



Metropolitan Council

G. Resolutions on Public Hearing

1. [RS2024-158](#)

A resolution approving Amendment Number 2 to a sole source contract between the Metropolitan Government of Nashville and Davidson County and Fusus, Inc. to increase the value of the contract.

Analysis

This resolution approves the second amendment to a sole source contract between the Metropolitan Government and Fusus, Inc.

Section 4.12.060 of Metropolitan Code of Laws requires the Metropolitan Council to approve sole source contracts with values of more than \$250,000. The Metropolitan Council did not approve the original agreement with Fusus, which was worth \$175,000, however, the original contract should have been subject to Council approval pursuant to Metropolitan Code of Laws Section 13.08.080.C, which requires contracts for surveillance technology meeting certain conditions to be approved by the Council after a public hearing. The Metropolitan Department of Law has been in contact with the Purchasing Division of the Finance Department and the Metropolitan Nashville Police Department (“MNPD”) related to contracts that implicate Metropolitan Code of Laws Section 13.08.080.C to assure public hearings are held going forward.

The original contract began on September 15, 2022. A prior amendment extended the term of the contract to 24 months and the contract is set to expire September 15, 2024. As part of the agreement, Fusus provides community safety video integration services, which is designed to provide a platform to collect and share public video footage and data integration to expedite intelligence gathering and criminal investigations. Fusus allows for members of the public to voluntarily register cameras and share videos with MNPD. MNPD maintains a map of registered cameras, but only authorized MNPD personnel have access to the registry map. The map allows MNPD to know if there are registered cameras within the vicinity of a crime or critical incident and to request footage from the registered camera owner. The camera owner can choose whether to provide MNPD with access to the footage. This technology also allows MNPD to access Metropolitan Nashville Public School cameras in real time in the event of an active shooter or similar emergency.

The amendment under consideration increases the contract value by \$175,000, from \$175,000

to \$350,000.

Fiscal Note: This amendment increases the estimated life value of contract number 6518701 by \$175,000 to \$350,000 to be paid from Fund 10101, Business Unit 31160110.

Sponsors: Porterfield and Evans

J. Resolutions

16. [RS2023-77](#)

A resolution accepting an in-kind grant from the Friends of Warner Parks to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to provide funding for the purchase and installation of a Metropolitan Historical Commission historical marker for the 1811 House in Percy Warner Park.

Analysis

This resolution accepts an in-kind grant from the Friends of Warner Parks to the Metropolitan Board of Parks and Recreation with an estimated value of \$3,200 and no cash match required. This in-kind grant will provide for the purchase and installation of a new Metropolitan Historical Commission historical marker sign at the 1811 House in Percy Warner Park. The Friends of Warner Parks will work with Metro Parks staff on the details of the plans, materials, and installation of the historical marker sign.

This was approved by the Board of Parks and Recreation at its September 5, 2023, meeting.

Sponsors: Porterfield, Ewing, Styles, Kupin, Allen, Welsch, Bradford, Gadd and Evans-Segall

17. [RS2023-133](#)

A resolution amending Ordinance No. BL2023-1690, as amended, to provide a stormwater capacity fee appeal process and to amend the applicability of the new section 15.64.035 of the Metropolitan Code.

Analysis

This resolution is recommended to be withdrawn in favor of Ordinance No. BL2024-153, which is currently on first reading

This resolution amends Ordinance No. BL2023-1690, previously approved by the Council on March 7, 2023. BL2023-1690 established a stormwater capacity fee for Davidson County. That ordinance provided an effective date of July 1, 2023, which was previously extended to October 1, 2023 through RS2023-2278 and, later, to January 1, 2024, pursuant to RS2023-2388. The ordinance further provided that amendments to the ordinance may be approved by a resolution of Council.

The resolution under consideration amends the text of Section 15.64.035 as approved by BL2023-1690. The resolution would amend the applicability of the stormwater capacity fee. Currently, the stormwater capacity fee is applicable to “properties located in Davidson County, excluding satellite cities.” The resolution amends the provision to also exclude single-family, two-family, and residential multi-family projects in the MS-4 area and infill lots. In addition, a new subsection would be added to the section to outline the procedures for an appeal for the stormwater capacity fee. A developer could appeal the stormwater capacity fee to an engineering firm selected from a list of contracted engineering firms approved by the Metropolitan Government. The appeal would be limited to a review of the fee calculation based on the square footage calculation provided by the developer and a review of the calculation determination by the Metropolitan Government. The decision of the review would be final.

Sponsors: Weiner and Allen

18. [**RS2024-159**](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the claim of Joy Harris against the Metropolitan Government of Nashville and Davidson County in the amount of \$30,000 to be paid from the Judgments and Losses fund.

Analysis

In September 2021, Elisa Akers, who was incarcerated in a Davidson County Sheriff’s Office (“DCSO”) facility, informed her case manager that she had been sexually assaulted by a correctional officer the month before. Another inmate made similar allegations around this same time. The correctional officer was immediately placed on administrative leave and DCSO officials interviewed other inmates and correctional officers as part of an investigation into these claims.

Multiple inmates alleged that the corrections officer committed various acts of sexual assault, harassment, and misconduct. The matter was referred to the Investigative Division of the DCSO, and an investigation was opened with the Metro Nashville Police Department. Following the investigations, the DCSO sustained the reports of sexual harassment, misconduct, and Ms. Akers’ claim of sexual assault. A disciplinary panel recommended that the corrections officer be terminated. He was terminated from his position on November 15, 2021.

Ms. Akers died of unrelated causes while still in DCSO custody in January 2022. Later that year, Joy Harris, Ms. Akers’s adult sister, filed a lawsuit against the Metropolitan Government and the corrections officer on behalf of Ms. Akers’ estate. The lawsuit makes a federal claim against Metro and a state claim against the corrections officer for which Metro would be liable for up to \$100,000. While the Department of Law believes it could succeed in defending the federal claim, the facts of the case and various evidentiary and procedural questions would make the state claim much less certain to defend in a jury trial.

The Department of Law recommends settlement of Ms. Harris’ claims for \$30,000.

Fiscal note: This \$30,000 settlement along with Resolution No. RS2024-180 would be the 17th and 18th payments from the Self-Insured Liability Fund in FY24 for a cumulative total of

\$827,469. The fund balance would be \$19,693,026 after this payment.

Sponsors: Porterfield

19. [RS2024-160](#)

A resolution appropriating a total of \$25,000 from the Juvenile Court to The Center for Health Policy/Meharry Medical College, a nonprofit organization selected to receive Community Partnership Fund grants.

Analysis

This resolution appropriates a total of \$25,000 from the Juvenile Court to the Center for Health Policy/Meharry Medical College, a nonprofit organization selected to receive a Community Partnership Fund grant. The Mayor has accepted the recommendation of the Juvenile Court that \$25,000 in Community Partnership Funds be disbursed to the Center for Health Policy/Meharry Medical College, a nonprofit organization, for their Choosing How I Lead Life (C.H.I.L.L.) program that provides a collaborative public health approach to address youth violence.

The term of the grant contract begins July 1, 2023, and ends June 30, 2024.

Sponsors: Porterfield, Evans, Welsch, Evans-Segall and Gadd

20. [RS2024-161](#)

A resolution accepting a Court Security grant from the Administrative Office of the Courts to the Metropolitan Government, acting by and through the State Trial Courts, to provide improved courthouse security for the Metro Historic Courthouse and the Justice A. A. Birch Building.

