



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2023-108      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 11/9/2023      **In control:** Metropolitan Council

**On agenda:** 11/21/2023      **Final action:** 11/21/2023

**Title:** A resolution approving agreements between the Metropolitan Board of Health and The Metropolitan Government of Nashville and Davidson County, and the State of Tennessee, Department of State, for the provision of administrative law judges.

**Sponsors:** Delishia Porterfield, Erin Evans

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreements Exhibit

Date	Ver.	Action By	Action	Result
11/22/2023	1	Mayor	approved	
11/21/2023	1	Metropolitan Council	adopted	
11/21/2023	1	Public Health and Safety Committee	approved	
11/20/2023	1	Budget and Finance Committee	approved	
11/14/2023	1	Metropolitan Council	filed	

A resolution approving agreements between the Metropolitan Board of Health and The Metropolitan Government of Nashville and Davidson County, and the State of Tennessee, Department of State, for the provision of administrative law judges.

WHEREAS, Tennessee Code Annotated, Section 7-7-105 authorizes the Metropolitan Government to contract with the secretary of state for use of administrative law judges on a case-by-case basis to conduct hearings on any matters appealed to boards and commissions; and,

WHEREAS, the Metropolitan Government and the State of Tennessee have agreed upon the terms of two interlocal agreements whereby the State of Tennessee will provide administrative law judges to the Metropolitan Board of Health and the Metropolitan Government; and,

WHEREAS, Tennessee Code Annotated, Section 12-9-104, provides that interlocal agreements between governments may be approved by resolution; and,

WHEREAS, it is to the benefit of the citizens of the Metropolitan Government that these interlocal agreements be approved.

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

Section 1. That the interlocal agreements by and between the Metropolitan Board of Health and The Metropolitan Government of Nashville and Davidson County, and the State of Tennessee, Department of State, for the provision of administrative law judges, a copy of which agreements are attached hereto and incorporated herein, are hereby approved.

Section 2. That this resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution approves agreements between the Metropolitan Board of Health, the Metropolitan Government, and the State of Tennessee, Department of State, for the provision of administrative law judges.

T.C.A. § 7-7-105 authorizes the Metropolitan Government to contract with the Tennessee Secretary of State for the use of administrative law judges on a case-by-case basis to conduct hearings on any matters appealed to boards and commissions. The Metropolitan Government and the State of Tennessee have agreed upon the terms of two interlocal agreements whereby the State of Tennessee will provide administrative law judges to the Metropolitan Board of Health. T.C.A. § 12-9-104 provides that interlocal agreements between governments may be approved by resolution.

The first agreement is between the State of Tennessee, Department of State and the Metropolitan Public Health Department ("MPHD"). The term of the agreement begins January 1, 2023, and extends for a term of 60 months. MPHD will pay up to \$125,000 for the services performed under this agreement.

The second agreement is between the State of Tennessee, Department of State, and the Metropolitan Government. The terms are the same as the agreement with MPHD. The term of the agreement begins January 1, 2023, and extends for a term of 60 months. The Metropolitan Government will pay up to \$125,000 for the services performed under this agreement.

*Fiscal Note: Metro would pay up to \$250,000 for a term of 60 months under this agreement.*