



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2024-554, **Version:** 1

A resolution expressing a lack of confidence in the performance and leadership of Metropolitan Government Director of Finance Kevin Crumbo and Director of Law Wally Dietz.

WHEREAS, since July 2023, issues have arisen regarding the Metropolitan Nashville Arts Commission (“Arts Commission”) and its Metro Arts staff, caused in large part by the Metropolitan Department of Law, led by Director Wally Dietz, and the Metropolitan Department of Finance, led by Director Kevin Crumbo; and

WHEREAS, the Memorandum to the Metropolitan Council from Director Crumbo dated March 22, 2024 (“March 22 Memo”) stated that “Metro Arts can expect an operating deficit of at least a few hundred thousand dollars by the end of this fiscal year”. However, on May 23, 2024, Department of Finance staff stated that projections indicate that Metro Arts will have \$48,000 remaining in its budget at the end of this fiscal year; and

WHEREAS, the alleged dire financial state of Metro Arts was used not only to add new conditions and requirements for Metro Arts staff, but also has been used to question and criticize the leadership of former Metro Arts Director Daniel Singh; and

WHEREAS, the Arts Commission voted to fund a round of grants in July 2023 using a lens of equity for the first time in the department’s history and, shortly after the vote was passed, the commission was advised to redo the vote in August 2023 at the request of Director Dietz and Metro Legal staff; and

WHEREAS, the cause for the legal advice stemmed from a call from a former Metro Arts commissioner to Director Dietz in regard to the Supreme Court ruling on race-based admissions in education. After reaching out to outside counsel, the advice from Director Dietz and Metro Legal led to the subsequent August 2023 vote, which resulted in the least equitable funding scenario according to the Metro Human Relations Commission’s March 4, 2024, report. This vote resulted in a lower funding for independent artists and the greatest amount of funding for large organizations with budgets greater than \$3 million, which was the model that had previously been in place; and

WHEREAS, in addition, this changing legal advice caused confusion for Metro Arts grant recipients, which lasted from August 2023 until the March 22 Memo, when Director Crumbo determined that funding would be available for grant recipients from both the July and August 2023 funding votes; and

WHEREAS, there are still artists and organizations waiting for funding today - some of whom have not received notice of how to receive funding and have been waiting over six months for funding to be disbursed. Because these funds are meant for Fiscal Year 2024, they must be spent by June 30, which will be impossible for recipients who have yet to receive their funding; and Metro Legal has released individuals’ personal financial information via email in the process; and

WHEREAS, the actions outlined above also had a negative impact on former Director Singh. At the February 26, 2024, meeting of the Arts Commission Oversight Committee, Director Crumbo made allegations of financial mismanagement of Metro Arts, which have not been substantiated. Director Dietz hired outside counsel to investigate allegations that Director Singh violated Civil Service Policy 3.1-III regarding the Workplace Conduct Policy, where it was determined that, despite two instances where Director Singh violated the Conduct Policy, the vast majority of allegations and concerns raised about him were not violations of the Conduct Policy; and

WHEREAS, these allegations against former Director Singh have nevertheless had an impact on his reputation and his mental health, causing him to take medical leave for several weeks; and

WHEREAS, the Department of Law has spent over \$75,000 so far on outside counsel engaged for legal work related to the Arts Commission, including but not limited to general Human Resources concerns regarding former Director Singh, the Family and Medical Leave Act concerns regarding former Director Singh, and the Title VI complaint filed with the Metro Human Relations Commission against the Metropolitan Department of Law; and

WHEREAS, this spending on outside counsel will likely increase, as two attorneys are still engaged for the purposes of the Metro Human Relations Commission complaint. This is a continued taxpayer-funded expense that was avoidable; and

WHEREAS, finally, on June 4, 2024, Council meeting, Director Crumbo chastised the “foolishness” of a Councilmember on the Council floor. This statement disrespected not only the Councilmember, but the Metropolitan Council as a whole; and

WHEREAS, for the reasons outlined above, the Metropolitan Council has lost confidence in the ability of Director Crumbo and Director Dietz to lead their respective departments.

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

Section 1. That the Metropolitan Council goes on record as expressing a lack of confidence in the performance and leadership of Metropolitan Government Director of Finance Kevin Crumbo.

Section 2. That the Metropolitan Council goes on record as expressing a lack of confidence in the performance and leadership of Metropolitan Government Director of Law Wally Dietz.

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