Analysis

This resolution approves a Court Security grant from the Tennessee Administrative Office of the Courts to the State Trial Courts. The grant award is an amount not to exceed \$111,200 with no cash match required. An application for this grant was approved pursuant to Resolution No. RS2023-2. The funding would provide additional security cameras for the Historic Metropolitan Courthouse and the Justice A.A. Birch Building, fencing to prevent public access to the judicial and executive parking lot on the first floor of the Courthouse Parking Garage, gun safes, and an emergency contact system. The term of the grant is between July 1, 2023, and June 30, 2024.

Sponsors: Porterfield, Kupin and Gadd

21. [RS2024-162](#)

A resolution accepting a grant from the Tennessee Office of Criminal Justice Programs to the Metropolitan Government, acting by and through the Office of the District Attorney General, to provide partial funding for four specialized Victim Witness Coordinators to work with Spanish-speaking victims and within the Crimes Against Children unit.

Analysis

This resolution approves a grant from the Tennessee Office of Criminal Justice Programs to the Office of the District Attorney General in an amount not to exceed \$252,204 with no local cash match required. The grant funds will be used to provide partial funding for four specialized Victim Witness Coordinators to work with Spanish-speaking victims and within the Crimes Against Children Unit. The term of the grant begins July 1, 2023, and ends June 30, 2024.

Sponsors: Porterfield, Evans, Welsch, Evans-Segall and Gadd

22. [RS2024-163](#)

A resolution extending the time within which the Tax Incentive and Abatement Study and Formulating Committee shall study and submit its complete report and recommendations.

Analysis

This resolution extends the timeframe within which the Tax Incentive and Abatement Study and Formulating Committee will study and submit its complete report and recommendations to the Metropolitan Council. On October 4, 2022, the Metropolitan Council adopted Ordinance No. BL2022-1415, creating a Tax Incentive and Abatement Study and Formulating Committee. BL2022-1415 provides that the Committee should submit a report of its recommendations within six months, unless such time is extended by resolution. Resolution RS2023-5 extended the term of the Committee until January 31, 2024.

The resolution under consideration extends the term of the Tax Incentive and Abatement Study and Formulating Committee until April 30, 2024.

Sponsors: Allen and Toombs

23. [RS2024-164](#)

A resolution approving the election of certain Notaries Public for Davidson County.

Analysis

This is a routine resolution approving the election of notaries public in accordance with state law.

Sponsors: Sepulveda

24. [RS2024-165](#)

A resolution accepting a grant from the Tennessee Historical Commission to the Metropolitan Government, acting by and through the Metropolitan Historical Commission, to complete an individual National Register of Historic Places nomination for the Elks Lodge (formerly Club Baron) at 2614 Jefferson Street and an architectural survey in the Donelson area.

Analysis

This resolution accepts a grant from the Tennessee Historical Commission to the Metropolitan Historical Commission. The grant award is an amount not to exceed \$15,069 with a required local cash match of \$10,046. The grant would fund the completion of a National Register of Historic Places nomination for the Elks Lodge, formerly Club Baron, located at 2614 Jefferson Street. The grant would also fund an architectural survey in the Donelson area.

The cash match would largely be provided through the Metropolitan Historical Commission Foundation, along with staff time to work on the two projects. The grant contract would be effective from October 1, 2023, to September 30, 2024.

Sponsors: Gregg, Porterfield, Gamble, Allen, Kupin, Taylor, Evans-Segall and Gadd

25. [RS2024-166](#)

A resolution accepting a grant from the Tennessee Historical Commission to the Metropolitan Government, acting by and through the Metropolitan Historical Commission, to provide a comprehensive, countywide cemetery preservation plan for Davidson County, Tennessee.

Analysis

This resolution accepts a grant from the Tennessee Historical Commission to the Metropolitan Historical Commission to provide a comprehensive, countywide cemetery preservation plan. The grant award is \$40,000 with a required local cash match of \$26,666.67. The cash match would be provided through staff time dedicated to survey assistance, grant administration, and community outreach.

This grant will fund Phase III of a comprehensive, countywide cemetery preservation plan. The countywide cemetery preservation plan will update survey information for more than 500 rural cemeteries, ascertain their maintenance needs, and create documentation that can be regularly updated. The grant would fund a qualified professional to survey cemeteries in three sub-areas of Davidson County and provide a final report to summarize and detail their major findings.

This grant period began October 1, 2023, and ends September 30, 2024. Two previous phases were funded through Tennessee Historical Commission grants, as approved by Resolution Nos. RS2022-1900 and RS2021-1188.

Sponsors: Porterfield, Gamble, Allen, Suara, Kupin and Gadd

26. [RS2024-167](#)

A resolution approving an application for a Federal Historic Preservation grant from the Tennessee Historical Commission to the Metropolitan Government, acting by and through the Metropolitan Historical Commission, to fund Phase IV of the countywide cemetery preservation plan with a focus on survey activities.

Analysis

This resolution approves an application for a Federal Historic Preservation Grant from the Metropolitan Historical Commission to the Tennessee Historical Commission. The grant would fund the completion of Phase IV of a comprehensive, countywide cemetery preservation plan for Davidson County. If awarded, the grant award would be \$43,000 with a required cash match of \$28,666.67. Any cash match would be provided through staff time dedicated to survey assistance, grant administration, and community outreach.

The countywide cemetery preservation plan will update survey information for more than 400 rural cemeteries, ascertain their maintenance needs, and create documentation about them that can be regularly updated.

Two phases of the cemetery preservation plan have been funded through Tennessee Historical Commission grants, as approved through Resolution Nos. RS2022-1900 and RS2021-1188. The third phase is the subject of Resolution RS2024-166.

Sponsors: Porterfield, Gamble, Allen, Kupin and Gadd

27. [RS2024-168](#)

A resolution authorizing the Metropolitan Public Property Director to sign and record a Notice of Federal Interest pursuant to a Community Project Funding grant from the U.S. Department of Health and Human Services to the Metropolitan Government, acting by and through the Department of General Services, funding the construction of the future Nashville Assessment Center to provide therapeutic pre-charge diversion services to address low level misdemeanor and youth offenses to be located on the first floor of the JJC building on the NYCE.

Analysis

This resolution authorizes the Metropolitan Public Property Director to sign and record a Notice of Federal Interest (“the Notice”) as part of a federal grant approved pursuant to Resolution No. RS2023-10. The Community Project Funding Grant from the U.S. Department of Health and Human Services to the Department of General Services is \$2,200,000 with no cash match required. This grant will fund the construction of the Nashville Assessment Center, which would provide therapeutic pre-charge diversion services to address youth with low-level misdemeanors. The Nashville Assessment Center would be located on the Nashville Youth Campus for Empowerment at 1354 Brick Church Pike.

Under the terms of the grant agreement, the Notice must be signed and recorded in Davidson County. The Notice includes conditions that the property housing the Nashville Assessment Center may not be used for any purpose inconsistent with the American Recovery and Reinvestment Act or its related regulations, may not be mortgaged or used as collateral without written federal permission, and may not be sold or transferred to another party without written federal permission.

Sponsors: Toombs, Porterfield, Evans, Suara and Evans-Segall

28. [RS2024-169](#)

A resolution approving amendment one to a grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide oral disease prevention services for school children in grades K-8 in qualifying public schools.

Analysis

This resolution approves the first amendment to a grant contract between the Tennessee Department of Health to Metropolitan Board of Health. The original grant contract was approved by Resolution No. RS2022-1711. The grant is used to provide oral disease prevention services for children enrolled in qualifying public schools from kindergarten to eighth grade.

