



Metropolitan Council

I. Rules of Procedure

11. [Rule 13](#)

Proposed amendment to Rule 13 of the Rules of Procedure of the Council.

Analysis

While the Council Office does not normally provide analysis for amendments to the Rules of Procedure, this Rule Amendment contains several significant modifications that would have serious effects for the operation of the Council, the Council Office, and the Metro Clerk, to an extent that the Council Office deemed a deviation from standard practice advisable. The rule amendment would modify Rule 13, which governs filing deadlines and emergency legislation items.

Rule 13.1.2

The proposed amendment would modify Rule 13.1.2, which currently provides that no ordinance or resolution may be filed unless the originals have first been delivered to the Council Office not later than noon on the Second Friday preceding the regular meeting date or not later than noon the fourth day, excluding Saturdays and Sundays, preceding the day of any other Council meeting. This rule currently serves as the legislative filing deadline for all legislation whether prepared by administrative departments or by members of the Council. The proposed amendment would be changed to apply these deadlines only to ordinances or resolutions filed "by the Council Office." The proposed amendment would effectively eliminate the requirement that all administrative legislation be first filed with the Council Office prior to being filed with the Metro Clerk.

Rule 13.2

The proposed amendment to Rule 13.2 would remove references to the deadline for requested late-filed legislation. Currently, Rule 13.2 provides that requested late-filed legislation must be delivered to the Council not later than noon on the Friday immediately preceding the regular meeting date. In the event of a special meeting, delivery must occur not later than noon the second day -- excluding Saturdays and Sundays -- preceding the day of such Council meeting. The proposed amendment would effectively eliminate the Friday deadline for late-filed legislation. This deadline currently allows a short amount of time for legal and format review prior to inclusion in the "amendments packet" which is then delivered to Council members by 9 a.m. the Monday preceding a Council meeting.

Rule 13.3

Rule 13.3 currently provides that the Council may not consider any ordinance, resolution, amendment, or substitute unless filed in accordance with Rule 13.1 and 13.2. This provision would be amended to give an exception for legislation filed directly with the Clerk by a Councilmember. Adoption of this rule amendment in conjunction with the amendment to 13.1 will effectively eliminate the administrative legislation filing deadlines.

Rule 13.4

Rule 13.4 currently provides that no ordinance, binding resolution, amendment, or substitute submitted after the deadlines in Rule 13 will be considered by the Council except on an emergency basis. It further provides that nonbinding resolutions submitted after the prescribed deadlines are not eligible to be considered on an emergency basis. This proposed amendment removes the sentence regarding nonbinding resolutions. However, it retains the reference to binding resolutions in the first sentence of this provision, rendering ineffective the likely intent of allowing late nonbinding resolutions.

Rule 13.6

A new Rule 13.6 would be added to state that “[l]ate-filed legislation introduced during a Council meeting is not subject to Section 13.5 [which sets out the requirement that late items appear before the Rules Committee to discuss the emergency need] however the rules must be suspended, per Rule 7 [which requires a committee recommendation], for the late-filed legislation to be considered.” Currently, not all late-filed legislation would require a suspension of Rule 7 - notably, the rule requires ordinances to have a committee recommendation prior to final passage, thus Rule 7 would not need to be suspended in order for a late-filed ordinance to be introduced.

Rule 13.7

Finally, the existing Rule 13.6, which would be renumbered as 13.7, would be amended to reflect language updated by the proposed amendments and also to provide that “the Council recommends that memorializing late-filed legislation be filed for the subsequent Council meeting.” Presumably, this language is responsive to the intended removal of the prohibition of late-filed non-binding resolutions. As stated above, effectively, late filed non-binding resolutions would still be prohibited with the adoption of the proposed rule amendment.

Further Discussion

With the effective elimination of the Friday filing deadline in the Council Office, Council members and the Council Office would learn of legislation upon publication of the Clerk’s agenda, which occurs on the Wednesday prior to the Council meeting.

Currently, the Council Office reviews legislation submitted by Council members prior to filing for potential legal concerns, correct formatting, required provisions including the enacting clause and effective date, and typographical errors. If submitted directly with the Clerk, the Council Office would not be able to review legislation and the Clerk, in its position, would not be able to make any changes to legislation once filed. Thus any needed formatting changes would

require amendments.

Administratively, the Council Office also uploads Council member-initiated legislation into the Granicus program Legistar, which makes the legislation available online upon publication by the Clerk's Office. Currently, the Clerk's Office does not upload any legislation into Legistar. In addition, the Council Office assigns committees to legislation, which is performed before filing. The Council Office also prepares committee agendas, which are published the day after the agenda is published. The Council Office prepares an analysis of legislation, which is published the Thursday after the agenda is published, however, all of this work begins days in advance of these deadlines. This Rule Amendment would present an administrative burden on the Council Office staff, would present a difficulty in the Council Office's preparation of meetings, and would transfer administrative responsibilities from the Council Office to the Metro Clerk.

In addition, this proposed rule amendment provides an opportunity for Council members to submit legislation on behalf of themselves, a department, or third party that has not been vetted by the Council Office legal staff or the Metropolitan Department of Law. Both are tasked with providing legal advice and representation to the Council. This could allow for legislation with serious legal implications to be filed.

This proposed Rule Amendment, if adopted, would seriously hinder the Council Office's ability to effectively perform the work for which the Council Office was created - to provide research and advisory services to the Council on legislative matters. See Metropolitan Code of Laws Section 2.04.030.A.

Sponsors: Benedict

I2. [Rule 28.1](#)

Proposed amendment to Rule 28.1 of the Rules of Procedure of the Council.

Analysis

This proposed rule amendment would amend Council Rule of Procedure 28.1 to require members of the public show proof of Davidson County residency in order to participate in the Metropolitan Council's Public Comment Period. The rule amendment further directs the Council Office to make policies and procedures regarding acceptable proof of residency under the rule. This rule amendment is limited to the Public Comment Period and would not affect speakers for Public Hearings on zoning matters.

Sponsors: Suara

K. **Bills on Public Hearing**

6. [BL2024-255](#)

An ordinance amending Section 17.40.720 of the Metropolitan Code to require mailed notice to all affected property owners of R, R-A, RS, and RS-A parcels when a change to the Zoning Code results in an increase or decrease in the number of allowed dwelling units on the affected parcels (Proposal No. 2024Z-009TX-001).

Analysis

This ordinance amends Section 17.40.720 of the Metropolitan Code to require mailed notice of the public hearing for amendments to Title 17, the Zoning Code, that would result in a change in the number of permitted dwelling units on parcels zoned R, R-A, RS, and/or RS-A. Such notice would be required to conform to the same standards as the mailed notice currently required for amendments to the official zoning map and be sent to all affected parcel owners, all surrounding parcel owners within 1,000 feet of an affected parcel, and to the address(es) of the affected parcels should the owner's address differ. Additionally, the ordinance requires that the Planning Department be responsible for the preparation and mailing of this notice.

Currently, no mailed notice to property owners is required for text amendments to Title 17. Rather, notice is provided by advertisement in a newspaper of general circulation at least 21 days prior to the public hearing, as well as the posting of the meeting agenda on the Legislative Information Center website (Legistar) via Nashville.gov.

The Planning Commission recommended the withdrawal of this item (7-0) at their July 25, 2024, meeting.

