of the processes of local government be secured and protected from abuse. The general assembly recognizes that holding public office and public employment is a

¹² See Tenn. Code Ann. § 8-17-103.

public trust and that citizens of Tennessee are entitled to an ethical, accountable and incorruptible government.

The term “ethical standards” is defined in the state enabling statute and excludes policies or procedures related to operational aspects of governmental entities:

“Ethical standards” includes rules and regulations regarding limits on, and/or reasonable and systematic disclosure of, gifts or other things of value received by officials and employees that impact or appear to impact their discretion, and shall include rules and regulations regarding reasonable and systematic disclosure by officials and employees of their personal interests that impact or appear to impact their discretion. The term “ethical standards” does not include personnel or employment policies or policies or procedures related to operational aspects of governmental entities;¹³

The Standards of Conduct, when read in conjunction with the state law requiring the adoption of ethical standards, are intended to protect and secure the processes of local government from corruption. The state enabling legislation and the Standards of Conduct are aimed at disclosure of interests, financial improprieties, improper influence of officials, and acceptance of benefits by officials.

A. First Allegation: Violation of the Tennessee Open Meetings Act

The Complaint asserts Mr. Cheek violated the Tennessee Open Meetings Act¹⁴ by discussing Arts Commission business with other commissioners outside of public meetings. The Open Meetings Act does not address the kinds of conflicts of interest and financial improprieties that are the focus of the Standards of Conduct. The Open Meetings Act instead establishes procedures for the conduct of public meetings and generally requires that members of the public be permitted to attend and observe. The Open Meetings Act provides the mechanisms for its own enforcement.¹⁵ Metropolitan Code § 2.222.040 does not provide a remedy for a violation of the Open Meetings Act. Accordingly, the Complaint’s allegations related to the Open Meetings Act, even if true, would not support a finding that a violation of the Standards of Conduct has occurred.

¹³ Tenn. Code Ann. § 8-17-102(a)(3).

¹⁴ Tenn. Code Ann. § 8-44-101 *et seq.*

¹⁵ Tenn. Code. Ann. § 8-44-106.

B. Second Allegation: Conflict of Interest Arising from the Provision of Pro Bono Legal Services to Arts Organizations Seeking Funding from the Arts Commission

The Complaint alleges Mr. Cheek violated the Standards of Conduct by “[p]rovid[ing] services for compensation, directly or indirectly, to a person or organization who is requesting an approval, action, or determination from the metropolitan government.” The Complaint states that Mr. Cheek served on the boards of arts organizations and provided pro bono legal advice to “a lot” of nonprofit arts organizations, though only the Nashville Children’s Theater is specifically listed as a client.

Metropolitan Code § 2.222.020(n) provides that employees, including board and commission members, “shall not provide services for compensation, directly or indirectly, to a person or organization who is requesting an approval, action, or determination from the metropolitan government.” The Complaint alleges that Mr. Cheek was “in a position of overseeing the finances of “arts” organizations in Nashville and simultaneously overseeing public funds to said organizations.” However, the Complaint does not allege that Mr. Cheek received compensation from any of the organizations. Rather, it states that he provided pro bono legal advice, necessarily meaning he was not compensated for his services. The Complaint also does not allege that Mr. Cheek received any compensation for his service as a board member for any arts organizations.

The facts alleged in the Complaint, if true, would not support a conclusion that Mr. Cheek received direct or indirect compensation from the organizations at issue. Thus no violation of the Standards of Conduct could be based on them.

C. Third Allegation: Acting Against Democratic Equity Work in the Distribution of Public Funds

The complaint asserts that Mr. Cheek sought to disrupt equitable funding of artists and small organizations through his votes as a commissioner. Metropolitan Code § 2.222.040(C) requires that a complaint contain a “[s]ummary of the facts giving rise to the complaint” and an “[e]xplanation of why those facts constitute a violation of the standards of conduct...” The Complaint fails to meet this requirement in that it does not specify how any specific Standard of Conduct would be violated by “[w]ork[ing] actively against democratic equity work in distributing public funds.” But given a broad construction, the Complaint could implicate conflicts of interest concerns.

The Complaint refers to Mr. Cheek's association with various arts organizations while serving on the Arts Commission. In particular, the Complaint references the following:

- Quoting the MHRC report: "Commissioner Cheek is the only Commissioner with an inconsistency in recusals/abstentions on his vote for mid-size organizations between meetings. In an interview he disclosed his [conflict of interest] due to a relationship with five large organizations: Belcourt Theater, Cheekwood, Nashville Symphony, County Music Hall of Fame, and the Frist Art Museum. His on-the-record disclosure includes Oz Arts, a midsize organization, from which he should have recused himself from in the August vote, as he did in July;"
- Mr. Cheek and another former commissioner, Jim Schmidt, both having worked with the Nashville Children's Theater;
- Mr. Cheek served on boards of arts organizations;
- Mr. Cheek provided pro bono legal advice to nonprofits arts organizations;
- That Mr. Cheek is "more interested in keeping power and public subsidies with his client and not with the people of Nashville;"
- That Mr. Cheek "is clearly working on behalf of large institutions against Nashville artists and small organizations."

The MHRC report, as incorporated in the Complaint, includes the following additional information:

- Page 48 of the MHRC report states that Mr. Cheek completed an annual conflict of interest disclosure form for the Arts Commission in July 2023. On the form, when asked about "Arts organizations with which you, or any members of your household, are currently associated, and the relationship," Mr. Cheek stated that he was "[l]egal counsel to Oz Arts, Cheekwood, Symphony, [and] Frist" and listed them as midsize or large organizations.
- Page 50 of the MHRC report includes a table of the commissioners' votes at the July 20, 2023 and August 17, 2023 Arts Commission meetings. At the July 20,

2023 meeting, Mr. Cheek recused himself from the votes concerning funding for midsize and large organizations. At the August 17, 2023 meeting, Mr. Cheek voted for funding for midsize organizations but recused himself from the vote for funding for large organizations.

i. Conflict of Interest under Metropolitan Code § 2.222.020(m)

Metropolitan Code § 2.222.020(m) provides that employees “[s]hall not violate the direct or indirect conflict of interest, consulting, lobbying, or any other requirements of state law existing or which may be adopted regulating the conduct of municipal or county officials or employees.” Direct and indirect interests are defined by reference to T.C.A. § 12-4-101, *et seq.*, and 6-54-107, *et seq.*¹⁶ A person has a direct interest in a business entity if that person is the “sole proprietor, a partner, or the person having the controlling interest.” T.C.A. § 12-4-101(a).¹⁷ An indirect interest in a business entity is one in which a person has a pecuniary interest but may not be able to exercise control. Tenn. Op. Att’y Gen. No. 12-09 (Jan. 20, 2012). *See also Gardner v. Nashville Hous. Auth. of Metro. Gov’t of Nashville & Davidson Cty., Tennessee*, 514 F.2d 38, 41 (6th Cir. 1975) (conflict of interest for a public official entails “a clash between the public interest and the private pecuniary interest of the individual concerned.”)

The Complaint does not allege facts to support that Mr. Cheek has any ownership interest, controlling power, or a pecuniary interest in any of the organizations that sought arts funding while he was on the Arts Commission and thus could not support a finding that Mr. Cheek violated Metropolitan Code § 2.222.020(m).

ii. Conflict of Interest under Metropolitan Code § 2.222.020(o)

Metropolitan Code § 2.222.020(o) states that employees “[s]hall not accept other employment or engage in outside activities which might impair their independent judgment in the performance of their public duty.” A conflict of interest may arise when an individual’s duty to an outside organization “to act in the interest of the organization and its members could conflict with his or her duty” as a member of governmental board or

¹⁶ *See* Metropolitan Code § 2.222.010(4), (6).

¹⁷ Tenn. Code Ann. § 6-54-107(a) is similar.

commission, particularly when approving or negotiating a contract between the two entities.¹⁸ In such a situation, recusal is appropriate.¹⁹

As noted above, the Complaint and referenced MHRC report allege that Mr. Cheek's engagement with other arts organizations as a board member or legal advisor impacted his actions as a commissioner. The allegations include Mr. Cheek's inconsistency in recusing or abstaining from votes that concerned funding for organizations with which he was associated as pro bono counsel or board member. In particular, Mr. Cheek disclosed in July 2023 that he provided legal counsel to a midsize organization but did not abstain from the vote regarding midsize organization funding in August 2023. These allegations, if true, could support a finding of a violation of the Standards of Conduct (o). The Department of Law recommends that the Board conduct a public hearing on this allegation.

V. CONCLUSION

It is the opinion of the Department of Law that one of the allegations described in the Complaint filed by Lydia Yousief, if true, could be deemed to be a violation of the Standards of Conduct—namely that Mr. Cheek's outside relationship with other arts organizations could have improperly influenced on his independent judgment as a commissioner. Therefore, the Department of Law recommends that the Board of Ethical Conduct hold a hearing as to this allegation only. Evaluation of veracity of the facts alleged in the Complaint and the determination whether a violation occurred are ultimately the responsibilities of the Board of Ethical Conduct during the hearing process. The Department of Law recommends that the remainder of the claims set forth in the Complaint be dismissed.

The Board is not bound by the Department of Law's recommendations.²⁰

¹⁸ See Tenn. Op. Att'y Gen. No. 23-001 (Jan. 19, 2023).

¹⁹ *Id.*

²⁰ See Metropolitan Code § 2.222.040(C)(1).