The amendment would increase the grant amount by \$18,000 from \$1,804,200 to \$1,822,200. The additional funding would be allocated to salaries, benefits and taxes, supplies, and travel to conferences and meetings in the updated grant budget. In addition to the additional funding, the allocation for indirect costs in the grant budget was reduced. The contract term began on July 1, 2022, and will conclude on June 30, 2024.

Sponsors: Porterfield, Evans, Welsch, Suara and Evans-Segall

29. [RS2024-170](#)

A resolution approving amendment two to a Community Health Workers for Public Health Response and Resilient grant from the Centers for Disease Control and Prevention to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to address COVID-19 health disparities in the Nashville area.

Analysis

This resolution approves the second amendment to a Community Health Workers for Public Health Response and Resilient grant from the Centers for Disease Control and Prevention to the Metropolitan Board of Health, previously approved by Resolution No. RS2021-1178 and amended by RS2023-1990.

The amendment under consideration increases the total grant amount by \$1,000,000, from \$2,000,000 to \$3,000,000. Additional terms and conditions for the award would be added, including the requirement that a revised budget and narrative be submitted. The end date would be extended to August 30, 2024. In addition, the personnel listed as the Authorizing Official Representative and Principal Investigator/Program Director would be changed.

Sponsors: Porterfield, Evans, Welsch, Suara and Gadd

30. [RS2024-171](#)

A resolution approving an application for a Homeless Management Information System grant from the U. S. Department of Housing and Urban Development to the Metropolitan Government, acting by and through the Office of Homeless Services, to pay for the software system vendor, purchase additional user licenses when needed, and continue integrating data from the Nashville Rescue Mission.

Analysis

This resolution approves an application for a Homeless Management Information System (“HMIS”) grant from the U.S. Department of Housing and Urban Development to the Office of Homeless Services. The application is for a grant award in the amount of \$141,508 with a required cash match of \$37,000.

These funds would be used to pay for a software vendor and possible additional user licenses for Metro’s HMIS program. The funds would also be used for a data visualization consultant, licenses for a Tableau data visualization program, and the continued integration of data from the Nashville Rescue Mission.

Sponsors: Porterfield, Evans, Welsch, Allen, Kupin, Evans-Segall and Gadd

31. [RS2024-172](#)

A resolution approving Amendment Number 2 to a contract between the Metropolitan Government of Nashville and Davidson County and Pictometry International Corp. to provide digital orthophoto and oblique images, maintenance and other related services for the Metropolitan Government of Nashville and Davidson County.

Analysis

This resolution approves the second amendment to a contract between the Metropolitan Government and Pictometry International Corp., previously approved by Resolution No. RS2019-1654 and amended by RS2022-1521.

RS2019-1654 approved a sole source contract for digital orthophoto and oblique images, maintenance, upgrades, and software support used to access, view and analyze aerial images used for various applications by the Metropolitan Government with the primary user being the Metropolitan Assessor of Property. RS2022-1521 reduced the estimated contract value by \$41,948 and updated Exhibit A related to pricing and Appendix 1 related to product specifications.

The amendment under consideration increases the value of the contract by \$164,384.50, from \$985,317 to \$1,149,701.50. The amendment also updates Exhibit A regarding product descriptions, prices, and payments. In addition, the amendment updates the name of the contractor to Pictometry International Corp DBA Eagleview. Finally, the amendment adds language required by Tenn. Code Ann. § 12-4-119 prohibiting the contractor from engaging in a boycott of Israel for the duration of the contract.

Fiscal Note: This amendment increases the estimated contract value of contract number 437561 by \$164,384.50 for a revised contract amount of \$1,149,701.50 to be paid from Fund 10101, Business Unit 16102000. However, actual expenses may be paid from various departments’ fund and business units when purchase orders are issued.

Sponsors: Porterfield

32. [RS2024-173](#)

A resolution approving a contract between the Metropolitan Government of Nashville and Davidson County and Center for Internet Security, Inc., to provide cyber security services and real-time operational support services.

Analysis

This resolution approves a sole source contract between the Metropolitan Government and the Center for Internet Security, Inc. ("CIS") to provide cyber security services and real-time operational support services.

Sole source contracts may be awarded under the Metro procurement code when it is determined that there is only one source for the supply or services rendered. Section 4.12.060 of the Metro Code requires all sole source contracts having a total value in excess of \$250,000 to be approved by the Council by resolution.

The estimated value of the contract is \$1,000,000. The term of the contract is 60 months, beginning upon approval of all parties and filing with the Metropolitan Clerk's Office.

According to the sole source justification form, CIS is national nonprofit with a strong partnership with the U.S. Department of Homeland Security ("DHS"). CIS is designated by DHS as the key resource for cyber threat prevention, protection, response, and recovery for the nation's state, local, territorial, and tribal governments. There is no other vendor that provides these government-specific services.

Fiscal Note: The estimated value of the sole source contract number 6527737 with Center for Internet Security, Inc. for the cyber security services and real time operational support services is \$1,000,000 to be paid from Fund 51137, Business Unit 1421071.

Sponsors: Porterfield and Bradford

33. [RS2024-174](#)

A resolution approving a sole source contract between the Metropolitan Government of Nashville and Davidson County and Mid-South Recreation, Inc., to provide DuMor products such as bollards, receptacles, tables, bike racks and benches for Metropolitan Parks Department.

Analysis

This resolution approves a sole source contract between the Metropolitan Government and Mid-South Recreation, Inc. to provide DuMor products such as bollards, receptacles, tables, bike racks, and benches for the Metropolitan Parks Department.

Sole source contracts may be awarded under the Metro procurement code when it is determined that there is only one source for the supply or services rendered. Section 4.12.060

of the Metro Code requires all sole source contracts having a total value in excess of \$250,000 to be approved by the Council by resolution.

The estimated value of this contract is \$2,000,000. The term of the agreement is 60 months, beginning upon approval of all required parties and filing with the Metropolitan Clerk's Office.

According to the sole source justification form, Mid-South Recreation is the only vendor that is a local representative for DuMor, which has been the sole product used throughout Metro Parks for tables, benches, bollards, bike racks, and trash receptacles. The intent is to keep all items the same throughout all Metro parks, since furnishings are often replaced on a one-off basis as the item breaks or nears the end of its life. Using multiple brands would lead to a lack of uniformity in individual parks and across the Metro parks system.

Fiscal Note: The estimated value of the sole source contract number 6546422 with Mid-South Recreation, Inc. for DuMor products such as bollards, receptacles, tables, bike racks and benches is \$2,000,000 to be paid from Fund 10101, Business Unit 4010210. However, actual expenses may be paid from various department's fund and business unit when purchase orders are issued.

Sponsors: Porterfield and Styles

34. [RS2024-175](#)

A resolution approving a Child and Adult Care Food Program (CACFP) grant application and accepting a CACFP grant from the Tennessee Department of Human Services to the Metropolitan Government, acting by and through the Metropolitan Parks and Recreation Department, to provide nutritious meals and snacks for children and adults attending after school programs in fourteen community centers.

Analysis

This resolution approves a Child and Adult Care Food Program ("CACFP") grant application and accepts a CACFP grant from the Tennessee Department of Human Services to the Metropolitan Parks and Recreation Department. The grant award is an amount not to exceed \$704,491 with no local cash match required. The grant period begins October 1, 2023, and ends September 30, 2024. The grant will be used to provide nutritious meals and snacks for children and adults attending the after-school programs currently at 14 community centers.

Sponsors: Porterfield, Welsch, Suara, Kupin, Styles, Evans-Segall and Gadd

35. [RS2024-176](#)

A resolution accepting an in-kind grant from the Nashville Parks Foundation to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, for the second phase of the Watkins Park Pump Track (Watkins Pump Track 2) with completed improvements.

