



Metropolitan Council

H. Resolutions on Public Hearing

1. [RS2024-158](#)

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

Analysis

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

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

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

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

to \$350,000.

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

Sponsors: Porterfield and Evans

I. Bills on Public Hearing

2. [BL2023-79](#)

An ordinance amending Section 17.12.040 of the Metropolitan Code, Zoning Regulations regarding covered front porches within the required street setback (Proposal No. 2023Z-008TX-001).

Analysis

This ordinance amends Section 17.12.040 of the Metropolitan Code to allow awnings, patio covers, and canopies that encroach into required setbacks to have supports other than the wall from which they project and to allow front porches to extend six feet into required street setbacks under certain conditions.

Currently, awnings, patio covers, and canopies that project into required setbacks by no more than six feet are required to have no other structural supports than those provided by the wall to which they are attached. The proposed ordinance would allow canopies that extend no more than six feet into a required setback to have independent structural supports, which will increase the types of projecting covers that can be used.

Covered front porches are considered in the zoning code to be a part of the principal structure and are currently not permitted in the required street setback. The proposed ordinance would allow covered front porches to extend up to six feet into the required street setback if the following conditions are met:

- The porch shall not be enclosed.
- There shall be no enclosed space above the porch.
- The porch shall be located at least ten feet from the right-of-way.

The Planning Commission recommended approval of this ordinance with a substitute at their December 14, 2023, meeting.

Sponsors: Benedict

5. [BL2023-138](#)

An ordinance amending Section 17.40.010 of the Metropolitan Code, Zoning Regulations to require notice to the district council member for reasonable accommodations to the Zoning Ordinance granted by the zoning administrator (Proposal No. 2024Z-001TX-001).

Analysis

This ordinance amends Section 17.40.010 of the Metropolitan Code to require written notice of the zoning administrator's decision to grant or deny a reasonable accommodation request to the council member whose district contains the parcel containing the reasonable accommodation.

Reasonable accommodations to zoning code requirements may be granted by the zoning administrator to any person, or their representative, who has a disability recognized by federal law, who provides housing for such a person, or whose religious exercise is burdened by a provision of this title. The zoning administrator's decision to approve or deny a reasonable accommodation request may be appealed to the Board of Zoning Appeals within 30 days of the issuance of the zoning administrator's decision.

Currently, the zoning administrator is required to provide a mailed notice to all surrounding property owners within 1,000 feet of the property where a reasonable accommodation is being sought within five business days of the zoning administrator's decision. The ordinance under consideration would expand this notice requirement to include the relevant district council member in addition to the surrounding property owners.

The Planning Commission recommended approval of this ordinance at their January 11, 2024, meeting.

Sponsors: Toombs

K. Resolutions

6. [RS2024-194](#)

An initial resolution determining to issue general obligation bonds of The Metropolitan Government of Nashville and Davidson County in an aggregate principal amount of not to exceed \$514,055,000.

Analysis

This initial resolution authorizes the issuance of up to \$514,055,000 in general obligation bonds to provide funding for various projects contained in the Mayor's proposed capital spending plan.

This initial resolution provides \$387,177,000 for the General Government, \$105,878,000 for Metropolitan Nashville Public Schools, and a total contingency amount of \$21,000,000.

Exhibit A to the initial resolution provides a list of the capital projects to be funded through this capital spending plan. Information for each project includes the cost allocation and the identifying FY24 Capital Improvements Budget project number. The specific funding allocation for each project may only be amended by Council legislation.

Exhibit B to the initial resolution includes the capital project cost itemization forms required by Ordinance No. BL2019-77, which provide project funding history and projected itemized costs

for projects with an expected capital expenditure over \$5 million. Approval of this initial resolution would allow the Metropolitan Government to use its commercial paper program to provide short-term financing to commence construction prior to the authorization, issuance, and sale of the long-term general obligation bonds.

Exhibit C to the initial resolution includes Council's FY24 CIB Prioritization List as required by Rule 21 of the Council Rules of Procedures.

A memo from the Director of Finance was provided to Council in accordance with Metro Code of Laws Section 5.04.110.

Council Rule 21 requires that the resolution be deferred for at least one Council meeting to allow for thorough consideration.

Once adopted, the full resolution along with specific statutory notice will be published in a newspaper as required by state law.

Fiscal Note: This resolution would authorize issuance of up to \$514,055,000 in general obligation bonds to provide funding for the Mayor's proposed capital spending plan.

Sponsors: Porterfield

7. **RS2024-195**

A resolution reducing the authority of The Metropolitan Government of Nashville and Davidson County to issue general obligations bonds pursuant to certain initial resolutions previously adopted by the Metropolitan County Council.

Analysis

This resolution effectively reduces the authority to issue general obligation bonds and the spending authority provided in 12 previous capital spending plan resolutions by approximately \$14,316,470. Various previously approved capital projects in initial resolutions (capital spending plans) were completed or are on target for completion at a cost less than the originally authorized amount resulting in the savings. The savings is recognized by this deauthorization resolution.

RS2009-746 previously adopted on June 9, 2009, would be reduced by \$5,019,
RS2010-1363 previously adopted on September 21, 2010, would be reduced by \$2,288.16,
RS2012-276 previously adopted on June 19, 2012, would be reduced by \$3,391.50,
RS2013-559 previously adopted on February 5, 2013, would be reduced by \$232,610.70,
RS2013-710 previously adopted on June 11, 2013, would be reduced by \$98.75,
RS2014-963 previously adopted on February 4, 2014, would be reduced by \$18,472.20,
RS2015-1500 previously adopted on June 9, 2015, would be reduced by \$3,460.25,
RS2016-245 previously adopted on June 21, 2016, would be reduced by \$3,621.80,
RS2017-713 previously adopted on June 13, 2017, would be reduced by \$265,
RS2017-963 previously adopted on November 21, 2017, would be reduced by \$5,328.86,

RS2020-213 previously adopted on March 17, 2020, would be reduced by \$14,041,878.75, and RS2021-757 previously adopted on March 2, 2021, would be reduced by \$35.

Sponsors: Porterfield and Johnston

8. **RS2024-196**

A resolution appropriating the amount of \$22,848,000.00 from the General Fund Reserve Fund for the purchase of equipment and building repairs for various departments of The Metropolitan Government of Nashville and Davidson County.

Analysis

This resolution appropriates \$22,848,000 from the General Fund Reserve Fund (4% Fund) to 14 departments for various purchases of equipment and building repairs. Section 6.14 of the Metropolitan Charter requires that 4% of all the general fund revenue of the General Services District be set aside each year solely for the purchase of equipment and building repairs.

Ordinance No. O86-1534 and Section 5.04.015.F of the Metro Code require that allocations from the 4% Fund each be supported by information sheets, which are attached to the resolution. The information sheets detail the cost of the equipment or building repairs, whether the cost is related to a replacement, the age of the equipment being replaced, and the estimated life of the equipment. The resolution further provides that “the Director of Finance may schedule acquisitions authorized herein to ensure an appropriate balance in the Fund.”

The following departments would receive funding:

- Davidson County Election Commission -- \$704,000 for voting machines and related equipment
- Davidson County Sheriff's Office -- \$3,000,000 for roof repairs, miscellaneous equipment, and miscellaneous repairs and maintenance
- Department of Finance -- \$450,000 for Treasury R12 Enhancement - Banking, a replacement grants application management system, and technology upgrades for Procurement
- Department of General Services -- \$3,250,000 for fleet - new and replacement vehicles and assessor - office improvements
- Department of Information Technology Services -- \$6,928,000 for end-of-life data center equipment and Microsoft enterprise agreement
- Justice Integration Services -- \$150,000 for replacement end-of-life server
- Metropolitan Nashville Police Department -- \$750,000 for end-of-life network file storage system
- Department of Parks and Recreation -- \$2,000,000 for various equipment and supplies for playgrounds/park system, repairs/resurfacing of basketball and tennis courts systemwide, and upgrade of parks lighting systemwide
- Department of Health -- \$1,270,000 for equipment and repairs at Metro Animal Care and Control, air monitoring equipment, building repair at forensic medical center,

replacement equipment for forensic medical, animal transit truck inserts, building repairs and maintenance for South Nutritional Center, building repairs and maintenance for Woodbine Clinic, spirometry audiometer EKG and other medical equipment at Lentz Health Center, and building repairs at East Health Center

- Sports Authority -- \$800,000 for First Horizon Ball Park - Field Lighting - LED replacement
- Department of Water -- \$500,000 for Waste Services - Carts - Recycle and Trash
- Nashville Department of Transportation -- \$900,000 for bridge lighting and winter equipment
- Farmers Market -- \$470,000 for miscellaneous major maintenance/equipment/roof repairs
- Nashville Public Library -- \$1,676,000 for facilities master plan - miscellaneous repairs/major maintenance systemwide

Sponsors: Porterfield

9. [**RS2024-197**](#)

A resolution accepting the terms of a cooperative purchasing master agreement for cloud-based computing for computer aided dispatch interface communication solutions for the Department of Emergency Communications.