**Exhibit A – Signed and Notarized Complaint of Lydia
Yousief Against Will Cheek**

Lydia Yousief
PO Box 17685
Nashville, TN 37217
615-861-0251
lydia.yousief@gmail.com

March 8, 2024

Metropolitan's Clerk Office
The Honorable Austin Kyle
1 Public Square, Suite 205
Nashville, TN 37201

To Clerk Austin and to the Ethics Board members:

I, Lydia Yousief, and the undersigned community members are submitting this complaint for review by the Ethics Board. Because of the nature of the complaint, we are requesting that outside counsel, not Metro Legal, be brought to review and advise this complaint, since Metro Legal is implicated as enabling the misconduct. Pursuant of the Metropolitan Code of Laws 2.222.020 I and the undersigned are reporting the following Metropolitan Arts Commissioner:

Will Cheek, appointed by Mayor John Cooper and approved by Metropolitan Council.

The basis of this complaint revolves around the alleged breaches of the following standards of conduct:

1. Violated sunshine laws and schemed with former Commissioners Jim Schmidt and Marianne Byrd to defund BIPOC artists on August 17, 2023 and November 2023 during a Commission meeting; and
2. Provided services for compensation, directly or indirectly, to a person or organization who is requesting an approval, action, or determination from the metropolitan government; and
3. Worked actively against democratic equity work in distributing public funds.

I. Violated Tennessee Open Meetings Act (TOMA) and schemed with former Commissioners Jim Schmidt and Marianne Byrd to defund BIPOC artists on August 17, 2023 during a Commission meeting

After the Metropolitan Council approved \$2 million to fully fund Thrive in June 2023, the Metro Arts Commission met on July 20, 2023 ([minutes here](#)). The Commission voted and approved the request from Metro Council. Will Cheek was the only Commissioner to vote NAY (and has consistently voted against equity as is clear from the [MHRC report from March 4, 2024](#)); Carol McCoy was the only Commissioner to abstain. Commissioners Clarence Edward and Janet Kurtz recused themselves. Metro Arts staff sent out full approval of funds to Thrive applicants. A Metro Legal representative also attended the vote and discussion and approved the minutes.



To view this digital complaint and to access the hyperlinks, use this QR code.

From the MHRC report published March 4, 2024:

“Not considering those four categories, Commissioner Cheek is the only Commissioner with an inconsistency in recusals/abstentions on his vote for mid-size organizations between meetings. In an interview he disclosed his COI due to a relationship with five large organizations: Belcourt Theater, Cheekwood, Nashville Symphony, Country Music Hall of Fame, and the Frist Art Museum. His on-the-record disclosure includes Oz Arts, a midsize organization, from which he should have recused himself from in the August vote, as he did in July.”

Will Cheek should have also disclosed that both he and former Commissioner Jim Schmidt have a history together. Jim Schmidt served on the board of the Nashville Children’s Theatre, and Will Cheek stated on the record multiple times that he offers Nashville Children’s Theatre pro bono legal services. These connections are detailed in the MHRC report published March 4, 2024.

Furthermore, during a special session held by the Arts Council on December 14, 2023, called on by Councilmember Joy Styles ([video here](#)), Commissioner Will Cheek confessed to being the commissioner who asked Metro Legal to recall the vote because of the overturning of affirmative action in June 2023.

A former board member of a multi-million “arts organization,” who left their position and also wishes to remain anonymous, overheard staff and board at the organization threatening to sue the city if Thrive was fully funded. They also cited affirmative action. Another staff member at another multi-million “arts organization” in Nashville overheard the same conversation between executives during this time.

Will Cheek used the same analysis, despite Director Daniel Singh requesting multiple times for clarification on the implications of the overturning of affirmative action ([see emails and texts here](#)).

After speaking with Metro Legal on citing affirmative action, Metro Legal directed the Commission to recall the vote on August 17, 2023 during the Commission meeting. Metro Legal issued a memo on July 24, 2023.

After recalling the vote ([see video here](#)), Director Singh names the alleged lawsuit Metro Legal was concerned about at 16:08. At 23:40, Commission Chair Powell emphasizes, “Now, I’m going to open up the floor for discussion around this particular notion. This is the time, if you have conversations to have them,” and she pointedly looks at Jim Schmidt sitting to her right.

Both Jim Schmidt (31:22-40:04) and Marianne Byrd (23:48-28:24) speak using scripts. Their scripts cite the same details:

1. Writing a script was necessary to know what my decision was going to be.
2. Despite the script and despite going through all the notes from December 2022-July 2023, said commissioners were confused (and therefore not liable for their decisions).
3. This is very complicated funding.
4. The Commission has a “promise” to keep.
5. This is not racism because the Commission has a Committee of Anti-Racism and Equity.

Both Jim Schmidt and Marianne Byrd were either not present or voted AYE for the July 20th vote respectively. During the August 20th Commission vote to fund Thrive, all three—Cheek, Schmidt, and Byrd—voted against funding Thrive. Schmidt and Byrd both personally approached public comment community members and apologized for voting AYE, but still claim it was their personal opinion to defund



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Thrive. All three of these commissioners use the same language when questioned about “a promise” and “so much chaos and confusion.” Cheek used the same language during the special session with the Arts Committee of Metro Council ([see video here from 59:27](#)).

During the November 2023 Commission meeting (recording not available), Cheek and Schmidt went out to the bathroom together between the Executive Committee meeting on Daniel’s performance and the Commission meeting. After they came back, McCoy motioned to start a “Finance and Oversight” Committee, Cheek and Schmidt seconded quickly after. The meeting was then adjourned since McCoy had taken the whole time of discussion to complain about reading pdfs.

The shared language with no genuine personal connection to the choices being made on Commission since July 2023 suggests private communications and particularly legal support in avoiding prosecution for malfeasance. Lastly, never has Will Cheek since July 2023 participated in discussions in Commission meetings, but will support motions and vote only.

II. Provided services for compensation, directly or indirectly, to a person or organization who is requesting an approval, action, or determination from the metropolitan government;

During the Arts Council special session on December 14, 2023 ([video here](#)), Will Cheek confessed that his connection to Nashville artists was “serving on boards” of arts organizations. When Councilmember Styles asks him directly about his affiliations, Cheek answers (1:00:53): “I act as legal counsel to a number of nonprofits, and yes, I have given legal advice on a pro bono basis—not paid—to a lot of nonprofits of the arts. A lot of arts groups, yes. From the Nashville Children’s Theater to I don’t know—a bunch of ‘em.” Despite serving on the Commission giving arts funding—80% going to white-led organizations in Nashville—Cheek does not name his clients/his affiliations. This places him in a position of overseeing the finances of “arts” organizations in Nashville and simultaneously overseeing public funds to said organizations.

III. Worked actively against democratic equity work in distributing public funds.

Will Cheek is the only commissioner who took all of the following equity stances in the Metro Arts Commission:

1. December 2022: Cheek voted against the community-driven adoption of making Thrive applications more accessible to individual artists by streamlining questions and attachments
2. July 2023: Cheek voted against Metro Council’s funding for Thrive
3. August 2023: Cheek voted against Metro Council’s funding for Thrive after recall
4. October 2023: Cheek wanted to eliminate public comments from Commission meetings
5. November 2023: Cheek voted for a Finance and Oversight Committee which is now (in February 2024) holding closed meetings with Metro Legal on Director Singh’s performance



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While other commissioners (notably BIPOC or queer community members) have resigned, like Matia Powell, Clarence Edwards, and Ellen Angelico, due to unaddressed racism and pressure of the Commission, Cheek remains, ramping up his media spotlights with Wally Dietz of Metro Legal in fascist newspapers in Nashville, notably: *The Nashville Banner* ([12/1/2023 article here](#)) and *The Pamphleteer* ([1/23/2024 article here](#)).

What's worse, Will Cheek during his confirmation hearing in January 2023 openly lies about supporting equity work in Metro Arts. [In the MHRC report published March 4, 2024,](#)

In it [Commissioner Will Cheek's confirmation interview for his second consecutive term] he stated: *"We are really optimistic about the way things are going. We just took a critical vote at how we are going to allocate funding. We are very focused on what we call equity, which is putting more arts funding and more support from the Commission into neighborhoods and arts that have been traditionally overlooked by the Commission."* This statement appears contradictory when compared to his nay vote on the December funding formula and his continued nay votes in July and August 2023.

Finally, I encourage Ethics board members to review this article on Will Cheek's participation in the active dismemberment of equity-based work at Metro Arts: [Crumbolng Numbers: Unraveling the Fiscal Artistry in Nashville's Finances](#) by Mike Lacy.

While Will Cheek says he's for equity (which is the baseline for every person), his actions and voting patterns prove otherwise. Furthermore, the March 4th MHRC confirms his racist and classist biases in his own words: "If you receive \$10,000, who is following up with you to see what you do? Did you go to Kroger and shop? Or did you put on the arts production that you were supposedly going to do with that money?" They prove that he is more interested in keeping power and public subsidies with his clients and not with the people of Nashville. Because he is clearly working on behalf of large institutions against Nashville artists and small organizations, we are asking this Board to file a resolution with the Metropolitan Council to censure this individual from serving on any board or commission in Metropolitan Nashville.

