



Metropolitan Council

**PROPOSED AMENDMENTS PACKET
FOR THE COUNCIL MEETING OF
TUESDAY, MARCH 16, 2021**

AMENDMENT NO. ____
TO
RESOLUTION NO. RS2021-805

Mr. President –

I hereby move to amend Resolution No RS2021-805, as amended, by amending the last recital to read as follows:

WHEREAS, the Metropolitan Council desires to reduce the financial impact of the winter storm to the extent it compounded difficulty in making tax payments and ~~may have~~ resulted in ~~delayed~~ payments, that would otherwise have been timely, ~~arriving at~~ to the Office of the Trustee during the first five days of March, 2021.

INTRODUCED BY:

Kyonzte Toombs
Member of Council

AMENDMENT NO. ____
 TO
 RESOLUTION NO. RS2021-809

Mr. President –

I hereby move to amend Resolution No. RS2021-809 by modifying Section 1 as shown below:

Section 1: That the following amounts from the Undesignated Fund Balance of the General Fund of the General Services District is hereby appropriated:

PRIMARY EXPENDITURE ACCOUNT #	ACCOUNT DESCRIPTION	AMOUNT
01101301 01101308.531000	Administrative – Transfer to Self-Insured Fund	\$7,600,000
01101301.505950	Administrative - Insurance Premiums	1,831,800
01101646.531180	Administrative - Fairgrounds Subsidy	2,140,300
01101998.502611	Administrative - MDHA TIF (GSD)	\$1,338,400
	TOTAL	\$12,910,500

SPONSORED BY:

 Kyontzé Toombs
 Member of Council

Resolution No. _____

A resolution accepting a grant from State Farm to The Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Fire Department, for the acquisition and training of an accelerant detection canine team.

WHEREAS, State Farm has awarded a grant, with an estimated value not to exceed \$25,000.00 with no cash match required, to The Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Fire Department, for the acquisition and training of an accelerant detection canine team, a copy of which grant is attached hereto; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that this grant be accepted.

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

Section 1. That the grant by and between State Farm, with an estimated value not to exceed \$25,000.00, and The Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Fire Department, for the acquisition and training of an accelerant detection canine team, a copy of which grant is attached hereto and incorporated herein, is hereby approved.

Section 2. That the amount of this grant be appropriated to the Nashville Fire Department based on the revenues estimated to be received and any match to be applied.

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

APPROVED AS TO AVAILABILITY OF FUNDS:

INTRODUCED BY:

DocuSigned by:

Kevin Crumboltz

Kevin Crumbo, Director
Department of Finance

Kyonte Jones

APPROVED AS TO FORM AND LEGALITY:

Member(s) of Council

DocuSigned by:

Phylinda Ramsey

Assistant Metropolitan Attorney

GRANT SUMMARY SHEET

Grant Name: State Farm Arson Dog Program 21-21

Department: FIRE DEPARTMENT

Grantor: STATE FARM

**Pass-Through Grantor
(If applicable):**

Total Award this Action: \$25,000.00

Cash Match \$0.00

Department Contact: Leigh Anne Burtchaell
862-6364

Status: CONTINUATION

Program Description:

NFD was awarded a \$25,000 scholarship to the State Farm Arson Dog Program. NFD did not apply for this scholarship. Upon successful completion of the all expenses paid 4 week training program, NFD will receive a certified Arson Dog. The training begins April 4, 2021.

Plan for continuation of services upon grant expiration:

Expenses will be funded through NFD operating budget.

Grants Tracking Form

Part One

Pre-Application <input type="radio"/>		Application <input type="radio"/>		Award Acceptance <input checked="" type="radio"/>		Contract Amendment <input type="radio"/>	
Department	Dept. No.	Contact			Phone	Fax	
FIRE DEPARTMENT	032	Leigh Anne Burtchaell			862-6364	214-3680	
Grant Name:	State Farm Arson Dog Program 21-21						
Grantor:	STATE FARM	Other:					
Grant Period From:	03/09/21	<small>(applications only)</small> Anticipated Application Date:					
Grant Period To:	06/30/21	<small>(applications only)</small> Application Deadline:					
Funding Type:	CORPOR	Multi-Department Grant <input type="checkbox"/>		If yes, list below.			
Pass-Thru:		Outside Consultant Project: <input type="checkbox"/>					
Award Type:	OTHER	Total Award:		\$25,000.00			
Status:	CONTINUATION	Metro Cash Match:		\$0.00			
Metro Category:	Est. Prior.	Metro In-Kind Match:		\$0.00			
CFDA #	N/A	Is Council approval required?		<input checked="" type="checkbox"/>			
Project Description:	Applic. Submitted Electronically? <input type="checkbox"/>						
<p>NFD was awarded a \$25,000 scholarship to the State Farm Arson Dog Program. NFD did not apply for this scholarship. Upon successful completion of the all expenses paid 4 week training program, NFD will receive a certified Arson Dog. The training begins April 4, 2021.</p>							
Plan for continuation of service after expiration of grant/Budgetary Impact:							
Expenses will be funded through NFD operating budget.							
How is Match Determined?							
Fixed Amount of \$		or		% of Grant		Other: <input type="checkbox"/>	
Explanation for "Other" means of determining match:							
For this Metro FY, how much of the required local Metro cash match:							
Is already in department budget?				Fund	Business Unit		
Is not budgeted?				Proposed Source of Match:			
(Indicate Match Amount & Source for Remaining Grant Years in Budget Below)							
Other:							
Number of FTEs the grant will fund:		0.00		Actual number of positions added:		0.00	
Departmental Indirect Cost Rate		29.54%		Indirect Cost of Grant to Metro:		\$7,385.00	
*Indirect Costs allowed? <input type="radio"/> Yes <input checked="" type="radio"/> No		% Allow.		Ind. Cost Requested from Grantor:		\$0.00 in budget	
<small>*(If "No", please attach documentation from the grantor that indirect costs are not allowable. See Instructions)</small>							
Draw down allowable? <input type="checkbox"/>							
Metro or Community-based Partners:							

Part Two

Grant Budget

Budget Year	Metro Fiscal Year	Federal Grantor	State Grantor	Other Grantor	Local Match Cash	Match Source (Fund, BU)	Local Match In-Kind	Total Grant Each Year	Indirect Cost to Metro	Ind. Cost Neg. from Grantor
Yr 1	FY21			\$25,000.00				\$25,000.00	\$0.00	\$0.00
Yr 2	FY									
Yr 3	FY									
Yr 4	FY									
Yr 5	FY									
Total		\$0.00	\$0.00	\$25,000.00	\$0.00		\$0.00	\$25,000.00	\$0.00	\$0.00
Date Awarded:				03/09/21	Tot. Awarded:		\$25,000.00	Contract#: N/A		
(or) Date Denied:					Reason:					
(or) Date Withdrawn:					Reason:					

Contact: trinity.weathersby@nashville.gov
vaughn.wilson@nashville.gov

VW

From: Hutchison, Lawrence (NFD) [Lawrence.Hutchison@nashville.gov]
To: Burtchaell, Leigh Anne (NFD-ADM) [LeighAnne.Burtchaell@nashville.gov]
Subject: Fwd: State Farm Arson Dog Program Scholarship notification - April 2021 class
Sent: Tue 3/9/2021 8:45 AM GMT-08:00
Importance: Normal

From: Heather Paul <heather.paul.jaw8@statefarm.com>
Sent: Tuesday, March 9, 2021 9:54 AM
To: Hutchison, Lawrence (NFD)
Cc: 'Paul and Wendy Gallagher (mainek9@aol.com)'
Subject: State Farm Arson Dog Program Scholarship notification - April 2021 class

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

March 9, 2021

Fire Marshal Lawrence Hutchison
Nashville Fire Department

Fire Marshal Hutchison:

Congratulations! Your department has been selected to receive a scholarship for the State Farm® Arson Dog Program in 2021. State Farm and Maine Specialty Dogs would like to invite you to participate in the spring class scheduled for April 5-30, 2021 in Concord, New Hampshire. We understand that the Nashville Fire Department is finalizing the handler who would attend training should the City of Nashville accept the scholarship.

The State Farm scholarship includes all training fees, acquisition of the dog and lodging during the training, food during training for the dog and handler, certification, and transportation expenses to and from the training facility in Concord, NH. The estimated value of this scholarship is \$25,000. State Farm will assist you and your department with travel arrangements. Information on travel assistance and details of the arson dog school will be sent once class attendance are confirmed.

If the handler decides to fly to and from training, the airlines will require a letter on the City of Nashville or Fire Department letterhead stating the dog and handler are a working canine team with the Nashville Fire Department and they are on official duty. This will allow the dog to fly in cabin with the handler on the airplane instead of cargo.

As stated in the application, once the team graduates from the school, yearly maintenance, care and upkeep of the K-9 is the responsibility of the department. This would include yearly recertification training. Please let us know if you have any questions regarding the training, the scholarship, re-certifications or need any other information regarding the program.

Please confirm your acceptance of the scholarship by March 19, 2021. Additional information about the class and arranging for travel to training will be sent out once we have received your acceptance.

I can be reached by e-mail at heather.paul.jaw8@statefarm.com <<mailto:heather.paul.jaw8@statefarm.com>> or by phone at (309) 766-0922 if you have any questions. You can also review information at the website - www.arsondog.org <<http://www.arsondog.org>> .

Congratulations again and we are looking forward to working with you and your department!

cc Paul Gallagher - Owner and Head Trainer, Maine Specialty Dogs

Heather Paul
Brand Promotion Specialist
Public Affairs - State Farm®
Desk: 309-766-0922
Mobile: 309-826-7899
Email: heather.paul.jaw8@statefarm.com <<mailto:heather.paul.jaw8@statefarm.com>>



State Farm® Arson Dog Program Quick Facts

Key Messages

- Arson is a very serious problem as each year hundreds of lives are lost and millions of dollars in property damage occurs as a result of arson. It is important that law enforcement officials have every tool possible to combat this costly and sometimes deadly crime.
- Public education on arson, arson investigation and fire prevention through community outreach programs is essential to providing safer communities.
- State Farm's sponsorship of this program parallels with the values and characteristics it strives for as a good corporate citizen and is a perfect complement to State Farm's good neighbor values.
- Arson dogs can help fire investigators or law enforcement find evidence of arson crime quickly.
- Using their super strong noses, arson dogs are trained to point out where there is evidence that a fire has been started on purpose. Evidence can be gasoline, oil, or many other types of fuels that can start a fire.
- More information can be found by visiting www.arsondog.org.

Arson Dog Program Facts

- Program was established in conjunction with the Maine State Police and the Maine Criminal Justice Academy in 1993 through the sponsorship of State Farm.
- Over the past 25 years, more than 400 teams have been trained and placed in 45 states, District of Columbia and Canada through the State Farm Arson Dog Program.
- As of April 2018, there are over 100 certified arson dog teams trained through the State Farm Arson Dog Program in service. These teams investigate fire scenes to find evidence of possible arson across North America.
- The K9s are all Labrador Retrievers or Goldadors (Lab x Golden Retriever mix) because:
 - Labs have a superior ability to discriminate scents at a fire scene (the nose of a lab can smell in parts per quintillion!).
 - Labs generally have a good disposition and an outgoing personality.
 - Labs are very active and have a "love to work" type attitude.
- K-9s are chosen through a cooperative program with guide dog and disability assistance canine organizations, as well as through local animal shelters and humane societies.
- K9s are trained using the food reward method, meaning the dogs only eat from the hand of their handler when they are training or working a fire scene. They never eat from a dog bowl!
- K9s live and retire in the home of their handler.
- K9s are trained by Maine Specialty Dogs and are certified through the Maine State Criminal Justice Academy. The K-9s and handlers are required to complete 200 hours/ four weeks of training.
- Teams (K9s and handlers) are required to be recertified every year to remain a certified Accelerant Detection Canine team.



