

WHEREAS, the welfare of The Metropolitan Government of Nashville and Davidson County requires that these matters be pursued diligently.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. There is hereby established a Special Bombing Review Commission ("the Commission"). The Commission shall be comprised of nine members. Seven members of the Commission shall be appointed by the Mayor, which are not subject to confirmation by the Metropolitan Council ("Council"). The remaining two members shall include the Chair of the Council Public Safety Committee (or another Council Member designated by such Chair) and the Vice Mayor (or his designee). The Commission members shall be appointed not later than twenty (20) days after adoption of this ordinance. The Commission shall promptly meet to select a Chair and to establish rules for the conduct of its business.

Section 2. The purpose of the Commission is to review and investigate the circumstances surrounding the suicide bombing in Nashville on December 25, 2020, to make recommendations regarding possible improvements, procedures, and policy changes to reduce the likelihood of another bombing in Nashville, and to improve the city's response to similar emergencies in the future.

To accomplish the purpose of the Commission, the Commission is hereby granted the authority, but not the obligation, to conduct its own investigation, hold hearings, request the services of the Metropolitan Auditor, and, upon adoption of a resolution by the Council, engage the services of outside professionals. Further, as a result of the investigatory authority granted herein, the Commission shall have the right pursuant to Section 18.10 of the Metropolitan Charter to compel the attendance of witnesses and the production of books, papers, and records pertinent to the investigation or any hearing, and to administer oaths to witnesses.

The Commission shall prepare a Report and Recommendations to the Council about its findings and any recommendations for further action, within one year from the date of the first meeting of the Commission.

The Commission shall terminate upon its submission of the Report and Recommendations to the Council.

Section 3. This ordinance shall take effect from and after its, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance establishes a Special Bombing Review Commission (the "Commission") to investigate the circumstances and responses pertaining to the December 25, 2020 suicide bombing on Second Avenue, and to report its findings back to the Council. Section 2.04 of the Metropolitan Charter authorizes the creation of commissions by ordinance in addition to those specifically provided for in the Charter, including the necessary authority for carrying out the powers of the commission. The Council has created several commissions by ordinance over the years, such as the Metropolitan Action Commission, the Historical Commission, the Human Relations Commission, and the Housing Fund Commission.

This commission would be of limited duration to focus on one specific event. The purpose of the Commission is to (1) review and investigate the circumstances surrounding the bombing,; (2) to make recommendations regarding possible improvements, procedures, and policy changes to reduce the likelihood of another bombing in Nashville; and (3) to improve the city's response to similar emergencies in the future. The Commission would consist of nine members: seven appointed by the Mayor, which are not subject to confirmation by the Council, the Chair of the Council Public Safety Committee (or another councilmember designated by such

Chair), and the Vice Mayor or his designee.

The ordinance grants the Commission the authority to conduct its own investigation, hold hearings, request the services of the Metropolitan Auditor, and, upon adoption of a resolution by the Council, engage the services of outside professionals. The ordinance also specifies that the Commission would have the right to subpoena witnesses and documents. Section 18.10 of the Charter provides that commissions that are granted investigatory authority have the right to compel the attendance of witnesses and the production records pertinent to the investigation or any hearing.

The Commission will be required to submit its report and recommendations to the Council within one year from the date of its first meeting, and the Commission will terminate at that point.