Analysis

This resolution accepts the terms of a cooperating purchasing master agreement for cloud-based computing for computer aided dispatch interface communication solutions for the Department of Emergency Communications. The purchasing agreement is between Cobb County, which is a state of Georgia governmental agency, and Insight Public Sector, Inc. The agreement is valid through April 30, 2026.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Sponsors: Porterfield and Evans

10. [**RS2024-198**](#)

A resolution to appropriate grant funds from the Martha O'Bryan Center's Tennessee Opportunity Pilot Initiative Implementation Grant and the Metropolitan Government, acting by and through the Metropolitan Action Commission, to formalize the party's relationship while collaborating on direct services, capacity building, collaborative activities, and grant compliance.

Analysis

This resolution appropriates grant funds from the Martha O'Bryan Center to the Metropolitan Action Commission ("MAC") in an amount not to exceed \$160,000 with no local cash match

required. This grant is part of the Martha O'Bryan Center's Tennessee Opportunity Pilot Initiative Grant and will formalize the parties' relationship while collaborating on direct services, capacity building, collaborative activities, and grant compliance.

Pursuant to the collaboration agreement, MAC will employ two family-centered coaches who will spend all of their time on Our Chance TN, an initiative from the Tennessee Alliance for Economic Mobility that "endeavors to support families in moving beyond the benefits cliff." The term of the agreement is effective November 1, 2023, and ends October 31, 2024.

Sponsors: Porterfield, Evans, Welsch, Allen and Vo

11. [**RS2024-199**](#)

A resolution accepting the terms of a cooperative purchasing master agreement for money network pay card services for the Metropolitan Finance Department.

Analysis

This resolution accepts the terms of a cooperative purchasing master agreement for money network pay card services for the Finance Department. The purchasing agreement is between Region 14 Education Service Center and First Data Merchant Services, LLC. Metro would only use this agreement to enter a program agreement with Money Network Financial, LLC, to offer the Money Network payroll card to Metro employees. The master agreement is valid through August 31, 2024.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Sponsors: Porterfield

12. [**RS2024-200**](#)

A resolution amending Resolution RS2022-1560 to include Tennessee Immigrant & Refugee Rights Coalition's revised scope of services.

Analysis

This resolution amends Resolution No. RS2022-1560, which appropriated \$1,820,585 in American Rescue Plan Act (ARP) funds to expand critical immigration legal services in Davidson County. Funds were given to the Tennessee Immigrant & Refugee Rights Coalition ("TIRRC") and Tennessee Justice for Our Neighbors ("TNJFON").

TIRRC staff has determined that the scope of services originally envisioned needs to be scaled back in order to provide intensive legal services to fewer clients eligible for naturalization throughout the life of a case.

The number of clients to be served through consultations and screenings would be reduced

from 1200 to 600. The approach to training and engaging volunteers would be amended from assisting six to ten volunteers to apply for and receive DOJ accreditation to two to three volunteers. The original plan included training 10-20 volunteers monthly in year two and hosting a 40-hour COIL training in years 1 and 2. Instead, TIRRC will not seek to train volunteers monthly and will forgo the COIL training in year 2. Finally, TIRRC initial estimated that it would host 30 "Know Your Rights" sessions per year, for a total of 60 sessions. Under the revised plan, TIRRC estimates it will host a total of 30 total "Know Your Rights" sessions over the grant year.

Sponsors: Gamble, Johnston, Welsch, Porterfield, Cortese, Vo and Benedict

13. [**RS2024-201**](#)

A resolution amending Resolution RS2022-1450, which appropriated \$5,546,000 in American Rescue Plan Act Funds to the United Way of Greater Nashville, to extend the projected program term through December 31, 2024.

Analysis

This resolution amends Resolution No. RS2022-1450, which appropriated \$7,519,000 in American Rescue Plan Act funds to increase access to existing high quality child care centers, provide more resources to home based child care, and invest in efforts to build capacity and build up high-quality child care programs. Of this total, \$5,546,000 to the United Way of Greater Nashville to be used to administer the program for existing child care centers and \$1,823,000 to the Raphah Institute to be used to administer the program for home based child care centers. \$150,000 was appropriated to the United Way of Greater Nashville to convene cross-sector groups to develop a birth-through-age-eight framework and an implementation plan that will directly address affordable, accessible, and high-quality child care in Davidson County.

The original project term began April 1, 2022 and was set to end June 30, 2024. The United Way of Greater Nashville has requested that the project term be extended to December 31, 2024.

This resolution extends the project term for this project to December 31, 2024.

Sponsors: Gamble, Porterfield, Styles and Vo

14. [**RS2024-202**](#)

A resolution amending Resolution RS2022-1904 which appropriated \$2,000,000 in American Rescue Plan Act funds from Fund #30216 to the YWCA Nashville & Middle Tennessee for repairs and infrastructure improvements to the Weaver Domestic Violence Center, to include an updated scope of work.

Analysis

This resolution amends Resolution No. RS2022-1904, which allocated \$2,000,000 in American Rescue Plan Act funds to the YWCA Nashville & Middle Tennessee for repairs and infrastructure improvement to the Weaver Domestic Violence Center.

At the YWCA's request, this resolution would amend the project's scope of work to include replacement of the shelter's roof system, repair of high-traffic kitchen areas, provision of adequate staff room for frontline workers, replacement of aging flooring and bathroom fixtures, modification the facility's HVAC system, replacement of the building's security system, caulking and re-painting of all exterior joints and building surfaces, and installation of storage management systems for clients. The existing exhibit would continue to remain in effect to the extent it does not conflict with the amended legislation.

Sponsors: Gamble, Johnston, Porterfield, Welsch, Styles and Vo

15. [**RS2024-203**](#)

A resolution amending Resolution RS2022-1905 to extend Fisk University's time to complete the physical buildout of Burrus Hall and to permit the use of \$500,000 of the previously appropriated American Rescue Plan Funds for personnel and employee benefits.

Analysis

This resolution amends Resolution No. RS2022-1905, which allocated \$10,000,000 in American Rescue Plan Act funds to Fisk University to renovate and update Burrus Hall and establish a small business enterprise and innovation center in North Nashville. According to Exhibit A to RS2022-1905, the project was expected to be completed within twelve to eighteen months from the passage of the resolution in December 2022.

The resolution under consideration would amend Exhibit A to RS2022-1905 to extend the deadline to complete the Burrus Hall buildout through December 31, 2025. At the request of Fisk officials, the resolution would also amend RS2022-1905 to permit \$500,000 of the \$10,000,000 to be used for personnel and employee benefits.

Sponsors: Gamble, Porterfield and Welsch

16. [**RS2024-204**](#)

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

Analysis

This resolution approves the first amendment to a grant contract with Thistle Farms for constructing affordable housing approved by Resolution No. RS2022-1857 (Exhibit AA to RS2022-1857).

The Thistle Farms grant agreement was one of many that the Metropolitan Housing Trust Fund previously executed pursuant to Resolution No. RS2022-1857. This grant provided \$195,125 to Thistle Farms for the construction of three affordable housing units located at 1701 12th Ave N, 1703 12th Ave N, and 1705 12th Ave N.

The amendment under consideration amends the scope of the program approved by RS2022-1857 to remove one of the affordable housing units located at 1701 12th Ave N. The amended scope of the grant contract will be for the construction of two affordable housing units at 1703 12th Ave N and 1705 12th Ave N. No other changes will be made to the grant contract.

Sponsors: Porterfield, Gamble, Welsch and Vo

17. [RS2024-205](#)

A resolution to approve the First Amendment to a grant contract for constructing affordable housing approved by RS2022-1443 between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and Rebuilding Together Nashville.

Analysis

This resolution approves the first amendment to a grant contract with Rebuilding Together Nashville for the construction of affordable housing approved by Resolution No. RS2022-1443 (Exhibit N to RS2022-1443).

The Rebuilding Together Nashville grant agreement was one of many that the Metropolitan Housing Trust Fund previously executed pursuant to Resolution No. RS2022-1443. This grant provided \$1,849,173 for the rehabilitation of 87 affordable single-family homes.

The amendment under consideration amends the scope of the program approved by RS2022-1443 to expand the scope of the 87 affordable single-family homes to instead state 87 owner-occupied single-family and two-family home units. No other changes will be made to the grant contract.

Sponsors: Porterfield, Gamble, Welsch and Vo

18. [RS2024-206](#)

A resolution accepting the terms of a cooperative purchasing master agreement for emergency and specialty vehicles, equipment, accessories and related supplies and services for the General Services Department.

Analysis

This resolution accepts the terms of a cooperative purchasing master agreement for emergency and specialty vehicles, equipment, accessories, and related supplies and services for the General Services Department. The purchasing agreement is between Port of Portland, a state of Oregon local governmental agency, and Farber Specialty Vehicles. The agreement is valid through November 30, 2024.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Sponsors: Porterfield and Styles

19. [RS2024-207](#)

A resolution accepting the terms of a cooperative purchasing master agreement for electric vehicle supply equipment and related services for the General Services Department.