Analysis

This resolution accepts an in-kind grant from the Nashville Parks Foundation to the Metropolitan Board of Parks and Recreation. The grant would provide the second phase of the

Watkins Park Pump Track and additional improvements at Watkins Park. The estimated value of the project is \$200,000 with no cash match required. No funding will be directed to Metro Parks, and the Nashville Parks Foundation will pay for the project directly. The Nashville Parks Foundation will receive Metro Parks approval and to solicit public input before proceeding with the project.

This grant was approved by the Metro Board of Parks and Recreation on December 5, 2023.

Sponsors: Kupin, Porterfield, Welsch, Styles and Evans-Segall

36. [RS2024-177](#)

A resolution approving Amendment One to a license agreement between The Metropolitan Government of Nashville and Davidson County, acting by and through the Board of Parks and Recreation, and The Lamar Companies for the use of 180 Anthes Drive, Nashville, Tennessee 37210 (Parcel No. 09311011200)

Analysis

This resolution amends a license agreement between the Board of Parks and Recreation and The Lamar Companies, previously approved by Ordinance No. BL2022-1277. BL2022-1277 provides that the license agreement may be amended upon adoption of a resolution receiving 21 affirmative votes.

The original agreement authorizes Lamar to construct, repair and relocate an outdoor advertising structure at 180 Anthes Drive. Pursuant to the agreement, Lamar will pay Parks an annual rental payment of \$9,000, payable in monthly increments of \$750. The agreement began August 1, 2022, and was set to end January 31, 2024.

The amendment under consideration extends the agreement by 18 months, until August 1, 2025.

Sponsors: Kupin, Porterfield and Styles

37. [RS2024-178](#)

A resolution approving amendment one to the grant contracts between the Metropolitan Government of Nashville and Davidson County, acting by and through the Office of Family Safety, to various nonprofit organizations.

Analysis

This resolution approves the first amendment to four grant contracts between the Office of Family Safety previously approved pursuant to Resolution No. RS2022-1423. The grant amendments are with the Nashville Children's Alliance, Sexual Assault Center, AGAPE, and Family & Children's Services.

The amendments to the grant contracts with Nashville Children's Alliance, Sexual Assault Center, and AGAPE extend the end date of each contract by nine months, from December 31, 2023, to September 30, 2024.

The amendment to the grant contract with Family & Children's Services extends the grant contract by six months, from December 31, 2023, to June 30, 2024.

No other changes would be made to these grant contracts.

Sponsors: Porterfield, Evans, Welsch and Gadd

38. [RS2024-179](#)

A resolution approving a Homeland Security Grant Program application from the State of Tennessee, Tennessee Emergency Management Agency, to the Metropolitan Government, acting by and through the Office of Emergency Management, to fund efforts to prevent, prepare for, protect against, and respond to acts of terrorism.

Analysis

This resolution approves a Homeland Security Grant Program application from the Tennessee Emergency Management Agency to the Office of Emergency Management. If awarded, the grant amount would be not to exceed \$288,441 with no cash match required. This grant would fund efforts to prevent, prepare for, protect against, and respond to acts of terrorism. The application is for the purchase of a rehab tent, power moon light towers, a generator with cart, pneumatic/electric hand tools, EMS-related equipment, enhancement and expansion of community preparedness including a VSAT antenna, and water rescue training for employees.

Sponsors: Porterfield and Evans

39. [RS2024-180](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Alecia Miller against the Metropolitan Government for \$10,000, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On January 25, 2023, a Metro Nashville Police Department ("MNPd") officer turned left at the corner of White Bridge Pike and White Bridge Place. The officer turned in front of another vehicle that had stopped for traffic. The officer did not see Alecia Miller's vehicle approaching and struck her vehicle on its front passenger side. Ms. Miller had the right of way at the time of the incident. A payment of \$13,255.36 was previously sent to Ms. Miller's insurer for her vehicle damage.

Ms. Miller received more than six weeks of rehabilitative treatment for lumbar, thorax, and neck sprains and a strained rotator cuff. Her medical costs totaled \$7,410.

The Department of Law recommends settlement of Ms. Miller's personal injury claim for \$10,000.

Disciplinary action against the MNPd officer as a result of this incident consisted of a written reprimand.

Fiscal note: This \$10,000 settlement along with Resolution No. RS2024-159 would be the 17th and 18th payments from the Self-Insured Liability Fund in FY24 for a cumulative total of \$827,469. The fund balance would be \$19,693,026 after this payment.

Sponsors: Porterfield

40. [**RS2024-181**](#)

A resolution accepting a Transportation Alternatives Program (TAP) Grant, through an intergovernmental agreement, from the Tennessee Department of Transportation (TDOT) to the Metropolitan Government (Metro), acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), for the acceptance of work in connection with the construction of the James Avenue/63rd Avenue North Sidewalk Completion Project, Federal No. TAP-4905(10), State No. 19LPLM-F3-207; PIN 134352.00 (Proposal No. 2023M-047AG-001).

Analysis

This resolution accepts a Transportation Alternatives Program (“TAP”) Grant from the Tennessee Department of Transportation (“TDOT”) to the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”). The TAP Grant is in the amount of \$1,000,000 with a required local cash match of \$250,000. The application for this grant was approved pursuant to Resolution No. RS2022-1843. This grant will be used to fund sidewalk improvements along James Avenue/63rd Avenue North, from Morrow Road to Robertson Avenue.

The resolution approves the local agency agreement between TDOT and NDOT for this project. Metro will cover the \$250,000 local cash match related to the grant and \$200,000 for engineering costs. The remaining \$1,000,000 for the project will be covered by the TAP grant. This project will fill gaps in the sidewalk network and project neighborhood connectivity to West Park, West Park Neighborhood Community Center, Charlotte Park, and cross Briley Parkway.

Fiscal Note: Metro will provide in local funds, \$250,000 to cover the 20% match for construction and inspection cost, and \$200,000 to cover 100% of the engineering costs, to be paid from Fund 40119, Business Unit 42402119.

Sponsors: Horton, Porterfield, Gamble, Parker and Evans-Segall

41. [**RS2024-182**](#)

A resolution accepting a donation from MCREF IV Gulch Apartment Owner LLC in the amount of \$25,000 as a contribution towards the analysis that was conducted by NDOT for roadway infrastructure improvements associated with the Pie Town Mobility Study.

Analysis

This resolution accepts a donation from MCREF IV Gulch Apartment Owner LLC to the Nashville Department of Transportation and Multimodal Infrastructure in the amount of \$25,000. MCREF IV Gulch Apartment Owner LLC plans to develop a parcel of property at 810 Division Street. This donation will be used towards the cost of the study for roadway

infrastructure improvements associated with the Pie Town Mobility Study.

The Council is authorized to approve donations by resolution pursuant to Metropolitan Code of Laws Section 5.04.120.B.

Sponsors: Kupin, Porterfield and Parker

42. [RS2024-183](#)

A resolution authorizing Velocis Lincoln Commerce SPE, LLC, to construct and install an aerial encroachment at 211 Commerce Street (Proposal No. 2023M-020EN-001).

Analysis

This resolution authorizes Velocis Lincoln Commerce SPE, LLC, to construct, install, and maintain an aerial encroachment at 211 Commerce Street.

The encroachment is for a double-faced illuminated projecting sign, which encroaches the public right-of-way at 211 Commerce Street. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachment. Prior to receiving a permit, the applicant must file a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk and the Nashville Department of Transportation and Multimodal Infrastructure naming the Metropolitan Government as an insured party. This resolution must be approved by 21 affirmative votes.