Did you know?

- Since 1993, the State Farm Arson Dog Program have placed teams in 3 Canadian provinces, 45 states and the District of Columbia. Only five U.S. states haven't had a dog trained through the program: Nevada, Alaska, Connecticut, Vermont, and South Dakota.
- Honolulu Fire Department will get their first arson dog team in 2018 and will be training in the 50th class for the State Farm Arson Dog Program. Honolulu is also the capital of Hawaii, the 50th state.
- The northern-most team trained through the State Farm Arson Dog Program is near Edmonton, Alberta, Canada. That team has even traveled north of the Arctic Circle to investigate fires!
- Paul Gallagher, owner and head trainer of Maine Specialty Dogs, has been training all of the arson dog teams for the State Farm Arson Dog Program since the first class in February 1993. And he is allergic to dogs!
- The State Farm Arson Dog Program has trained new arson dog teams every year for a quarter of a century. It is the longest continuous arson dog training program in North America.
- Three State Fire Marshal Offices have been involved with the State Farm Arson Dog Program since the first year in 1993 – New Hampshire State Fire Marshal's Office, Georgia State Fire Marshal's Office, and Illinois State Fire Marshal's Office.
- Paul Gallagher was the first arson dog handler for the State of Maine as a trooper with the Maine State Police. His partner, K9 Maddie, passed away at the age of 18.
- In 2016, State Farm paid nearly \$2.5 BILLION for residential and commercial fire-related claims (45,757 claims). The average paid per claim was \$54,531.

Superhero powers...SMELL!

- Dogs possess up to 300 million olfactory receptors in their noses, compared to about six million in us.
- The part of a dog's brain that is devoted to analyzing smells is 40 times greater than humans.
- We might notice if our coffee has had a teaspoon of sugar added to it but a dog could detect a teaspoon of sugar in a million gallons of water, or two Olympic-sized pools.
- When an arson dog smells gasoline or evidence at a fire, they sit down and point to it with their nose...even if it is buried under burnt debris or has been soaked in water!



**SIGNATURE PAGE
FOR**

GRANT NO. 2021 State Farm Arson Dog Program

IN WITNESS WHEREOF, the parties have by their duly authorized representatives set their signatures.

**METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY**

DocuSigned by:
William Swann
14A644EDCBCF446...

Director – Chief
Fire Department

3/9/2021

Date

**APPROVED AS TO AVAILABILITY
OF FUNDS:**

DocuSigned by:
Kevin Crumbo

Kevin Crumbo, Director
Department of Finance

3/10/2021

Date

APPROVED AS TO RISK AND INSURANCE:

DocuSigned by:
Balogun Collo

Director of Insurance

3/10/2021

Date

**APPROVED AS TO FORM AND
LEGALITY:**

DocuSigned by:
Phylinda Ramsey

Metropolitan Attorney

3/10/2021

Date

FILED:

Metropolitan Clerk

Date

RESOLUTION NO. RS2021-___

A resolution expressing opposition to House Bill 1280/Senate Bill 1342 which proposes to mandate nonpartisan races for all offices elected in countywide elections in Davidson County and Shelby County.

WHEREAS, each year the Tennessee General Assembly (General Assembly) convenes in legislative session in January. During the legislative session, the General Assembly adopts new laws that affect a wide range of issues; and

WHEREAS, currently pending for consideration in the 112th Regular Session (2021-2022) is House Bill 1280 /Senate Bill 1342 which, as introduced, amends Tennessee Code Annotated, Section 17-1-103 to include a new subsection (c), which would require that "...elections for all judicial offices that are elected in a countywide election must be nonpartisan..."; and

WHEREAS, HB1280/SB1342, as introduced, also amends Tennessee Code Annotated, Section 2-13-208(b) to say that, "...elections for all offices that are elected in a countywide election and elections for the legislative body must be nonpartisan"; and

WHEREAS, last year, the Tennessee Court of Appeals held that legislation applicable only to Shelby and Davidson County regarding the proposed school voucher program was unconstitutional, as it violated Article XI, Section 9 of the Tennessee Constitution; and

WHEREAS, laws adopted by the Tennessee General Assembly that apply only to particular counties, such as HB1280/SB1342, are constitutionally suspect as they target particular local governments without the constitutionally required approval of the local legislative body; and

WHEREAS, while this legislation purports to apply to any county in Tennessee with a population greater than 500,000, in reality, this legislation would only apply to Davidson County and Shelby County; and

WHEREAS, further, HB1280/SB1342, if adopted in its current form, would significantly change the countywide election process for electing the county judges, county sheriff, and district attorney general in Davidson County and Shelby County, and the county legislative body in Shelby County just to name a few of the partisan countywide elected offices in these counties; and

WHEREAS, if passed, HB1280/SB1342 would change the election process in only two Tennessee counties. While the offices of Mayor and Councilmember are already nonpartisan in Metro Nashville, removing party labels would require a voter in Davidson County or Shelby County to research and find other commonalities to associate themselves with a group of candidates in lieu of the longstanding traditional party labels used to identify candidates for approximately 100 years in countywide elections, something not required of voters in other counties; and

WHEREAS, the Metropolitan Council of Nashville and Davidson County expresses its opposition to HB1280/SB1342, which would drastically alter elections in Davidson County and Shelby County.

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

Section 1. That the Metropolitan Council of Nashville and Davidson County hereby goes on record as opposing HB1280/SB1342, which proposes to mandate nonpartisan races for all county-wide offices in Davidson County and Shelby County.

Section 2. This Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County.

INTRODUCED BY:

Tanaka Vercher
Member of Council

Ordinance No. _____

An ordinance authorizing the Metropolitan Government of Nashville and Davidson County to execute a quitclaim deed conveying a small portion of the Madison Branch Library property. (Proposal No. 2021M-004PR-001)

WHEREAS, the Metropolitan Government of Nashville and Davidson County ("Metro") owns property located at 610 Gallatin Pike in fee and desires to convey a small portion of the property adjacent to the right-of-way as further described in the quitclaim attached hereto as Exhibit A; and,

WHEREAS, the conveyance was requested by adjacent property owners, 721 Madison Square, Madison Square Partners, LP ("Madison Square"); and,

WHEREAS, Madison Square Partners, LP intends to sell all its rights, title and interest in its property to Artesia Real Estate, and a closing on this transaction is currently scheduled for March 17, 2021; and,

WHEREAS, the Metropolitan Government of Nashville and Davidson County has no further need for the small portion of property intended to be conveyed by quitclaim and the portion of property has no commercial value; and,

WHEREAS, Madison Square shall, prior to March 17, 2021, by separate deed, convey to Metro easement interests in right-of-way Metro needs for the Madison Station Boulevard Project, Public Works Project No. 99-R-6, which was previously authorized by Ordinance No. BL2019-1480; and,

WHEREAS, it is in the best interest of the Metropolitan Government of Nashville and Davidson County that this portion of property be conveyed.

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

Section 1. That the Director of Public Property, or his designee, is authorized to transfer via quitclaim deed, substantially in the form of the attached Exhibit A, incorporated herein, a small portion of the Madison Branch Library property, as further described in Exhibit A.

Section 2. Amendments to this legislation may be approved by Resolution of the Metropolitan Council.

Section 3. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County, Tennessee, requiring it.

RECOMMENDED BY:

INTRODUCED BY:

Shanna Whitelaw

Shanna Whitelaw, Interim Director
Department of Public Works

[Signature]

Trael Webb

Trael Webb, Director
Public Property Administration

Council Member(s)

APPROVED AS TO THE
AVAILABILITY OF FUNDS:

[Signature]

Kevin Crumbo, Director
Department of Finance

APPROVED AS TO FORM
AND LEGALITY:

Tara M. Ladd

Assistant Metropolitan Attorney

Prepared by:
 Tara Ladd, Esq.
 Metropolitan Department of Law
 1 Public Square, Ste 108
 Nashville, TN 37201

**STATE OF TENNESSEE
 COUNTY OF DAVIDSON**

The actual consideration or value, whichever is greater, for this transfer is \$ 0.

 Affiant

Subscribed and sworn to before me this ____ day of March, 2021.

 Notary Public
 My commission expires: _____

Address of New Owner:	Send Tax Bills to:	Tax Information:

QUITCLAIM DEED

For consideration, the receipt and sufficiency whereof is hereby acknowledged, the undersigned, **The Metropolitan Government of Nashville and Davidson County**, hereinafter referred to as Grantor(s), by these presents, do quitclaim and convey all of his right, title and interest unto, **Madison Square Partners, LP**, hereinafter referred as, the Grantee(s), in and to the following portion of tract or portion of parcel of land in Davidson County, State of Tennessee, described as follows, to-wit:

Being a tract of land in the 8th Council District of Davidson County Tennessee, said tract a portion of Metropolitan Government Madison Branch (NEW) as recorded in instrument DB-20111028 0084233 at the Register's Office of Davidson County Tennessee (RODCT), said tract being generally located west of Gallatin Pike and south of Madison Street, said property being more fully described as follows:

Beginning at a point in the existing southern boundary line of said Metropolitan Government Madison Branch (NEW) property, said point also being the southwest corner of the Madison Square Partners LP property as recorded in DOCUMENT # 20080401-0032729 RODCT, said point also being located 50.38 feet right of station 102+26.43 from the proposed centerline of Madison Station Boulevard and having TN State Plane Coordinates of Northing 700798.86', Easting 1757344.51';

Thence with said Madison Square Partners LP property, North 34°25'05" East 20.00 feet to a point in the proposed south right of way of Madison Station Boulevard, said point being located 31.50 feet right of station 102+33.03;

Thence leaving said Madison Square Partners LP property with the proposed south right of way of Madison Station Boulevard the following two (2) calls, South 74°49'52" East 116.97 feet to a point located 31.50 feet offset from station 103+50.00;

Thence South 77°13'53" East 35.73 feet to a ½" iron pin found, at the northeast corner of the Madison Square Partners LP property as recorded in book 8692, page 387 RODCT. Said pin also being the northwest corner of the Baker-Nashville, LLC property as recorded in Document # 20001201-0118160 RODCT.

Thence leaving said proposed right of way and with the North Boundary Line boundary line of said Madison Square Partners LP property as recorded in book 8692, page 387 RODCT, the following two (2) calls: North 84°17'16" West 14.17 feet to a point;

Thence North 81°54'50" West 146.40 feet to the point of beginning, containing 1,391.99 sq. ft. or .03 acres more or less.

Being a part of the same property conveyed to the Metropolitan Board of Education of record in Book 3856, Page 262, Register's Office for Davidson County, Tennessee.

This is a portion of improved property located at 610 Gallatin Pike, Nashville, Tn.