Respectfully submitted,

Alayna Anderson
Christine Hall
Lydia Yousief
Sangeetha Ekambaram



Shawn Reed
My Commission expires
July 7, 2027

Signed in my presence
on March 8, 2024



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**Exhibit B – Unsigned Complaint of Lydia Yousief Against
Will Cheek**

Lydia Yousief
PO Box 17685
Nashville, TN 37217
615-861-0251
lydia.yousief@gmail.com

March 8, 2024

Metropolitan's Clerk Office
The Honorable Austin Kyle
1 Public Square, Suite 205
Nashville, TN 37201

To Clerk Austin and to the Ethics Board members:

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Furthermore, during a special session held by the Arts Council on December 14, 2023, called on by Councilmember Joy Styles ([video here](#)), Commissioner Will Cheek confessed to being the commissioner who asked Metro Legal to recall the vote because of the overturning of affirmative action in June 2023.

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Will Cheek used the same analysis, despite Director Daniel Singh requesting multiple times for clarification on the implications of the overturning of affirmative action ([see emails and texts here](#)).

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three of these commissioners use the same language when questioned about “a promise” and “so much chaos and confusion.” Cheek used the same language during the special session with the Arts Committee of Metro Council ([see video here from 59:27](#)).

During the November 2023 Commission meeting (recording not available), Cheek and Schmidt went out to the bathroom together between the Executive Committee meeting on Daniel’s performance and the Commission meeting. After they came back, McCoy motioned to start a “Finance and Oversight” Committee, Cheek and Schmidt seconded quickly after. The meeting was then adjourned since McCoy had taken the whole time of discussion to complain about reading pdfs.

The shared language with no genuine personal connection to the choices being made on Commission since July 2023 suggests private communications and particularly legal support in avoiding prosecution for malfeasance. Lastly, never has Will Cheek since July 2023 participated in discussions in Commission meetings, but will support motions and vote only.

II. Provided services for compensation, directly or indirectly, to a person or organization who is requesting an approval, action, or determination from the metropolitan government;

During the Arts Council special session on December 14, 2023 ([video here](#)), Will Cheek confessed that his connection to Nashville artists was “serving on boards” of arts organizations. When Councilmember Styles asks him directly about his affiliations, Cheek answers (1:00:53): “I act as legal counsel to a number of nonprofits, and yes, I have given legal advice on a pro bono basis—not paid—to a lot of nonprofits of the arts. A lot of arts groups, yes. From the Nashville Children’s Theater to I don’t know—a bunch of ‘em.” Despite serving on the Commission giving arts funding—80% going to white-led organizations in Nashville—Cheek does not name his clients/his affiliations. This places him in a position of overseeing the finances of “arts” organizations in Nashville and simultaneously overseeing public funds to said organizations.

III. Worked actively against democratic equity work in distributing public funds.

Will Cheek is the only commissioner who took all of the following equity stances in the Metro Arts Commission:

1. December 2022: Cheek voted against the community-driven adoption of making Thrive applications more accessible to individual artists by streamlining questions and attachments
2. July 2023: Cheek voted against Metro Council’s funding for Thrive
3. August 2023: Cheek voted against Metro Council’s funding for Thrive after recall
4. October 2023: Cheek wanted to eliminate public comments from Commission meetings
5. November 2023: Cheek voted for a Finance and Oversight Committee which is now (in February 2024) holding closed meetings with Metro Legal on Director Singh’s performance



To view this digital complaint and to access the hyperlinks, use this QR code.

While other commissioners (notably BIPOC or queer community members) have resigned, like Matia Powell, Clarence Edwards, and Ellen Angelico, due to unaddressed racism and pressure of the Commission, Cheek remains, ramping up his media spotlights with Wally Dietz of Metro Legal in fascist newspapers in Nashville, notably: *The Nashville Banner* ([12/1/2023 article here](#)) and *The Pamphleteer* ([1/23/2024 article here](#)).

What's worse, Will Cheek during his confirmation hearing in January 2023 openly lies about supporting equity work in Metro Arts. [In the MHRC report published March 4, 2024,](#)

In it [Commissioner Will Cheek's confirmation interview for his second consecutive term] he stated: *"We are really optimistic about the way things are going. We just took a critical vote at how we are going to allocate funding. We are very focused on what we call equity, which is putting more arts funding and more support from the Commission into neighborhoods and arts that have been traditionally overlooked by the Commission."* This statement appears contradictory when compared to his nay vote on the December funding formula and his continued nay votes in July and August 2023.

Finally, I encourage Ethics board members to review this article on Will Cheek's participation in the active dismemberment of equity-based work at Metro Arts: [Crumboling Numbers: Unraveling the Fiscal Artistry in Nashville's Finances](#) by Mike Lacy.

While Will Cheek says he's for equity (which is the baseline for every person), his actions and voting patterns prove otherwise. Furthermore, the March 4th MHRC confirms his racist and classist biases in his own words: "If you receive \$10,000, who is following up with you to see what you do? Did you go to Kroger and shop? Or did you put on the arts production that you were supposedly going to do with that money?" They prove that he is more interested in keeping power and public subsidies with his clients and not with the people of Nashville. Because he is clearly working on behalf of large institutions against Nashville artists and small organizations, we are asking this Board to file a resolution with the Metropolitan Council to censure this individual from serving on any board or commission in Metropolitan Nashville.

Respectfully submitted,

Alayna Anderson
Christine Hall
Lydia Yousief
Sangeetha Ekambaram



To view this digital complaint and to access the hyperlinks, use this QR code.

**Exhibit C – Minutes from July 20, 2023 Arts Commission
Meeting**



MINUTES

Metro Arts Board of Commissioners

July 20, 2023, 12:30 p.m. – 2:30 p.m.

Metro Southeast Building, Green Hills Room

1417 Murfreesboro Pk.

Nashville, TN 37217

Commissioners Present: Matia Powell (Chair), Ellen Angelico (Vice Chair), Sheri Nichols Bucy, Marianne Byrd, Will Cheek, Clarence Edward, Janet Kurtz, Leah Dupree Love, Carol McCoy, Diana Perez, Paul Polycarpou, Jim Schmidt, Campbell West, and Daniel Singh (Executive Director, non-voting, *ex-officio*)

Commissioners Absent: Dexter Brewer (Secretary), Darek Bell

Metro Staff Present: Metro Arts: Chuck Beard, Mollie Berliss, Erika Burnett, Vivian Foxx, Ian Myers, Atilio Murga, Anne-Leslie Owens, Jesse Ross, Jonathan Saad, Nyamal Tuor; Metro Legal: Tessa Ortiz-Marsh; Consultants: Dana Parsons, Justin Laing

Guests: Alan Fey, Jess Strauss, Louisa Glenn, Isabel Tipton-Krispin, Janet Yavez, Seth Feman, Jane MaCleod, Alan Valentine, Robyn Majors, Bridget Bailey, Jennifer Haston, Sharon Cheek, Waverly Ann Harris, Laura Amonl, Lee Carrol, Vill Palm, Dexter Evans, Joseph Gutierrez, Nina Adell, Drew Ogle, Sandy Obodzinski, Reverend Venita Lewis, Mike Floss, Kaki Friskics-Warren, Celine Thackston, Amber Banks, William "Bill" Jeffries, Bannin Bouldin, Councilmember Delishia Porterfield

METRO ARTS MISSION:

Drive an Equitable and Vibrant Community through the Arts

A. **Call to Order, Welcome, and Land Acknowledgement**

- a. Chair Matia Powell called the meeting to order at 12:31 p.m. She welcomed all in attendance and led those gathered in reading the land acknowledgment.

B. Public Comment

- a. **Joseph Gutierrez:** Joseph Gutierrez, Executive Director at API Middle Tennessee, addressed the funding scenarios, emphasizing the vital role of arts and culture in the thriving liberation of his community. He urged the commission to prioritize small and BIPOC organizations, pointing out that only 20 cents of every \$100 is allocated nationally to Asian Pacific Islander organizations. He stressed the significance of directing funds towards small and BIPOC organizations that require financial support to achieve broader objectives.
- b. **Nina Adell:** Nina Adell, representing the Immigrants Writes Program in Nashville, advocated for a focus on small and BIPOC organizations in funding allocation. She highlighted the importance of recognizing that within midsize organizations like hers, there are programs serving immigrant communities. She emphasized that neglecting funding for midsize organizations could lead to missing out on supporting immigrant communities. Nina stressed the need for transparency and a holistic approach, urging the council/commissioners not to be shortsighted and to consider the potential impact on smaller programs within midsize ones. She shared her concern about potential losses, such as their creative writing program, and appealed for a comprehensive and transparent funding strategy.
- c. **Drew Ogle:** Drew Ogle, Executive Director of the Nashville Repertory Theatre, referred to the commission meeting in December, where the new funding method was approved. He hired various positions based on the policy but expressed concern that only 2 out of the 12 funding scenarios align with the published policy. Changing directions midway through a grant cycle after the fiscal year has started would have significant negative implications for non-profit organizations. Drew urged the commission, as a major funder, to adhere to the original policy adopted in December, emphasizing the importance of maintaining trust in funders' commitments. He highlighted the potential impact on artists' jobs due to the scenario endorsed by the grant committee.
- d. **Sandy Obodzinski:** Sandy Obodzinski, the Development Communications Director for Humanities Tennessee, located in East Nashville, discussed their prominent literary arts event, the Southern Festival of Books, which benefits 10,000-15,000 attendees with free literary programming. The organization expressed support for equitable policies and funding scenarios. Sandy advocated for aligning the funding policy with the original December commitment. The scenarios presented could substantially reduce funds, potentially up to \$60,000 less for their organization. Acknowledging the challenges faced by BIPOC and smaller organizations in funding, Sandy recognized the advantages of midsize and larger organizations in terms of capacity, reach, and resources. Despite the difficulties, they viewed the presented funding scenarios as initial steps toward necessary radical policies for equality and pledged acceptance and support for these measures.
- e. **Reverend Venita Lewis:** Reverend Venita Lewis, President of the NAACP in Nashville and Executive Director of KEVA Inc. (Keeping Every Vision Alive), echoed previous speakers'

sentiments regarding small organizations' challenges in accessing Metro Arts. Both organizations, integral to Nashville's fabric, find it challenging to engage with Metro Arts. Reverend Louis emphasized that KEVA, a small 501(c)(3) nonprofit, has not received funding in the past two years, reflecting a broader trend within the arts commission. She highlighted the issue of African American applications being rejected and called for urgent consideration of kindness towards minority nonprofits. Reverend Louis urged the arts commission to address the ongoing difficulty in obtaining funding, emphasizing the need for change.