Fiscal Note: The Planning Department staff estimates the cost of a single mailing under this legislation could be as much as approximately \$250,000, not including signage. The calculation utilized by Planning staff to arrive at the approximate cost is as follows: number of properties zoned R/RS (~189k) + properties within 1,000 feet (~61k) x \$1.00/mailed notice (based on postage and vendor costs) = \$250,000.

Sponsors: Hancock and Webb

12. [BL2024-452](#)

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, by adding the East Bank Subdistrict to Chapter 17.37, Downtown Code, all of which is described herein (Proposal No. 2024Z-012TX-001).

Analysis

This ordinance amends Chapter 17.37 of the Metropolitan Code to add a newly created East Bank Subdistrict and associated development standards and East Use Area and associated permitted uses to the adopted Downtown Code (DTC) to expand the DTC boundaries east of the Cumberland River. The DTC is currently comprised of 15 subdistricts, each of which specifically regulates built form based on the policy context with bulk regulations like build-to-zone, building height, required step-backs, and other standards. This ordinance creates a new 16th subdistrict, called East Bank, which establishes bulk standards specific to the district. The DTC is also currently made up of 4 use areas (North, South, West, & Central) that govern permitted uses within the boundaries of the district. The ordinance creates a 5th use area, East, to govern the permitted uses in the newly expanded area of the DTC east of the Cumberland River. Other regulations apply to broader regions of the DTC or to the DTC in its entirety.

Currently, the DTC does not extend across the Cumberland River. The areas included in this expansion are currently zoned MUI - Mixed Use Intensive, which allows for a broad variety of uses and intensive bulk regulations.

The Planning Commission recommended approval of this item (7-0-1) at their June 13, 2024, meeting.

Sponsors: Kupin

26. [BL2024-466](#)

An ordinance approving three option agreements authorizing the purchase of properties for a new elementary school in Antioch, Tennessee. (Proposal No. 2024M-019AG-001).

Analysis

This ordinance approves three option agreements authorizing the purchase of properties for a new elementary school in Antioch.

The first option agreement authorizes the Metropolitan Government to acquire .71 acres owned by Paul H. Silveria and Ana Caroline Silveria located at 555 Bell Road. The Metropolitan Government would acquire this property for \$550,000.

The second option agreement authorizes the Metropolitan Government to acquire .98 acres owned by Billy R. King located at 567 Bell Road. The Metropolitan Government would acquire this property for \$345,000.

The third option agreement authorizes the Metropolitan Government to acquire a total of 10.89 acres for a total of \$3,600,000. The individual properties are as follows:

- 0 Bell Road and 1058 Rural Hill Road, owned by James M. Lenahan and Deborah J. Lenahan (Metro Assessor appraised value - \$93,400)
- 1050 Rural Hill Road, owned by Engles J. Pope and Nancy M. Pope (Metro Assessor appraised value - \$264,300)
- 1070 Rural Hill Road, owned by Bridget A. Jackson (Metro Assessor appraised value - \$176,500)
- 5211 Rice Road, owed by Bridget A. Jackson and Kimberly Craighead (Metro Assessor appraised value - \$214,800)

These acquisitions have been approved by the Planning Commission and the Metropolitan Board of Education.

Fiscal Note: According to the Property Assessor's website, for the first option agreement, the total appraised value for 555 Bell Road, parcel number 149-00-0-131.00, is \$448,900, and purchase price would \$550,000. For the second option agreement, the total appraised value of 567 Bell Road, parcel number 149-00-0-179.00, is \$52,000, and the purchase price would be \$345,000. For the third option agreement, the total appraised value of the five properties is

\$921,500, and the purchase price of these properties would be \$3,600,000.

Sponsors: Styles, Sepulveda, Suara and Ellis

27. [BL2024-467](#)

An ordinance amending Section 17.04.060 of the Metropolitan Code, Zoning Regulations to amend the definitions of “commercial amusement, inside” and “commercial amusement, outside” (Proposal No. 2024Z-013TX-001).

Analysis

This ordinance amends Section 17.04.060 of the Metropolitan Code to amend the definitions of “commercial amusement, inside” and “commercial amusement, outside” uses to explicitly include additional business types within their respective definitions.

The ordinance proposes amending the “commercial amusement, inside” definition to explicitly include bowling alley, billiard parlor, batting facility, golf driving range, skating rink, wall climbing, arcade, and sport simulation business types. Currently, the definition only explicitly includes bowling alley and billiard hall business types.

The ordinance proposes amending the “commercial amusement, outside” definition to explicitly include golf driving range, archery range, miniature golf course, batting facility, and go-kart track business types. Currently, the definition only explicitly includes golf driving range, archery range, and miniature golf course business types.

Additional unlisted business types may be included under either the “commercial amusement, inside” use or the “commercial amusement, outside” use by the Zoning Administrator.

The Planning Commission recommended approval of this item (7-0) at their July 25, 2024, meeting.

Sponsors: Spain, Horton, Huffman and Weiner

M. Resolutions

28. [RS2024-559](#)

A resolution providing amendments to the Charter of the Metropolitan Government of Nashville and Davidson County, Tennessee, in accordance with Article 19, Section 19.01 thereof, and setting forth a brief description of each amendment to be placed upon the ballot.

Analysis

This resolution provides three amendments to the Metropolitan Charter. These three amendments were submitted by the Council’s Charter Revision Committee.

In order to qualify for the November 5, 2024, election, an amendment resolution must be filed with the election commission at least 75 days prior to the election. That means this resolution will need to be approved by the Council’s August 20 meeting in order to meet this deadline.

Pursuant to Metro Charter Section 19.02, prior to adopting the resolution, the Council must submit the resolution to the Charter Revision Commission for review. The Commission, acting in an advisory capacity, then has 30 days to review the resolution and provide recommendations to the Council, including whether the proposed amendments satisfy the requirements in the Charter. The Commission met on July 12 to review the proposed amendments (recommendation details provided hereinbelow).

Each individual Charter Amendment must receive 27 affirmative votes in order to be made a part of the Charter Amendment Resolution, and the Charter Amendment Resolution itself must also receive 27 affirmative votes. Charter amendments and resolutions proposing Charter amendments do not require mayoral approval.

The Council is not required to follow the recommendations of the Charter Revision Commission when determining whether to submit a Charter amendment to the voters.

Amendment No. 1 (Weiner) proposes to amend Section 8.102 of the Metropolitan Charter to provide for a succession plan in the event that the director of finance is absent, or the office is vacant. The proposed amendment provides that, the absence of the director of finance or in the event of a vacancy in his or her office, the metropolitan treasurer would perform the duties of the director of finance until the director returns or the vacancy is filled.

The metropolitan treasurer is a specific position in the Department of Finance provided for in Section 8.106 of the Metropolitan Charter. The metropolitan treasurer is appointed for an indefinite term by the mayor, subject to the civil service provisions of the Charter. The metropolitan treasurer must “have at least five (5) years' experience in which the supervision of fiscal affairs or treasury management shall have been his or her major responsibility.”

After the filing of the Charter Amendment Resolution, an amendment was submitted at the request of the administration to expand the pool of positions for a potential interim appointment to include the budget officer and the chief accountant in addition to the metropolitan treasurer. All positions are currently provided for by Charter. Additionally, the amendment would require an interim finance director to be confirmed by the Metropolitan Council within 90 days of the mayoral appointment.

There is no significant fiscal impact for this amendment.