Witness my/our hands this ____ day of March 2021.

**THE METROPOLITAN GOVERNMENT
OF NASHVILLE & DAVIDSON COUNTY,
TENNESSEE BY:**

_____, Director
Public Property Administration

**STATE OF TENNESSEE
COUNTY OF DAVIDSON**

Personally appeared before me, the undersigned, a notary public in and for said county and state, the within named _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he is the Public Property Administrator of THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, and that he, as such Director, being authorized to do so, executed the foregoing instrument for the purposes contained therein.

Witness my hand and official seal at Nashville, Tennessee, this ____ day of March, 2021.

Notary Public

My Commission Expires: _____

ORDINANCE NO. BL2021-___

An ordinance approving the expansion plans for a solid waste processing facility located at 4651 Amy Lynn Drive, Nashville, Tennessee 37218.

WHEREAS, on May 2, 2017, the Council for the Metropolitan Government of Nashville and Davidson County (the "Council") approved Ordinance No. BL2016-484, making applicable to Metropolitan Government the provisions of Part 7 of Chapter 211 of Title 68 of the Tennessee Code Annotated to require local approval of landfills, solid waste disposal facilities, and solid waste processing facilities prior to the construction of such facilities; and

WHEREAS, Tenn. Code Ann. §68-211-701 provides that no construction shall be initiated for any new landfill for solid waste disposal or for solid waste processing until the plans for such new landfill have been submitted to and approved by the county legislative body or governing body of the municipality in which the proposed landfill is located; and

WHEREAS, Tenn. Code Ann. §68-211-701 further provides that, prior to accepting any waste that would require a change in the classification of a landfill, the landfill operator shall first submit the proposal to accept the waste to the county legislative body; and

WHEREAS, Waste Management, Inc. of Tennessee – Southern Services, located at 4651 Amy Lynn Drive, Suite 1, Nashville, Tennessee 37218, has submitted an application, attached hereto and incorporated herein as an Exhibit to this ordinance, for a Class III landfill expansion; and

WHEREAS, the proposed expansion would apply to a facility consisting of a Class III landfill accepting demolition debris and yard waste located at 4651 Amy Lynn Drive, Nashville, TN 37218 upon a parcel zoned IR; and

WHEREAS, the amount of waste to be handled, processed, and/or stored by the proposed facility totals 1,500 tons per day; and

WHEREAS, pursuant to Tenn. Code Ann. §68-211-703, public notice of the proposal has been properly circulated by the Metropolitan Clerk within the geographical area of the proposed facility landfill by publication in a local newspaper of general circulation, and such notice has included all information set forth in Tenn. Code Ann. §68-211-703(b); and

WHEREAS, all provisions for a public hearing set forth within Tenn. Code Ann. §68-211-703, *et seq.* have been complied with as of second reading of this ordinance; whereupon the Council acted within 30 days of such public hearing, or the opportunity therefor, to approve or disapprove the proposed new construction; and

WHEREAS, pursuant to Tenn. Code Ann. §68-211-704, the Council duly considered the following criteria in evaluating the proposal: (1) the type of waste to be disposed of; (2) the method of disposal to be used; (3) the projected impact on surrounding areas from noise and odor created; (4) the projected impact on property values on surrounding areas; (5) the adequacy of existing roads and bridges to carry the increased traffic projected to result; (6) the economic impact on the county, city or both; (7) the compatibility with existing development or zoning plans; and (8) any other factor which may affect the public health, safety or welfare.

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

Section 1. That the application for the expansion of the Class III landfill, located at 4651 Amy Lynn Drive, Nashville, Tennessee 37218 as set forth in the exhibit hereto, is hereby approved.

Section 2. The Solid Waste Region Board and Board of Zoning Appeals, upon the enactment and approval of this ordinance, may process related permit applications, and the applicant may otherwise pursue approval through local, state, and federal agencies.

Section 3. This ordinance shall take effect immediately after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

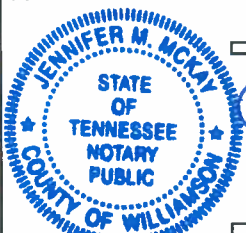
Jonathan Hall
Member of Council



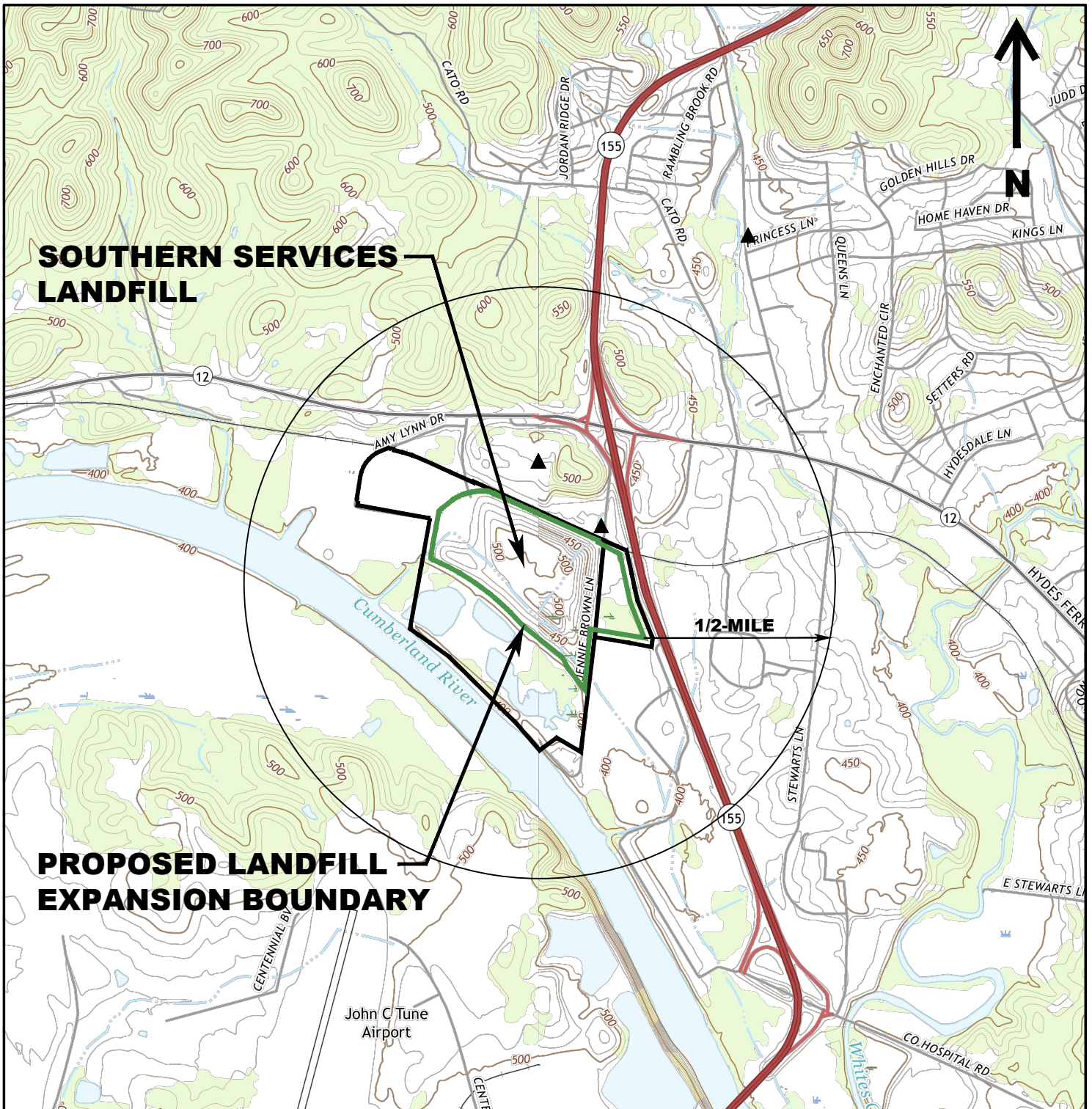
STATE OF TENNESSEE
 DEPARTMENT OF ENVIRONMENT AND CONSERVATION
 DIVISION OF SOLID WASTE MANAGEMENT
 WILLIAM R. SNODGRASS TENNESSEE TOWER
 312 ROSA L. PARKS AVENUE, 14TH FLOOR
 NASHVILLE, TN 37243

SOLID WASTE PART I APPLICATION

1. TYPE OF FACILITY		2. TYPE(S) OF WASTE HANDLED		3. AMT HANDLED	ID#	TDEC USE ONLY
<input type="checkbox"/> CLASS I	SITE ACREAGE	<input type="checkbox"/> MUNICIPAL	<input checked="" type="checkbox"/> DEMOLITION	1,500.00		
<input type="checkbox"/> CLASS II	183.40	<input type="checkbox"/> INDUSTRIAL	<input type="checkbox"/> MEDICAL	WEIGHT TONS / DAY		
<input checked="" type="checkbox"/> CLASS III	FILL ACREAGE	<input type="checkbox"/> COMMERCIAL	<input checked="" type="checkbox"/> YARD WASTE	VOLUME CU YARDS / DAY		FACILITY LOCATION COUNTY Davidson
<input type="checkbox"/> COMPOST	77.00	<input type="checkbox"/> OTHER (DESCRIBE)				LATITUDE (DECIMAL DEGREES) 36.2049
4. FACILITY INFORMATION					LONGITUDE (DECIMAL DEGREES) -86.8754	
FULL LEGAL NAME OF FACILITY Southern Services Landfill						
PHYSICAL LOCATION ADDRESS (GIVE DIRECTIONS IF NECESSARY) 4651 Amy Lynn Drive			CITY Nashville	STATE TN	ZIP 37218	
FACILITY MAILING ADDRESS 4651 Amy Lynn Drive			CITY Nashville	STATE TN	ZIP 37218	
5. CONTACT PERSONS						
FACILITY MANAGER OR SITE OPERATOR Don Gentilcore		(AREA CODE) + PHONE (615) 986-7858	EMAIL dgentilc@wm.com			
RESPONSIBLE OFFICIAL Don Gentilcore		(AREA CODE) + PHONE (615) 986-7858	EMAIL dgentilc@wm.com			
RESPONSIBLE OFFICIAL MAILING ADDRESS 4651 Amy Lynn Drive			CITY Nashville	STATE TN	ZIP 37218	
LANDOWNER NAME Waste Management Inc., of Tennessee		(AREA CODE) + PHONE (615) 986-7858	EMAIL dgentilc@wm.com			
LANDOWNER MAILING ADDRESS 4651 Amy Lynn Drive			CITY Nashville	STATE TN	ZIP 37218	
LANDOWNER SIGNATURE 		LANDOWNER SIGNATURE	LANDOWNER SIGNATURE	DATE 1/21/21		
6. ZONING AUTHORITY						
ZONING AUTHORITY NAME Metro Government of Nashville and Davidson County		ZONING STATUS Industrial (IR)	(AREA CODE) + PHONE (615) 862-6792	EMAIL Emily.Lamb@nashville.gov		
ZONING AUTHORITY MAILING ADDRESS 800 2nd Ave S, Nashville, TN			CITY Nashville	STATE TN	ZIP 37210	
7. CERTIFICATION REQUIRED						
I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.						
		SIGNATURE OF RESPONSIBLE OFFICIAL		PRINTED NAME Donna R. Gentilcore Jr.		
Sr. District Manager		TITLE		DATE 1/29/21		
		SIGNATURE OF NOTARY		DATE COMMISSION EXPIRES MAY 23, 2022		



MY COMMISSION EXPIRES: **MAY 23, 2022**



SOURCE: USGS 7.5-MINUTE SCOTTSBORO AND NASHVILLE WEST 2019 QUADRANGLES.