Sponsors: Kupin, Gamble and Parker

43. [RS2024-184](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the claims of Lonnie Fowler and R.A.R.E. Homes LLC against the Metropolitan Government of Nashville and Davidson County in the amount of \$26,306.58, to be paid out of the NDOT Sidewalk Fund.

Analysis

In May 2023, the United States Court of Appeals for the Sixth Circuit ruled that Metro's sidewalk ordinance, Section 17.20.120 of the Metropolitan Code of Laws, was an unconstitutional exaction in violation of the Fifth Amendment's Takings Clause. Soon after this ruling, Metro established a claims process by which property owners and others who had incurred costs under the sidewalk ordinance in the year prior to the Sixth Circuit's ruling could submit claims for reimbursement. Reimbursement of permit projects for which use and occupancy letters had not yet been issued at the time of claim were processed beginning in August of 2023 and will not require Council approval.

The claims subject to this resolution are for permit projects where the projects were complete and use and occupancy letters had been issued, as well as claims where sidewalks had been constructed. This is the third set of claims subject to Council approval.

The claims comprising this batch are as follows:

Lonnie Fowler - \$11,885.70

R.A.R.E. Homes LLC - \$14,420.88

The Department of Law recommends settlement of these claims by reimbursing these claimants for a total of \$26,306.58, to be paid from the NDOT Sidewalk Fund.

Fiscal Note: The total settlement amount of \$26,306.58 for the two claimants would be paid from the NDOT Sidewalk Fund.

Sponsors: Porterfield

44. [RS2024-185](#)

A resolution approving a contract between the Metropolitan Government of Nashville and Davidson County and Water and Waste Equipment, Inc. for the provision of water and waste equipment.

Analysis

This resolution approves a sole source contract between the Metropolitan Government and Water and Waste Equipment, Inc. for the provision of water and waste equipment.

Sole source contracts may be awarded under the Metro procurement code when it is determined that there is only one source for the supply or services rendered. Section 4.12.060 of the Metro Code requires all sole source contracts having a total value in excess of \$250,000 to be approved by the Council by resolution.

The estimated value of this contract is \$2,500,000. The term of the agreement is 60 months, beginning upon approval of all required parties and filing with the Metropolitan Clerk's Office.

According to the sole source justification form, Metro Water uses KSB pumps, Pentair Aurora pumps, Pentair Hydromatic pumps and YSI products in its system. Only parts and products from these lines are compatible with this existing equipment. Water and Waste Equipment is the sole source for these products in the region.

Fiscal Note: The estimated value of this sole source contract number 6541899 for purchase of KSB, Peerless, Pentair Hydromatic, Pentair Aurora, and YSI product and parts is \$2,500,000 to be paid from Fund 67331, Business Unit 65557930.

Sponsors: Porterfield and Parker

45. [RS2024-186](#)

A resolution authorizing the director of the Department of Metro Water Services to hire a director of solid waste and authorizing a one-year extension of the Memorandum of Understanding transferring the solid waste disposal responsibilities to the Department of Water and Sewerage Services.

Analysis

This resolution authorizes the director of the Department of Water and Sewerage Services to hire a director of solid waste and authorizes a one-year extension of the memorandum of understanding (“MOU”) transferring the solid waste disposal responsibilities to the Department of Water and Sewerage Services, previously approved pursuant to Resolution No. RS2021-794.

This resolution authorizes the director of the Department of Water Services to hire a director of solid waste. This position will allow for Metro to have an industry expert who can ultimately lead a stand-alone Department of Solid Waste Services.

On April 6, 2021, the Council approved an MOU to transfer solid waste disposal responsibilities from the Metropolitan Department of Public Works to the Department of Water and Sewerage Services. The MOU had a term of three years, beginning on July 1, 2021. RS2021-794 provided that the MOU could be extended upon a resolution adopted by the Metropolitan Council. This resolution would extend the MOU by one year, until July 1, 2025.

Sponsors: Parker, Allen and Evans-Segall

46. [RS2024-187](#)

A resolution approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and HCD Wedgewood 429 Houston LLC, to provide improved public sanitary sewer service through the construction of an improved stormwater system (Project No. 2022066576 and Proposal Number 2023M-045AG-001).

Analysis

This resolution approves a participation agreement between the Metropolitan Department of Water and Sewerage Services and HCD Wedgewood 429 Houston LLC.

Ordinance No. BL2022-1214 allows the Metropolitan Department of Water and Sewerage Services to enter into participation agreements to fund infrastructure with developers by resolution of the Metro Council. The Metropolitan Planning Commission has recommended approval of the resolution.

Pursuant to the terms of this participation agreement, HCD Wedgewood 429 Houston, LLC has agreed to provide on-site stormwater control measures and to provide MWS the amount of \$173,717.16 to fund the design and construction of the current and new stormwater infrastructure, according to the terms of the Combined Sewer Project Participation Agreement - 429 Houston Street.

Fiscal Note: Metro will receive \$173,717.16 from HCD Wedgewood 429 Houston, LLC towards the Combined Sewer Project Participation Agreement - 429 Houston Street to fund the design and construction of the improved stormwater system.

Sponsors: Vo, Porterfield, Gamble and Parker

L. Bills on Second Reading

80. [BL2023-136](#)

An ordinance to amend Section 6.28.035 of the Metropolitan Code of Laws regarding the review of appeals made to the Short Term Rental Appeals Board.

Analysis

This ordinance amends Section 6.28.035 of the Metropolitan Code to establish a standard of review for appeals made to the Short Term Rental Appeals Board (“Board”).

Under current law, the Board is authorized to hear and decide appeals from decisions made by the zoning administrator regarding Short Term Rental permits when it is alleged that the zoning administrator is in error or acted arbitrarily. The Board has jurisdiction to uphold, reverse, or modify in whole or in part the zoning administrator's decision regarding permit issuance or revocation for all permits eligible for review.

The ordinance under consideration authorizes the Board to determine, based on a preponderance on the evidence presented to the Board, whether the zoning administrator erred or acted arbitrarily. If the Board finds that the Zoning Administrator did not err or act arbitrarily, the Board could partially or wholly modify the penalty based on the following factors: (1) whether the appellant knowingly committed a wrongful act under the code; (2) whether any relief would injure other properties or residents in the area; (3) whether a failure to grant relief would lead to exceptional practical difficulties or undue hardship upon the appellant; and (4) whether relief would substantially impair the intent and purpose of the code.

These criteria would apply to appeals filed after the effective date of this ordinance.

Sponsors: Horton, Huffman, Evans-Segall, Kupin, Capp, Preptit, Welsch, Spain and Benedict

81. [BL2023-137](#)

An ordinance amending Title 13 of the Metropolitan Code to add a new chapter thereto for the purpose of allowing participation agreements between the Nashville Department of Transportation and Multimodal Infrastructure and developers to be approved by resolution.

Analysis

This ordinance would amend the Metropolitan Code of Laws to allow the Metropolitan Council to approve participation agreements between the Nashville Department of Transportation and Multimodal Infrastructure and developers by resolution. This would apply to participation agreements for the installation, operation, and maintenance of infrastructure projects and public right-of-way structures. The Council Office recommends that the language proposed for codification be amended to provide clarity to the general purpose intended to be covered by the participation agreements.

Sponsors: Parker and Evans-Segall

82. [BL2023-139](#)

An ordinance approving a contract between The Metropolitan Government of Nashville and Davidson County, acting by and through the Mayor's Office, and the United Way of Middle Tennessee, Inc., to provide financial counseling and other financial education activities to low-income residents in accordance with the Financial Empowerment Center program model.