Amendment No. 2 (Weiner) proposes to amend Section 8.306 of the Metropolitan Charter to remove the requirement that Fire Department employees be U.S. citizens. As a result, Fire Department employees would be required to be authorized to work in the United States in accordance with federal law. This would allow for individuals who are lawful permanent residents and with certain other types of visas to be employed by the Fire Department.

There is no significant fiscal impact for this amendment.

Amendment No. 3 (Rutherford) proposes to amend Section 3.02 of the Metropolitan Charter to remove the requirement that councilmembers have attained the age of 25 at the beginning of their term in order to be eligible to serve as a councilmember. Instead, in order to be eligible to serve as a councilmember, a person would be required to be a qualified voter pursuant to Tennessee state law.

Tennessee Code Annotated § 2-2-102(a) provides that “A citizen of the United States eighteen (18) years of age or older who is a resident of this state is a qualified voter unless the citizen is disqualified under the provisions of this title or under a judgment of infamy pursuant to § 40-20-112.” Tennessee Code Annotated § 40-20-112 provides that individuals who have been convicted of a felony are disqualified from voting, among other actions. According to Tennessee case law, being a qualified voter does not require the candidate to be registered to vote.

Tennessee Code Annotated § 8-18-101 already provides qualifications that must be met in order for a person to hold office in Tennessee. This includes being 18 years of age or older, being a citizen of the United States and of Tennessee, and not having been convicted of an offense declared infamous under Tennessee Code Annotated § 40-20-112.

There is no significant fiscal impact for this amendment.

The Charter Revision Commission reviewed the proposed Charter Amendments at its July 12, 2024, meeting and made the following recommendations:

- The Commission unanimously recommended approval of Amendment No. 1 sponsored by Councilmember Weiner with a proposed amendment, and recommended disapproval of Amendment No. 1 without the amendment.
- The Commission unanimously recommended approval of Amendment No. 3 sponsored by Councilmember Rutherford.
- The Commission recommended disapproval of the proposed amendment from Councilmember Toombs, which would provide that no regular meeting of the Metropolitan Council may be held in the month of September.
- The Commission did not consider Amendment No. 2, with the understanding that this proposal would be withdrawn.

At its July 12 meeting, the Charter Revision Commission also recommended amendments to revise the Charter Amendments to be in a format consistent with the requirements of Charter Section 19.02(a). Amendments will be proposed consistent with the Commission’s recommendations.

Sponsors: Weiner and Rutherford

29. [RS2024-570](#)

A resolution accepting a donation from 601 Lafayette Owner, LLC in the amount of \$100,000 as a contribution towards infrastructure improvements towards the costs of construction of a nearby community pocket park.

Analysis

This resolution accepts a donation from 601 Lafayette Owner, LLC in the amount of \$100,000. This donation will be used towards infrastructure improvements related to the construction of a nearby community pocket park.

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

Sponsors: Kupin, Porterfield, Parker and Welsch

30. [RS2024-610](#)

A resolution approving Amendment Number 1 to a sole source contract between the Metropolitan Government of Nashville and Davidson County and Bonded Filter Company, LLC dba BFC Solutions to increase the value of the contract.

Analysis

This resolution approves the first amendment to a sole source contract between the Metropolitan Government and Bonded Filter Company, LLC, d/b/a BFC Solutions, for the provision and installation of PleatLink filters.

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 original agreement was worth \$250,000 over a 10-year term.

The amendment under consideration increases the estimated value of the contract by \$750,000 to \$1,000,000. The amendment does not change the scope or term of the contract. The contract will remain an IDIQ (indefinite delivery/indefinite quantity). The increase to value will allow Metro to purchase up to \$1,000,000 of filters and installation services. Based on the sole source justification form, PleatLink filters are the only ones that meet the health and safety requirements and the sustainability goals of Metro's building programs. Bonded Filter is the only source that provides PleatLink products.

Fiscal Note: This amendment increases the estimated contract value of the sole source contract 6545006 with Boded Filter Company LLC dba BFC Solutions for the provisions and installations of Pleatlink Filters by \$750,000 for a revised contract amount of \$1,000,000 to be paid from Fund 10101, Business Unit 1013220. However, actual expenses may be paid from various department's fund and business units when purchase orders are issued.

Sponsors: Porterfield

31. [RS2024-611](#)

A resolution approving an application for a Bipartisan Infrastructure Law (BIL) Joint Office of Energy and Transportation: Communities Taking Charge Accelerator grant from the U. S. Department of Energy to the Metropolitan Government, acting by and through the Department

of General Services, to develop a citywide fleet electrification strategic plan for infrastructure to support public and local utility fleets.

Analysis

This resolution approves an application for a Bipartisan Infrastructure Law Joint Office of Energy and Transportation: Communities Taking Charge Accelerator grant from the U.S. Department of Energy to the Department of General Services. The grant would fund a strategic plan for Metro fleet electrification and shared electric vehicle charging infrastructure. The plan would explore the feasibility of creating charging hubs and identify potential strategic locations for this infrastructure.

The application is for a grant award of \$998,125. The term of this grant would be from January 1, 2025, to December 31, 2027.

Sponsors: Porterfield, Parker, Ewing, Bradford and Welsch

32. [RS2024-612](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the claim of Michelle Mitchell on behalf of Kamari Lee Vaughn against the Metropolitan Government of Nashville and Davidson County in the amount of \$22,500, with said amount to be paid out of the Judgments and Losses Fund.

Analysis

On or around March 2, 2023, Kamari Lee Vaughn, a student at Richland Head Start, fell from a school playground after being accidentally pushed off of a jungle gym by another student. She sustained an injury to her left arm. Kamari's mother, Michelle Mitchell, was immediately notified of the incident and took Kamari to the emergency room. Kamari was diagnosed with a broken arm, which was treated with a cast. Ms. Mitchell's out-of-pocket medical expenses were \$9,871.03.

Ms. Mitchell filed a claim with the Department of Law's claim division, which was denied. Ms. Mitchell then filed a lawsuit on behalf of her daughter against the Metropolitan Government. The lawsuit seeks economic and non-economic damages "in an amount not to exceed \$500,000." Ms. Mitchell claims that her daughter was negligently supervised and that the Metropolitan Government knew or should have known of the dangerous condition posed by the jungle gym. After the injury, the jungle gym was removed and replaced with a new jungle gym.

The Department of Law recommends settlement of Ms. Mitchell's claim for \$22,500. The settlement would include a dismissal with prejudice of all of Ms. Mitchell's claims against the Metropolitan Government and its affiliates. While the Department believes the negligent supervision claim is without merit, the evidence tied to knowledge of the dangerous condition claim could lead a jury to find in Ms. Mitchell's favor. If the plaintiff prevailed at trial, the combined cost of defense and judgment would clearly exceed the proposed settlement.

Fiscal Note: The total settlement amount is \$22,500. This settlement would be 2nd payment from the Judgment and Losses Fund in FY25 for a cumulative total of \$522,500. The fund

balance would be \$20,182,479 after this payment.

Sponsors: Porterfield

33. [RS2024-613](#)

A resolution accepting a grant from the Tennessee Department of Environment and Conservation, Tennessee Historical Commission, Tennessee Wars Commission to the Metropolitan Government, acting by and through the Metropolitan Historical Commission, to provide funding for the purchase of metal detectors, associated materials for an archaeological survey, curation supplies, and supplies to support public archaeology days.