PREPARED BY:



FIGURE 1: VICINITY MAP
 SOUTHERN SERVICES LANDFILL
 NASHVILLE, TENNESSEE

DWG. DATE: 05/21/20

PROJECT NO.: 97-USA12-01

SCALE: 1:24,000

SHEET 1 OF 1



State of Tennessee
Department of Environment and Conservation
Division of Solid Waste Management – Solid Waste Program
312 Rosa L. Parks Avenue, 14th Floor
Nashville, TN 37243

APPLICANT DISCLOSURE STATEMENT

INSTRUCTIONS: Maintain a copy of your disclosure statement for your records. Submit the disclosure statement and supporting documentation to the address above.

1.	APPLICANT'S COMPLETE NAME	<u>WASTE MANAGEMENT, INC OF TENNESSEE</u>
	NAME OF APPLICANT'S BUSINESS	<u>SOUTHERN SERVICES C&D</u>
	STATE OF INCORPORATION (if applicable)	<u>TENNESSEE</u>
	FEDERAL TAX I.D. NUMBER	<u>36-2935128</u>
	BUSINESS ADDRESS	<u>4651 AMY LYNN DRIVE, NASHVILLE, TN 37218</u>
	MAILING ADDRESS	<u>4651 AMY LYNN DRIVE, NASHVILLE, TN 37218</u>

2. Give a brief description of the structure of the business (e. g., partnership, sole proprietorship, corporation, association).
CORPORATION
3. List the names, addresses, and titles of all officers, directors or partners of the applicant, of any parent or subsidiary corporation if the applicant is a corporation, and of any person owning 10% or more interest in the applicant company.
SEE ATTACHED SUPPLEMENTAL INFORMATION
4. List the name and address of all facilities in the field of solid or hazardous waste management in which the applicant business or any of its officers, directors, or partners, holds a 10% or greater interest and the name of the officer, director or partner holding such interest.
NONE
5. List the names of all key personnel, including titles and positions held.
SEE ATTACHED SUPPLEMENTAL INFORMATION
6. List all permits and licenses relating to solid and/or hazardous waste management presently held by the applicant(s), including facility name, location, permit or license number and name of issuing authority or agency.
SEE ATTACHED SUPPLEMENTAL INFORMATION
7. List all permits and licenses relating to solid and/or hazardous waste management presently held by the applicant(s) within the last ten (10) years not listed previously. Include facility name, location, permit or license number and name of issuing authority or agency.
NONE
8. List the name and address of solid and/or hazardous waste facilities constructed and operated by any parent or subsidiary corporation, if the applicant is a corporation.
SEE ATTACHED SUPPLEMENTAL INFORMATION
9. List all judicial and/or administrative orders issued for the violations of any state or federal environmental protection law which resulted in a fine or penalty within the five (5) year period immediately preceding the submission date of the applicant's permit application. Include in the description:
NONE
 - a. the style of the complaint
 - b. the case file number
 - c. the forms in which the complaint was filed
 - d. the identity of each state or federal agency involved with or named in the complaint
 - e. the amount of the fine(s) or penalty(s)
 - f. whether the fine or penalty has been paid
 - g. the identity and description of each law or regulation violated or alleged to have been violated and upon which fine(s) or penalty(s) is/are based
 - h. state whether the fine was the result of a settlement or agreed order, an administrative order or a court judgment
 - i. if litigation is ongoing, describe any orders or judgments entered and describe the current status of litigation

- j. explain all corrective action measures performed to correct or mitigate the violations
- 10. List and explain all revocations, suspensions or denials of a license, permit, or equivalent authorization, which was issued within the past ten (10) years by any government entity and was issued pursuant to law, rule, or regulation relative to the collection, transportation, treatment, storage, or disposal of solid or hazardous waste. Include the date of the revocation, suspension, or denial and the name of the issuing agency or authority.

SEE ATTACHED SUPPLEMENTAL INFORMATION

- 11. List and describe all criminal felony convictions entered against the applicant for the violation of any state or federal environmental protection law or regulation within the ten (10) years preceding the submission date of applicant's permit application. Include in the description:

NONE

- a. the style of the case
- b. the case file number
- c. the forum in which the conviction was entered
- d. the date of judgment
- e. the sentence imposed
- f. the identity and a description of each law applicant was convicted of violating
- g. whether the conviction was the result of a plea agreement of a trial
- h. if currently on appeal, the status of the appeal

An individual, by executing this document on behalf of a corporation or other entity, certifies that she or he is duly authorized as defined in Rule 0400-11-01-.02(2)(a)7. and 8., to act on behalf of the corporation or other entity and provide the information contained herein.

I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, and accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

PRINT NAME WILLIAM EDWARD MCMANUS

TITLE PRESIDENT, WASTE MANAGEMENT, INC. OF TENNESSEE

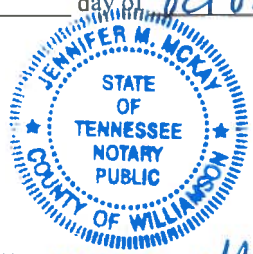
SIGNATURE *William E. McManus* DATE 10-1-20

STATE OF TENNESSEE

COUNTY OF WILLIAMSON

Subscribed and sworn to before me by WILLIAM E. MCMANUS this the

1 day of OCTOBER, 20 20.



Jennifer M. McKay
NOTARY PUBLIC

My Commission Expires May 23, 2022

Any person who knowingly makes a false statement under oath or makes a false statement on an official document shall be guilty of a Class A misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) or by imprisonment of not greater than eleven (11) months twenty-nine days, or by both fine and imprisonment.

KEY PERSONNEL DISCLOSURE STATEMENT

WASTE MANAGEMENT, INC OF TENNESSE

APPLICANT'S NAME

1.	KEY PERSON'S COMPLETE NAME	CHARLES R. GILLIAN
	STATE OF INCORPORATION (if applicable)	TENNESSEE
	FACILITY ADDRESS	4651 AMY LYNN DRIVE, NASHVILLE, TN 37218
	MAILING ADDRESS	4651 AMY LYNN DRIVE, NASHVILLE, TN 37218

2. Describe the relationship of the person in item 1 to the applicant. DIRECTOR OF DISPOSAL OPERATIONS
3. List all permits or licenses relating to solid and for hazardous waste management presently held by person named in item 1.
NONE
4. List all permits or licenses related to solid and/or hazardous waste management held by the person listed in item 1 within the last five (5) years not previously listed.
NONE
5. List all judicial and/or administrative orders issued for the violations of any state or federal environmental protection law which resulted in a fine or penalty, within the five (5) years preceding the submission of this application for violation of any state or federal statute or local ordinance. Include the following information:
NONE
 - a. the style of the complaint
 - b. the case file number
 - c. the identity of all parties named in the complaint
 - d. the forum in which the complaint was filed
 - e. the identity of each state or federal agency involved with or named in the complaint
 - f. the amount of the fine(s) or penalty(s)
 - g. whether the fine or penalty has been paid
 - h. the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based
 - i. state whether the fine was the result of a settlement or agreed order, an administrative order or a court judgment
 - j. if litigation is ongoing, describe any orders or judgments entered and describe the current status of litigation
6. Describe all judgments of a criminal conviction of a felony entered against the person named in item 1 for the violation of any state or federal environmental protection law within the ten (10) years preceding the submission of this application. Include the following information:
NONE
 - a. the style of the case
 - b. the case file number
 - c. the forum in which the conviction was entered
 - d. the date of judgment
 - e. the sentence imposed
 - f. the identity and a description of each law applicant was convicted of violating
 - g. whether the conviction was the result of a plea agreement or a trial
 - h. if currently on appeal, the status of the appeal
7. List the name and address of all waste sites, waste facilities and solid waste management facilities in which the person named in item 1 has a financial interest, an equitable interest, or in which the person is an officer, director, or manager, and identify the nature of the person's interest or investment.

SEE ITEM 6 OF ATTACHED SUPPLEMENTAL INFORMATION

The undersigned hereby affirms or swears under penalty of perjury that the information provided in this statement is complete, true, and accurate.

Charles R. Gillen

PRINT NAME

Director of Disposal Operations

TITLE

[Handwritten Signature]

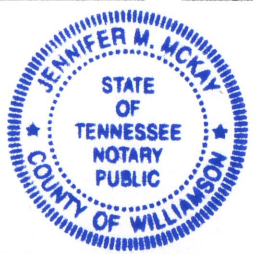
SIGNATURE

DATE

STATE OF TENNESSEE

COUNTY OF WILLIAMSON

Subscribed and sworn to before me by CHARLES R. GILLEN this 1ST day of OCTOBER, 20 20.



Jennifer M. McKay
NOTARY PUBLIC

MY COMMISSION EXPIRES: MAY 23, 2022
My Commission Expires: May 23, 2022

Any person who knowingly makes a false statement on an official document shall be guilty of a Class A misdemeanor and upon conviction thereof shall be punished by a fine not to exceed TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) or by imprisonment of not greater than ELEVEN (11) MONTHS TWENTY-NINE (29) DAYS or by both fine and imprisonment.

KEY PERSONNEL DISCLOSURE STATEMENT

WASTE MANAGEMENT, INC OF TENNESSE

APPLICANT'S NAME

1.	KEY PERSON'S COMPLETE NAME	ED MCMANUS
	STATE OF INCORPORATION (if applicable)	TENNESSEE
	FACILITY ADDRESS	4651 AMY LYNN DRIVE, NASHVILLE, TN 37218
	MAILING ADDRESS	4651 AMY LYNN DRIVE, NASHVILLE, TN 37218

2. Describe the relationship of the person in item 1 to the applicant. AREA VICE PRESIDENT
3. List all permits or licenses relating to solid and for hazardous waste management presently held by person named in item 1.
NONE
4. List all permits or licenses related to solid and/or hazardous waste management held by the person listed in item 1 within the last five (5) years not previously listed.
NONE
5. List all judicial and/or administrative orders issued for the violations of any state or federal environmental protection law which resulted in a fine or penalty, within the five (5) years preceding the submission of this application for violation of any state or federal statute or local ordinance. Include the following information:
NONE
- a. the style of the complaint
 - b. the case file number
 - c. the identity of all parties named in the complaint
 - d. the forum in which the complaint was filed
 - e. the identity of each state or federal agency involved with or named in the complaint
 - f. the amount of the fine(s) or penalty(s)
 - g. whether the fine or penalty has been paid
 - h. the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based
 - i. state whether the fine was the result of a settlement or agreed order, an administrative order or a court judgment
 - j. if litigation is ongoing, describe any orders or judgments entered and describe the current status of litigation
6. Describe all judgments of a criminal conviction of a felony entered against the person named in item 1 for the violation of any state or federal environmental protection law within the ten (10) years preceding the submission of this application. Include the following information:
NONE
- a. the style of the case
 - b. the case file number
 - c. the forum in which the conviction was entered
 - d. the date of judgment
 - e. the sentence imposed
 - f. the identity and a description of each law applicant was convicted of violating
 - g. whether the conviction was the result of a plea agreement or a trial
 - h. if currently on appeal, the status of the appeal
7. List the name and address of all waste sites, waste facilities and solid waste management facilities in which the person named in item 1 has a financial interest, an equitable interest, or in which the person is an officer, director, or manager, and identify the nature of the person's interest or investment.
SEE ITEM 6 OF ATTACHED SUPPLEMENTAL INFORMATION

The undersigned hereby affirms or swears under penalty of perjury that the information provided in this statement is complete, true, and accurate.