Analysis

This ordinance approves a contract between the Metropolitan Government and the United Way for the continuation of the Nashville Financial Empowerment Center. The Metropolitan Government was the recipient of a grant from Bloomberg Philanthropies for the purpose of operating the financial empowerment program through December 2015. The Financial Empowerment Center program has subsequently been extended by Ordinance Nos. BL2016-387, BL2017-869, BL2018-1313, BL2019-10, BL2020-552, BL2021-914, and BL2022-1386.

The Financial Empowerment Center provides one-on-one financial counseling and other financial education activities at no charge to low-income residents. The term of this contract began July 1, 2023, and ends June 30, 2024. The United Way agrees to conduct a minimum of 2,160 counseling sessions during this period. At least three full-time (or equivalent) counselors would be retained and supervised to provide these services. Metro will provide \$500,000 to the United Way for this purpose. This is an increase from prior contracts. Metro provided \$276,000 for the Financial Empowerment Center through BL2022-1386 and BL2021-914 and \$250,000 through BL2020-552.

Fiscal Note: Metro would pay United Way of Middle Tennessee an amount not to exceed \$500,000 to provide free one-on one financial counseling and other financial education activities to low-income residents in accordance with the Financial Empowerment Center program model through June 30, 2024.

Sponsors: Porterfield, Welsch, Gadd, Cortese and Suara

83. [BL2023-140](#)

An ordinance approving a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Board of Education and LEAD Public Schools, Inc. d/b/a Cameron College Prep, Nonprofit LLC (Proposal No. 2021M-011PR-002).

Analysis

This ordinance approves a lease agreement between the Metropolitan Board of Education ("MNPS") and LEAD Public Schools, Inc. d/b/a/ Cameron College Prep, Nonprofit LLC ("Cameron College Prep") for use of property at 1034 1st Avenue South as a charter school. The property includes approximately 125,835 square feet of the building.

The term of the lease begins January 1, 2024, and ends on June 30, 2031. Upon termination of

the lease, the property will revert to MNPS. For the first year, the lease payment will be \$45,090.88 per month, which represents a rate of \$4.30 per square foot. The lease includes the cost of grounds maintenance, major building systems components, and capital repairs. Cameron College Prep will be responsible for routine/preventative maintenance and refuse removal. The lease payment will increase by 2.5% each year throughout the term of the lease. The monthly rental payments will be as follows:

- July 1, 2024 - June 30, 2025: \$46,218.15/month
- July 1, 2025 - June 30, 2026: \$47,373.60/month
- July 1, 2026 - June 30, 2027: \$48,557.94/month
- July 1, 2027 - June 30, 2028: \$49,771.89/month
- July 1, 2028 - June 30, 2029: \$51,016.19/month
- July 1, 2029 - June 30, 2030: \$52,291.59/month
- July 1, 2030 - June 30, 2031: \$53,598.88/month

MNPS is responsible for the replacement major building system components and their capital repairs. This includes the building's roof, foundation, structural members of exterior walls, HVAC system components, and plumbing system. MNPS is also responsible for ground maintenance, the cost of which is included in the lease payment. Cameron College Prep is responsible for custodial services, refuse collection, utilities, routine maintenance of the premises, ADA compliance, and building, fire, and zoning codes and regulations. Cameron College Prep must maintain commercial general liability insurance of not less than \$1,000,000 per occurrence.

Cameron College Prep will be entitled to a credit of fifty percent (50%) of the base building lease rent for tenant capital improvement expenditures made by the charter school, subject to MNPS's approval. In Year 1, the monthly rental payments after the credit may not be less than \$2.00 per square foot. Starting on July 1, 2024, rent shall not be less than 50% of the current lease rate throughout the contract term.

Fiscal Note: The lease rate per square foot price is \$4.30/square foot or \$45,090.88 per month for the approximate square footage of 125,835 during the lease period January 1, 2024, to June 30, 2024. The lease rate per square foot includes the cost of grounds maintenance and major building systems components and capital repairs. The lease rate will increase by 2.5% each year beginning July 1, 2024. Metro would provide fifty percent (50%) rent credit of the base building rent for any tenant improvement expenditures made by Cameron College Prep. The rent credit would cease when the accumulated total of the improvement expenditures is met. Minimum rent in one year cannot be less than \$2.00 per square foot and starting July 1, 2024, rent shall not be less than 50% of the current lease rate throughout the term of the contract.

Sponsors: Vo, Porterfield and Gamble

84. [BL2023-141](#)

An ordinance approving the conditional abandonment of a portion of Lock Road right-of-way

(Proposal Number 2022M-003AB-001).

Analysis

This ordinance approves the conditional abandonment of a segment of right-of-way on Lock Road. The Metropolitan Government holds an easement for the public right-of-way of Lock Road. Harvey Combs owns the parcel of property underlying the segment of the right-of-way.

Mr. Combs proposes abandoning the segment of right-of-way subject to the following conditions:

- (1) Easements within the right-of-way, including without a sewer pipeline easement, are retained;
- (2) With the submission of any site plans, any owner or successive owner of the property must build and dedicate street extensions as described in an approved SP;
- (3) With the submission of any site plans, the owner or successive owner must dedicate greenway easements as consistent with SP 2018-SP-0931-001, approved through Ordinance No. BL2018-1148; and
- (4) With the submission of any site plans, any owner or successive owner must build pedestrian infrastructure and dedicate public access easement between any future greenways and Baptist World Center Drive.

This ordinance was approved with conditions by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Sponsors: Gamble and Parker

85. [BL2023-142](#)

An ordinance approving a participation agreement between the Metropolitan Government and Tennessee Stadium, LLC for the design and construction of a sewage pump station and associated lines and equipment (Proposal No. 2023M-048AG-001).

Analysis

This ordinance approves a participation agreement between the Metropolitan Government ("Metro") and Tennessee Stadium, LLC ("TNS"), for the design and construction of a sewage pump station and associated lines and equipment.

Metro owns a parcel of property at 6 Main Street. Metro anticipates significant development on the east bank of the Cumberland River that the existing sanitary sewer system is not adequate to serve. For that reason, TNS proposes to design and build a new sewer pumping station and associated sewer lines capable of serving the Central East Bank Redevelopment Area ("CEBRA"). This area includes the new stadium project approved pursuant to Ordinance No. BL2023-1741. Metro and TNS anticipate that the new stadium will require approximately 20% of the initial capacity of the CEBRA pump station.

Pursuant to the terms of the participation agreement, it is anticipated that the total cost of the CEBRA pump station project and related trunk sewer and force main segments and

connections will be approximately \$32,500,000. TNS will be responsible for \$6,500,000, which represents 20% of the total estimated project cost. Metro will pay the difference between the actual project design costs and TNS's total share of the costs. TNS will be responsible for 20% of the initial project costs plus 20% of any additional costs, as defined in the agreement.

TNS agrees to engage a qualified design-build contractor to construct the pump station project by written contract. TNS is required to use the existing contractor engaged for the force sewer main relocation associated with the new stadium. The contract for the pump station project is subject to approval by the Metropolitan Department of Law and must include certain provisions required by the participation agreement, including, but not limited to, requirements that the contract provide a fixed price for the pump station project not to exceed \$30,000,000, that Metro is not responsible for costs associated with errors or omissions in the final plans, and that Metro is indemnified by the contractor. TNS also agrees to pursue the completion of the pump station on or before July 1, 2026. Upon completion, the pump station will be transferred to Metro. The participation agreement becomes effective upon approval of the Council and upon the date of its filing with the Metropolitan Clerk.