Analysis

This resolution accepts a grant from the Tennessee Department of Environment and Conservation, Tennessee Historical Commission, Tennessee Wars Commission to the Metropolitan Historical Commission in an amount not to exceed \$6,420 with a required cash match of \$2,830.20 and a required in-kind match of \$40. This grant will be used to support continued research into the archaeological record of the Battle of Nashville at Sevier Park including the purchase of metal detectors, associated materials for an archaeological survey, curation supplies, and supplies to support the public archaeology day. The term of this grant begins on July 1, 2024 and ends June 30, 2025.

Sponsors: Porterfield, Gamble, Welsch and Styles

34. [RS2024-614](#)

A resolution approving a State and Local Cybersecurity Grant Program (SLCGP) application and accepting a SLCGP grant award from the Tennessee Department of Finance and Administration, Strategic Technology Solutions, to the Metropolitan Government, acting by and through the Information Technology Services Department, to utilize cybersecurity awareness training and deploy an Endpoint Detection and Response solution.

Analysis

This resolution would approve a State and Local Cybersecurity Grant Program (“SLCGP”) application and accept a SLCGP grant award from the Tennessee Department of Finance and Administration to the Information Technology Services Department to utilize cybersecurity awareness training and deploy an Endpoint Detection and Response solution.

The grant program is part of the State and Local Cybersecurity Grant Program, which was established through the Infrastructure Investment and Jobs Act. The grant awards 9,261 licenses for Endpoint Detection and Response and 25 licenses for End User Cybersecurity Awareness in lieu of direct funding. The licenses are estimated to be worth \$1,435,825.44 over four years. No cash match is required. The grant period is from June 3, 2024, to August 31, 2026.

Sponsors: Porterfield and Bradford

35. [RS2024-615](#)

A resolution to approve the First Amendment to a grant contract for constructing affordable housing approved by RS2022-1858 between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and Mary, Queen of Angels, Inc.

Analysis

This resolution approves the first amendment to a grant contract for constructing affordable housing between the Metropolitan Housing Trust Fund Commission and Mary, Queen of Angels, Inc. as approved by Resolution No. RS2022-1858.

The original grant agreement was approved on November 15, 2022, and had a term that extended until the completion of the project or no later than 24 months after the execution of the agreement.

The amendment under consideration would extend the term of the agreement from no later than 24 months to no later than 36 months from the execution of the grant agreement. The grant amount of \$1,980,000 would not change under this amendment.

Sponsors: Porterfield, Gamble and Welsch

36. [RS2024-616](#)

A resolution to approve the Second Amendment to a grant contract for constructing affordable housing approved by RS2022-1443 between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and Clark UMC Community Development Corporation, Inc.

Analysis

This resolution approves the second amendment to a grant contract for constructing affordable housing between the Metropolitan Housing Trust Fund Commission and Clark UMC Community Development Corporation, Inc., as approved by Resolution No. RS2022-1443.

The original grant agreement allocated \$100,000 for the construction of affordable housing and had a term that extended until the completion of the project, or no later than 24 months from the execution of the agreement. The first amendment to the grant agreement was approved through Resolution No. RS2024-334 and extended the contract term from 24 to 36 months.

The Metropolitan Housing Trust Fund Commission voted to allocate an additional \$300,000 to Clark UMC Construction Development Center, Inc., to address additional Metro Water Services costs. The amendment under consideration would increase the grant amount from \$100,000 to \$400,000.

Sponsors: Porterfield, Gamble and Welsch

37. [RS2024-617](#)

A resolution to approve the Second Amendment to a grant contract for constructing affordable housing approved by RS2022-1857 between the Metropolitan Government of

Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and Thistle Farms, Inc.

Analysis

This resolution approves the second amendment to a grant contract for constructing affordable housing between the Metropolitan Housing Trust Fund Commission and Thistle Farms, Inc. as approved by Resolution No. RS2022-1857.

The original grant agreement was approved on November 15, 2022, and had a term that extended until the completion of the project or no later than 24 months after the execution of the agreement. The first amendment to the grant agreement was approved through Resolution No. RS2024-204 and removed one of the affordable housing units from the scope of the grant.

The amendment under consideration would extend the term of the agreement from no later than 24 months to no later than 36 months from the execution of the agreement. The grant amount of \$195,125 would not change under this amendment.

Sponsors: Porterfield, Gamble and Welsch

38. [RS2024-618](#)

A resolution to approve the First Amendment to a grant contract for constructing affordable housing approved by RS2022-1857 between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and Habitat for Humanity of Greater Nashville.

Analysis

This resolution approves the first amendment to a grant contract for constructing affordable housing between the Metropolitan Housing Trust Fund Commission and Habitat for Humanity of Greater Nashville as approved by Resolution No. RS2022-1857.

The original grant agreement was approved on November 15, 2022, and had a term that extended until the completion of the project or no later than 24 months after the execution of the agreement.

The amendment under consideration would extend the term of the agreement from no later than 24 months to no later than 36 months. The grant amount of \$1,980,000 would not change under this amendment.

Sponsors: Porterfield, Gamble and Welsch

39. [RS2024-619](#)

A resolution accepting the Healthy Start Initiative - Eliminating Racial/Ethnic Disparities Grant from the U.S. Department of Health and Human Services to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide a variety of services in reducing infant mortality for pregnant and parenting women.

Analysis

This resolution accepts the Healthy Start Initiative - Eliminating Racial/Ethnic Disparities Grant from the U.S. Department of Health and Human Services to the Metropolitan Board of Health in an amount not to exceed \$1,008,333 with no cash match required. This grant will be used to improve health outcomes before, during and after pregnancy, and reduce racial/ethnic differences in rates of infant death and adverse perinatal outcomes. The term of this grant begins on May 1, 2024, and ends March 31, 2025.

Sponsors: Porterfield, Evans, Ewing and Welsch

40. [RS2024-620](#)

A resolution approving amendment one to a grant from the U.S. Department of Health and Human Services to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide for the prevention, surveillance, diagnosis, and treatment of HIV/AIDS and to administer a Minority AIDS Initiative program.

Analysis

This resolution approves the first amendment to a grant from the U.S. Department of Health and Human Services to the Metropolitan Board of Health, previously approved by Resolution No. RS2024-276. The grant is used to provide for the prevention, surveillance, diagnosis, and treatment of HIV/AIDS and to administer a Minority AIDS Initiative program.

The amendment under consideration would increase the amount of the grant contract by \$3,285,020, from \$1,373,046 to \$4,658,066. Various terms and conditions were also updated in the grant agreement amendment.

Sponsors: Porterfield, Evans, Ewing, Bradford and Welsch

41. [RS2024-621](#)

A resolution accepting a grant from the Greater Nashville Regional Council to the Metropolitan Government, acting by and through the Metropolitan Social Services Commission, to provide nutrition services for older or disabled adults and transportation services for eligible persons.

Analysis

This resolution accepts a grant from the Greater Nashville Regional Council ("GNRC") to the Metropolitan Social Services Commission in an amount not to exceed \$981,246 with a required cash match of \$95,130.55. This grant will be used to continue providing the meals for the elderly through the Meals on Wheels program and at congregate sites throughout Nashville. This grant has been provided by the GNRC for over 30 years. The grant period begins on July 1, 2024, and ends on June 30, 2025.