Ed McManus
PRINT NAME

Area VP
TITLE

Ed McManus
SIGNATURE

9-30-20
DATE

STATE OF TENNESSEE

COUNTY OF WILLIAMSON

Subscribed and sworn to before me by ED MCMANUS this 1ST day
of OCTOBER, 20 20.



Jennifer M. McKay
NOTARY PUBLIC

My Commission Expires: COMMISSION EXPIRES: MAY 23, 2022 May 23, 2022

Any person who knowingly makes a false statement on an official document shall be guilty of a Class A misdemeanor and upon conviction thereof shall be punished by a fine not to exceed TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) or by imprisonment of not greater than ELEVEN (11) MONTHS TWENTY-NINE (29) DAYS or by both fine and imprisonment.

KEY PERSONNEL DISCLOSURE STATEMENT

WASTE MANAGEMENT, INC OF TENNESSE

APPLICANT'S NAME

1.	KEY PERSON'S COMPLETE NAME	DONALD R. GENTILCORE
	STATE OF INCORPORATION (if applicable)	TENNESSEE
	FACILITY ADDRESS	4651 AMY LYNN DRIVE, NASHVILLE, TN 37218
	MAILING ADDRESS	4651 AMY LYNN DRIVE, NASHVILLE, TN 37218

2. Describe the relationship of the person in item 1 to the applicant. SENIOR DISTRICT MANAGER
3. List all permits or licenses relating to solid and for hazardous waste management presently held by person named in item 1.
NONE
4. List all permits or licenses related to solid and/or hazardous waste management held by the person listed in item 1 within the last five (5) years not previously listed.
NONE
5. List all judicial and/or administrative orders issued for the violations of any state or federal environmental protection law which resulted in a fine or penalty, within the five (5) years preceding the submission of this application for violation of any state or federal statute or local ordinance. Include the following information:
NONE
 - a. the style of the complaint
 - b. the case file number
 - c. the identity of all parties named in the complaint
 - d. the forum in which the complaint was filed
 - e. the identity of each state or federal agency involved with or named in the complaint
 - f. the amount of the fine(s) or penalty(s)
 - g. whether the fine or penalty has been paid
 - h. the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine(s) or penalty(s) is/are based
 - i. state whether the fine was the result of a settlement or agreed order, an administrative order or a court judgment
 - j. if litigation is ongoing, describe any orders or judgments entered and describe the current status of litigation
6. Describe all judgments of a criminal conviction of a felony entered against the person named in item 1 for the violation of any state or federal environmental protection law within the ten (10) years preceding the submission of this application. Include the following information:
NONE
 - a. the style of the case
 - b. the case file number
 - c. the forum in which the conviction was entered
 - d. the date of judgment
 - e. the sentence imposed
 - f. the identity and a description of each law applicant was convicted of violating
 - g. whether the conviction was the result of a plea agreement or a trial
 - h. if currently on appeal, the status of the appeal
7. List the name and address of all waste sites, waste facilities and solid waste management facilities in which the person named in item 1 has a financial interest, an equitable interest, or in which the person is an officer, director, or manager, and identify the nature of the person's interest or investment.

SEE ITEM 6 OF ATTACHED SUPPLEMENTAL INFORMATION

The undersigned hereby affirms or swears under penalty of perjury that the information provided in this statement is complete, true, and accurate.

Donald R. Gentilcore
PRINT NAME

Sr. District Manager
TITLE

[Signature]
SIGNATURE

9-25-20
DATE

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Subscribed and sworn to before me by DONALD R. GENTILCORE this 25TH day of SEPTEMBER, 20 20.



Jennifer M. McKay
NOTARY PUBLIC

MY COMMISSION EXPIRES: MAY 23, 2022
My Commission Expires: MAY 23, 2022

Any person who knowingly makes a false statement on an official document shall be guilty of a Class A misdemeanor and upon conviction thereof shall be punished by a fine not to exceed TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) or by imprisonment of not greater than ELEVEN (11) MONTHS TWENTY-NINE (29) DAYS or by both fine and imprisonment.

Substitute Ordinance No. BL2021-646

An ordinance making amendments to various provisions of Titles 2, ~~and 12~~ and 13 of the Metropolitan Code to facilitate the implementation and operation of a Smart Parking program.

WHEREAS, Section 11.907 of the Charter provides the following as to the Traffic and Parking Commission (the "Commission"):

Sec. 11.907. - Management and control of parking meters, garages and other traffic facilities.

The commission shall have power to control and manage parking facilities in any metropolitan street or road, including the installation of parking meters or other necessary equipment in connection therewith. The commission shall prescribe and may revise a schedule of service charges in connection with the use of parking meters, a copy of which schedule shall be kept on file and subject to public inspection at the office of the commission and at the office of the metropolitan clerk.

The commission shall also have control and management of any public parking garage or other traffic facilities, and with the acquisition, construction and establishment of the same. The commission may enter into lease agreements with private operators to operate the parking facilities owned by the metropolitan government. The commission is authorized to collect rents, fees or other charges for such parking garage and other traffic facilities as it may operate and manage.

All moneys collected by the commission from parking meters, or any other service charges, shall be remitted by it to the metropolitan treasurer, who shall keep such moneys in a separate account earmarked for traffic and parking improvements; and,

WHEREAS, the Metropolitan Government ("Metro") has determined that its on-street metered parking program (the "Metered Parking System") is in need of modernization, is not as efficient and convenient as it could be, and does not maximize the value of the program for funding traffic and parking improvements, as described in Section 11.907 of the Charter; and,

WHEREAS, the authority provided in Section 11.907 of the Charter, which authorizes Metro to enter into lease agreements with private operators to operate parking facilities, such as on-street metered parking within the rights of way of Metro, effectively authorizes Metro to utilize a competitive procurement process to contract for the operation of the on-street metered parking within the Metro rights-of-way; and,

WHEREAS, Metro plans to publish a Smart Parking RFP (the "RFP") with the objective to enter into a parking services agreement with an outside parking management partner to upgrade and manage the operations of Metro's parking system by integrating state-of-the-art hardware, software, and operating solutions to maximize convenience and payment options, streamline and optimize enforcement activities, and increase parking compliance and,

WHEREAS, it is in the best interests of potential offerors and ultimately Metro, that various related changes be made to the Metropolitan Code.

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

Section 1. Section 2.44.070 of the Metropolitan Code shall be deleted in its entirety, and shall be replaced with the following:

2.44.070 - Parking enforcement patrol.

- A. There is created a parking enforcement patrol, for service in connection with the traffic law enforcement functions of the department of metropolitan police and Department of Public Works, which shall, with the assistance of the Traffic and Parking Commission and staff thereof, including any contractors and subcontractors thereof, police and control parking meter areas located on public thoroughfares, alleys and streets, such patrolling and supervision being necessary for the proper enforcement of parking violations. The parking enforcement patrol officers shall be instructed and trained by the Department of Public Works, and at the request of the Director of Public Works, the chief of police shall appoint a designee who shall be responsible for any additional training of parking enforcement patrol officers that the Director of Public Works and the Chief of Police deem necessary. The parking enforcement patrol officers shall be hired by the Department of Public Works in accordance with that department's usual civil service procedures, but may also be appointed as special police with authority to enforce parking ordinances, and police powers to enforce meter and other parking violations are hereby extended to such parking enforcement patrol officers within the area of the metropolitan government.
- B. The primary duty of the parking enforcement patrol officers shall be to patrol the streets of the metropolitan government area that have parking meters and to issue parking violation tickets for meter and parking violations. Their primary areas of patrol will be the parking meter areas, but they may be assigned to assist the police to enforce parking laws and regulations in other areas.
- C. All expenses of training, uniforms, equipment and salaries, and all other incidental expenses of the parking enforcement patrol program shall be borne by the metropolitan traffic and parking commission, Public Works, or its contractors.
- D. To the extent permitted by state law and the Metropolitan Charter, the parking enforcement patrol may utilize one or more contractors to perform the responsibilities assigned in this section, including assistance in the investigation of potential parking violations such as the collection and transmission of images recorded on any medium by a traffic control photographic system, license plate recognition technology, or other devices. Parking enforcement patrol officers may conduct investigations by reviewing evidence presented to them by contractors and may issue or cause the issuance of citations based on such evidence where warranted. Parking patrol officers may utilize contractors to deliver notices of citation to the owners of vehicles in violation, but any such citation shall be based on a parking enforcement patrol officer's determination that there is probable cause to believe that a violation of the parking provisions of the Metropolitan Code has been committed.

Section 2. Section 2.56.210 of the Metropolitan Code is amended as follows:

By adding the following text at the end of subsection F.:

Alternatively, the traffic violations bureau, police department, parking enforcement patrol and its contractors may utilize electronic forms for notifying traffic violators to appear in answer to charges of violating traffic ordinances or traffic regulations of the city, so long as there are

equivalent ways to ensure that such forms are retained in duplicate copy (which may also be in electronic form) as reliably as the method specified above.

Section 3. Section 12.04.230 of the Metropolitan Code is amended by deleting the period at the end of this section and adding the following at the end of the sentence:

“; a parking meter may include a parking pay station, including one that services multiple parking spaces.”

Section 4. Section 12.04.235 of the Metropolitan Code is amended by deleting the existing language in its entirety and replacing it with the following:

“Parking meter space” means any space adjacent to a parking meter, or on the same block as a parking meter that services multiple spaces, and which is duly designated for the parking of a single vehicle.

Section 5. Section 12.08.150 of the Metropolitan Code is hereby amended as follows:

By deleting the definition contained in subsection A.1. thereof in its entirety and replacing it with the following:

A.1. “Immobilization” or “Immobilize” means the attachment of any device to a vehicle that prevents the vehicle from being legally driven.

By deleting the first sentence of subsection B. thereof and replacing it with the following:

B. Members of the metropolitan police department or the parking enforcement patrol or its contractor shall have authority to impound or immobilize any vehicle under the circumstances hereinafter enumerated:

By deleting subsections D., E. and F. thereof in their entirety, and replacing them with the following:

D. Whenever an officer of the metropolitan police department or the parking enforcement patrol or its contractor (with authorization from the parking enforcement patrol) removes a vehicle from any alley, street, highway or thoroughfare, as authorized in this section, the officer or contractor shall obtain from the wrecker or tow-in service employee a receipt in triplicate, one copy of which shall be retained by the wrecker or tow-in service employee, describing the vehicle, the reasons for its removal, the place where the vehicle is to be stored, and all items of a personal nature found in the vehicle and not attached to or a part of the vehicle. Such officer or contractor shall give or cause to be given to the owner of such vehicle the duplicate copy of such receipt described in the preceding sentences as notice to such owner of the fact of removal. The original of such receipt described above shall be retained by the police department, or parking enforcement patrol, (as applicable) as a permanent record. If the parking enforcement patrol's contractor arranges for the removal of the vehicle, the contractor shall turn over the duplicate copy of this receipt to the parking enforcement patrol staff at the Department of Public Works for retention.