Analysis

This resolution accepts the terms of a cooperating purchasing master agreement for electrical vehicle supply equipment and related services for the General Services Department. The purchasing agreement is between Sourcewell, which is a state of Minnesota local government agency, and CCGI Holding LLC, DBA Blink. The agreement is valid through July 20, 2025, with a possible one-year extension.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Sponsors: Porterfield and Allen

20. [RS2024-208](#)

A resolution accepting the terms of a cooperative purchasing master agreement for automotive parts and accessories for light, medium and heavy-duty vehicles for the General Services Department.

Analysis

This resolution accepts the terms of a cooperating purchasing master agreement for automotive parts and accessories for light, medium, and heavy-duty vehicles for the General Services Department. The purchasing agreement is between Prince William County Schools, which is a state of Virginia governmental agency, and Advance Stores Company Inc., DBA Advanced Auto Parts. The agreement is valid through October 31, 2028.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Sponsors: Porterfield

21. [RS2024-209](#)

A resolution accepting the terms of a cooperative purchasing master agreement for video cameras and controllers for the Information Technology Services Department.

Analysis

This resolution accepts the terms of a cooperating purchasing master agreement for video cameras and controllers for the Information Technology Services Department. The purchasing agreement is between Region 4 Education Service Center, which is a state of Texas governmental agency, and B&H Foto and Electronics, DBA B&H. The agreement is valid through March 31, 2024.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Sponsors: Porterfield and Bradford

22. [RS2024-210](#)

A resolution approving a grant contract between the Metropolitan Government, acting by and through the Metropolitan Board of Health, and the Mental Health Cooperative to help operate the Mental Health Crisis Treatment Center and provide emergency psychiatric care, including crisis stabilization, respite care and treatment.

Analysis

This resolution approves a grant contract between the Metropolitan Board of Health and the Mental Health Cooperative (“MHC”) to help operate the Mental Health Crisis Treatment Center and provide emergency psychiatric care, including crisis stabilization, respite care and treatment.

Pursuant to the agreement, MHC will serve as a viable and expedient source of emergency psychiatric care, including crisis treatment, crisis stabilization, and respite care. The funds will be used to operate a 24/7 Mental Health Coop Treatment Center (“MHCTC”) mental health urgent care alternative to the emergency room or jail. MHA will host a secure drop-off entrance for transfers involving law enforcement or other first responder departments operating in Davidson County.

Pursuant to the terms of the agreement, MHC will receive \$2,508,400 to be used for the following outcomes:

- MHCTC will maintain a monthly average of 90 individuals referred by MNPd who require psychiatric emergency care.
- MHCTC will assume the responsibility of a minimum of 225 walk-in individuals for psychiatric emergency care per month.
- MHCTC will assume the responsibility of a minimum of 170 individuals for crisis stabilization and respite care per month.
- MHCTC will maintain an average drop-off time for MNPd of 10 minutes or less.
- MHCTC will partner with Metro officials to enhance access to psychiatric emergency care.

MHC would be required to collect data to evaluate the effectiveness of services provided under

the contract and provide the results to Metro. The term of the grant begins upon filing with the Metro Clerk and ends June 30, 2024.

Fiscal Note: Metro would pay \$2,508,400 to Mental Health Cooperative to provide funds to help operate the Mental Health Crisis Treatment Center and provide emergency psychiatric care, including crisis stabilization, respite care and treatment.

Sponsors: Porterfield, Evans, Johnston, Welsch, Allen, Cortese and Vo

23. [RS2024-211](#)

A resolution approving an American Heart Association Site Agreement between Premedics, Inc. dba Training Center Services and the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Health, for students to take course BLS, HeartSaver.

Analysis

This resolution approves an American Heart Association Site Agreement between the Metropolitan Board of Health and Premedics, Inc. DBA Training Center Services. The agreement allows students to take Basic Life Support (“BLS”) and HeartSaver courses.

Pursuant to the terms of the agreement, the Metro Public Health Department (“MPHD”) would be authorized to teach BLS and HeartSaver courses on behalf of the AHA. Premedics would process course rosters, provide course participation or completion cards, report to the AHA on behalf of MPHD, monitor record-keeping quality assurance and facilitate access to appropriate AHA regional faculty for course quality assurance issues. MPHD would maintain instructor files, course rosters, skills checks and failed/remedied written tests for all courses conducted by MPHD for at least three years after the course was conducted. All costs of providing courses and fees charged to students is the sole discretion and responsibility of MPHD. MPHD will be charged by Premedics a per card fee based on the amount of cards purchased yearly.

Fiscal Note: The per-card fee cost of the Basic Life Support course is \$7.00 and HeartSaver course is \$22.00. The card rates are subject to change at time of renewals or in response to price increases by the American Heart Association.

Sponsors: Porterfield and Evans

24. [RS2024-212](#)

A resolution approving amendment one to a grant from the State of Tennessee, Department of Health, to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Health, for family planning services.

Analysis

This resolution approves the first amendment to a grant from the Tennessee Department of Health to the Metropolitan Board of Health for family planning services, previously approved by Resolution No. RS2022-1430.

RS2022-1430 accepted a grant of \$5,325,500, with no local cash match required, for assisting individuals in the planning and spacing of children through the provision of affordable, voluntary family planning services regardless of ability to pay. The term of the grant began July 1, 2022, and ends June 30, 2027.

The amendment under consideration increases the amount of the grant by \$360,000, from \$5,325,500 to \$5,685,500. The grant budgets would be updated accordingly. In addition, the grant amends the Service Definitions, Service Goals, Service Recipients, Service Description, and Audit Report provisions.

Sponsors: Porterfield, Evans, Welsch, Styles and Vo

25. [RS2024-213](#)

A resolution approving amendment two to a Strengthening Public Health Infrastructure, Workforce, and Data Systems grant from the Centers for Disease Control and Prevention to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to implement workforce strategies to build organizational resilience, promote employee well-being, and enhance workforce performance while focusing on building healthier communities.

Analysis

This resolution approves the second amendment to a Strengthening Public Health Infrastructure, Workforce, and Data Systems grant from the Centers for Disease Control and Prevention to the Metropolitan Board of Health, originally approved by Resolution No. RS2023-1955. The grant was previously amended pursuant to RS2023-2090 to reduce the amount of indirect costs collection by \$2,947 by moving from the Indirect Costs line item into the Direct Cost line item. The grant is used for implementation of workforce strategies to build organization resilience, promote employee well-being, and enhance workforce performance while focusing on building healthier communities.

The amendment under consideration increases the amount of the grant by \$843,396 from \$8,578,283 to \$9,421,679 and incorporates terms and conditions for the grant based upon Notice of Funding Opportunity number OE22-2203. The amendment also requires Metro to respond to information by February 1, 2024, as a grant note for travel costs, supply costs, and other costs. In addition, Metro is given expanded authority to carryover unobligated grant funds. Finally, the amendment updates the funding requirements for indirect costs, reporting requirements, and payment information.

Sponsors: Porterfield, Evans, Welsch and Vo

26. [RS2024-214](#)

A resolution approving an application for a Coordinated Entry Process grant from the U. S. Department of Housing and Urban Development to the Metropolitan Government, acting by and through the Office of Homeless Services, to support the work of Coordinated Entry through staffing, program evaluation, and community education.

Analysis

This resolution approves an application for a Coordinated Entry grant from the U.S. Department of Housing and Urban Development to the Office of Homeless Services. If awarded, the grant amount would be \$128,000 with a required local cash match of \$32,000. The grant proceeds would be used to fund the position of a Coordinated Entry Special Project Coordinator to help strengthen access to coordinated entry for individuals.

Sponsors: Porterfield, Evans, Welsch, Allen and Vo

27. [RS2024-215](#)

A resolution approving an application for a Continuum of Care Collaborative Applicant grant from the Nashville Continuum of Care to the Metropolitan Government, acting by and through the Office of Homeless Services, to address the critical problem of homelessness through a coordinated community-based process of identifying needs and building a homeless response system of housing and services to address those needs.

Analysis

This resolution approves an application for a Continuum of Care Collaborative Applicant grant from the Nashville Continuum of Care to the Office of Homeless Services to address the critical problem of homelessness through a coordinated community-based process of identifying needs and building a homeless response system of housing and services to address those needs. If approved, the grant award would be \$381,251 with a required local cash match of \$95,312.75.

Sponsors: Porterfield, Evans, Johnston, Welsch, Allen, Cortese, Vo and Benedict

28. [RS2024-216](#)

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

Analysis

This resolution approves a Child and Adult Care Food Program (“CACFP”) grant application and accepts a CACFP grant from the Tennessee Department of Human Services to the Metropolitan Parks and Recreation Department.

This resolution was submitted erroneously and is a duplicate of Resolution No. RS2024-175, which was adopted at the January 23, 2024, Council meeting. This resolution should be withdrawn.

Sponsors: Porterfield, Welsch, Allen, Cortese and Vo

29. [RS2024-217](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the claims of Kimberly Jones-Mbuyi against the Metropolitan Government of Nashville and Davidson County in the amount of \$250,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On November 15, 2021, Kimberly Jones-Mbuyi and her daughter, Michaela Carter, called 911 to report that Ms. Carter's estranged husband, James Leggett, was seen with a gun outside of a relative's apartment that Ms. Carter frequented. Ms. Carter had an order of protection against Leggett. Two Metropolitan Nashville Police Department ("MNP") officers were dispatched to respond to a local business to meet Ms. Jones-Mbuyi and Ms. Carter.