- f. **Mike Floss:** Mike Floss, an artist, rapper, and the Arts and Culture Director for the Southern Movement Committee, an NPO organization in Nashville, introduced their Black Nashville Assembly program, a participatory democracy community organizing project. He emphasized their use of art to support a public safety model and explained the significance of funding for small Black organizations that apply arts within a context of liberation and community engagement. Mike stressed the importance of prioritizing smaller and Black organizations to sustain and expand their impactful work, which involves enriching lives and fostering community connections. He urged the commission to consider these priorities for funding to ensure the continuation and growth of their meaningful initiatives.
- g. **Kaki Friskics-Warren:** Kaki Friskics-Warren, associated with the Maddox Fund, expressed commendation to the arts commission for reevaluating their funding and partnership approaches, acknowledging the inspiring yet challenging nature of this endeavor. She shared a conversation with an executive director her organization had funded for several years, wherein they discussed exploring new relationships and engaging new populations. The director's willingness to cast a broader net was appreciated. Kaki highlighted how the arts expand our imagination and envision the future we strive for, contributing to community growth. She emphasized the positive impact of welcoming new partners, especially smaller ones, to enhance resilience and bring fresh ideas. Kaki encouraged the commission to embrace new perspectives, ideas, and individuals that would facilitate reaching and impacting new communities.
- h. **Celine Thackston:** Celine Thackston, Founder and Artistic Director of Chatterbird, a Nashville-based chamber music ensemble, commended Metro Arts for their efforts and acknowledged the potential benefits for her organization in several funding scenarios. She appreciated Metro Arts' dedication to the process but noted concerns about the limited time provided to the public for informed decision-making, leading to variables and uncertainties. Celine mentioned her participation in the first community editing panel by Metro Arts and expressed disappointment that the assurance of no funding reduction was not upheld for all organizations. She urged the commission and community to reject any scenario that violates this promise in the current year. Drawing from her experience in philanthropy, she emphasized the importance of funding consistency and scalability, supporting both Black work and smaller organizations. Celine encouraged finding a solution that strikes a balance between these priorities.

- i. **Amber Banks:** Amber Banks, a Nashville resident, and parent, expressed her support for funding initiatives that benefit small and Black organizations. She shared her experience with her 6-year-old son's interest in breakdancing and how she found a specialized small organization offering vibrant dance opportunities. Amber emphasized the significance of these small organizations in nurturing a pipeline for creative youth and adults, contributing to Nashville's vibrant multicultural community. She regarded these organizations as essential for the city's future and stressed the importance of adequately funding multicultural artists. Amber underscored the need for fair access to funding to empower all artists within this diverse landscape.
- j. **William "Bill" Jeffries:** Bill Jeffries, Vice President of Development at the National Museum of African American Music, highlighted the unique position of their museum within the funding scenarios. Despite being categorized as large, they have distinct characteristics as a BIPOC-led organization that recently started during the pandemic, and they contribute to rebranding Nashville as a national music hub. Bill emphasized that any reduction in their funding would directly impact two exhibitions, one focusing on historic singers and the other highlighting black composers. He underscored that the funding cut would affect their exhibitions and their efforts in supporting emerging black artists, conducting music therapy research, and their overall organizational sustainability. Bill emphasized the potentially devastating consequences of cutting operating funding for their large yet BIPOC-based organization.
- k. **Banning Bouldin:** Banning Bouldin, a Nashville native, artist, choreographer, and founding member of New Dialect, a contemporary dance organization celebrating its 10th anniversary, shared their experience. New Dialect, based in Nashville, was established by Banning Bouldin to create a sustainable environment for contemporary dance artists in the city. With a 9-year grant history from the arts commission, Banning highlighted the impact of THRIVE funding, enabling the organization to expand its team, framework, and capacity for larger projects. New Dialect's reputation has grown beyond local recognition, becoming a national presence through contemporary dance training, performances, and residencies. Banning referred to the disparity study that revealed the funding and visibility gaps for BIPOC organizations. Supporting THRIVE, Banning emphasized, would be a decisive step towards equity, promoting the growth of BIPOC organizations and enhancing the broader artistic landscape.
- l. **Delishia Porterfield:** Delishia Porterfield, District 29 Council Member representing Southeast Nashville and Antioch communities and Chair of the Minority Caucus for the past 2 years, addressed the commission. Through the disparity study, she emphasized the confirmation of long-known disparities within the Nashville Metro Arts community. The study underscored the urgent need for equity-based funding for BIPOC-led organizations, highlighting that the limited sample size prevented a T-test analysis, yet still revealed the disproportionate funding towards white organizations. Delishia called upon the commissioners to rectify historical injustices by directing funding toward Micro, Small, and Medium cohorts and supporting thrive awards, given the recent advocacy that secured \$2 million for the arts commission. She urged the prioritization of

BIPOC organizations and active efforts to recruit, support, and fund them. Delishia referenced the lingering impact of the highway division in North Nashville and the unfulfilled recognition of Fisk Jubilee Singers in the "Music City" moniker, stressing the need to address current harms to the BIPOC community. She implored the commissioners to focus on equity, using their privilege to uplift others and make a morally just investment. Delishia concluded by requesting funding for the Morris Building, supporting Metro Arts Staff and the CARE committee, and rewriting historical wrongs to establish true equity.

C. Approval of Minutes: April 20 and May 18, 2023

Chair Commissioner Matia Powell offered a motion to approve the April 20th minutes amendment with the correction of Commissioner Janet Kurtz's committee membership, seconded by Commissioner Sheri Nichols Bucy. The motion passed.

Chair Commissioner Matia Powell offered a motion to approve the April 20th minutes, the motion was seconded by Commissioner Ellen Angelico. The motion passed.

Chair Commissioner Matia Powell offered a motion to approve the May 18th minutes, the motion was seconded by Commissioner Campbell West. The motion passed.

Commissioner Jim Schmidt made a motion to reconsider the action to approve the last minutes in lieu of asking for an amendment to add Commissioner Carol McCoy's name to the correct committee (Grants & Funding), Chair Commissioner Matia Powell seconded the motion. The motion passed.

Chair Commissioner Matia Powell offered a motion to make an amendment to the minutes to correct the committee assignments for Commissioner Janet Kurtz (Public Art Committee) and Commissioner Carol McCoy (Grants & Funding Committee); the motion was seconded by Commissioner Ellen Angelico. The motion passed.

Chair Commissioner Matia Powell offered a motion to approve the minutes for April 20, seconded by Commissioner Carol McCoy. The motion passed.

D. ACTION ITEM: Bylaws Change to Align with Tennessee Open Meetings Act

- a. Item D, involving a Bylaws Change to conform with the Tennessee Open Meetings Act, has been postponed to the August Meeting per Metro Legal's advice.

E. Public Art Committee

- a. Public Art actions moved to end of meeting to allow for review of grants allocations. See Section I.

F. Committee on Anti-Racism and Equity

- a. Grants Allocation Introduction: Overview
 - i. Presented by Executive Director Daniel Singh and CARE Committee Chair Commissioner Ellen Angelico, a strong emphasis was placed on inter-committee collaboration and the significance of the work carried out by the CARE Committee on Anti-Racism and Equity since its inception in 2016. The current funding situation was acknowledged as a challenging outcome stemming from the Metro budget constraints, leading to the need for difficult decisions in grant allocations. The central focus highlighted for commissioners, and all involved was the imperative of bolstering advocacy efforts to prevent a similar funding shortfall in the future. The possibility of additional funding was mentioned, expressing a willingness to establish a capital grant program following a community-led proposal development phase.
 - ii. Efforts made to provide data, comparison studies, and increased advocacy were noted, although the Arts were not prioritized in the recent budget. The commitment to transparency regarding priorities around equity and anti-racism was underlined. The Grants Committee explored various options, with a critical consideration being the allocation of funding to organizations with budgets under \$500K. While progress was seen in the increased number of BIPOC-led arts organizations applying, there is still work to be done to reflect the Metro Nashville population fully.
 - iii. The declaration of racism as a health crisis in other cities and Metro Nashville's establishment of an office of health equity underscored the importance of addressing racism's broader implications. The path forward was equitable funding, aligning with CARE's work and reflecting the organization's commitment to equity. Public input was emphasized throughout various Commission meetings, editing processes, and community engagements, informing the Grants Committee's recommended scenarios which aimed to address identified disparities and move towards a more equitable distribution of funding.
- b. Trickle Down
 - i. The discussion centered on addressing concerns about the "trickle-down effect," where larger-budget arts organizations advocate for individual artists, potentially perpetuating power and funding distribution imbalances. The focus shifted towards not endorsing patron-class or sizable budget arts groups seeking exclusive support without considering existing disparities within the arts community. Equity and transparency remained the guiding principles, with the intent to fund all organizations at FY23 levels contingent on entire city funding.
 - ii. Challenges arose due to incomplete funding in the FY24 budget, necessitating tough choices while upholding equity. The question of who bears the burden, particularly BIPOC individuals and smaller organizations, was raised. The broader context of national movements like Black Lives Matter and MeToo underscored the importance of addressing systemic inequities.