Sponsors: Porterfield, Evans, Ewing and Welsch

42. [RS2024-622](#)

A resolution accepting 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 the software system vendor, purchase additional user licenses when needed, and continue integrating data from the Nashville Rescue Mission.

Analysis

This resolution accepts a Homeless Management Information System (“HMIS”) grant from the U.S. Department of Housing and Urban Development to the Office of Homeless Services. 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 and Welsch

43. [RS2024-623](#)

A resolution accepting a Coordinated Entry Process 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 support the work of Coordinated Entry through planning, implementation, process improvement, program evaluation, and community education.

Analysis

This resolution accepts a Coordinated Entry Process grant from the U.S. Department of Housing and Urban Development to the Office of Homeless Services. The grant would help fund the position of Coordinated Entry Special Project Coordinator to help strengthen access to coordinated entry for individuals. The grant would also support coordinated entry work through planning, implementation, process improvement, program evaluation, and community education.

The grant award is an amount not to exceed \$128,000 with a required cash match of \$32,000. The grant term is from October 1, 2024, to September 30, 2025.

Sponsors: Porterfield, Evans and Welsch

44. [RS2024-624](#)

A resolution accepting a grant from the Tennessee State Library and Archives to the Metropolitan Government, acting by and through the Nashville Public Library, to target library materials to persons having difficulty using a library and to the underserved, to provide special services to children and young people, and to promote general education support services.

Analysis

This resolution accepts a grant from the Tennessee State Library and Archives to the Nashville Public Library to target materials to persons having difficulty using a library, to provide special services to children and young people, and to promote general education support services.

The grant award is an amount not to exceed \$430,500 with no cash match required. The grant term begins on July 1, 2024, and ends on June 30, 2025.

Sponsors: Porterfield, Styles, Ewing and Welsch

45. [RS2024-625](#)

A resolution approving a grant contract between the Metropolitan Government of Nashville and Davidson County and the Conservancy for the Parthenon and Centennial Park, as fiscal agent for Celebrate Nashville, a 501(c)(3) organization, to provide cultural event management services.

Analysis

This resolution approves a grant contract between the Metropolitan Government and the Conservancy for the Parthenon and Centennial Park, as fiscal agent for Celebrate Nashville, a 501(c)(3) organization.

The grant agreement would allocate \$120,000 to the Conservancy for the Parthenon and Centennial Park, which would use the funds as Celebrate Nashville's fiscal agent to provide cultural event management services and festival coordination for the Celebrate Nashville event. The term of the grant is from August 1, 2024, through August 1, 2026.

Fiscal Note: The Metropolitan Government would provide \$120,000 to the Conservancy for the Parthenon and Centennial Park for the performance of this grant contract.

Sponsors: Porterfield, Styles and Welsch

46. [RS2024-626](#)

A resolution approving an application for a Paul Coverdell Forensic Science Improvement Grant from the U. S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department.

Analysis

This resolution approves an application for a Paul Coverdell Forensic Science Improvement Grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance to the Metropolitan Nashville Police Department ("MNPD"). This grant would fund the outsourcing of sexual assault kits and assist the crime laboratory in providing forensic DNA analysis in a timely and efficient manner. The application is for a grant award of \$250,000.

Sponsors: Porterfield, Evans and Bradford

47. [RS2024-627](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Afni, Inc. as subrogee of Great Northern Insurance Company against the Metropolitan Government for \$22,635.97, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On September 27, 2023, a Metropolitan Nashville Police Department (“MNP”) officer was driving north on Briley Parkway when he veered out of his lane and struck a US Med-Equip vehicle in the next lane. The US Med-Equip vehicle suffered damage to the driver’s side door and rear bumper. The repair estimates exceeded the NADA book value of the cargo van, which was declared a total loss.

The Department of Law recommends settlement of the property damage claim of Afni, Inc., as subrogee of Great Northern Insurance Company, for \$22,635.97.

The MNP officer involved in the collision has disciplinary action pending based on supervisory review.

Fiscal Note: The total settlement amount is \$22,635.97. This settlement along with Resolution Nos. RS2024-631 and RS2024-635 would be the 1st, 2nd, and 3rd payment from the Self-Insured Liability Fund in FY25 for a cumulative total of \$203,386. The fund balance would be \$15,013,389 after this payment.

Sponsors: Porterfield

48. [RS2024-628](#)

A resolution accepting a Healthy Built Environment grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), to assist in funding the Antioch Pike Tactical Urbanism project to facilitate pedestrian safety, social interaction, and improved streetscapes.

Analysis

This resolution accepts a Healthy Built Environment grant award from Tennessee Department of Health to the Nashville Department of Transportation and Multimodal Infrastructure to assist in funding the Antioch Pike Tactical Urbanism program.

The program would help fund various tactical urban interventions along Antioch Pike, which would facilitate pedestrian safety, social interaction, and improved streetscapes. The funding would also be directed toward hosting an Open Streets event to convene residents, businesses, students, and other community members in a car-free block party environment.

The grant award is an amount not to exceed \$80,000 with no cash match. The grant term begins on July 1, 2024, and ends on June 30, 2026.

Sponsors: Porterfield, Parker, Welsch, Evans-Segall, Kupin and Ewing

49. [RS2024-629](#)

A resolution approving an application for a Multimodal Access Grant from the Tennessee Department of Transportation to the Metropolitan Government, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), to provide funding for the Dickerson Pike Pedestrian Crossing project to improve pedestrian safety by

providing safer routes for those who rely on walking so residents can access local businesses.

Analysis

This resolution approves an application from the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) to the Tennessee Department of Transportation (“TDOT”) for a Multimodal Access Grant.

The grant would help fund the Dickerson Pike Pedestrian Crossing Project, which would implement high visibility crosswalks, clearly defined pavement markings, and pedestrian hybrid beacons.

If the application is approved, the award would be \$859,476.60 with a local match of \$95,497.40. The grant term would be from February 1, 2025, to February 1, 2029.

Sponsors: Porterfield, Parker, Ewing and Welsch

50. [RS2024-630](#)

A resolution approving an application for an Active Transportation Infrastructure Investment Program (ATIIP) grant from the U.S. Department of Transportation to the Metropolitan Government, acting by and through the Nashville Department of Transportation & Multimodal Infrastructure (NDOT), to address critical barriers to mobility and economic vitality by integrating dedicated bikeways and pedestrian pathways to ensure safe, seamless travel for all residents of Davidson County.

Analysis

This resolution approves an application for an Active Transportation Infrastructure Investment Program grant from the U.S. Department of Transportation to the Nashville Department of Transportation and Multimodal Infrastructure. The grant would help fund the construction of major separated bike lanes, which would include the installation of necessary pavement markings, signs, and delineators.

The bike lanes would be installed as part of the East Nashville Spokes Project at: Union Street from 2nd Avenue North to 1st Avenue North, Woodland Street from 1st Avenue North to South 11th Street, South 5th Street from Woodland Street to Davidson Street, and South 10th Street from Woodland Street to Sevier Street.

The application is for a grant award of \$9,362,389.30 with a required cash match of \$7,660,136.70.