En route to meet Ms. Jones-Mbuyi and Ms. Carter, the MNP officers saw a man dressed similar to the description that Ms. Jones-Mbuyi gave of Leggett. The officers did not yet have Leggett's name or confirmation of whether Ms. Carter had an order of protection against him. The officers noted that the man was significantly shorter than the description they were given, and they did not approach the man they saw.

Ms. Jones-Mbuyi and Ms. Carter were not at the local business when the officers arrived, and the officers proceeded to the relative's apartment complex. Not seeing anyone meeting the description they were given, the officers returned to the local business and found Ms. Jones-Mbuyi and Ms. Carter. There, the women informed the officers of the order of protection against Leggett and told the officers Leggett was contacting Ms. Carter by text and making threatening posts on social media. They asked the officers to arrest Leggett for violating the order of protection. The officers stated they did not have sufficient personal knowledge to effectuate an arrest and offered to accompany Ms. Carter to night court to swear out a warrant against Leggett. Ms. Carter declined as she had to go to work. The officers did not perform a Lethality Assessment during this interaction, as is required by MNP policy. They also provided Ms. Carter with written information regarding available shelter and counseling options but did not verbally advise her of such.

The officers accompanied the women to Ms. Jones-Mbuyi's house, where Ms. Carter also lived. Once there, the officers conducted a perimeter sweep of the home. Finding no issues, the officers left. Approximately ten minutes after the officers left, Leggett arrived and shot Ms. Carter. Ms. Carter later died from her injuries.

An investigation by MNP's Office of Professional Accountability ("OPA") sustained a finding that the officers violated the MNP Manual 4.20.050 - Deficient or Inefficient Performance of Duties. The report found, among other shortcomings, that the officers should have performed the Lethality Assessment and verbally offered shelter and counseling to Ms. Carter. The report did not find that Ms. Carter's death would have been prevented absent the identified policy violations. One officer was suspended for two days. The other officer was an Officer-in-Training at the time of the incident and no OPA findings were made against him.

Under the Tennessee Governmental Tort Liability Act, monetary damages against a local government for injury or damage caused by the negligent acts of a local government are capped \$300,000.

The Department of Law recommends settlement of Ms. Jones-Mbuyi's claims for \$250,000.

Fiscal Note: This \$250,000 settlement along with Resolution No. RS2024-233 would be the 19th and 20th payments from the Self-Insured Liability Fund in FY24 for a cumulative total of \$1,099,000. The fund balance would be \$19, 579,631 after this payment.

Sponsors: Porterfield and Evans

30. [RS2024-218](#)

A resolution accepting a donation from Rochelle Apartments, LP in the amount of \$145,000 as a contribution towards the construction costs for the 12th Avenue South Complete and Green Streets Project.

Analysis

This resolution accepts a donation from Rochelle Apartments, LP to the Nashville Department of Transportation and Multimodal Infrastructure in the amount of \$145,000. Rochelle Apartments, LP plans to develop a parcel of property at 1021 South Street. This donation will be used towards the cost of the study for roadway infrastructure improvements associated with the 12th Avenue South Complete and Green Streets Project.

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

Sponsors: Porterfield, Parker and Vo

31. [RS2024-219](#)

A resolution approving Amendment 2 to Agreement No. 210258 between the State of Tennessee, Department of Transportation (TDOT), and the Metropolitan Government of Nashville and Davidson County, by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), to extend the project completion date. State No. 19LPLM-S2-190, PIN 132289.00, Prop. No. 2021M-033AG-003.

Analysis

This resolution approves the second amendment to an agreement between the Tennessee Department of Transportation ("TDOT") and the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") for the acceptance of work in connect with the early acquisition of right-of-way of six parcels for Phase 1-North/South Arterial Blvd between Spring Street and Woodland Street. The Council previously approved this agreement pursuant to Resolution No. RS2021-1237. The first amendment, approved by Resolution No. RS2022-1410, reduced the total project costs to \$50,000,000. NDOT is responsible for 50% of the project costs.

The amendment under consideration extends the project completion date from January 15, 2024, to January 31, 2026, in order to complete the full acquisition of six parcels for the project. No additional funding is being requested.

Sponsors: Kupin, Gamble and Parker

32. [RS2024-220](#)

A resolution approving Amendment 3 to Agreement No. 160247, between the State of Tennessee, Department of Transportation (TDOT), and the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), extending the project completion date. Federal Project No. STP-M-NH-1(372), State Project No. 19LPM-F3-152, PIN 125309.00 (Proposal No. 2024M-001AG-001).

Analysis

This resolution approves the third amendment to an agreement between the Tennessee Department of Transportation (“TDOT”) and the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) for the acceptance of a Complete Street on State Route 1 (US 41, Murfreesboro Road) from I-24 Ramp to Foothill Drive, originally approved by Resolution No. RS2017-634. Resolution RS2020-384 approved the first amendment and replaced the language of the agreement in its entirety. Resolution No. RS2021-1222 extended the project completion date to May 31, 2024. RS2021-1222 was amended by RS2021-1293 to correct a typographical error.

Tennessee Code Annotated § 12-9-104(a)(2) authorizes Metro to approve intergovernmental agreements by resolution.

The amendment under consideration extends the project completion date to April 30, 2027, to allow NDOT to procure services and complete both the acquisition of 23 tracts of easement and the construction of the complete street elements required for the project. No other changes would be made to the agreement.

Fiscal Note: The total cost of the project is not changed by this amendment. The previous fiscal note indicated that the total cost of the project is estimated to be \$4,102,500. \$3,282,000 (80%) of this amount would be paid by the federal government. The remaining \$820,500 (20%) would be paid by Metro.

Sponsors: Bradford, Welsch, Gamble and Parker

33. [RS2024-221](#)

A resolution approving an application for a Tennessee Electric Vehicle Infrastructure (TEVI) grant from the Tennessee Department of Transportation to the Metropolitan Government, acting by and through the Nashville Department of Transportation & Multimodal Infrastructure (NDOT), to establish an accessible and reliable Electric Vehicle Charging Infrastructure (EVCI) network that benefits the entire community, with a particular focus on disadvantaged areas by replacing, upgrading, and installing new electric vehicle charging systems at various site locations throughout Nashville.

Analysis

This resolution approves an application for a Tennessee Electric Vehicle Infrastructure (TEVI) grant from the Tennessee Department of Transportation (“TDOT”) to the Nashville Department

of

Transportation & Multimodal Infrastructure (“NDOT”), to establish an accessible and reliable Electric Vehicle Charging Infrastructure (EVCI) network that benefits the entire community, with a particular focus on disadvantaged areas by replacing, upgrading, and installing new electric vehicle charging systems at various site locations throughout Nashville. If awarded, the grant award would be \$4,639,359.20 with a required cash match of \$927,825.70. Estimated project costs will include efforts in site infrastructure, installation, operations and maintenance, and NES utilities.

After the filing of this resolution, NDOT was notified that the grant application did not receive a positive recommendation. As a result, the resolution should be withdrawn.

Sponsors: Porterfield, Parker, Welsch and Benedict

34. [RS2024-222](#)

A resolution approving an application for a U.S. DOT Intersection Safety Challenge grant from the U.S. Department of Transportation to the Metropolitan Government, acting by and through the Nashville Department of Transportation & Multimodal Infrastructure (NDOT), to ensure optimal safety at critical intersections by updating safety software to analyze and predict traffic patterns.

Analysis

This resolution approves an application for a U.S. Department of Transportation (“DOT”) Intersection Safety Challenge grant from the U.S. DOT to the Nashville Department of Transportation & Multimodal Infrastructure (“NDOT”) to ensure optimal safety at critical intersections by updating safety software to analyze and predict traffic patterns. If awarded, the grant amount would be \$100,000 with no cash match required.

Sponsors: Porterfield and Parker

35. [RS2024-223](#)

A resolution approving an application for a 2024 Road to Zero Community Traffic Safety grant from the National Safety Council to the Metropolitan Government, acting by and through the Nashville Department of Transportation & Multimodal Infrastructure (NDOT), to end fatalities on our roads by 2050.

Analysis

This resolution approves an application for a 2024 Road to Zero Community Traffic Safety grant from the National Safety Council to the Nashville Department of Transportation & Multimodal Infrastructure (“NDOT”). If awarded, the grant amount would be \$85,000 with no local cash match required. The grant would be used to eliminate deaths and injuries on Metro roads by 2050.

Sponsors: Porterfield, Parker, Allen and Vo

36. [RS2024-224](#)

A resolution authorizing Fourth and Broad LP to construct and install aerial encroachments at 405 Broadway. (Proposal No. 2023M-017EN-001).

Analysis

This resolution authorizes Fourth and Broad LP to construct, install, and maintain an aerial encroachment at 405 Broadway.

