

WHEREAS, the Working Group recommended that the voting membership size of the Commission be reduced from fifteen to eleven over a structured period of time in order to increase efficiency and, additionally, recommended that the four ex-officio members on the Commission be non-voting members not required for quorum purposes; and,

WHEREAS, the Working Group recommended modifying the existing supervisory structure for the executive director, which Metro Legal determined to be unworkable in that it allows the Commission to hire an individual to lead an office within the mayor's office while retaining its own authority to supervise this individual.

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

Section 1. That Section 2.147 of the Metropolitan Code of Laws is hereby amended by deleting the section in its entirety and replacing it with the following:

Chapter 2.147 - Nashville Entertainment Commission

2.147.010 - Established.

There is hereby established a commission to be known as the "Nashville Entertainment Commission," referred to in this chapter as "commission."

2.147.020 - Definitions.

"Entertainment industry" is defined as commercial activity that involves the production and sale of entertainment, including the music industry, film and television industry, theatre industry, fashion industry, video game industry, and all other creative industries.

"Film and television industry" is defined as commercial activity that involves the production, distribution, and sale of entertainment, whether in film, television, digital streaming content, virtual/augmented reality, or within the metaverse/omniverse.

"Music industry" is defined as commercial activity that involves concerts, festivals, tours, clubs and any other performance, production, promotion, distribution, or sale of recorded or live music.

2.147.030 - Composition, membership, and term of office.

- A. The commission shall be composed of three councils, to be known as the Music Advisory Council, the Film and Television Advisory Council, and the Entertainment Diversity and Equity Council. The Music Advisory Council shall be focused on the music industry, the Film and Television Advisory Council shall be focused on the film and television industry, and the Entertainment Diversity and Equity Council shall be focused on the promotion of diversity, equity, and inclusion in the entertainment industry.
- B. The commission shall be composed of eleven voting members. Three members shall be appointed by the mayor and confirmed by the council. Two members shall be selected by the council from nominations submitted by council members. Two members shall be selected by the council from nominations submitted from the entertainment industry at large. One member shall be selected by the International Alliance of Theatrical Stage Employees (IATSE) from its membership and confirmed by the council. One member shall be selected by the Screen Actors Guild - American Federation of Television and Radio Artists (SAG-AFTRA) from its membership and confirmed by the council. One member shall be selected by the American Federation of Musicians (AFM) from its membership and confirmed by the council. One member shall be selected by the Nashville Songwriters Association International (NSAI) from its membership and confirmed by the council. The executive director of the Metropolitan Arts Commission, the director of visual and performing arts for Metropolitan Nashville Public Schools, a representative of the Nashville

Education, Community, and Arts Television Corporation, and a representative of the Nashville Convention and Visitors Corporation shall serve as ex-officio, non-voting members and shall not be counted in determining a quorum.

- C. Members of the commission shall serve without compensation.
- D. Commission members shall serve staggered four-year terms. After the passage of BL2025-____, the first vacancy caused by the resignation, term end, or other departure of a member from each of the following categories shall not be filled:
 - i. A member appointed by the mayor and confirmed by the council.
 - ii. A member nominated and selected by the council.
 - iii. Two members nominated by the entertainment industry at large and selected by the council.

2.147.040 - Mission of the commission.

The mission of the commission shall be to create policies to:

- A. Promote the entertainment industry in Nashville and Davidson County and recruit projects and employment related to the entertainment industry.
- B. Promote racial and gender equity and establish mechanisms and metrics to maintain diversity and inclusion within the entertainment industry.
- C. Work to address quality of life issues facing individuals in the entertainment industry in Nashville and Davidson County.
- D. Support small and independent businesses within the entertainment industry in Nashville and Davidson County.
- E. Promote education initiatives and programming related to the entertainment industry.
- F. Work with the Tennessee Entertainment Commission to achieve this mission.

2.147.050 - Duties.

To carry out the commission's purposes, the commission shall have authority to:

- A. Elect a chair and other officers as necessary to carry out the functions and duties of the commission.
- B. Promulgate and maintain regulations and bylaws for the commission.
- C. Consult with the mayor on the hiring of, and direct the chair to participate in the interviews for, the executive director, who shall serve as the executive director of the commission and of the office of entertainment.
- D. Promote, market, and support the office of entertainment.
- E. Meet no less than once per quarter. The Music Advisory Council, the Film and Television Advisory Council, and the Entertainment Diversity and Equity Council shall meet on an as needed basis, at the discretion of the chair of the commission.
- F. Establish councils in addition to those listed in Section 2.147.030.A, including to address other creative industries and issues facing the entertainment industry.

2.147.060 - Office of entertainment.

- A. There shall be an office of entertainment, led by an executive director, to carry out the duties and mission of the commission.
- B. Among other duties as described by the commission, the executive director and approved staff shall be responsible for:
 - i. Assisting the entertainment industry with securing necessary permitting.
 - ii. Building relationships for community engagement.
 - iii. Assisting with location scouting.
 - iv. Establishment of relationships with Metropolitan Nashville departments and non-governmental partners.
 - v. Any additional actions necessary to carry out the duties and responsibilities established by this chapter.

2.147.065 - Staffing.

The work of the commission and of the office of entertainment shall be managed by an executive director. The mayor, in consultation with the commission, shall appoint an executive director of the commission. The chair of the commission, at the direction of the commission, may be present at interviews for the hiring of an executive director. The executive director and any staff shall be organized under the mayor's office.

Section 2. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government requiring it.

Analysis

This ordinance amends Metropolitan Code of Laws Chapter 2.147 regarding the Nashville Music, Entertainment, and Film Commission. This legislation contains recommendations from the Nashville Music, Entertainment, and Film Commission, as well as recommendations to the Mayor's Office from the Metro Nashville Board and Commission Working Group ("the Working Group").

The ordinance would rename the Nashville Music, Entertainment, and Film Commission to the Nashville Entertainment Commission ("the Commission"). Similarly, the Office of Music, Film, and Entertainment would be renamed to the Office of Entertainment. The name of the Commission's Music City Music Council would be renamed to the Music Advisory Council and the Diversity and Equity Council would become the Entertainment Diversity and Equity Council.

The scope of the ordinance's entertainment industry definition would be expanded to include the theatre industry. The ordinance's music industry definition would be expanded to mean "commercial activity that involves concerts, festivals, tours, clubs and any other performance, production, promotion, distribution, or sale of recorded or live music."

The size of the Commission would be reduced from 15 to 11 voting members, with:

- three members appointed by the Mayor and confirmed by the Council - a reduction from four members;
- two members nominated and selected by the Council - a reduction from three members;

- two members nominated from the entertainment industry at large and selected by the Council - a reduction from four members; and
- one member nominated from each of the following organizations and selected by the Council: the International Alliance of Theatrical and Stage Employees, the Screen Actors Guild - American Federation of Television and Radio Artists, the American Federation of Musicians, and the Nashville Songwriters Association International.

Until the reduced size of the Commission is reached, vacancies occurring following passage of this ordinance would not be filled for one member appointed by the mayor, one member nominated by the Council, and two members nominated by the entertainment industry at large depart the Commission after the enactment of this ordinance.

Per the Working Group's recommendation to the Mayor's Office, the proposed ordinance alters the existing structure for the selection of the Commission's executive director position. According to the Metropolitan Department of Law, the current structure for selection of the executive director authorizes the Commission to hire an individual to lead an office within the mayor's office, while retaining its own authority to supervise the individual, which is not workable. The ordinance under consideration would clarify that the mayor hires and supervises the executive director, and the Commission may consult with the mayor and direct the Commission's chair to participate in interviews for the executive director position.