- iii. An amendment involving \$2 million earmarked for the Morris building purchase was discussed, with implications for BIPOC artists and THRIVE initiatives. The necessity for systemic change and confirmation of disparities from various sources reinforced the clear path forward. The potential disbursement of \$2 million depended on final bond sales, and it was highlighted that future funding requirements, estimated at least \$4 million, would need careful consideration. Strategies such as advancing grant applications earlier to support advocacy were suggested, recognizing commissioners' pivotal role in advocacy endeavors.
 - c. In the meeting, equity consultant Justin Laing was introduced, and it was noted that he has been collaborating with the CARE committee and helping to align with recommendations from Andrea Blackman's office. Justin spoke briefly for a minute. Prior to passing the floor to CARE, there was a request for open Commissioner discussion. The floor was then passed to CARE, with Vice Chair Commissioner Ellen Angelico providing context. It was mentioned that anti-racism has been a core priority of CARE since its inception in 2016, with a focus on bringing it into practical application. CARE is supported by the Anti-Racism Transformation Team (ARTt). Commissioner Diana Perez shared her appreciation for improved immigrant community representation in Metro Arts funding. CARE Co-Chair Teree McCormick's recent comment from a CARE meeting was highlighted, noting that staff's efforts were recognized in meaningfully centering community voices and aligning around equity. Justin was asked if he had any additional insights on his collaboration with CARE and Staff. Commissioner Sheri Nichols Bucy then shared recommendations from the Grants and Funding Committee.

G. Grants and Funding Committee

- a. Grants and Funding Chair Commissioner Sheri Nichols Bucy put forth a recommendation for the consideration of Scenarios A and B to the entire commission. Furthermore, Scenario J was proposed as an additional option during the full commission meeting.
- b. The next step involved consultant Dana Parsons providing an equity-focused review of these scenarios:
 - i. **Scenario A:** Highly equitable, closes identified disparity, maximize impact for BIPOC applicants, redistributes general operating funds for Micro, Small, and Medium organizations from 24% (in FY23) to 54%.
 - ii. **Scenario B:** Equitable, closes identified disparity, increases impact for BIPOC applicants, redistributes general operating funds for Micro, Small, and Medium organizations from 24% (in FY23) to 52%.
 - iii. **Scenario J:** Highly equitable, closes identified disparity, maximize impact for BIPOC applicants, redistributes general operating funds for Micro, Small, and Medium organizations from 24% (in FY23) to 57%, excludes funding for orgs operating over \$5M, significant mid-size funding increase.
 - iv. **Scenario J2:** Equitable, closes identified disparity, increases impact for BIPOC applicants, redistributes general operating funds for Micro, Small, and Medium

organizations from 24% (in FY23) to 56%, excludes funding for orgs operating over \$5M, significant mid-size funding increase.

- c. Before discussions began, a reminder is given about conflicts of interest. All participants in Metro Arts allocation processes must annually declare affiliations with organizations they or their household members are associated with as employees, board members, or stakeholders. Commissioners with conflicts of interest regarding FY24 applicants are required to recuse themselves from relevant grant allocation deliberations and votes for Thrive and/or General Operating funds. After remarks, the floor opened for conversation, aiming to lead to votes. Straws will be polled, and scenarios will be presented for approval, with denied scenarios requiring amendments for reconsideration. Motions for approving funding scenarios, Thrive, and General Operating funds are sought. A message emphasizes the path towards equity and future progress, culminating in a call for collective equity efforts.

Chair Commissioner Matia Powell made a motion for a straw poll about moving forward with Scenario A or B.

Vice Chair Commissioner Ellen Angelico made a motion to approve Scenario A, and Commissioner Janet Kurtz seconded the motion.

There is a call to question to vote.

Commissioner Marianne Byrd made a motion to call for the question to vote, and Commissioner Sheri Nichols Bucy seconded the motion, leading to a direct vote to approve Scenario A.

No Discussion.

Yay: Based on hand raises (Commissioners Paul Polycarpou, Ellen Angelico, Matia Powell, Sheri Nichols Bucy, Marianne Byrd, Clarence Edward, Diana Perez)

Nay: Janet Kurtz, Will Cheek, and Campbell West

Abstain: Carol McCoy, Leah Dupree Love

Recused: None.

The Scenario A motion passed.

Tessa Ortiz-Marsh (Metro Legal) confirmed conflicts of interest relationships.

Vice Chair Ellen Angelico made a motion to approve Thrive funding in alignment with Scenario A. The motion was seconded by Commissioner Sheri Nichols Bucy.

Yay: By hands (Commissioners Paul Polycarpou, Ellen Angelico, Matia Powell, Leah Dupree Love, Sheri Nichols Bucy, Marianne Byrd, Diana Perez, Campbell West)

Nay: Commissioner Will Cheek

Abstain: Commissioner Carol McCoy

Recused: Commissioner Clarence Edwards and Commissioner Janet Kurtz

Commissioner Marianne Byrd made a motion to approve funding for the micro-organizations in alignment with Scenario A, the motion was seconded by Commissioner Sheri Nichols Bucy.

Discussion: With the additional 2M coming in January, the prioritization would be Thrive due to the nature of project funding. First payments for general operating would be reduced and final payments would be sent in January.

Yay: Commissioners Leah Dupree Love, Marianne Byrd, Campbell West, Sheri Nichols Bucy, Paul Polycarpou, Clarence Edward, Ellen Angelico, Diana Perez, Matia Powell

Nay: Commissioner Will Cheek

Abstain: Commissioner Carol McCoy

Recused: Commissioner Janet Kurtz

Vice Chair Commissioner Ellen Angelico made a motion to approve funding for the small organizations in alignment with Scenario A, the motion was seconded by Commissioner Leah Dupree Love.

No discussion.

Yay: Commissioners Marianne Byrd, Leah Dupree Love, Campbell West, Diana Perez, Ellen Angelico, Paul Polycarpou, Matia Powell, Clarence Edward

Nay: Commissioner Will Cheek

Abstain: None

Recused: Commissioner Sheri Nichols Bucy and Commissioner Janet Kurtz

Vice Chair Commissioner Ellen Angelico made a motion to approve funding for the medium organizations in alignment with Scenario A, the motion was seconded by Commissioner Marianne Byrd.

Yay: Commissioners Diana Perez, Campbell West, Marianne Byrd, Matia Powell, Ellen Angelico, Sheri Nichols Bucy, Paul Polycarpou, Leah Dupree Love, Clarence Edward

Nay: Commissioner Will Cheek

Abstain: Commissioner Carol McCoy

Recused: Commissioner Janet Kurtz

Vice Chair Commissioner Ellen Angelico made a motion to approve funding for the mid-size organizations in alignment with Scenario A, the motion was seconded by Commissioner Sheri Nichols Bucy.

Discussion: Amounts for each organization are forthcoming.

Yay: Commissioners Campbell West, Matia Powell, Sheri Nichols Bucy, Diana Perez, Marianne Byrd, Ellen Angelico, Paul Polycarpou, Clarence Edward, Leah Dupree Love, Matia Powell

Nay: None

Abstain: Commissioner Carol McCoy

Recused: Commissioner Janet Kurtz and Commissioner Will Cheek

Vice Chair Commissioner Ellen Angelico made a motion to approve funding for the large organizations, the motion was seconded by Commissioner Leah Dupree Love. No discussion.

Yay: Commissioners Campbell West, Leah Dupree Love, Clarence Edward, Diana Perez, Paul Polycarpou, Ellen Angelico, Matia Powell

Nay: None.

Abstain: Commissioner Carol McCoy

Recused: Commissioners Marianne Byrd, Sheri Nichols Bucy, Will Cheek, and Janet Kurtz

H. Advocacy Committee

- a. Executive Director Daniel Singh presented: We have an essential action item to approve, which involves the approval of a bylaws change to designate the Advocacy Committee as a Standing Committee. As per the Metropolitan Nashville Arts Commission Bylaws, specifically in ARTICLE VII, COMMITTEES, AND TASK FORCES; Section 2. Standing Committees, It is mandated that the Commission shall have certain Standing Committees, including the Executive Committee, Nominating Committee, Grants & Funding Committee, Public Art Committee, and a Committee for Antiracism and Equity. The executive committee has already made the recommendation, so now we just need the commission to make the vote on it.

Vice Chair Commissioner Ellen Angelico made a motion to designate Advocacy Committee as a standing committee. Commissioner Janet Kurtz seconded the motion and the motion passed unanimously.