The encroachment is for an illuminated projecting sign at 68 square feet, which encroaches the public right-of-way at 405 Broadway. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachment. Prior to receiving a permit, the applicant must file a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk and the Nashville Department of Transportation and Multimodal Infrastructure naming the Metropolitan Government as an insured party. This resolution must be approved by 21 affirmative votes.

Sponsors: Kupin, Gamble and Parker

37. [RS2024-225](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the claims of Premier Construction, Dustin Case, Joseph Dangerfield, Ridgemont Homes, and Riverside Remodeling and Construction against the Metropolitan Government of Nashville and Davidson County in the amount of \$44,588.69, to be paid out of the NDOT Sidewalk Fund.

Analysis

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

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

The claims comprising this batch are as follows:

Premier Construction - \$5,380.03

Dustin Case - \$12,176.97

Joseph Dangerfield - \$7,864.63

Ridgemont Homes - \$7,476.82

Riverside Remodeling and Construction - \$11,690.24

The Department of Law recommends settlement of these claims by reimbursing these

claimants for a total of \$44,588.69, to be paid from the NDOT Sidewalk Fund.

Fiscal Note: The total settlement amount of \$44,588.69 for the five claimants would be paid from the NDOT Sidewalk Fund.

Sponsors: Porterfield

38. [RS2024-226](#)

A resolution approving a contract between the Metropolitan Government of Nashville and Davidson County and Datavail Corporation for the provision of software consulting services.

Analysis

This resolution approves a sole source contract between the Metropolitan Government and Datavail Corporation for the provision of software consulting services.

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

This sole source IDIQ contract is before the Council for consideration because the estimated value of the contract is \$500,000. The term of the contract is 60 months, beginning upon approval of all parties and filing with the Metropolitan Clerk's Office.

According to the sole source justification form approved by the Metro Purchasing Agent, Datavail is the Oracle PeopleSoft Platinum software consultant and developer that aided Water Services with the implementation, upgrade, customization, and optimization of Metro's PeopleSoft application via proprietary enhancement products, tools, and programming. The proprietary customizations include a component interface for pay rate changes, tracking of company property, and customized reporting. Because of the proprietary customizations provided, using another vendor would significantly alter the scope of the request.

Fiscal Note: The estimated value of sole source contract number 6542605 with Datavail Corporation for software consulting services is \$500,000 to be paid from Fund 67331, Business Unit 6555030.

Sponsors: Porterfield and Parker

39. [RS2024-227](#)

A resolution approving amendment 1 to the contract between the Metropolitan Government of Nashville and Davidson County and Lightwave Renewables, LLC for the design, construction, operation, management and administration services related to solar facilities.

Analysis

This resolution approves the first amendment to a contract between the Metropolitan

Government and Lightwave Renewables, LLC, for the design, construction, operation, management, and administration services related to solar facilities located at Central Wastewater Treatment Plant, Whites Creek Wastewater Treatment Plan and Omohundro Water Treatment Plan, previously approved by Ordinance No. BL2021-887.

BL2021-877 authorized amendments to the legislation by resolution of the Metropolitan Council.

The amendment under consideration replaces Exhibit A-Solar Services Agreement to the goods and services contract. Changes to the Exhibit A include the accrual to Metro, rather than the service provider, of Environmental Attributes, which are the credits, benefits, emissions reductions, offsets, and allowances (also known as Renewable Energy Credits or “REC”s). Under the previous agreement, RECs accrued to Lightwave Renewables. Dates referenced in the Exhibit A would be corrected.

Sponsors: Porterfield, Parker and Allen

40. [RS2024-228](#)

A resolution approving amendment 1 to the contract between the Metropolitan Government of Nashville and Davidson County and Platform Capital Waste Solutions, LLC for the provision of solid waste collection.

Analysis

This resolution approves the first amendment to a contract between the Metropolitan Government and Platform Capital Waste Solutions, LLC (“Platform”), for the provision of solid waste collection, previously approved by Resolution No. RS2022-1660.

RS2022-1660 approved the assignment and amendment of a contract between Metro and Red River Waste Solutions, LP (“Red River”), to Platform. The total estimated value of the contract was \$6,000,000. The term of the contract is set to end on November 30, 2024.

The amendment under consideration increases the estimated value of the contract by \$5,000,000 for a total estimated value of \$11,000,000. According to the contract amendment justification form, the initial value of the contract was set in response to Red River’s bankruptcy. The value of the contract, due to volume and escalation, was underestimated and the increase will allow Platform to continue providing service through the contract expiration.

Sponsors: Porterfield and Parker

41. [RS2024-229](#)

A resolution approving a Memorandum of Agreement between United States Environmental Protection Agency, the Metropolitan Government of Nashville and Davidson County, through the Department of Water and Sewerage Services, and The Tennessee Historical Commission, for the Process Advancements at Omohundro Water Treatment Plant Project, Davidson County, Tennessee (MWS Project No. 21-WC-121).

Analysis

This resolution approves a memorandum of agreement between the United States Environmental Protection Agency (“EPA”), the Department of Water and Sewerage Services (“MWS”), and the Tennessee Historical Commission regarding process advancements for and the expansion of the Omohundro Water Treatment Plant Project (“the Project”).

The EPA plans to provide partial funding to MWS for the Project through a federal credit program for eligible water and wastewater infrastructure projects. This funding requires compliance with the National Historic Preservation Act of 1966, which requires identification and evaluation of cultural resources.

The EPA defined the Project’s area of potential effects and has determined that the Project would adversely affect the Omohundro Water Treatment Filtration Complex District, which is listed on the National Register of Historic Places.

Under the agreement, the EPA ensures that the provisions of the memorandum are completed and consistent with federal laws and regulations. It will also modify the area of potential effects as needed and consult with Native American tribes and other consulting parties. MWS will ensure that all treatment measures comply with government policies and regulations and ensure that all historic preservation and archeological work is performed by qualified professionals under federal regulations.

MWS will amend the National Register of Historic Places nomination for the Omohundro District to provide new information about the property’s physical nature, development history, and period of significance. A first draft of this nomination is due for the Tennessee Historical Commission to review by December 31, 2025. Photographic documentation of the 1963 addition to the Robert L. Lawrence, Jr., Filtration Plant and the Open Tanks must also be submitted for review by December 31, 2025.

As part of the Project, MWS must also retain the Garage Building and rehabilitate the Storage Building and Garage Building. Draft rehabilitation plans must be submitted for review by December 31, 2025, and the project must be completed by December 31, 2034. On December 31, 2025, salvage plans must be submitted for components of the Robert L. Lawrence, Jr. Filtration Plant and Open Tanks prior to demolition. The components must be salvaged by the completion of the project by December 31, 2034. Lastly, MWS must submit plans by December 31, 2025, for a permanent historical exhibit to be installed at the visitor’s center within the Omohundro complex. A temporary historical exhibit must be installed off-site by December 31, 2026, and the permanent historical exhibit will be completed by December 31, 2024.

The Project will also include a plan in case properties are discovered that may be historically significant or have unanticipated effects on historic properties.

The memorandum will expire if its terms are not completed within 11 years from its date of execution.

Sponsors: Porterfield and Parker

42. [RS2024-230](#)

A resolution accepting the terms of a cooperative purchasing master agreement for workplace solutions such as uniform rentals for the Water Services Department.

Analysis

This resolution accepts the terms of a cooperating purchasing master agreement for workplace solutions such as uniform rentals for the Water Services Department. The purchasing agreement is between University of Nebraska, which is a state of Nebraska governmental agency, and Cintas Corporation. The agreement is valid through May 31, 2028.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Sponsors: Porterfield and Parker

43. [RS2024-231](#)

A resolution accepting the terms of a cooperative purchasing master agreement for route management hardware and software solutions for the Water Services Department.

Analysis

This resolution accepts the terms of a cooperating purchasing master agreement for route management hardware and software for the Water Services Department. The purchasing agreement is between Sourcewell, which is a state of Minnesota governmental agency, and Rubicon Global, LLC. The agreement is valid through March 26, 2025.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Sponsors: Porterfield and Parker

44. [RS2024-232](#)

A resolution to amend Ordinance No. BL2023-1746 to authorize The Metropolitan Government of Nashville and Davidson County to accept additional public water main and a public fire hydrant assembly and update Map and Parcel information, for property located at 2309 Clifton Avenue, also known as Clifton Triangle (MWS Project No. 22-WL-33 and Proposal No. 2023M-208ES-001).

Analysis

Ordinance No. BL2023-1746, approved by Council on April 10, 2023, authorized the abandonment of approximately 583 linear feet of existing six-inch water main, and the acceptance of approximately 583 linear feet of new eight-inch water main (DIP), for two properties located at 2309 and 2315 Clifton Avenue, also known as Clifton Triangle.

This resolution amends BL2023-1746 to accept an additional approximately 86 linear feet of new eight-inch water main (DIP), approximately four linear feet of new six-inch water main (DIP), and one fire hydrant assembly on the two properties which are now one property located at 2309 Clifton Avenue, also known as Clifton Triangle.

This has been approved by the Planning Commission.