Sponsors: Porterfield, Parker, Ewing and Welsch

51. [RS2024-631](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Michael Cook against the Metropolitan Government for \$140,000, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On September 14, 2023, a Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) truck was travelling east on Briley Parkway while pulling a skid loader on a trailer. As traffic slowed down, the vehicle directly in front of the NDOT truck stopped. The NDOT driver could not stop in time and collided with that vehicle, causing a chain reaction with three vehicles. The second vehicle was pushed into the rear of Michael Cook’s vehicle, which was pushed into the rear of the lead vehicle. The police report, vehicle damage, and resting location of the vehicles indicated that the NDOT driver failed to maintain proper distance and control of the truck. Mr. Cook’s vehicle was declared a total loss, and Mr. Cook was previously paid \$5,000.

Following the wreck, Mr. Cook reported headaches, chest pain, and soreness. He was taken by ambulance to the emergency room. Mr. Cook also sought additional medical treatment on October 6, 2023, and from November 14, 2023, through January 29, 2024. An x-ray and CT scan indicated a dislocated medial clavicle, and Mr. Cook was successfully treated for his injury.

The Department of Law recommends settlement of Mr. Cook’s personal injury claims for \$140,000.

Disciplinary action against the NDOT driver consisted of a written reprimand.

Fiscal Note: The total settlement amount is \$140,000. This settlement along with Resolution Nos. RS2024-627 and RS2024-635 would be the 1st, 2nd, and 3rd payment from the Self-Insured Liability Fund in FY25 for a cumulative total of \$203,386. The fund balance would be \$15,013,389 after this payment.

Sponsors: Porterfield

52. [RS2024-632](#)

A resolution authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main and sanitary sewer manhole, and to accept new public sanitary sewer main and sanitary sewer manholes, for property located at 1309 5th Avenue North, also known as 5th & Monroe Townhomes (MWS Project No. 23-SL-139 and Proposal No. 2024M-084ES-001).

Analysis

This resolution abandons approximately 110 linear feet of existing eight-inch sanitary sewer main (VCP) and one sanitary sewer manhole and accepts approximately 165 linear feet of new eight-inch sanitary sewer main (PVC) and three new sanitary sewer manholes for property located at 1309 5th Avenue North, also known as 5th & Monroe Townhomes.

Tennessee Code Annotated § 7-35-406(a)(2) and Ordinance No. BL2024-345 allows the Metropolitan Department of Water and Sewerage Services to approve extensions, additions, or works by resolution of the Metropolitan Council.

This proposal has been approved by the Planning Commission.

Sponsors: Kupin, Gamble and Parker

53. [RS2024-633](#)

A resolution authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main, and to accept new public sanitary sewer main and sanitary sewer manhole, for property located at 601 Lafayette Street (MWS Project No. 23-SL-165 and Proposal No. 2024M-092ES-001).

Analysis

This resolution abandons approximately 22 linear feet of existing eight-inch sanitary sewer main (PVC) and accepts approximately 22 linear feet of new 12-inch sanitary sewer main (DIP) and one sanitary sewer manhole for property located at 601 Lafayette Street.

Tennessee Code Annotated § 7-35-406(a)(2) and Ordinance No. BL2024-345 allows the Metropolitan Department of Water and Sewerage Services to approve extensions, additions, or works by resolution of the Metropolitan Council.

This proposal has been approved by the Planning Commission.

Sponsors: Kupin, Gamble and Parker

54. [RS2024-634](#)

A resolution to amend Ordinance No. BL2024-368 to authorize The Metropolitan Government of Nashville and Davidson County to abandon public water main, and to accept public water main, for property located at 311 3rd Avenue South, also known as Motto Hotel Revision 1, (MWS Project Nos. 24-WL-07 and 24-SL-42 and 2024M-053ES-002).

Analysis

Ordinance No. BL2024-368 was approved by the Metropolitan Council on June 7, 2024. The ordinance authorized the acceptance of approximately 127 linear feet of new eight-inch water main (DIP), two new fire hydrant assemblies and one new sanitary sewer manhole, for property located at 311 3rd Avenue South, also known as Motto Hotel. BL2024-368 provided that amendments to this ordinance may be approved by resolution.

The resolution under consideration would amend BL2024-368 to abandon approximately 54 linear feet of existing 12-inch water main (DIP) and accept approximately 65 linear feet of new 12-inch water main (DIP) at the same property.

These changes have been approved by the Planning Commission.

Sponsors: Kupin, Gamble and Parker

55. [RS2024-635](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Zayo Group, LLC against the Metropolitan Government of Nashville

and Davidson County in the amount of \$40,750.00, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On August 17, 2023, Metro Stormwater employees were redefining a ditch when they cut a marked, underground fiber optic cable belonging to Zayo Group, LLC. This caused a service outage for the company at 2119 Antioch Pike. Pictures from the incident show the line to be marked in the roadway.

The Department of Law recommends settlement of Zayo Group, LLC's property damage claim for \$40,750.

Disciplinary actions against the Metro employees involved are pending based on supervisory review.

Fiscal Note: The total settlement amount is \$40,750. This settlement along with Resolution Nos. RS2024-627 and RS2024-631 would be the 1st, 2nd, and 3rd payment from the Self-Insured Liability Fund in FY25 for a cumulative total of \$203,386. The fund balance would be \$15,013,389 after this payment.

Sponsors: Porterfield

O. Bills on Second Reading

85. [BL2024-426](#)

An ordinance amending Section 15.64.140 of the Metropolitan Code of Laws pertaining to the review of a grading permit and drainage plan.

Analysis

This ordinance amends section 15.64.140 of the Metropolitan Code regarding the review of grading permit and drainage plans. The existing code requires property developers to submit detailed grading and drainage plans as part of the development process.

The bill provides for a Council Member to initiate the review of a grading and draining plan by submitting a written request to the director of the Department of Water and Sewerage Services. Written notice of the review would then be sent to the zoning administrator, the property owner, and the district council member within five business days of the initiation.

The MWS department director or a designee must determine within 30 days of the initiation whether grading activity, including excavation, clearance, or other alteration of the landscape, complies with the requirements of the bill and the applicable grading and drainage plan.

Grading activity is not in compliance when the following factors are established: (1) a grading and drainage plan was approved and active for more than 60 days, and unauthorized by fill from off-site activity has been brought to and stored on the site, or (2) no building permit or use

and occupancy permit has been issued for the site by the department of codes administration.

The department director or designee shall revoke the grading and drainage plan if the activity is found to be out of compliance. Grading activity may commence or continue in line with the existing plan if the activity is found to be in compliance. The Department of Water and Sewerage Services shall not review any building permit application if a grading permit and drainage plan is under review until the site is found to be in compliance with this section.

Sponsors: Kimbrough

86. [BL2024-441](#)

An ordinance to amend Section 16.24.340 of the Metropolitan Code of Laws regarding algae, moss, mildew, lichen, and fungus.

Analysis

This ordinance, as substituted, amends Section 16.24.340 of the Metropolitan Code of Laws, which provides the minimum standards for exteriors of buildings and structures. This ordinance would require that all exterior walls be kept free of algae, moss, mildew, lichen, and fungus. In addition, all roofs would also be required to be kept free of algae, moss, mildew, lichen, and fungus.

Sponsors: Styles

87. [BL2024-468](#)

An ordinance amending Metropolitan Code of Laws § 2.24.250.

Analysis

This ordinance amends Metropolitan Code of Laws Section 2.24.250.F, which regulates the purchase of land by the Metropolitan Government for purposes other than for rights-of-way for highways, streets, roads, alleys, and other places for vehicular traffic.