E. The owner or authorized driver or operator of the impounded vehicle may submit an application to the police department, parking enforcement patrol or its contractor (as applicable) to take possession of the same and remove such vehicle from the place to which it has been removed or stored by paying the costs of removing the vehicle from such street or alley and all charges which may have accrued for the storage of the vehicle. The contents and format of such form application shall be approved metropolitan chief of police and the department of law.

Notwithstanding the foregoing, if the metropolitan general sessions court or other court of competent jurisdiction, after hearing the facts and circumstances, determines that the impoundment was not lawfully authorized, the towing and storage fees shall be refunded to the person paying such fees.

F. The owner or authorized driver or operator of any immobilized vehicle under the provisions of this section may take possession of the vehicle upon paying a twenty-five dollar immobilization removal fee to the metropolitan traffic violations bureau or its contractor; provided, that if the metropolitan general sessions court or other court of competent jurisdiction, after hearing the facts and circumstances, determines that the placement of the immobilization device was not lawfully authorized, the immobilization removal fee shall be refunded to the person paying such fee.

Section 6. The definition of "Department" in Section 12.41.010 of the Metropolitan Code is amended by deleting the period following "public works" and adding the following at the end of the sentence:

" , or its designee. The designee of the department of public works may be its contractor."

Section 7. Subsection B. of Section 12.41.040 of the Metropolitan Code is amended by replacing the third use of the word "shall" in that Subsection with the word "may."

Section 8. Section 12.42.010 of the Metropolitan Code is amended by adding the following new definition to it, which shall be placed in alphabetical order with regard to the other definitions contained therein:

"Chief Traffic Engineer" means the Chief Traffic Engineer or his/her designee. The designee of the Chief Traffic Engineer may be a contractor."

Section 9. Section 12.44.010.A. of the Metropolitan Code is amended by inserting a period following the words: "Schedule VIII" and deleting all the text of that subsection following thereafter.

Section 10. Section 12.44.020 of the Metropolitan Code is amended by deleting the existing language in its entirety and replacing it with the following:

12.44.020 - Meter design and installation specifications

A.

1. The department of public works, or its contractor, shall cause parking meters to be installed in the parking meter zones established as provided in this chapter upon the curb adjacent to, or located on the same block with, the designated parking space(s). Each meter shall be capable of being operated upon the receipt of payment for the full period of time for which parking is lawfully permitted in any such parking meter zone.

2. Alternatively, where so authorized by the Traffic and Parking Commission, the department of public works or its contractor may charge for parking in an on-street parking space within the parking meter zone without a parking meter being installed and without using a parking meter, but by setting up a system where payments for parking in such spaces may be made by customers via a web-based application. Signs or paint markings shall be used to identify a particular space consistent with the information provided via the web-based application, and a receipt for payment for the parking shall be conveyed to the customer, electronically or by other means, so as to enable the customer to prove that he or she paid to park in that particular space.

B. Upon the expiration of the time period for which the customer paid to park, the customer shall be given adequate notice of the expiration of that period, by one or more of the following methods.

1. If there is a parking meter installed adjacent to the designated parking space, that parking meter shall be so designed, constructed, installed and set that, upon the expiration of the time period for which the customer had paid to park, it will indicate by an appropriate signal that the lawful parking meter period has expired, and during such period of time and prior to the expiration thereof, will indicate the interval of time remaining. If a parking meter on a block services multiple parking spaces, that parking meter shall be capable of displaying the status of each parking space serviced (i.e., whether it is expired, or if not, how much time remains of the period for which payment was made).

2. Spaces that are part of the parking meter zone but which do not have parking meters installed, and where payment for parking in those spaces is instead made via a web-based application described in subsection A.2. of this section, the customer shall be given adequate notice of the expiration of the period for which he or she has paid to park, by text message or by another means of communication to which the customer has consented.

Section 11. Section 12.44.040 of the Metropolitan Code is hereby deleted in its entirety and replaced with the following:

12.44.040 – Payment for parking—Time limits for use.

A. If any one of the following applies, no person shall park a vehicle in any parking space upon a street within a parking meter zone during the restricted and regulated time applicable to the parking meter zone in which such parking space is located, unless the applicable parking rate has been paid for the period of time for which said vehicle is parked in such parking space.

1. The parking space is located alongside of and next to a parking meter.

2. The parking space is located on a block where a parking meter servicing multiple parking spaces is installed and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

3. The parking space is a part of the parking meter zone whereby payment for parking in that space is made via a web-based application, such as is described in subsection A.2. of Section 12.44.020, and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

B. If any one of the following applies, no person shall permit a vehicle within his or her control to be parked in any such parking space during the restricted and regulated time applicable to the parking meter zone in which such parking space is located, unless the applicable parking rate has been paid for the period of time for which said vehicle is parked in such parking space.

1. The parking space is located alongside of and next to a parking meter.

2. The parking space is located on a block where a parking meter servicing multiple parking spaces is installed and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

3. The parking space is a part of the parking meter zone whereby payment for parking in that space is instead made via a web-based application described in subsection A.2. of Section

12.44.020, and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

C. No person shall park a vehicle in any such parking space for a consecutive period of time longer than that limited period of time for which parking is lawfully permitted in the parking meter zone in which such parking space is located, regardless of the amount of the payment made. If any vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space the customer shall be given adequate notice of the expiration of that period by one or more of the methods indicated in subsections C.1-C.2., below. The fact that notice has been given through one of the methods indicated below, shall be prima facie evidence that such vehicle has been parked overtime and beyond the period of legal parking time in any such part of a street where any such parking space is located, and shall be a violation of this section. Each period of overtime parking beyond the duration of that limited period of time, for which parking is lawfully permitted in the parking meter zone, in which such parking space is located, shall be considered a separate offense.

1. If there is a parking meter installed adjacent to the designated parking space, that parking meter shall be so designed, constructed, installed and set that, upon the expiration of the limited period of time for which parking is lawfully permitted in the parking meter zone in which such meter is located, it will display a sign or signal showing illegal parking. If a parking meter on a block services multiple parking spaces, that parking meter shall be capable of displaying the status of each parking space serviced (i.e., whether it constitutes illegal parking beyond the time limit fixed for such parking space).

2. In the case of spaces that are part of part of the parking meter zone but which do not have parking meters installed, and where payment for parking in those spaces is instead made via a web-based application described in subsection A.2. of Section 12.44.020, the customer shall be given adequate notice by text message, or by another means of communication, to which the customer has consented, that the limited period of time for which parking is lawfully permitted in the parking meter zone, in which such meter is located, has expired, and that continued parking in that space beyond that period constitutes illegal parking.

3. The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of this title and the State Vehicular Code prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

Section 12. Section 12.44.060 of the Metropolitan Code shall be amended by adding the phrase “or other related equipment” to the end of this section.

Section 13. Section 12.44.070 of the Metropolitan Code shall be amended by deleting the existing language in its entirety and replacing it with the following:

Section 12.44.070 – Disabled driver parking in parking meter zones—Notice.

The department of public works shall either post appropriate signage within parking meter zones or include a statement on each parking meter informing drivers that, pursuant to T.C.A. 55-21-105, no parking meter fee is required for vehicles with a valid disabled driver license plate or placard. The foregoing does not entitle a vehicle with a valid disabled driver license plate or placard to park for a consecutive period of time exceeding any parking time limit applicable to the parking meter zone in question, without that violation being subject to penalty, in the form of the application of the fine for parking for a consecutive period of time, longer than that limited period of time, for which parking is lawfully permitted in the parking meter zone, in which such parking space is located.

Section 14. Section 12.44.080 of the Metropolitan Code shall be deleted in its entirety.

Section 15. Pursuant to Tenn. Code Ann. Section 9-1-108(c)(3), the Metropolitan Government hereby waives the collection of the processing fees for payments made for on-street parking by customers of Metro's parking system in an amount that is equal to the amount paid by the third party processor for processing the payment.

Section 16. Subsection H. of Section 13.08.080 of the Metropolitan Code is amended by adding the following to the end of the section:

Notwithstanding the foregoing, the provisions of this section shall also not apply to the operation of a license plate scanner installed onto or within the public right-of-way that meets each of the following conditions:

- a. The license plate scanner is used solely and exclusively for determining whether a vehicle is violating parking restrictions; and
- b. A specific vehicle's license plate number shall be deleted within thirty minutes of its exit from a monitored parking space, unless that vehicle is suspected of violating parking restrictions for which enforcement action would be appropriate.

Section 17. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government requiring it.

RECOMMENDED BY:



Director, Department of Public Works

SPONSORED BY:

APPROVED AS TO AVAILABILITY OF FUNDS:



Director, Department of Finance

APPROVED AS TO FORM AND LEGALITY:



Assistant Metropolitan Attorney

Member(s) of Council

SUBSTITUTE ORDINANCE NO. BL2021-646

An ordinance making amendments to various provisions of Titles 2, and 12, and 13 of the Metropolitan Code to facilitate the implementation and operation of a Smart Parking program.

WHEREAS, Section 11.907 of the Charter provides the following as to the Traffic and Parking Commission (the “Commission”):

Sec. 11.907. - Management and control of parking meters, garages and other traffic facilities.

The commission shall have power to control and manage parking facilities in any metropolitan street or road, including the installation of parking meters or other necessary equipment in connection therewith. The commission shall prescribe and may revise a schedule of service charges in connection with the use of parking meters, a copy of which schedule shall be kept on file and subject to public inspection at the office of the commission and at the office of the metropolitan clerk.

The commission shall also have control and management of any public parking garage or other traffic facilities, and with the acquisition, construction and establishment of the same. The commission may enter into lease agreements with private operators to operate the parking facilities owned by the metropolitan government. The commission is authorized to collect rents, fees or other charges for such parking garage and other traffic facilities as it may operate and manage.

All moneys collected by the commission from parking meters, or any other service charges, shall be remitted by it to the metropolitan treasurer, who shall keep such moneys in a separate account earmarked for traffic and parking improvements; and,

WHEREAS, the Metropolitan Government (“Metro”) has determined that its on-street metered parking program (the “Metered Parking System”) is in need of modernization, is not as efficient and convenient as it could be, and does not maximize the value of the program for funding traffic and parking improvements, as described in Section 11.907 of the Charter; and,

~~WHEREAS, the authority provided in Section 11.907 of the Charter, which authorizes Metro to enter into lease agreements with private operators to operate parking facilities, such as on-street metered parking within the rights of way of Metro, effectively authorizes Metro to utilize a competitive procurement process to contract for the operation of the on-street metered parking within the Metro rights of way; and,~~

WHEREAS, Metro plans to publish a Smart Parking RFP (the “RFP”) with the objective to enter into a parking services agreement with an outside parking management partner to upgrade ~~and manage~~ the operations of Metro’s parking system by integrating state-of-the-art hardware, software, and operating solutions to maximize convenience and payment options, streamline and optimize enforcement activities, and increase parking compliance and,

WHEREAS, it is in the best interests of potential offerors and ultimately Metro, that various related changes be made to the Metropolitan Code.