Sponsors: Taylor, Gamble and Parker

45. [RS2024-233](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Darryl K. Jenkins against the Metropolitan Government of Nashville and Davidson County in the amount of \$21,531.00, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On March 24, 2023, the Metropolitan Water and Sewer Department (“MWS”) turned on water at an unoccupied house under construction at 6203 Laredo Avenue owned by Darryl Jenkins, flooding the house. After the incident, MWS determined that the water meter was not working properly. The meter needed to be replaced or serviced to prevent this type of incident in the future.

Mr. Jenkins’s total repair costs came to \$43,062.09, including new flooring, drywall, cabinets, molding, trim, and painting.

The Department of Law recommends settlement of this property damage claim for \$21,531.

Fiscal Note: This \$21,531 settlement along with Resolution No. RS2024-217 would be the 19th and 20th payments from the Self-Insured Liability Fund in FY24 for a cumulative total of \$1,099,000. The fund balance would be \$19579,631 after this payment.

Sponsors: Porterfield

M. Bills on Second Reading

101. [BL2024-152](#)

An ordinance to amend Section 2.222.040 of the Metropolitan Code of Laws regarding the board of ethical conduct.

Analysis

This ordinance revises Section 2.222.040 of the Metropolitan Code of Laws regarding the Board of Ethical Conduct. The bill extends the time in which the board's advisory opinions shall be filed from 30 days to 45 days. The legislation also extends the time in which the Department of Law shall issue a report as part of the investigation of a complaint from 14 calendar days to 14 business days.

Sponsors: Suara

102. [BL2024-153](#)

An ordinance amending section 15.64.035 of the Metropolitan Code of Laws.

Analysis

This ordinance amends Section 15.64.035 of the Metropolitan Code of Laws, previously approved by the Council through Ordinance No. BL2023-1690 on March 7, 2023, establishing a stormwater capacity fee for Davidson County.

The ordinance under consideration would amend the applicability of the stormwater capacity fee. Currently, the stormwater capacity fee is applicable to "properties located in Davidson County, excluding satellite cities." The amended language responds to legal concerns about the applicability to properties that do not have connections to the piped stormwater infrastructure. The ordinance amends the provision to explicitly include properties in Davidson County that either "receive storm water service full or partly through a combined sewer system" or "are infill lots located in previously developed parts of the MS4 area that receive storm water service fully or partly through another closed-pipe network maintained by the Metropolitan Government." The ordinance would also exclude single-family, two-family, and residential multi-family properties in the MS-4 area and infill lots.

In addition, a new subsection would be added to the section to outline the procedures for an appeal for the stormwater capacity fee, where the review is limited to the square footage calculation of the relevant impervious surface area. A developer could appeal the stormwater capacity fee to an engineering firm selected from a list of contracted engineering firms approved by the Metropolitan Government. The review of the square footage would be based upon a review of the square footage calculation provided by the developer and a review of the calculation determination by the Metropolitan Government. The decision of the review would be final.

Sponsors: Weiner

103. [BL2024-155](#)

An ordinance authorizing the granting of an easement to Electric Power Board on a parcel or property owned by the Metropolitan Government.

Analysis

This ordinance approves an agreement between the Metropolitan Board of Public Education and the Electric Power Board that grants a utility easement to the Electric Power Board on property owned by the Metropolitan Government at Rose Park Middle School at 1025 9th

Avenue South. The Electric Power Board will use the easement for the purposes of a utility anchor.

The Metropolitan Board of Public Education has approved the grant of this easement.

Sponsors: Vo, Porterfield and Parker

104. [BL2024-156](#)

An ordinance approving an agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Fire Department, Emergency Medical Services Division, and TriStar Skyline Medical Center for clinical training of residents in emergency medicine.

Analysis

This ordinance approves an agreement between the Nashville Fire Department, Emergency Services Division (“NFD”) and TriStar Skyline Medical Center (“TriStar”) for the participation and clinical training of residents in the TriStar Skyline Medical Center Emergency Medicine Residency Program. The training would consist of a two-week rotation with NFD.

The term of the agreement is listed as one year starting on September 1, 2023, though the agreement can remain in effect for up to five years unless updated, changed, or terminated by TriStar or NFD with ninety days written notice. Tristar maintains responsibility for the program and will employ the residents, while NFD will have primary responsibility for the direction, teaching, supervision, and evaluation of any residents during their training. Both parties will maintain comprehensive and general liability insurance with policy limits of \$3,000,000 for each occurrence and \$5,000,000 in aggregate.

Fiscal Note: There is no cost to Metro for participation in this agreement.

Sponsors: Porterfield, Evans, Welsch, Gadd and Gamble

105. [BL2024-157](#)

An ordinance amending Ordinance No. BL2019-11 to modify the requirements for the Rose Park advisory group.

Analysis

This ordinance amends Ordinance No. BL2019-11, which formed an advisory group regarding E.S. Rose Park. The Metropolitan Government had previously leased portions of the park to Belmont University for athletic facilities. The advisory group was meant to provide Metro Nashville Public Schools, Belmont, and Edgehill community partners to review the partnership among MNPS, Metro Parks, and Belmont and ensure that the benefits to all parties are realized.

The pending ordinance changes the minimum meetings for the advisory group from four per year to two per year with additional meetings as needed. The legislation also changes the composition of the board by removing a neighborhood representative appointed by the District

19 Metro Council Member, adding a third neighborhood representative appointed by the District 17 Metro Council Member, and allowing the Metro Council Members from Districts 17 and 18 to serve as ex officio members. The terms of the neighborhood representatives would be staggered to end during different years. Lastly, the ordinance authorizes a procedure to fill vacancies and remove members who miss two consecutive meetings.

Sponsors: Allen, Vo, Cash and Evans-Segall

106. [BL2024-158](#)

An ordinance approving a lease agreement between the Metropolitan Government and Friends of Shelby Park, a Tennessee nonprofit corporation, for the Naval Building and grounds in Shelby Park.

Analysis

This ordinance approves a ground lease agreement between the Metropolitan Government ("Metro") and Friends of Shelby Park ("Tenant") to restore and operate the Naval Building and grounds at 2009 Sevier Street within Shelby Park. The Tenant intends to redevelop the existing Naval Building and immediate surrounding grounds into a mixed-use project containing an event hall, office space, and/or retail and restaurant space, among other improvements, referred to as the "Project."

The lease term is 360 months, or 30 years, and would be effective upon the date of closing as described below with an option for Tenant to extend the lease up to two times for five additional years each. Tenant would pay \$1 in annual rent for the property.

Tenant would have a three year inspection period to inspect the premises, obtain all necessary permits and approvals for the Project, and to fundraise or obtain financing for the Project. The three year inspection period begins on the date that the lease is approved by the Council and filed with the Metropolitan Clerk. During the inspection period, Tenant may terminate the lease for any reason by providing notice to Metro, with Tenant returning any unused funding provided by Metro. If Tenant intends to proceed with the Project, Tenant would provide written notice to Metro of its intent to proceed under the lease. A failure to provide that notice would constitute an automatic termination of the lease. During the inspection period, Tenant shall deliver a complete set of engineered plans and specifications, which shall detail the work to be performed on the Project in connection with the redevelopment. Metro will have thirty days to respond and provide comments to the proposed plans, and Tenant shall have fifteen days to revise and re-submit them for approval. The lease would close and take effect no later than fifteen business days after the delivery of Tenant's inspection approval notice.

After the closing, Tenant would be able to begin work on the Project. Tenant agrees to restore the Naval Building and grounds to its original condition following the completion of any tests and inspections. Tenant would be responsible for obtaining any permit, variance, change of zoning, legislation, or order needed to develop the property. Tenant is responsible for the design and construction of the Project and the selection of an architect, engineer and general contractor. Metro has the right to approve these Project officials and each design and construction contract. Tenant will co-sign each contract with the Arts and Business Council of

Greater Nashville, Inc., which will sublease part of the premises from Tenant.

Tenant agrees to raise \$6,100,000 through donations or loans to apply to all costs and expenses connected with the design, planning, and construction of the Project. Metro agrees to provide Tenant with an improvement allowance of \$2,500,000 to apply toward Project costs. Metro's improvement allowance was authorized in the FY23 Capital Spending Plan (RS2023-1978) adopted by the Council on February 21, 2023. This allowance would be distributed once at the beginning of the project and then when Tenant has raised twenty, forty, sixty, and eighty percent of its cost share for the project. No more than 25% of the allowance can be used for planning, design, and consultant costs.

Tenant shall possess the right to develop and operate the premises for retail, restaurant, office and event uses, including the service and consumption of beer and liquor as permitted. Metro shall work with Tenant to obtain at least two curb cuts that would provide the premises with access to Davidson Street, access for ingress and egress to the premises over any private drives to ensure that the premises could be accessed via Davidson Street, and connections for all necessary utilities for the development and operation of the premises. Metro is exempt from any taxes on the Project, though would reimburse Tenant for any potential real estate taxes or assessments for the property. Tenant shall provide and maintain commercial general liability insurance of not less than \$1,000,000 during the inspection period and not less than \$2,000,000 before the start of any demolition work. Tenant is also responsible for maintaining fire, extended coverage, vandalism, and malicious mischief insurance on the premises.