I. Public Art Committee

- a. ACTION ITEM: Bordeaux Gateway (Budget, Recruitment, Selection Panel)
 - i. Public Art Collections Manager Anne-Leslie Owens presented a recap of the Bordeaux Gateway project, one of the 2022 Participatory Budget projects. The site of the \$200,000 project budget is a traffic triangle located at Clarksville Highway and Rosa L. Parks Boulevard. In addition to PAC and Commission approval, the artist's design will undergo Nashville Department of Transportation and Tennessee Department of Transportation approval before fabrication. Meetings with stakeholders and neighborhood leaders have taken place and community meetings are in development. A call to artists is set to launch on July 28 and be open for 6 weeks. An artist budget of \$185,000 is proposed to cover design, materials, fabrication, and transportation. This will be an open RFQ/RFP process for artists from Davidson County and adjoining counties with connections to North Nashville and Bordeaux.
 - ii. For the selection panel, 30 applicants have been received, reflecting a diverse mix of ages, backgrounds, and districts. A voting panel of 5-9 members will be selected, each receiving a stipend of \$700 for three scheduled meetings at the

Looby Library. The final selection panel meeting will involve the presentation of design concepts.

- iii. In the discussion, the topic of insurance coverage was raised, particularly regarding incidents on the road. Anne-Leslie confirmed collaboration with Metro Insurance, with general insurance coverage in place. Ian Myers added that Metro has an insurance policy for general issues for use in catastrophic scenarios. Executive Director Daniel Singh appealed to the Commission for increased staffing to expedite project completion for the upcoming year.

Chair Commissioner Matia Powell made a motion to approve the selection panel slate and public art gateway project at Clarksville Highway and Rosa L. Parks Blvd with \$185,000 artist budget open to artists in Nashville-Davidson County and adjoining counties. The motion was seconded by Commissioner Janet Kurtz and passed unanimously.

- b. ACTION ITEM: Looby Mural (Budget, Recruitment, Selection Panel)
 - i. Public Art Collections Manager Anne-Leslie Owens presented the Lobby Mural Public Art Project, a second project to come out of the 2022 Participatory Budget. To be located at the Looby Community Center and Library, this initiative will include a prominent mural, a community garden, and new outdoor seating. Detailed investigations involving parks maintenance, art handling, and budget considerations were undertaken, particularly focusing on the mural's textured wall. The launch of an artist call is scheduled to commence tomorrow and will remain open for six weeks. After careful assessment, the decision was made to utilize poly tab, a durable cloth material, for the mural to ensure its longevity. To ensure proper installation, Metro Arts art handling vendor, will oversee the installation process, aligning with our commitment to maintaining commissioned artwork.
 - ii. The artist budget for this project was based on square footage starting at 8 feet from the ground to deter tagging and vandalism. It also factors in that Metro Arts is purchasing polytab, completing wall prep, and installing the completed murals. The \$60,000 artist budget will cover design, painting, materials including UV resistant paint (except for Polytab Mural Cloth), workspace (including rental if needed), community engagement, and project oversight. The project is open to artists from Davidson County and adjoining counties. 26 applicants applied to be selection panelists who would attend three meetings. Ambria Berryhill, manager of Looby Community Center is ready to serve as the Metro Arts representative. Commissioners emphasized the importance of clarifying to potential applicants that the artist's budget from Metro Arts could be allocated towards renting studio space for their creative work and storage.

Chair Commissioner Matia Powell made a motion to approve the selection panel slate and public art mural project at Looby Library and Community Center with \$60,000 artist budget open to artists in Nashville-Davidson County and adjoining counties. The motion was seconded by Commissioner Will Cheek and the motion passed unanimously.

- c. ACTION ITEM: Permanent Supportive Housing (Location, Budget, Recruitment)
 - i. Public Art Collections Manager Anne-Leslie Owens introduced the new Metro project under construction for Permanent Supportive Housing. The 5-story structure will provide affordable housing downtown. After considerable review with the design team, staff recommend public art at the retaining wall at Jo Johnston and 1st Avenue and which may extend to the planters at the front and side of the building's entrance. There will be opportunities for an artist to engage with the community, particularly those who have struggled with housing stability. Jesse Ross, our new Public Art Project Coordinator, will be managing this project.
 - ii. During the discussion, Secretary Commissioner Dexter Brewer inquired about the funding model, questioning whether it is a government-funded building and if the art expenses will be covered. Anne-Leslie clarified that the art budget would come from the Metro Percent Fund while Metro General Services is overseeing the construction of the facility and working with other Metro departments to identify what agency will manage it.

Vice Chair Commissioner Ellen Angelico made a motion to approve the proposed retaining wall and planters' location for public art at Permanent Supportive Housing with \$200,000 artist budget open to Tennessee artists. The motion was seconded by Chair Commissioner Matia Powell and the motion passed unanimously.

- d. ACTION ITEM: Pilot Mural Project (Budget)
 - i. Discussion regarding this project has been postponed to our August meeting.
- e. ACTION ITEM: Bloomberg Grant Final Application and Site Visits (Budget)
 - i. Executive Director Daniel Singh provided an update: In an effort to enhance our chances of securing the grant, we have allocated a budget of under \$10,000 for consulting services to streamline the extensive application process, which has been notably extensive. This is the extent of the current progress on this matter.
- f. Update: Mill Ridge Park Public Art Project

- i. Public Art Project Manager Atilio Murga provided an update on the Mill Ridge Park Public Art Project. He reported that while it nears completion, some adjustments are necessary to complete the project before the dedication. Power was not available to the artwork when the artists were scheduled to complete their final programming test of the artwork. An additional \$6,300 is required to cover artist flights and additional site work. Please disregard the dedication date mentioned in your materials, as a slight delay may push it to August or later.

L. Executive Director's Report

- a. Updates on various matters, including Hiring, Capacity, Cultural Planning, and others, which were to be presented by Daniel Singh in the Executive Director's Report, have been postponed to the August Meeting.

L. New/Old Business

- a. The Joint Meeting is August 17th, 2023
- b. The deliberation regarding the Chair's appointment for the Nominating Committee has been rescheduled to the August meeting.

M. Adjourn Meeting

- a. Chair Matia Powell adjourned the meeting at 2:53 PM, with Vice Chair Commissioner Ellen Angelico seconding the motion for adjournment.

Exhibit D – Minutes from August 17, 2023 Arts Commission Meeting



METRO ARTS

NASHVILLE OFFICE OF ARTS + CULTURE

MINUTES NOTES

Metro Arts Board of Commissioners

August 17, 2023, 9:30 a.m. – 2 p.m.

Southeast Community Center

5260 Hickory Hollow Pkwy

Antioch, TN 37013

If you have any questions, please e-mail arts@nashville.gov.

There is a video recording of this meeting; [please click here for the video.](#)

Commissioners Present: Matia Powell (Chair), Ellen Angelico (Vice Chair), Dexter Brewer (Secretary), Darek Bell, Sheri Nichols Bucy, Marianne Byrd, Will Cheek, Clarence Edward, Janet Kurtz, Leah Dupree Love, Carol McCoy, Diana Perez, Paul Polycarpou, Jim Schmidt, Campbell West, and Daniel Singh (Executive Director, ex-officio)

Commissioners Absent: Campbell West, Will Cheek

Guest: Tessa Ortiz-Marsh (Metro Legal)

Featured Artists: Thaxton Waters, Alayna Anderson, Cynthia Harris and Yanira Vissepo

METRO ARTS MISSION:

Drive an Equitable and Vibrant Community through the Arts

A. Featured Artist, Call to Order, Welcome, and Land Acknowledgement

9:30

1. Chair Matia Powell called the meeting to order at **9:40** AM, all participants were welcomed, and the land acknowledgment was read.
2. The featured artist for this segment was **Thaxton Waters**. They shared their **spoken word**, which is integral to the Nashville art scene.

B. Public Comment

10:35-10:45

1. **Christien Hall:** Discussed the importance of conversations about grants, funding, and equity within Metro Arts. Emphasized the value of micro organizations and the need for change, commending Daniel Singh's efforts. Mentioned that the dissenting voices have been primarily from white individuals.
2. **Kathy Drew:** Reiterated concerns about equity and reaching underserved populations with tax dollars. Encouraged Metro Arts to be on the right side of history.
3. **Drew Ogle:** Recounted discussions from a grants committee meeting, addressing statements made by Daniel Singh and Commissioner Sheri Nichols Bucy. Advocated for artists and expressed frustration at being labeled racist for advocating for their community.
4. **Benjamin (From Southern Word):** Thanked staff and emphasized the importance of sustaining artists of color. Raised questions about the impact of the changes and implementation process, expressing concern about potential negative consequences and uncertainty.
5. **Rachel (Thrive Recipient):** Shared her experience with the Thrive program, highlighting the positive impact of her project on the community and underscoring the importance of fair compensation for artists.
6. **Lydia:** Representing a nonprofit, discussed efforts to empower women in music and shared stories about young Egyptian girls aspiring to become songwriters.
7. **Brandon "Sunni" Corlew:** Presented a written comment that was not further summarized in the provided transcript.
8. **Shabaz Larkin:** Delivered a personal monologue about his background and identity.

C. Featured Artist

10:45-10:50

1. The featured artist for this segment was **Alayna Anderson, the co-founder of Nashville Women and Jazz and Founder and Director of Nashville**

Musicians for Change. They shared their **song**, which is integral to the Nashville music scene.

D. **Conversation with Commission and CARE**

10:50-11:15

Commissioner Chair Matia Powell mentioned that Metro Legal has invited a re-discussion about a prior vote involving race and support for BIPOC organizations, which has jeopardized our position. This prompts the need to rescind the previous vote, as recommended by Metro Arts, and initiate a fresh conversation on reallocating funding for a specific grant in line with our organization's priorities.

The Legal Department of Metro Nashville has suggested that the Grants and Funding decision made on July 20th be rescinded and re-voted upon, given that the original conversation around the vote was centered on race-related considerations.