Fiscal Note: It is estimated that Metro would pay approximately \$26,000,000 towards the cost of the design and construction of a new sewage pumping station, representing 80% of the total estimated project cost.

Sponsors: Kupin, Porterfield, Gamble and Parker

86. [BL2023-143](#)

An ordinance establishing a Central East Bank Redevelopment Area and authorizing the recovery of costs incurred in constructing sewer pumping and conveyance facilities necessary to serve the redevelopment area through a sewage infrastructure cost recovery charge applicable to properties within said area.

Analysis

This ordinance establishes a Central East Bank Redevelopment Area ("CEBRA") and authorizes the recovery of costs incurred in constructing sewer pumping and conveyance facilities necessary to serve the redevelopment area through a sewage infrastructure cost recovery charge applicable to properties within the CEBRA.

The CEBRA consists of properties on and near the east bank of the Cumberland River, as depicted on Exhibit 1 to this ordinance. The Department of Water and Sewerage Services ("MWS") is authorized to amend the map and add properties to the CEBRA where appropriate to conform to good engineering practice. Any amended map must be published to the Metropolitan Government website.

The ordinance also establishes a CEBRA Recovery Charge. The charge will be \$2,850 for each new unit of flow proposed to be generated on a property within the CEBRA seeking to connect to the public sewer system and service through the CEBRA pump station. The new stadium will not be subject to the CEBRA Recovery Charge, rather pursuant to BL2023-142, Tennessee Stadium LLC will be responsible for a portion of the capital costs to construct the

pump station and for the construction work. The CEBRA Recovery Charge will increase or decrease as of January 1 of each year by (a) a percentage equal to the increase or decrease in the Consumer Price Index - All Urban Consumers (CPI-U); and (b) a percentage calculated annually to account for MWS's weighted cost of capital. The CEBRA Recovery Charge, as amended, must be published to the Metropolitan Government website.

The CEBRA Recovery Charge must be paid in full before the issuance of any grading or building permit in connection with redevelopment within the CEBRA. If actual sewage flows from a CEBRA property exceed, by five percent or more, the projected flows on which the charge was calculated at the time of initial payment, MWS will bill and collect the amount necessary to recover the applicable CEBRA Recovery Charge.

The CEBRA Recovery Charge revenue will be allocated exclusively for pump station net costs incurred by the Metropolitan Government, which are estimated to be \$26,000,000.

Future amendments to this ordinance may be approved by resolution.

Sponsors: Kupin, Porterfield and Parker

87. [BL2023-144](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon easement rights for property located at 636 Division Street, formerly a portion of Allison Street and Alley No. 200 (Proposal No. 2023M-178ES-001).

Analysis

This ordinance abandons easement rights that were retained by Council Bill No. O76-188 for existing utilities for property located at 636 Division Street, formerly a portion of Allison Street and Alley No. 200.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Abandoned easements have no market value according to the Department of Water Services.

Sponsors: Kupin, Gamble and Parker

88. [BL2023-145](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to negotiate and accept permanent and temporary easements for the Northcrest Drive Stormwater Improvement Project for four properties located at 517, 521, 526 Northcrest Drive and Northcrest Drive (unnumbered), (Project No. 24-SWC-097 and Proposal No. 2023M-164ES-001).

Analysis

This ordinance authorizes the negotiation and acceptance of permanent and temporary easements for four properties located at 517, 521, 526 Northcrest Drive and Northcrest Drive

(unnumbered) for use in the Northcrest Drive Stormwater Improvement Project.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Sponsors: Johnston, Nash, Gamble, Parker and Cortese

89. [BL2023-146](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main and easement, and to accept new public water and sanitary sewer main, fire hydrant assemblies, sanitary sewer manholes and easements, for three properties located at Lucile Street (unnumbered), 1500 Dickerson Pike and 2050 Lucas Lane, also known as City Vista, (MWS Project Nos. 22-WL-141 and 22-SL-292 and Proposal No. 2023M-168ES-001).

Analysis

This ordinance abandons approximately 346 linear feet of existing eight-inch water main (CI) and easement and accepts approximately 3,421 linear feet of new eight-inch water main (DIP), approximately 2,461 linear feet of new eight-inch sanitary sewer main (PVC), approximately 2,525 linear feet of new eight-inch sanitary sewer main (DIP), seven fire hydrant assemblies, 26 sanitary sewer manholes and easements for three properties located at Lucile Street (unnumbered), 1500 Dickerson Pike, and 2050 Lucas Lane, also known as City Vista.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Gamble and Parker

90. [BL2023-147](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer manhole; for property located at 50 Music Square West (MWS Project No. 23-SL-200 and Proposal No. 2023M-161ES-001).

Analysis

This ordinance accepts one sanitary sewer manhole for property located at 50 Music Square West.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: Vo, Gamble and Parker

91. [BL2023-148](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at Kemp Drive (unnumbered), also known as 4307 Central Pike Phase 2 (MWS Project Nos. 22-WL-140 and 22-SL-289 and Proposal No. 2023M-172ES-001).

Analysis

This ordinance accepts approximately 1,474 linear feet of new eight-inch water main (DIP), approximately 838 linear feet of new eight-inch sanitary sewer main (PVC), approximately 124 linear feet of new eight-inch sanitary sewer main (DIP), two fire hydrant assemblies, six sanitary sewer manholes and any associated easements for property located at Kemp Drive (unnumbered), also known as 4307 Central Pike Phase 2.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: Evans, Gamble and Parker

92. [BL2023-149](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main, sanitary sewer manholes and easements, for property located at 300 McCann Street, also known as 4th and McCann, (MWS Project No. 23-SL-206 and Proposal No. 2023M-165ES-001).

Analysis

This ordinance abandons approximately 222 linear feet of existing 10-inch sanitary sewer main, two sanitary sewer manholes and easements for property located at 300 McCann Street, also known as 4th and McCann.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Abandoned easements have no market value according to the Department of Water Services.

Sponsors: Vo, Gamble and Parker

93. [BL2023-150](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main, sanitary sewer manholes and easement, for property located at 517 West Trinity Lane, (MWS Project No. 23-SL-75 and Proposal No. 2023M-167ES-001).

Analysis

This ordinance accepts approximately 453 linear feet of new eight-inch sanitary sewer main

(PVC), three sanitary sewer manholes and easement, for property located at 517 West Trinity Lane.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: Toombs, Gamble and Parker

94. [BL2023-151](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer mains, sanitary sewer manholes and easements, and to accept new public sanitary sewer mains, sanitary sewer force main, sanitary sewer manholes and easements, for two properties located at 3545 and 3551 Dickerson Pike, also known as Dickerson Flats (MWS Project No. 22-SL-139 and Proposal No. 2023M-173ES-001).

Analysis

This ordinance abandons approximately 309 linear feet of existing eight-inch sanitary sewer main, two sanitary sewer manholes and easements, and accepts approximately 661 linear feet of new eight-inch sanitary sewer main (PVC), approximately 296 linear feet of new two-inch sanitary sewer force main, six sanitary sewer manholes and easements for two properties located at 3545 and 3551 Dickerson Pike, also known as Dickerson Flats.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Parker and Gamble

M. Bills on Third Reading

95. [BL2023-2](#)

An ordinance approving an agreement between The Community Foundation of Middle Tennessee, United Way of Greater Nashville, and the Metropolitan Government of Nashville and Davidson County, by and through the Office of Emergency Management, to support disaster recovery efforts.