Metro is not required to maintain or repair any part of the premises before the closing date, except to protect public safety within Metro's reasonable discretion. Tenant shall maintain the premises following the inspection period and until the project is complete. Tenant is responsible for restoring the premises to its original state if the improvements on the premises are damaged or destroyed, and Metro would not seek rent during that restoration.

Tenant shall have the right to sublease or license any part of the Project as long as Tenant remains primarily liable under the agreement. Metro has the right to approve such subtenants and licensees. Any profits from the subletting or licensing of the premises shall belong to Tenant. Tenant may not assign its interest in the ground lease without prior written consent from Metro.

Fiscal Note: Metro would receive \$1.00 per year base rent from Friends of Shelby Park, Inc., according to the terms of the ground lease agreement. Council approved a \$2.5 million cost allocation to the Naval Reserve Building Renovation (23DS0004) in the FY23 Capital Spending Plan (RS2023-1978).

Sponsors: Capp, Porterfield, Welsch, Allen, Styles, Benedict, Evans-Segall and Gadd

107. [BL2024-159](#)

An ordinance adopting the Geographic Information Systems Street and Alley Centerline Layer, with the recordation of renaming, additions and deletions of acceptances and abandonments as reflected on the Centerline Layer to date, as the Official Street and Alley

Acceptance and Maintenance Record for the Metropolitan Government of Nashville and Davidson County, (Proposal Number 2024M-001OT-001).

Analysis

This ordinance adopts the Geographic Information Systems Street and Alley Centerline Layer, with the changes as reflected on the Centerline Layer to date, as the official Street and Alley Acceptance and Maintenance Record for Metro. The updated Centerline Layer shows the dedicated streets and alleys that were either accepted or abandoned for public maintenance by Metro since it was last adopted by Ordinance No. BL2023-1692 on March 7, 2023.

This ordinance has been approved by the Planning Commission.

Sponsors: Gamble and Parker

108. [BL2024-160](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning Alley # 245 right-of-way between 15th Avenue North and 14th Avenue North, Alley # 246 right-of-way between Church Street and Grundy Street, and utility easements between Church Street and Grundy Street (Proposal Number 2023M-007AB-001).

Analysis

This ordinance abandons Alley #245 right-of-way between 14th Avenue North and 15th Avenue North, Alley #246 right-of-way between Church Street and Grundy Street, and Alley #246 utility easements between Church Street and Grundy Street. The abandonments were requested by Jeremy Westmoreland with CSDG, applicant.

The Metropolitan Government does not foresee a future need for the rights-of-way. Utility easements for Alley #245 would be retained by the Metropolitan Government.

Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the Planning Commission under the condition that no sanitary sewer service disruption occurs with existing sewer customers.

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

Sponsors: Kupin, Gamble and Parker

109. [BL2024-161](#)

An ordinance authorizing SOBRO I Apartments LLC to construct and install aerial and underground encroachments at 825 6th Avenue South (Proposal No. 2022M-029EN-001).

Analysis

This ordinance authorizes SOBRO I Apartments LLC to construct, install, and maintain aerial

and underground encroachments at 825 6th Avenue South. This consists of bike racks, irrigation, tree wells, soil cells at tree well, tree grates at tree wells, and above-grade balcony overhang encroaching the right-of-way.

The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachments and is required to post a certificate of public liability insurance in the amount of \$4,000,000, in aggregate, with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This ordinance has been approved with conditions by the Planning Commission.

Sponsors: Kupin, Gamble and Parker

110. [BL2024-162](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to acquire permanent easements through negotiation, condemnation and acceptance, for the Metro Center Levee Protection Project for 23 properties located along Great Circle Road, Cumberland Bend, Mainstream Drive and Freelands Station Road (Project No. 24-SWC-076 and Proposal No. 2023M-157ES-001).

Analysis

This ordinance authorizes the negotiation, condemnation, and acceptance of permanent easements for 23 properties located along Great Circle Road, Cumberland Bend, Mainstream Driver, and Freelands Station Road for the Metro Center Levee Protection Project.

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

Sponsors: Toombs, Gamble and Parker

111. [BL2024-163](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to negotiate and accept permanent and temporary easements for the Antioch Pike Stormwater Improvement Project for eight properties located on Antioch Pike (Project No. 21-SWC-130 and Proposal No. 2023M-203ES-001).

Analysis

This ordinance authorizes the negotiation and acceptance of permanent and temporary easements for eight properties located on Antioch Pike for the Antioch Pike Stormwater Improvement Project.

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

Sponsors: Benton, Gamble and Parker

112. [BL2024-164](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to negotiate and accept permanent easements for the Fanning Drive Stormwater Improvement Project for nine properties located on Fanning Drive, Aeolia Drive and Artelia Drive, (Project No. 24-SWC-096 and Proposal No. 2023M-179ES-001).

Analysis

This ordinance authorizes the negotiation and acceptance of nine permanent easements for the Fanning Drive Stormwater Improvement Project for nine properties located on Fanning Drive, Aeolia Drive, and Artelia Drive.

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

Sponsors: Benton, Gamble and Parker

113. [BL2024-165](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main, sanitary sewer manhole and easement, for property located at Hillside Avenue (unnumbered), also known as Reservoir Zone 5, (MWS Project No. No. 23-SL-27 and Proposal No. 2023M-162ES-001).

Analysis

This ordinance abandons approximately 162 linear feet of existing eight-inch sanitary sewer main, one sanitary sewer manhole and easement for property located at Hillside Avenue (unnumbered), also known as Reservoir Zone 5.

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

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

Sponsors: Vo, Gamble and Parker

114. [BL2024-166](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at Kemp Drive (unnumbered), also known as 4307 Central Pike Phase 3 (MWS Project Nos. 23-WL-18 and 23-SL-32 and Proposal No. 2023M-170ES-001).

Analysis

This ordinance accepts approximately 890 linear feet of new eight-inch water main (DIP), approximately 590 linear feet of new eight-inch sanitary sewer main (DIP), two fire hydrant assemblies, four sanitary sewer manholes, and any associated easements for property located at Kemp Drive (unnumbered), also known as 4307 Central Pike Phase 3.

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

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

Sponsors: Evans, Gamble and Parker

115. [BL2024-167](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main, and to accept new public water main, for property located at 1241 Antioch Pike, (MWS Project No. 22-WL-145 and Proposal No. 2023M-176ES-001).

Analysis

This ordinance abandons approximately 286 linear feet of existing eight-inch water main (DIP) and accepts approximately 296 linear feet of new eight-inch water main (DIP) for property located at 1241 Antioch Pike.

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

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

Sponsors: Benton, Gamble and Parker

116. [BL2024-168](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements; for property located at 665 Vernon Avenue, also known as The Woods II - Mulch Company (MWS Project Nos. 22-WL-136 and 22-SL-138 and Proposal No. 2023M-177ES-001).

Analysis

This ordinance accepts approximately 1,115 linear feet of new eight-inch water main (DIP), approximately 143 linear feet of new four-inch water main (DIP), approximately 626 linear feet of new eight-inch sanitary sewer main (PVC), approximately 201 linear feet of new eight-inch sanitary sewer main (DIP), two fire hydrant assemblies, ten sanitary sewer manholes, and related easements for property located at 665 Vernon Avenue, also known as The Woods II - Mulch Company.

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

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

Sponsors: Horton, Gamble and Parker

117. [BL2024-169](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water mains, and to accept new public water mains and fire hydrant assembly, for property located at 1025 B Reverend Dr. Enoch Jones Boulevard, also known as The Mosaic at Jefferson (MWS Project Nos. 23-WL-36 and Proposal No. 2023M-174ES-001).

Analysis

This ordinance abandons approximately 740 linear feet of existing six-inch water main and accepts approximately 740 linear feet of new eight-inch water main (DIP) and one fire hydrant assembly for property located on 1025B Reverend Dr. Enoch Jones Boulevard, also known as The Mosaic at Jefferson.

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

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

Sponsors: Kupin, Gamble and Parker

118. [BL2024-170](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer mains and sanitary sewer manholes, and to accept new public sanitary sewer mains and sanitary sewer manholes, for 13 properties located on Louisiana Avenue and Tennessee Avenue, also known as Camden Nations (MWS Project No. 22-SL-203 and Proposal No. 2023M-187ES-001).

Analysis

This ordinance abandons approximately 1,187 linear feet of sanitary sewer main and six sanitary sewer manholes and accepts approximately 425 linear feet of new 15-inch sanitary sewer mains (PVC), approximately 232 linear feet of new 14-inch sanitary sewer mains (DIP), and approximately 155 linear feet of new 12-inch sanitary sewer mains (PVC), approximately 552 linear feet of new eight-inch sanitary sewer main (PVC), and ten sanitary sewer manholes for 13 properties located on Louisiana Avenue and Tennessee Avenue, also known as Camden Nations.