To recap, in the previous meeting, we voted on selecting a funding model for scenarios to prioritize funding. We secured enough votes to endorse scenario A. Following this model selection, we voted on allocations within each funding category (THRIVE, micro, medium, large, etc.).

Commissioner Dexter Brewer motioned to revoke the voting structure adopted in the previous meeting, specifically Scenario A, the funding distribution/grant allocation model from the July 20th Commission Meeting. Commissioner Ellen Angelico seconded the motion, and it was subsequently approved.

Chair Commissioner Matia Powell inquired about the need for discussion before proceeding with the votes, prompting Commissioner Leah Dupree Love to request a recorded explanation for Metro Legal's decision to rescind and revote. Daniel Singh clarified that while the discussions encompassed various factors such as zip codes, individual artists, council districts, and organization sizes, the emphasis on race prompted concerns about potential legal repercussions. Commissioner Jim Schmidt requested a direct explanation from legal, and Tessa Ortiz-Marsh from Metro Legal reiterated the same rationale previously presented by Daniel Singh.

The revoking of votes for the allocations for each of the following organization categories continued:

Commissioner Ellen Angelico initiated a motion to rescind the vote on THRIVE funding allocation from the July 20th Commission Meeting, which was seconded by Commissioner Jim Schmidt. The motion was passed.

Commissioner Ellen Angelico initiated a motion to rescind our vote to approve funding for micro organizations in alignment with Scenario A, which was seconded by Commissioner Sheri Nichols Bucy. The motion was passed.

Commissioner Ellen Angelico initiated a motion to rescind our vote to approve funding for small organizations in alignment with Scenario A, which was seconded by Commissioner Sheri Nichols Bucy. The motion was passed.

Commissioner Ellen Angelico initiated a motion to rescind our vote to approve funding for medium organizations in alignment with Scenario A, which was seconded by Commissioner Sheri Nichols Bucy. The motion was passed.

Commissioner Ellen Angelico initiated a motion to rescind our vote to approve funding for midsize organizations in alignment with Scenario A, which was seconded by Commissioner Sheri Nichols Bucy. The motion was passed.

Commissioner Ellen Angelico initiated a motion to rescind our vote to approve funding for large organizations in alignment with Scenario A, which was seconded by Commissioner Sheri Nichols Bucy. The motion was passed.

E. Lunch Break

11:15-11:20

1. The lunch was provided by **Vibrant Meals** (formerly Eat Well Nashville), we thank them for their hard work, delicious food, and service.

F. Featured Artist

11:20-

11:25

3. The featured artist for this segment was **Cynthia Harris**. They shared their **art**, which is integral to the Nashville community.

G. Grants and Funding Committee (Committee Chair Sheri Bucy)

11:20-11:25

1. In a concise statement, Commissioner Sheri Nichols Bucy, the chair of the Grants and Funding committee, expressed her brevity after reviewing

clarifications on scenarios one through five. She highlighted her role in proposing the committee's endorsement of scenario one (also called scenario A).

The Grants and Funding Committee recommends Scenario 1 (also called Scenario A).

Chair Matia Powell initiated a motion to accept the recommendation from the Grants & Funding Committee, which was seconded by Commissioner Dexter Brewer. The motion was passed. Chair Powell Opened the floor for discussion.

After the motion passed, Commissioner Matia Powell initiated a discussion, during which Commissioner Marianne Byrd read a prepared statement. Commissioner Marianne Byrd expressed her concern about the complexities of the funding formulas and the communications she received. She highlighted the commitment to fairness and equity, referencing the committee for anti-racism and equity. Commissioner Marianne Byrd supported scenario 4, specifically leaning towards options favoring smaller organizations and individual artists. She emphasized the importance of honoring commitments made in previous discussions, aiming for equity to support smaller art organizations that have a meaningful impact. Commissioner Marianne Byrd urged caution in making promises for the future to maintain the commission's integrity and not cause irreparable harm.

During the discussion, Commissioner Jim Schmidt expressed concerns about promises made and questioned whether Metro Legal's caveat about holding organizations harmless was clearly communicated. Executive Director Daniel Singh clarified the administration's discussions with Metro Arts. Commissioner Schmidt also highlighted the challenges of budgeting and the potential pitfalls of allocating funds before knowing the budget amount. He supported an alternative to Scenario One. Commissioner Paul Polycarpou voiced apprehensions about promises and the need to implement changes carefully. He advocated for a gradual transition to prevent causing harm. Commissioner Jim Schmidt supported

Scenario Four, considering its incremental approach while emphasizing the importance of change.

Commissioner Sheri Nichols Bucy acknowledged the emotional public input and urged commissioners to consider both sides. She supported Scenario One but emphasized the need for future changes. Chair Commissioner Matia Powell noted the extended discussions on reallocating funding and the importance of moving forward. She advocated for prioritizing small organizations and individual artists to promote inclusion. Commissioner Ellen Angelico emphasized her commitment to leaving a positive impact and supported Scenario One for its community coalition-building potential.

Commissioner Diana Perez highlighted the long-standing discussions on funding reallocation and supported Scenario One in response to the community's needs. Commissioner Clarence Edwards stressed the significance of supporting small and marginalized artists. He supported Scenario One to address the needs of underserved communities. Commissioner Ellen Angelico noted her preference for Scenario One due to its inclusive potential.

Commissioner Darek Bell reminded the commission of the challenges of making everyone happy and encouraged focusing on the larger picture. He urged unity in the upcoming challenges and emphasized the need for collective leadership.

Chair Commissioner Matia Powell acknowledged the passion in the room and highlighted the commission's commitment to fulfilling the long-discussed changes in funding. She stressed the importance of prioritizing micro and small organizations while recognizing all entities' difficulties. The discussion reflected differing perspectives on balancing promises, gradual transitions, equity, and the urgent needs of various artistic entities.

Commissioner Carol McCoy initiated a motion to call to question the vote, which Commissioner Darek Bell seconded. The motion was passed.

The voting began, and the motion for Scenario 1 was voted on by 5 Commissioners. A total of 8 commissioners opposed Scenario 1. There were no abstentions. The motion failed.

Commissioner Jim Schmidt initiated a motion to approve Scenario 4, which was seconded by Commissioner Dexter Brewer.

Commissioner Carol McCoy initiated a motion to call to question the vote. All were in favor, The motion was passed.

The voting to approve Scenario 4 began, and 8 Commissioners voted for the motion for Scenario 4. A total of 5 commissioners opposed Scenario 4. There were no abstentions. The motion passed.

The voting on the allocations began:

Chair Commissioner Matia Powell called for a motion to approve the THRIVE funding based on the allocations in Scenario 4. Commissioner Jim Schmidt initiated a motion to approve funding for THRIVE funding (individual artists and small organizations) in alignment with Scenario 4 at \$875,382.50, which Commissioner Paul Polycarpou seconded. The motion was passed.

Chair Commissioner Matia Powell entertained a motion to approve the micro-funding based on the grant allocations in Scenario 4. Commissioner Marianne Byrd initiated a motion to approve funding for micro-funding in alignment with Scenario 4, which Commissioner Darek Bell seconded. The motion was passed.

Chair Commissioner Matia Powell entertained a motion to approve the small based on the grant allocations in Scenario 4. Commissioner Jim Schmidt initiated a motion to approve funding for small in alignment with Scenario 4, which Commissioner Paul Polycarpou seconded. The motion was passed.

Chair Commissioner Matia Powell called a motion to approve the small based on the grant allocations in Scenario 4. Commissioner Dexter Brewer initiated a motion to approve funding for medium in alignment with Scenario 4, which Commissioner Marianne Byrd seconded. The motion was passed.

Chair Commissioner Matia Powell entertained a motion to approve the mid-size based on the grant allocations in Scenario 4. Commissioner Marianne Byrd initiated a motion to approve funding for mid-size in alignment with Scenario 4, which Commissioner Dexter Brewer seconded. The motion was passed.

Chair Commissioner Matia Powell entertained a motion to approve the large based on the grant allocations in Scenario 4. Commissioner Carol McCoy initiated a motion to approve funding for large in alignment with Scenario 4, which Commissioner Jim Schmidt seconded. There were four recusals due to conflict of interest (Commissioners: Sheri Bucy, Janet Kurtz, Marianne Byrd, and Will Cheek). The motion was passed.

H. Public Art Committee (Committee Chair Campbell West) 11:20-11:25

2. Main Library Gallery (Location, Budget, and Recruitment) (ACTION ITEM)

- a. The discussion notes outline the action item regarding the Main Library Gallery's partnership with Nashville Public Library. The proposal involves programming for the mezzanine gallery at the Main Branch of Nashville, featuring three temporary exhibits annually, including the Lending Library Preview Exhibit and two curated exhibits based on a community-selected theme. The proposed budget is capped at \$50,000 from Temporary Funds, covering curator and artist fees, art handling, installation, and exhibit graphics. The opportunity is open to curators and artists residing or working in Davidson County. The call for submissions and community engagement would be widely distributed through various channels, including visual arts grantee organizations, targeted emails, Metro Arts, and NPL media.

The Public Art Committee recommends approval of the Nashville Public Library Main Gallery Temporary Art Exhibits proposal for 2024, open to Davidson County curators and artists and with a project budget not to exceed \$50,000 (temporary funds). Chair Matia Powell called for a motion to approve the Nashville Public Library Main Gallery Temporary Art Exhibit proposal for 2024, open to Davidson County curators and artists and with a project budget not to exceed \$50,000 (temporary funds). The motion was initiated by Commissioner Jim Schmidt and seconded by Commissioner Dexter Brewer. The motion was passed.