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

Section 1. Section 2.44.070 of the Metropolitan Code shall be deleted in its entirety, and shall be replaced with the following:

2.44.070 - Parking enforcement patrol.

A. There is created a parking enforcement patrol, for service in connection with the traffic law enforcement functions of the department of metropolitan police and Department of Public Works, which shall, with the assistance of the Traffic and Parking Commission and staff thereof, ~~including any contractors and subcontractors thereof~~, police and control parking meter areas located on public thoroughfares, alleys and streets, such patrolling and supervision being necessary for the proper enforcement of parking violations. The parking enforcement patrol officers shall be instructed and trained by the Department of Public Works, and at the request of the Director of Public Works, the chief of police shall appoint a designee who shall be responsible for any additional training of parking enforcement patrol officers that the Director of Public Works and the Chief of Police deem necessary. The parking enforcement patrol officers shall be hired by the Department of Public Works in accordance with that department's usual civil service procedures, but may also be appointed as special police with authority to enforce parking ordinances, and police powers to enforce meter and other parking violations are hereby extended to such parking enforcement patrol officers within the area of the metropolitan government.

A. The primary duty of the parking enforcement patrol officers shall be to patrol the streets of the metropolitan government area that have parking meters and to issue parking violation tickets for meter and parking violations. Their primary areas of patrol will be the parking meter areas, but they may be assigned to assist the police to enforce parking laws and regulations in other areas.

B. All expenses of training, uniforms, equipment and salaries, and all other incidental expenses of the parking enforcement patrol program shall be borne by the metropolitan traffic and parking commission, Public Works, or its contractors.

C. To the extent permitted by state law and the Metropolitan Charter, the parking enforcement patrol may utilize one or more contractors to ~~perform~~ assist with the responsibilities assigned in this section, including assistance in the investigation of potential parking violations such as the collection and transmission of images recorded on any medium by a traffic control photographic system, license plate recognition technology, or other devices. Parking enforcement patrol officers may conduct investigations by reviewing evidence presented to them by contractors and may issue ~~or cause the issuance of~~ citations based on such evidence where warranted. ~~Parking patrol officers may utilize contractors to deliver notices of citation to the owners of vehicles in violation, but any such citation shall be based on a parking enforcement patrol officer's determination that there is probable cause to believe that a violation of the parking provisions of the Metropolitan Code has been committed.~~

Section 2. Section 2.56.210 of the Metropolitan Code is amended as follows:

By adding the following text at the end of subsection F.:

Alternatively, the traffic violations bureau, police department, and parking enforcement patrol ~~and its contractors~~ may utilize electronic forms for notifying traffic violators to appear in answer to charges of violating traffic ordinances or traffic regulations of the city, so long as there are equivalent ways to ensure that such forms are retained in duplicate copy (which may also be in electronic form) as reliably as the method specified above.

Section 3. Section 12.04.230 of the Metropolitan Code is amended by deleting the period at the end of this section and adding the following at the end of the sentence:

“; a parking meter may include a parking pay station, including one that services multiple parking spaces.”

Section 4. Section 12.04.235 of the Metropolitan Code is amended by deleting the existing language in its entirety and replacing it with the following:

“Parking meter space” means any space adjacent to a parking meter, or on the same block as a parking meter that services multiple spaces, and which is duly designated for the parking of a single vehicle.

Section 5. Section 12.08.150 of the Metropolitan Code is hereby amended as follows:

By deleting the definition contained in subsection A.1. thereof in its entirety and replacing it with the following:

A.1. “Immobilization” or “Immobilize” means the attachment of any device to a vehicle that prevents the vehicle from being legally driven.

By deleting the first sentence of subsection B. thereof and replacing it with the following:

B. Members of the metropolitan police department or the parking enforcement patrol ~~or its contractor~~ shall have authority to impound or immobilize any vehicle under the circumstances hereinafter enumerated:

By deleting subsections D., E. and F. thereof in their entirety, and replacing them with the following:

D. Whenever an officer of the metropolitan police department or the parking enforcement patrol ~~or its contractor (with authorization from the parking enforcement patrol)~~ removes a vehicle from any alley, street, highway or thoroughfare, as authorized in this section, the officer ~~or contractor~~ shall obtain from the wrecker or tow-in service employee a receipt in triplicate, one copy of which shall be retained by the wrecker or tow-in service employee, describing the vehicle, the reasons for its removal, the place where the vehicle is to be stored, and all items of a personal nature found in the vehicle and not attached to or a part of the vehicle. Such officer ~~or contractor~~ shall give or cause to be given to the owner of such vehicle the duplicate copy of such receipt described in the preceding sentences as notice to such owner of the fact of removal. The original of such receipt described above shall be retained by the police department, or parking enforcement patrol, (as applicable) as a permanent record. ~~If the parking enforcement patrol's contractor arranges for the removal of the vehicle, the contractor shall turn over the duplicate copy of this receipt to the parking enforcement patrol staff at the Department of Public Works for retention.~~

E. The owner or authorized driver or operator of the impounded vehicle may submit an application to the police department, parking enforcement patrol ~~or its contractor (as applicable)~~ to take possession of the same and remove such vehicle from the place to which it has been removed or stored by paying the costs of removing the vehicle from such street or alley and all charges which may have accrued for the storage of the vehicle. The contents and format of such form application shall be approved metropolitan chief of police and the department of law. Notwithstanding the foregoing, if the metropolitan general sessions court or other court of competent jurisdiction, after hearing the facts and circumstances, determines that the impoundment was not lawfully authorized, the towing and storage fees shall be refunded to the person paying such fees.

F. The owner or authorized driver or operator of any immobilized vehicle under the provisions of this section may take possession of the vehicle upon paying a twenty-five dollar immobilization removal fee to the metropolitan traffic violations bureau ~~or its contractor~~;

provided, that if the metropolitan general sessions court or other court of competent jurisdiction, after hearing the facts and circumstances, determines that the placement of the immobilization device was not lawfully authorized, the immobilization removal fee shall be refunded to the person paying such fee.

Section 6. The definition of “Department” in Section 12.41.010 of the Metropolitan Code is amended by deleting the period following “public works” and adding the following at the end of the sentence:

“, or its designee. ~~The designee of the department of public works may be its contractor.~~”

Section 7. Subsection B. of Section 12.41.040 of the Metropolitan Code is amended by replacing the third use of the word “shall” in that Subsection with the word “may.”

Section 8. Section 12.42.010 of the Metropolitan Code is amended by adding the following new definition to it, which shall be placed in alphabetical order with regard to the other definitions contained therein:

“‘Chief Traffic Engineer’ means the Chief Traffic Engineer or his/her designee. ~~The designee of the Chief Traffic Engineer may be a contractor.~~”

Section 9. Section 12.44.010.A. of the Metropolitan Code is amended by inserting a period following the words: “Schedule VIII” and deleting all the text of that subsection following thereafter.

Section 10. Section 12.44.020 of the Metropolitan Code is amended by deleting the existing language in its entirety and replacing it with the following:

12.44.020 - Meter design and installation specifications

A.

1. The department of public works, or its contractor, shall cause parking meters to be installed in the parking meter zones established as provided in this chapter upon the curb adjacent to, or located on the same block with, the designated parking space(s). Each meter shall be capable of being operated upon the receipt of payment for the full period of time for which parking is lawfully permitted in any such parking meter zone.

2. Alternatively, where so authorized by the Traffic and Parking Commission, the department of public works or its contractor may charge for parking in an on-street parking space within the parking meter zone without a parking meter being installed and without using a parking meter, but by setting up a system where payments for parking in such spaces may be made by customers via a web-based application. Signs or paint markings shall be used to identify a particular space consistent with the information provided via the web-based application, and a receipt for payment for the parking shall be conveyed to the customer, electronically or by other means, so as to enable the customer to prove that he or she paid to park in that particular space.

B. Upon the expiration of the time period for which the customer paid to park, the customer shall be given adequate notice of the expiration of that period, by one or more of the following methods.

1. If there is a parking meter installed adjacent to the designated parking space, that parking meter shall be so designed, constructed, installed and set that, upon the expiration of the time period for which the customer had paid to park, it will indicate by an appropriate signal that the lawful parking meter period has expired, and during such period of time and prior to

the expiration thereof, will indicate the interval of time remaining. If a parking meter on a block services multiple parking spaces, that parking meter shall be capable of displaying the status of each parking space serviced (i.e., whether it is expired, or if not, how much time remains of the period for which payment was made).

2. Spaces that are part of the parking meter zone but which do not have parking meters installed, and where payment for parking in those spaces is instead made via a web-based application described in subsection A.2. of this section, the customer shall be given adequate notice of the expiration of the period for which he or she has paid to park, by text message or by another means of communication to which the customer has consented.

Section 11. Section 12.44.040 of the Metropolitan Code is hereby deleted in its entirety and replaced with the following:

12.44.040 - Payment for parking-Time limits for use.

A. If any one of the following applies, no person shall park a vehicle in any parking space upon a street within a parking meter zone during the restricted and regulated time applicable to the parking meter zone in which such parking space is located, unless the applicable parking rate has been paid for the period of time for which said vehicle is parked in such parking space.

1. The parking space is located alongside of and next to a parking meter.

2. The parking space is located on a block where a parking meter servicing multiple parking spaces is installed and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

3. The parking space is a part of the parking meter zone whereby payment for parking in that space is made via a web-based application, such as is described in subsection A.2. of Section 12.44.020, and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

B. If any one of the following applies, no person shall permit a vehicle within his or her control to be parked in any such parking space during the restricted and regulated time applicable to the parking meter zone in which such parking space is located, unless the applicable parking rate has been paid for the period of time for which said vehicle is parked in such parking space.

1. The parking space is located alongside of and next to a parking meter.

2. The parking space is located on a block where a parking meter servicing multiple parking spaces is installed and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

3. The parking space is a part of the parking meter zone whereby payment for parking in that space is instead made via a web-based application described in subsection A.2. of Section 12.44.020, and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

C. No person shall park a vehicle in any such parking space for a consecutive period of time longer than that limited period of time for which parking is lawfully permitted in the parking meter zone in which such parking space is located, regardless of the amount of the payment made. If any vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space the customer shall be given adequate notice of the expiration of that period by one or more of the methods indicated in subsections C.1-C.2.,

below. The fact that notice has been given through one of the methods indicated below, shall be prima facie evidence that such vehicle has been parked overtime and beyond the period of legal parking time in any such part of a street where any such parking space is located, and shall be a violation of this section. Each period of overtime parking beyond the duration of that limited period of time, for which parking is lawfully permitted in the parking meter zone, in which such parking space is located, shall be considered a separate offense.

1. If there is a parking meter installed adjacent to the designated parking space, that parking meter shall be so designed, constructed, installed and set that, upon the expiration of the limited period of time for which parking is lawfully permitted in the parking meter zone in which such meter is located, it will display a sign or signal showing illegal parking. If a parking meter on a block services multiple parking spaces, that parking meter shall be capable of displaying the status of each parking space serviced (i.e., whether it constitutes illegal parking beyond the time limit fixed for such parking space).