Analysis

This ordinance approves a memorandum of understanding (“MOU”) between the Office of Emergency Management (“OEM”), The Community Foundation of Middle Tennessee, and United Way of Greater Nashville that clarifies various operational and financial responsibilities among the three organizations related to disaster recovery efforts. Pursuant to the terms of the MOU, the Community Foundation and United Way will serve in the Metro Nashville Community Emergency Management Plan and are the entities identified to receive monetary donations

during activated disasters in Nashville and Davidson County.

This MOU clarifies how these organizations will collaborate during a disaster, ensure that any donated funds will be maximized to support disaster recovery, and separately operate a grantmaking advisory committee that oversees the distribution of disaster relief funds.

The Community Foundation and United Way are required to periodically provide public reporting of the distribution of disaster relief funds. The reported data will include the total amount of donated funds raised and distributed, the organizations that received those funds, the demographics and zip codes of the populations served by those organizations, and any fees related to those funds that were withheld by the organizations. This data will be reported at the following intervals: within 72 hours of an activation, within the first week of an activation, within the first month of an activation, as well as each following month after an activation until Metro determines there is no longer an activated disaster. OEM will share this data with the Metro Council and the Department of Finance on a periodic basis. A failure to comply with these reporting terms is a valid basis for Metro to terminate the agreement. The memorandum has a five-year term beginning upon its enactment.

Fiscal Note: There is no cost to Metro for the performance of this agreement, however, the Office of Emergency Management will be notified if the administrative and transaction fees related to donated funds that have been withheld by The Community Foundation and United Way.

Sponsors: Porterfield, Evans and Suara

98. [BL2023-119](#)

An ordinance amending Title 7 of the Metropolitan Code of Laws pertaining to the definition of beer.

Analysis

This ordinance updates the definition of beer in the Metropolitan Code of Laws after the definition was amended by the Tennessee General Assembly in April 2023. The Metropolitan Code currently defines beer as “beer, ale or any other beverage having an alcoholic content of not more than eight percent by weight.” The ordinance under consideration would change this definition of beer to match the new definition in state law.

Tennessee Code Annotated section 57-5-101 now defines beer as “products made from the normal alcoholic fermentation of malt or other cereal grains, sugar, or fruit ingredients used to make cider, and having an alcoholic content of not more than eight percent (8%) alcohol by weight and that do not contain distilled spirits or wine as defined in § 57-3-101; provided, that at least fifty-one percent (51%) of the overall alcoholic content by weight in the finished product is obtained by the fermentation of malt, other cereal grains, sugar, or fruit ingredients used to make cider, and no more than forty-nine percent (49%) of the overall alcoholic content by weight in the finished product is obtained by the addition of flavorings or other non-beverage ingredients containing alcohol.”

Sponsors: Bradford and Kupin

99. [BL2023-121](#)

An ordinance increasing the amounts of the official bonds for the Public Administrator and Public Trustee.

Analysis

This ordinance increases the official bonds of the Public Trustee and Public Administrator to \$1,000,000 respectively. Tennessee Code Annotated section 30-1-401 allows the Metropolitan Council to set the official bonds for both offices that is needed to protect the estates, funds, and properties that may come into their possession as part of their duties.

The Metropolitan Council last set the bond of the Public Trustee at \$200,000 and the bond of the Public Administrator at \$100,000 in 1999. The Honorable Andra Hedrick, Probate Court Judge in Davidson County, has recommended that the bonds of both officials be increased to \$1,000,000.

The ordinance also provides that future determinations or modifications of the official bond amounts of the Public Trustee, Public Administrator, or any other official appointed by the Metropolitan Council through Tennessee Code Annotated section 30-1-401 may be made by resolution.

Sponsors: Porterfield and Toombs

100. [BL2023-122](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main, and to accept new public water main, for property located 300 HM Hutcherson Alley, also known as the Clifton Avenue Public Water Relocation, (MWS Project No. 23-WL-149 and Proposal No. 2023M-158ES-001).

Analysis

This ordinance abandons approximately 174 linear feet of existing one and a half-inch water main (UNK) and accepts approximately 174 linear feet of new three-inch water main (DIP) for property located at 300 HM Hutcherson Alley, also known as the Clifton Avenue Public Water Relocation.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Taylor, Gamble and Parker

101. [BL2023-123](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water and sanitary sewer mains, fire hydrant assembly, sanitary sewer manholes and easements, and to accept new public water and sanitary sewer mains, fire hydrant assembly, sanitary sewer manholes and easements, for property located at 1600 County Hospital Road, also known as Cumberland Logistics Park (MWS Project Nos. 23-WL-11 and 23-SL-21 and Proposal No. 2023M-156ES-001).

Analysis

This ordinance abandons approximately 448 linear feet of existing eight-inch water main (DIP), approximately 488 linear feet of existing 10-inch sanitary sewer main (VCP), one fire hydrant assembly, two sanitary sewer manholes and easements, and accepts approximately 446 linear feet of new eight-inch water main (DIP), approximately 25 linear feet of new six-inch water main (DIP), approximately 488 linear feet of new 10-inch sanitary sewer main (PVC), one fire hydrant assembly, two sanitary sewer manholes and easements for property located at 1600 County Hospital Road, also known as Cumberland Logistics Park.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Gamble and Parker

102. [BL2023-124](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing brick water pumping station building located at 2124 Oakwood Avenue but to retain the Public Utility & Drainage Easement (Proposal No. 2023M-160ES-001).

Analysis

This ordinance abandons the existing brick water pumping station building and retains the remaining Public Utility & Drainage Easement for property located at 2124 Oakwood Avenue.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Sponsors: Parker, Porterfield and Gamble

103. [BL2023-125](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water mains, and to accept new public water mains and fire hydrant assemblies, for property located at 1215 21st Avenue South, also known as VUMC Link Tower (MWS Project No. 23-WL-71 and Proposal No. 2023M-159ES-001).

Analysis

This ordinance abandons approximately 1,882 linear feet of existing six-inch water main (CI) and approximately 1,714 linear feet of existing 12-inch water main (CI) and accepts approximately 1,263 linear feet of new 12-inch water main (DIP), approximately 39 linear feet of new 10-inch water main (DIP), approximately 121 linear feet of new eight-inch water main (DIP), approximately 135 linear feet of new six-inch water main (DIP), and three fire hydrant assemblies for property located at 1215 21st Avenue South, also known as VUMC Link Tower.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Cash, Gamble and Parker

104. [BL2023-126](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new water and sanitary sewer mains, fire hydrant assembly, sanitary sewer manholes and easements, for property located at 524 Edwin Street and Edwin Street (unnumbered), also known as Edwin Greens Phase 2 (MWS Project Nos. 23-WL-34 and 23-SL-74 and Proposal No. 2023M-163ES-001).

Analysis

This ordinance accepts approximately 25 linear feet of new six-inch water main (DIP), approximately 159 linear feet of new eight-inch sewer main (DIP), one fire hydrant assembly, two sanitary sewer manholes and easements for property located at 524 Edwin Street and Edwin Street (unnumbered), also known as Edwin Greens Phase 2.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: Parker and Gamble

105. [BL2023-127](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at 3500 Brick Church Pike, also known as Thornton Grove Phase 4B, (MWS Project Nos. 23-WL-17 and 23-SL-30 and Proposal No. 2023M-155ES-001).

Analysis

This ordinance accepts approximately 1,363 linear feet of new eight-inch water main (DIP), approximately 1,025 linear feet of new eight-inch sanitary sewer main (PVC), approximately 329 linear feet of new eight-inch sanitary sewer main (DIP), three fire hydrant assemblies, 11

sanitary sewer manholes and easements for property located at 3500 Brick Church Pike, also known as Thornton Grove Phase 4B.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: Gamble and Parker