3. Lending Library (Locations, Budgets, and Recruitment) (ACTION ITEM)
 - a. The recap presents an existing action item involving a partnership with the Nashville Public Library from 2020-2021. This initiative focused on purchasing and installing wall-hung artworks using a percentage of funds for the city's collection. Sixty artworks were installed at Madison and Southeast regional branches, supporting local artists affected by the tornado and COVID-19. The proposal suggests expanding this partnership to new library branches, acquiring 60-80 artworks for installation. The acquisition budget is increased to \$200,000, with purchases directly from artists at a maximum price of \$2,000. Artists based in Davidson County are eligible, with up to three submissions allowed per artist and only one artwork purchased from each selected artist. The call for submissions will be widely distributed to visual arts grantee organizations through targeted emails and across Metro Arts media platforms.

The Public Arts Committee recommended the approval of Lending Library Phase 2 at East, Edgehill, Edmondson Pike, Green Hills, Hermitage, and Old Hickory branches, open to Davidson County artists and with a project budget not to exceed \$200,000 (Percent fund). Chair Matia Powell initiated a motion to approve Lending Library Phase 2 at East, Edgehill, Edmondson Pike, Green Hills, Hermitage, and Old Hickory branches, open to Davidson County artists and with a project budget not to exceed \$200,000 (Percent fund). The motion was initiated by Commissioner Dexter Brewer and was seconded by Commissioner Sheri Nichols Bucy. The motion was passed.

4. Permanent Supportive Housing (*Selection Panel*) (ACTION ITEM)
 - a. This permanent supportive housing project is located at 110 Jo Johnston Avenue. The project encompasses a 5-story structure with 90 housing units, an on-site clinic, caseworker offices, and laundry facilities. Bell Construction and Moody Nolan architects collaborate with stakeholders like Metro General Services, Metro Social Services, and MDHA. The artwork location is set on a retaining wall at the corner of Jo Johnston and 1st Avenue, potentially extending to planters. The project is expected to be completed by early 2024.
 - b. The Selection Panel Slate:
 - i. Megan Jordan (artist)
 - ii. Alisha Haddock (artist)

- iii. Briana Buford
- iv. Jonathan Sewell
- v. Kate Giordan
- vi. Cristalynne Dupree
- vii. Nicole Minyard
- viii. Jesse Call
- ix. April Calvin – Metro Office of Homeless Services (site sponsor)
- c. The Selection Panel Slate’s Non-Voting Members
 - i. Chair from PAC, ex-officio
 - ii. Metro Procurement Rep
 - iii. Design Team

The Staff recommends approval of the selection panel slate for the Permanent Supportive Housing Public Art Project. Chair Commissioner Matia Powell initiated a motion to approve the selection panel slate for the Permanent Supportive Housing Public Art Project. The motion was initiated by Commissioner Jim Schmidt and was seconded by Commissioner Dexter Brewer. The motion was passed.

- 5. Mural Assistance Program (*Daniel Singh*) (ACTION ITEM)
 - a. The Mural Assistance Program initiative stems from a 2018 recommendation in the Public Art Community Investment Plan. Originally, murals had short lifespans, but advancements in techniques, like printing on durable materials, have led to murals lasting 10-20 years. The Thrive process generated unexpected mural applications, prompting a need to align mural funding with public arts. Limited capacity delayed the program's launch, and other initiatives like NDOT's \$5,000 mural project and Participatory Budget efforts have led to uneven compensation for artists across departments. Seeking to address this disparity, Metro Arts proposes engaging a consultant with a \$25,000 budget to establish a mural arts program, which has received approval from the Public Art Committee. The study's funding will be sourced from the Public Art percent fund and not from the Grants pool of money for next year or in general.

- b. The Staff and Public Arts Committee proposes the approval of 31 Mural Arts Projects that originated from the Thrive initiative. The recommendation is based on the growth of techniques enabling murals to endure for over a decade. Inspiration is drawn from peers like NDOT's beautification efforts, Participatory Budget initiatives, and the Civic Design Center, which have progressed successfully. This approach also allows us to investigate digital options for expanding our collection and generating ongoing revenue for the artists involved.

The Public Arts Committee recommends approving the development of a Mural Assistance Program by hiring a mural consultant for up to \$25,000 and a community mural advocates panel (Percent fund). Chair Commissioner Matia Powell entertained a motion to approve the development of the Mural Assistance Program by hiring a mural consultant for up to \$25,000 and a community mural advocates panel (Percent fund). The motion was initiated by Commissioner Darek Bell and was seconded by Commissioner Carol McCoy. The motion was passed.

6. Bloomberg Grant Application

- a. Daniel informed us that on September 8th, there will be a finalist meeting with the Mayor and Bloomberg as we are among the 17 cities shortlisted for a million-dollar grant. If successful, this would entail increased efforts on our part, but it's an exciting prospect. The artist, Stephanie Pruitt Gaines, formerly a member of the public art committee and the commission, is collaborating with Judge Sheila Calloway to gather 10,000 fragments of poetry. These fragments will be woven into temporary public art installations according to Bloomberg Grant guidelines, aiming to engage the community and pave the way for Judge Calloway's Nashville youth campus for empowerment.

I. Approval of Minutes: July 20, 2023

10:45-10:50

Vice-Chair Commissioner Ellen Angelico offered a motion to approve the minutes from the July 14th Executive Committee Meeting, Commissioner Janet Kurtz seconded the motion. The motion passed.

Chair Commissioner Matia Powell made a motion to table the July 20th Commission minutes in lieu of needing an amendment to remove Commissioner Dexter Brewer from Item C, Section 4, Page 5. The motion was seconded by Commissioner Dexter Brewer. The minutes will be amended and approved at the next commission meeting.

Commissioner Dexter Brewer offered a motion to approve the minutes from the August 11th Full Commission Meeting, Commissioner Ellen Angelico seconded the motion. The motion passed.

J. Chair's Appointments to Public Art Committee 10:45-10:50

1. Chair Matia Powell appointed the following commissioners to the Public Art Committee for FY24:
 - a. Dr. Cara Robinson
 - i. Department Chair of the Department of Social Work and Urban Studies in the College of Public Service at Tennessee State University
 - ii. 3-year term to Public Art Committee

K. Nominating Committee (Vice Chair Ellen Angelico) 10:45-10:50

1. Officer Recommendations
 - a. It was highlighted that officer recommendations for the upcoming term, starting November 1, 2023, are underway. As per the bylaws, officer elections are scheduled for September, following the submission of final recommendations by the Nominating Committee to the Commission. Currently, there are no officer recommendations except for the proposal to promote Commissioner Ellen Angelico as Chair for the next term. The roles of Vice Chair and Secretary still need to be filled within the committee.

The Nominating Committee recommends the following slate of officers: Commissioner Ellen Angelico as Chair for terms starting November 1, 2023. Chair Commissioner Matia Powell initiated a motion to approve Commissioner Ellen Angelico as Chair for a term starting November 1, 2023. Commissioner Dexter Brewer seconded. The motion was passed.

L. Executive Director's Report 10:45-10:50

1. **Hiring:** Daniel reported on challenges with hiring due to changes in the pay plan and budget scenarios. Several open positions were put on hold, and despite recent openings, a hiring freeze was announced due to budget constraints.
2. **Project Delays:** The hiring freeze has led to project delays and ongoing capacity issues within the department. There are concerns about the ability to execute planned projects and meet timelines effectively.
3. **Capacity Issues:** Staff capacity remains a significant concern, exacerbated by the hiring freeze. Projects and timelines are impacted, and the department's ability to maintain operations is compromised.
4. **Cultural Planning:** Launching a cultural planning initiative is planned, but the current staffing challenges may impact its implementation. The department is considering pausing this initiative unless HR lifts the hiring freeze to ensure adequate capacity for its successful execution.
5. **Commissioner Involvement:** Commissioners discussed potential actions to address the hiring freeze, aiming to influence decisions and mitigate its impact on departmental operations and projects. Updates on this matter are expected after a meeting with HR.

M. Featured Artist

11:20-11:25

1. The featured artist for this segment was **Yanira Vissepo, a Puerto Rican artist and educator living and working in Nashville, Tennessee**, as a self-taught artist creating vibrant collage tapestries using techniques such as printmaking and hand embroidery. She shared their **information about her art and past accolades**, which are integral to the Nashville art scene.

N. New/Old Business

11:20-11:25

1. Commissioner Carol McCoy raised two points during the discussion. Firstly, she proposed implementing a policy to limit public comment time to five minutes, citing the need for efficiency and comparison to the Metro Council's practice. Daniel responded that a new law mandates a written policy for such limitations, and they are working on establishing it while aiming for a balanced approach.
2. Commissioner Carol McCoy's second concern focused on grant contracts. She suggested including a provision in these contracts to secure rights to the artwork funded by the Commission, ensuring Metro Arts' protection. Daniel explained the complexities of owning intellectual property and

mentioned that the industry does not handle copyright that way. Matia highlighted that this matter should be looked into by Legal, which Tessa Ortiz-Marsh from Metro Legal agreed to explore further and present at the next meeting.

3. The next meeting is October 19, 2023.

O. Adjourn Meeting

11:25-11:30

1. Chair Commissioner Matia Powell adjourned the meeting at **4:14** PM, with Commissioner **Ellen Angelico** seconding the motion for adjournment.