Under current law, Metropolitan Code of Laws Section 2.24.240.I regulates the acquisition of real estate to be used as a site for the construction or relocation of a public school. This provision requires the adoption of an ordinance which, prior to second reading, must have a public hearing. The public hearing must be noticed by the Metropolitan Planning Commission in two newspapers of general circulation at least 15 days prior to the public hearing, written notice of the public hearing must be sent to the district Councilmember and members of the Board of Education, and a sign must be placed at the site in the same manner as provided in Article XV of Chapter 17.40 and Section 17.08.030 of the Metropolitan Code. The public hearing must be held in the Council chambers but need not be held during a regular Council meeting.

The ordinance under consideration would allow for real estate being purchased for school purposes to fall under Metropolitan Code of Laws Section 2.24.250.F. This provision provides that, when the Metropolitan Government is purchasing property other than for right-of-way, an option agreement must be negotiated with the property owner for the purchase of the property

at a fixed price. The property cannot be purchased until the Council approves the option agreement by resolution. The ordinance under consideration would provide that property acquired for school purposes could not be approved until a public hearing is held as provided in Metropolitan Code of Laws Section 2.24.240.I.

Sponsors: Porterfield

88. [BL2024-470](#)

An ordinance to amend Section 6.64.040 of the Metropolitan Code of Laws regarding the no-solicitation list for commercial solicitations.

Analysis

This ordinance amends Metropolitan Code of Laws Section 6.64.040 regarding the no-solicitation list for commercial solicitations.

Chapter 6.64 of the Metropolitan Code of Laws regulates commercial solicitors who engage in door-to-door solicitation. These commercial solicitors must obtain a permit and identification badge from the Metropolitan Clerk. Residents of the Metropolitan Government may prohibit door-to-door commercial solicitation, other than the sale of books and other expressive works, at their residence by registering their address for the no-solicitation list with the Metropolitan Clerk.

Under current law, Metropolitan Code of Laws Section 6.64.040.D provides that each residential address on the no-solicitation list remains on the list for 365 days from the date it was submitted to the Clerk.

The ordinance under consideration would extend the duration for an address to remain on the no-solicitation list from 365 days to two years from the date it was submitted to the Clerk. In addition, no later than 30 days prior to the expiration of the two-year period, the Clerk would be required to provide notice to a residential address of the upcoming expiration and potential removal of the address from the no-solicitation list.

Sponsors: Huffman

89. [BL2024-471](#)

An ordinance approving an agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Public Defender, and Lipscomb University, to provide training and education for students enrolled in Lipscomb's Department of Social Work and Sociology program.

Analysis

This resolution approves an agreement between Lipscomb University and the Metropolitan Nashville Public Defender to provide training and education for students enrolled in Lipscomb's Department of Social Work and Sociology program. The term of the agreement is for five years. Either party may terminate the agreement upon 90 days' written notice. Lipscomb is required to provide assurance that the students are covered by professional liability insurance

and agrees to assume responsibility for its students participating in the program.

Fiscal Note: The students would receive no compensation of any kind from the Metropolitan Government and would not be considered Metro employees.

Sponsors: Porterfield, Welsch and Ellis

90. [BL2024-472](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public utility easement rights, for the specific area of property located at 2121 Crestmoor Road (Proposal No. 2024M-078ES-001).

Analysis

This ordinance abandons easement rights for an existing 15-foot public utility easement for property located at 2121 Crestmoor Road.

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

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

Sponsors: Ewing, Gamble and Parker

91. [BL2024-473](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main and sanitary sewer manhole, and to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and associated easements, for four properties located on West Heiman Street (MWS Project Nos. 22-WL-146 and 22-SL-297 and Proposal No. 2024M-079ES-001).

Analysis

This ordinance abandons approximately 334 linear feet of existing eight-inch sanitary sewer main and one sanitary sewer manhole and accepts approximately 1,341 linear feet of new six-inch water main (DIP), approximately 2,255 linear feet of new eight-inch sanitary sewer main (PVC), three new fire hydrant assemblies, 16 new sanitary sewer manholes and easements for four properties located at 2404, 2500, 2518 West Heiman Street and West Heiman Street (unnumbered).

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance shall 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: Taylor, Gamble and Parker

92. [BL2024-474](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer mains, sanitary sewer manholes and easements, for two properties located at West Division Street (unnumbered) in Mt. Juliet, Wilson County, also known as the Canebrake Subdivision - Phase 2A (MWS Project No. 23-SL-141 and Proposal No. 2024M-081ES-001).

Analysis

This ordinance accepts approximately 1,804 linear feet of new eight-inch sanitary sewer main (PVC), approximately 880 linear feet of new eight-inch sanitary sewer mains (DIP), 15 new sanitary sewer manholes and easements for two properties located at West Division Street (unnumbered) in Mt. Juliet, Wilson County, also known as the Canebrake Subdivision - Phase 2A.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance shall 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: Gamble and Parker

93. [BL2024-475](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main, sanitary sewer manhole and easement, and to accept new public water and sanitary sewer mains, new public fire hydrant assembly, new public sanitary sewer manholes and easements, for two properties located at 3600 Abbott Martin Road and Abbott Martin Road (unnumbered), also known as Martin Reserve, (MWS Project Nos. 23-WL-095 and 23-SL-264 and Proposal No. 2024M-082ES-001).

Analysis

This ordinance abandons approximately eight linear feet of existing eight-inch sanitary sewer main, one sanitary sewer manhole and easement, and accepts approximately 425 linear feet of new six-inch water main (DIP), approximately 362 linear feet of new eight-inch sanitary sewer main (PVC), one new fire hydrant assembly, five new sanitary sewer manholes and easements for two properties located at 3600 Abbott Martin Road and Abbott Martin Road (unnumbered), also known as Martin Reserve.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance shall 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: Ewing, Gamble and Parker

P.**Bills on Third Reading**

98. [BL2024-344](#)

An ordinance to amend Section 2.147.030 of the Metropolitan Code regarding the selection of members to the Nashville Music, Film, & Entertainment Commission.

Analysis

This ordinance amends Section 2.147.030 of the Metropolitan Code of Laws. As amended, this one member of the Nashville Music, Film, & Entertainment Commission (“NMFEC”) would be selected by the Nashville Songwriters Association International (“NSAI”) membership and confirmed by the Metropolitan Council.

The NSAI member appointed to the NMFEC would take the place of the NMFEC member that was to be selected by the Recording Academy Nashville Chapter. This position has not been filled since the MNFEC was established.

Sponsors: Styles, Kupin, Eslick, Vo, Ewing and Welsch

99. [BL2024-391](#)

An ordinance amending Chapter 13.08 of the Metropolitan Code of Laws to authorize the Nashville Department of Transportation and Multimodal Infrastructure to establish, administer and enforce, and the Traffic and Parking Commission to regulate, a permitting program to regulate food, beverage, and merchandise vending from trucks or other motor vehicles within the public right-of-way.

Analysis

This ordinance would authorize the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) to establish a truck vending permit program that would allow vendors to operate, park, and sell food, beverages, and other merchandise within the public right of way owned by the Metropolitan Government (“Metro”). The ordinance also authorizes the Traffic and Parking Commission to establish rules and regulations to govern the truck vending permit program.

This legislation codifies a pilot program first established by NDOT in 2012 where the department issued temporary permits to mobile food vendors who wished to sell food or beverages from a vehicle capable of movement or a licensed trailer behind a motor vehicle. The pilot program remains in place, and the increase for trucks selling food and merchandise led to a desire for a permanent regulatory scheme.