2. In the case of spaces that are part of part of the parking meter zone but which do not have parking meters installed, and where payment for parking in those spaces is instead made via a web-based application described in subsection A.2. of Section 12.44.020, the customer shall be given adequate notice by text message, or by another means of communication, to which the customer has consented, that the limited period of time for which parking is lawfully permitted in the parking meter zone, in which such meter is located, has expired, and that continued parking in that space beyond that period constitutes illegal parking.

3. The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of this title and the State Vehicular Code prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

Section 12. Section 12.44.060 of the Metropolitan Code shall be amended by adding the phrase "or other related equipment" to the end of this section.

Section 13. Section 12.44.070 of the Metropolitan Code shall be amended by deleting the existing language in its entirety and replacing it with the following:

Section 12.44.070 - Disabled driver parking in parking meter zones-Notice. The department of public works shall either post appropriate signage within parking meter zones or include a statement on each parking meter informing drivers that, pursuant to T.C.A. 55-21-105, no parking meter fee is required for vehicles with a valid disabled driver license plate or placard. The foregoing does not entitle a vehicle with a valid disabled driver license plate or placard to park for a consecutive period of time exceeding any parking time limit applicable to the parking meter zone in question, without that violation being subject to penalty, in the form of the application of the fine for parking for a consecutive period of time, longer than that limited period of time, for which parking is lawfully permitted in the parking meter zone, in which such parking space is located.

Section 14. Section 12.44.080 of the Metropolitan Code shall be deleted in its entirety.

Section 15. Pursuant to Tenn. Code Ann. Section 9-1-108(c)(3), the Metropolitan Government hereby waives the collection of the processing fees for payments made for on-street parking by customers of Metro's parking system in an amount that is equal to the amount paid by the third party processor for processing the payment.

Section 16. Subsection H. of Section 13.08.080 of the Metropolitan Code is amended by adding the following to the end of the section:

Notwithstanding the foregoing, the provisions of this section shall also not apply to the operation of a license plate scanner installed onto or within the public right-of-way that meets each of the following conditions:

- a. The license plate scanner is used solely and exclusively for determining whether a vehicle is violating parking restrictions; and
- b. A specific vehicle's license plate number shall be deleted within thirty minutes of its exit from a monitored parking space, unless that vehicle is suspected of violating parking restrictions for which enforcement action would be appropriate.

Section 17. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government requiring it.

INTRODUCED BY:

Sean Parker
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2021-657

Mr. President –

I hereby move to amend Ordinance No. BL2021-657, proposed Metropolitan Code of Laws Section 2.64.060, as follows:

2.64.060 - Membership demographic reports

The Metropolitan Clerk shall submit a report to the Metropolitan Council and the Mayor’s Office on or before October 1 of each year containing demographic information about every Metropolitan Government board and commission whose membership is elected or confirmed by the Metropolitan Council. Such report shall include the current demographic composition of the members of each board as compared to the demographic composition from the previous year. For purposes of this report, “demographic composition” means the percentage of racial minorities, ethnic minorities, gender identity, and self-identified LGBTQ status as disclosed on the questionnaire submitted to the Metropolitan Clerk at the time of confirmation. These reports shall remain posted on the Metropolitan Clerk’s website.

SPONSORED BY:

Tom Cash

Emily Benedict
Members of Council

AMENDMENT NO. ____
TO
SUBSTITUTE ORDINANCE NO. BL2020-535

Mr. President –

I hereby move to amend Substitute Ordinance No. BL2020-535 as follows:

I. By amending Section 1 by deleting the proposed Metropolitan Code of Laws Section 17.28.100.B.1 and replacing it as follows:

1. Residential and Agricultural: All exterior lighting, excluding freestanding floodlights, is subject to subsection E.4 only. Freestanding floodlights shall be subject to subsections E.1.d and E.4.

SPONSORED BY:

Angie Henderson
Member of Council

SUBSTITUTE ORDINANCE NO. BL2020-578

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 changing the preliminary plan for properties located at 1 City Avenue, 4, 5, 6, and 8 City Boulevard, 7 and 9 City Place, and City Boulevard (unnumbered), at the southwest corner of City Boulevard and 28th Avenue North, zoned SP (18.93 acres), to increase the maximum allowed residential units from 600 to ~~850~~ 700 multi-family residential units, all of which is described herein (Proposal No. 2011SP-009-008).

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

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing the preliminary plan for properties located at 1 City Avenue, 4, 5, 6, and 8 City Boulevard, 7 and 9 City Place, and City Boulevard (unnumbered), at the southwest corner of City Boulevard and 28th Avenue North, zoned SP (18.93 acres), to increase the maximum allowed residential units from 600 to 850 multi-family residential units, being Property Parcel Nos. 001, 002, 003, 004, 008, 010, 011, 901 as designated on Map 092-14-B of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 092 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to all uses listed in the Council approved SP plan. Multi-family residential is limited to a maximum of ~~850~~ 700 units

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. All applicable requirements specified in BL2011-891 and 2014-887 not specifically being amended under this application shall remain in effect.
2. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Comply with all conditions and requirements of Stormwater, Water Services, and Public Works.

5. The existing roads and sidewalks shown on the plat of record as Instrument No. 20151210-0124463 (the "Plat") will not be modified in a manner that adversely affects surrounding properties within the specific plan. Any change in the size or location of the private drive shown as "City Place" on the Plat and the private drive shown as "Road B - City Place" on Sheet 3 of this Amended Preliminary SP shall require Council approval as an amendment to the SP.
6. The developer and contractors shall utilize a private off-site parking area with a shuttle service for construction workers during the entire construction process; public on-street parking shall not be counted for this off-site parking area.

Section 5. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 6. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Section 7. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

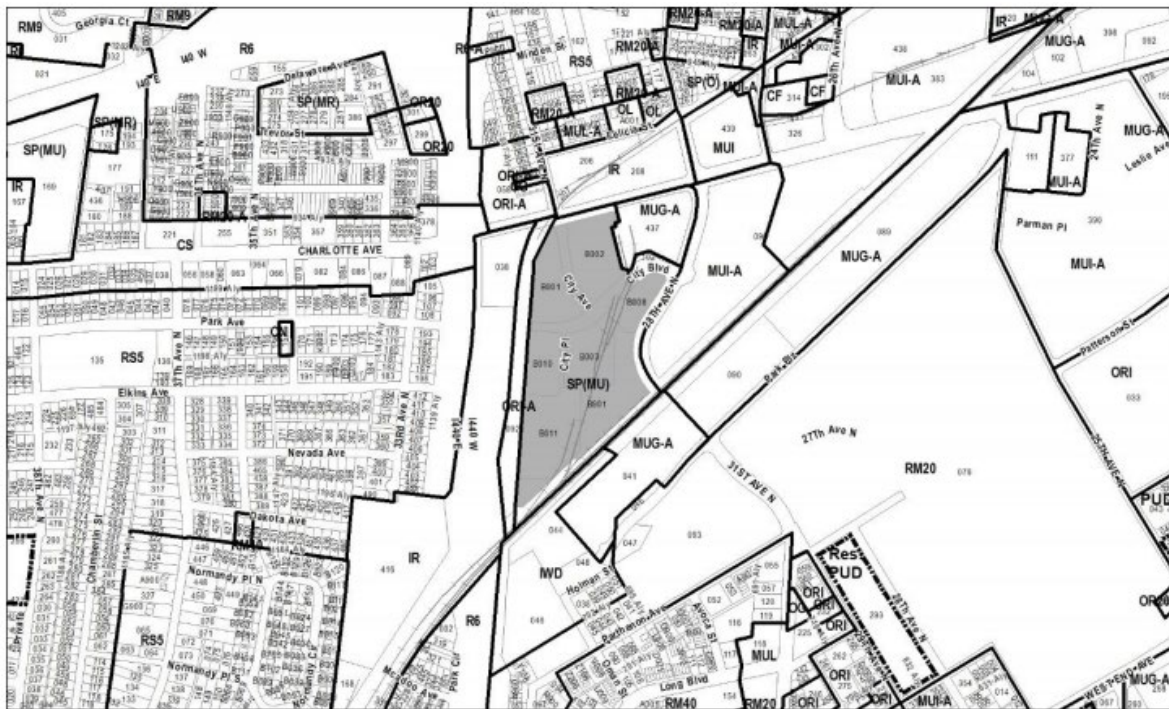
Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember Brandon Taylor

2011SP-009-008
ONECITY
Map 092-14-0-B, Parcel(s) 001-004, 008, 010, 011, 901
Subarea 10, Green Hills - Midtown
District 21 (Taylor)
Application fee paid by: One City Ryan Doyle

A request to amend the preliminary plan for properties located at 1 City Avenue, 4, 5, 6, and 8 City Boulevard, 7 and 9 City Place, and City Boulevard (unnumbered), at the southwest corner of City Boulevard and 28th Avenue North, zoned SP (18.93 acres), to increase the maximum allowed residential units from 600 to ~~850~~ 700 multi-family residential units, requested by Civil Site Design Group, applicant; Cambridge Nashville Medical Center LP, Nashcam LP, NF IV-VA Nashville LLC, Shay/LB-WC-LC LLC, owners



SUBSTITUTE ORDINANCE NO. BL2021-637

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 changing from IR to MUN-A-NS zoning for properties located at 754 Douglas Avenue and 830 W McKennie Avenue, approximately 260 feet west of McFerrin Avenue (0.27 acres), all of which is described herein (Proposal No. 2021Z-002PR-001).

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

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from IR to MUN-A-NS zoning for properties located at 754 Douglas Avenue and 830 W McKennie Avenue, approximately 260 feet west of McFerrin Avenue (0.27 acres), being Property Parcel Nos. 302, 312 as designated on Map 071-16 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 071 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Sean Parker
Member of Council

2021Z-002PR-001
Map 071-16, Parcel(s) 302, 312
Subarea 05, East Nashville
District 05 (Sean Parker)
Application fee paid by: Molly Simmons

A request to rezone from IR to MUN-A-NS zoning for properties located at 754 Douglas Avenue and 830 W McKennie Avenue, approximately 260 feet west of McFerrin Avenue (0.27 acres), requested by Douglas Village, LLC, applicant and owner.



SUBSTITUTE ORDINANCE NO. BL2021-643

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 changing from RS5 to MUG-A-NS zoning for property located at Dickerson Pike (unnumbered), approximately 210 feet south of Fern Avenue within the Dickerson Pike Sign Urban Design Overlay (0.62 acres), all of which is described herein (Proposal No. 2021Z-015PR-001).

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

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from RS5 to MUG-A-NS zoning for property located at Dickerson Pike (unnumbered), approximately 210 feet south of Fern Avenue within the Dickerson Pike Sign Urban Design Overlay (0.89 acres), being Property Parcel No. 514 as designated on Map 071-11 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 071 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Sean Parker
Member of Council

2021Z-015PR-001
Map 071-11, Parcel(s) 514
Subarea 05, East Nashville
District 05 (Parker)
Application fee paid by: The Cauble Group, LLC

A request to rezone from RS5 to MUG-A-NS zoning for property located at Dickerson Pike (unnumbered), approximately 210 feet south of Fern Avenue within the Dickerson Pike Sign Urban Design Overlay (0.62 acres), requested by Fulmer Lucas Engineering, LLC, applicant; Howdy Hospitality, LLC, owner.