The ordinance under consideration would authorize NDOT to oversee and issue truck vending permits to allow vendors to operate, park, and sell food, beverages, and other merchandise, from trucks or other motor vehicles within Metro’s public rights-of-way. The Traffic and Parking Commission would be authorized to establish rules and regulation to govern the truck vending permit program. Vendors without a permit would be subject to all applicable penalties for violations of the Metro Code.

According to the recitals of the resolution, NDOT’s truck vending program would allow for

permits to be issued for no more than one year, and would be eligible for annual renewal. Other Metro departments, including the Health Department, the Fire Marshal, the Codes Department, Water Services, the Planning Department, and the County Clerk's office, would assist in the review and approval of truck vending permit application prior to their issuance. NDOT Parking Enforcement would be tasked with enforcing the codes and any rules and regulations.

The Traffic and Parking Commission voted to recommend this ordinance to the Metropolitan Council during its May 13 meeting.

Sponsors: Evans-Segall, Parker, Welsch and Kupin

102. [BL2024-442](#)

An ordinance approving Amendment Number 1 to the contract between the Metropolitan Government of Nashville and Davidson County ("Metro") and Comcast Business Communications, LLC ("Comcast"), for managed and unmanaged telecommunications services.

Analysis

This ordinance approves the first amendment to a contract between the Metropolitan Government and Comcast Business Communications, LLC ("Comcast") for managed and unmanaged telecommunications services.

In April 2018, Metro issued a request for proposals for managed and unmanaged telecommunications services. Comcast, AT&T Corp. ("AT&T"), and Level 3 Communications, LLC ("Level 3"), among others, were notified of Metro's intent to award contracts to them, contingent upon successful contract negotiations. Contract negotiations with each company concluded at different times and resulted in different expiration dates.

Metro's contract with AT&T began on April 17, 2022, and was set to expire on April 16, 2024. Ordinance No. BL2024-295 approved a contract amendment that extended the end date of the contract with AT&T from April 16, 2024, to August 21, 2028. Metro's contract with Level 3 began on August 22, 2023, and expires on August 21, 2028.

Metro's contract with Comcast began on July 2, 2021, and is set to expire on July 1, 2026. Metro and Comcast desire to amend this contract to have the same end date as the contracts with AT&T and Level 3 and to increase the value of the contract accordingly.

The amendment under consideration extends the end date of the contract from July 1, 2026, to August 21, 2028. Because the amended contract allows for a total term in excess of 60 months, Metropolitan Code of Laws Section 4.12.160.B requires Council approval by ordinance. The estimated contract value would be increased by \$3,500,000, from \$15,000,000 to \$18,500,000.

The amendment also 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 value of contract 435302 with Comcast Business Communications, LLC for managed and unmanaged telecommunications services by \$3,500,000 for a revised contract amount of \$18,500,000 to be paid from Fund 51137, Business Unit 14521121. However, actual expenses may be paid from various department's fund and business units when purchase orders are issued.

Sponsors: Porterfield and Bradford

103. [BL2024-443](#)

An ordinance approving a greenway conservation easement between the Metropolitan Government of Nashville and Davidson County, through the Metropolitan Board of Parks and Recreation, and the Baltz family for greenway improvements at 4800 Buena Vista Pike, 4804 Buena Vista Pike and 4808 Buena Vista Pike. (Proposal No.2024M-029AG-001).

Analysis

This ordinance accepts four greenway conservation easements for property located at 4800 Buena Vista Pike, 4804 Buena Vista Pike and 4808 Buena Vista Pike, owned by the Baltz family. The easements contain approximately 6.477 acres.

Pursuant to Tennessee Code Annotated section 66-9-305 and Metropolitan Charter section 2.01, the Metropolitan Government may accept donations of property interests for the purpose of establishing greenways and providing the public with recreational opportunities in natural areas.

This ordinance has been approved by the Planning Commission.

Fiscal Note: There is no cost to Metro to acquire this easement.

Sponsors: Toombs, Porterfield, Styles, Gamble, Parker, Welsch, Allen and Evans-Segall

104. [BL2024-444](#)

An ordinance approving a greenway conservation easement between the Metropolitan Government of Nashville and Davidson County, through the Metropolitan Board of Parks and Recreation, and Rock Nashville Properties, LLC for greenway improvements at 3200 Whites Creek Pike (Proposal No. 2024M-030AG-001).

Analysis

This ordinance accepts a greenway conservation easement for property located at 3200 Whites Creek Pike, owned by Rock Nashville Properties, LLC. The easement contains approximately 11.639 acres.

Pursuant to Tennessee Code Annotated section 66-9-305 and Metropolitan Charter section 2.01, the Metropolitan Government may accept donations of property interests for the purpose of establishing greenways and providing the public with recreational opportunities in natural areas.

This ordinance has been approved by the Planning Commission.

Fiscal Note: There is no cost to Metro to acquire this easement.

Sponsors: Toombs, Porterfield, Styles, Gamble, Parker, Welsch and Evans-Segall

105. [BL2024-445](#)

An ordinance approving a contract between the Metropolitan Government of Nashville and Davidson County and Tycowa LLC for marketing and distribution of biosolid pellets for Metro Water Services.

Analysis

This ordinance approves a contract between the Metropolitan Government and Tycowa LLC to market and distribute biosolid pellets for Metro Water Services.

Per the agreement, Tycowa LLC agrees to provide all materials, equipment, services, supervision and labor required for marketing, transportation, storage, distribution, disposal, and beneficial reuse of the Class A Excellent Quality biosolids produced by Metro Water Services. Tycowa LLC was awarded the contract after a request for proposal. The contract would replace an expiring five-year contract between the parties.

The estimated contract value is \$14,000,000. The contract term is 120 months from the date which the agreement is approved by all parties and filed with the Clerk's office. Section 4.12.160(A) of the Metropolitan Code limits the term of contracts for services to 60 months, unless otherwise authorized by the Metropolitan Council.

Amendments to this ordinance may be approved by resolution.

Fiscal Note: The estimated value of contract 6568102 with Tycowa, LLC for marketing and distribution of biosolid pellets is \$14,000,000 to be paid from Fund 67331, Business Unit 65558320. However, actual expenses may be paid from various department's fund and business units when purchase orders are issued.

Sponsors: Porterfield, Parker, Welsch and Styles

106. [BL2024-446](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon easement rights, for property located at 210 South 10th Street, formerly a portion of Alley No. 286 (Proposal No. 2024M-076ES-001).

Analysis

This ordinance abandons easement rights that were retained by Council Bill No. O64-259 for existing utilities for property located at 210 South 10th Street, formerly a portion of Alley No. 286. The abandonment was requested by the owner, Richland Building Partners, LLC.

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

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

Sponsors: Capp, Gamble and Parker

107. [BL2024-447](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer mains, new sanitary sewer manholes and easements, for property located on Fly Road (unnumbered) in Williamson County, also known as Storyvale Section 1(MWS Project No. 23-SL-028 and Proposal No. 2024M-077ES-001).

Analysis

This ordinance accepts approximately 4,502 linear feet of new eight-inch sanitary sewer main (PVC), approximately 935 linear feet of new eight-inch sanitary sewer main (DIP), 24 new sanitary sewer manholes and associated easements, for property located on Fly Road (unnumbered) in Williamson County, also known as Storyvale Section 1.

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