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

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

Sponsors: Horton, Gamble and Parker

119. [BL2024-171](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for three properties located at 2111, 2115 and 2151 West Summitt Avenue, also known as Summitt View (MWS Project Nos. 22-WL-26 and 22-SL-64 and Proposal No. 2023M-181ES-001).

Analysis

This ordinance accepts approximately 1,874 linear feet of new eight-inch water main (DIP), approximately 1,675 linear feet of new eight-inch sanitary sewer main (DIP), approximately 1,345 linear feet of new eight-inch sanitary sewer main (PVC), three fire hydrant assemblies, 28 sanitary sewer manholes, and related easements for three properties located at 2111, 2115, and 2151 West Summitt Avenue, also known as Summitt View.

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

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

Sponsors: Toombs, Gamble and Parker

120. [BL2024-172](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main, sanitary sewer manhole and easement, for property located at 1711 Broadway, also known as 1740 Division Street (MWS Project No. 23-SL-137, and Proposal No. 2023M-182ES-001).

Analysis

This ordinance abandons approximately 158 linear feet of existing eight-inch sanitary sewer main, one sanitary sewer manhole, and related easement for property located at 1711 Broadway, also known as 1740 Division Street.

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

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

Sponsors: Kupin, Gamble and Parker

121. [BL2024-173](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer manhole, for property located at 101 B Skye Lane, also known as 522 Paragon Mills Road development (MWS Project No. 20-SL-320, and Proposal No. 2023M-185ES-001).

Analysis

This ordinance accepts one sanitary sewer manhole for property located at 101B Skye Lane, also known as the 522 Paragon Mills Road development.

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

Sponsors: Sepulveda, Gamble and Parker

122. [BL2024-174](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main and sanitary sewer manhole, and to accept new sanitary sewer manhole, for property located at 917 Bell Road, also known as KIPP High School (MWS Project No. 23-SL-215 and Proposal No. 2023M-184ES-001).

Analysis

This ordinance abandons approximately 159 linear feet of existing eight-inch sanitary sewer main, one sanitary sewer manhole, and easement, and accepts one sanitary sewer manhole and easement for property located at 917 Bell Road, also known as KIPP High School.

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

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

Sponsors: Gamble, Parker and Styles

123. [BL2024-175](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer mains, sanitary sewer manhole and easements, and to accept new sanitary sewer mains, sanitary sewer manholes and easements, for property located at 3029 New Natchez Trace, also known as Hornsby Residence (MWS Project No. 23-SL-88 and Proposal No. 2023M-189ES-001).

Analysis

This ordinance abandons approximately 94 linear feet of existing eight-inch sanitary sewer main, one sanitary sewer manhole and easements, and accepts approximately 109 linear feet of new eight-inch sanitary sewer main (PVC), three sanitary sewer manholes, and easements for property located at 3029 New Natchez Trace, also known as Hornsby Residence.

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

Fiscal Note: This ordinance has no cost to Metro. Abandoned and donated easements have no

market value according to the Department of Water Services.

Sponsors: Gamble, Parker and Gadd

124. [BL2024-176](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and sanitary sewer manholes, for property located at 555 Creative Way, also known as Creative Way Village (MWS Project No. 23-SL-217 and Proposal No. 2023M-180ES-001).

Analysis

This ordinance accepts approximately 169 linear feet of new eight-inch sanitary sewer main (PVC) and two sanitary sewer manholes for property located at 555 Creative Way, also known as Creative Way Village.

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

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

Sponsors: Parker and Gamble

125. [BL2024-177](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, sanitary sewer manholes and relocation of existing fire hydrant assemblies, for property located at 260 Paragon Mills Road, also known as Paragon Mills Elementary School, (MWS Project Nos. 23-WL-70 and 23-SL-161 and Proposal No. 2023M-191ES-001).

Analysis

This ordinance accepts approximately 13 linear feet of new six-inch water main (DIP), approximately 79 linear feet of new eight-inch sanitary sewer manholes, one sanitary sewer manhole, and relocates two fire hydrant assemblies for property located at 260 Paragon Mills Road, also known as Paragon Mills Elementary School.

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

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

Sponsors: Sepulveda, Gamble and Parker

126. [BL2024-178](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer manhole, for property located at 730 Main Street, also known as

714-730 Main Street (MWS Project No. 23-SL-109 and Proposal No. 2023M-194ES-001).

Analysis

This ordinance accepts a new sanitary sewer manhole for property located at 730 Main Street, also known as 714-730 Main Street.

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

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

Sponsors: Capp, Gamble and Parker

N. Bills on Third Reading

129. [BL2023-136](#)

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

Analysis

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

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

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

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

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

130. [BL2023-137](#)

An ordinance amending Title 13 of the Metropolitan Code to add a new chapter thereto for the

purpose of allowing participation agreements between the Nashville Department of Transportation and Multimodal Infrastructure and developers to be approved by resolution.

Analysis

This ordinance would amend the Metropolitan Code of Laws to allow the Metropolitan Council to approve participation agreements between the Nashville Department of Transportation and Multimodal Infrastructure and developers by resolution. This would apply to participation agreements for the installation, operation, and maintenance of infrastructure projects and public right-of-way structures.

Sponsors: Parker and Evans-Segall

131. [BL2023-139](#)

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

Analysis

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

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

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

Sponsors: Porterfield, Welsch, Gadd, Cortese, Suara and Allen

132. [BL2023-140](#)

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

2021M-011PR-002).

Analysis

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

The term of the lease begins January 1, 2024, and ends on June 30, 2031. Upon termination of the lease, the property will revert to MNPS. For the first year, the lease payment will be \$45,090.88 per month, which represents a rate of \$4.30 per square foot. The lease includes the cost of grounds maintenance, major building systems components, and capital repairs. Cameron College Prep will be responsible for routine/preventative maintenance and refuse removal. The lease payment will increase by 2.5% each year throughout the term of the lease. The monthly rental payments will be as follows:

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

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

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

Fiscal Note: The lease rate per square foot price is \$4.30/square foot or \$45,090.88 per month for the approximate square footage of 125,835 during the lease period January 1, 2024, to June 30, 2024. The lease rate per square foot includes the cost of grounds maintenance and major building systems components and capital repairs. The lease rate will increase by 2.5% each year beginning July 1, 2024. Metro would provide fifty percent (50%) rent credit of the

base building rent for any tenant improvement expenditures made by Cameron College Prep. The rent credit would cease when the accumulated total of the improvement expenditures is met. Minimum rent in one year cannot be less than \$2.00 per square foot and starting July 1, 2024, rent shall not be less than 50% of the current lease rate throughout the term of the contract.

Sponsors: Vo, Porterfield and Gamble

133. [BL2023-141](#)

An ordinance approving the conditional abandonment of a portion of Lock Road right-of-way (Proposal Number 2022M-003AB-001).

Analysis

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

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

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

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

Sponsors: Gamble and Parker

134. [BL2023-142](#)

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

Analysis

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

Metro owns a parcel of property at 6 Main Street. Metro anticipates significant development on

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

Pursuant to the terms of the participation agreement, it is anticipated that the total cost of the CEBRA pump station project and related trunk sewer and force main segments and connections will be approximately \$32,500,000. TNS will be responsible for \$6,500,000, which represents 20% of the total estimated project cost. Metro will pay the difference between the actual project design costs and TNS’s total share of the costs. TNS will be responsible for 20% of the initial project costs plus 20% of any additional costs, as defined in the agreement.

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

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

Sponsors: Kupin, Porterfield, Gamble and Parker

135. [BL2023-143](#)

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

Analysis

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

The CEBRA consists of properties on and near the east bank of the Cumberland River, as depicted on Exhibit 1 to this ordinance. The Department of Water and Sewerage Services

("MWS") is authorized to amend the map and add properties to the CEBRA where appropriate to conform to good engineering practice. Any amended map must be published to the Metropolitan Government website.

The ordinance also establishes a CEBRA Recovery Charge. The charge will be \$2,850 for each new unit of flow proposed to be generated on a property within the CEBRA seeking to connect to the public sewer system and service through the CEBRA pump station. The new stadium will not be subject to the CEBRA Recovery Charge, rather pursuant to BL2023-142, Tennessee Stadium LLC will be responsible for a portion of the capital costs to construct the pump station and for the construction work. The CEBRA Recovery Charge will increase or decrease as of January 1 of each year by (a) a percentage equal to the increase or decrease in the Consumer Price Index - All Urban Consumers (CPI-U); and (b) a percentage calculated annually to account for MWS's weighted cost of capital. The CEBRA Recovery Charge, as amended, must be published to the Metropolitan Government website.

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

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

Future amendments to this ordinance may be approved by resolution.

Sponsors: Kupin, Porterfield and Parker

136. [BL2023-144](#)

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

Analysis

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

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

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

Sponsors: Kupin, Gamble and Parker

137. [BL2023-145](#)

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

Analysis

This ordinance authorizes the negotiation and acceptance of permanent and temporary easements for four properties located at 517, 521, 526 Northcrest Drive and Northcrest Drive (unnumbered) for use in the Northcrest Drive Stormwater Improvement Project.

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

Sponsors: Johnston, Nash, Gamble, Parker and Cortese

138. [BL2023-146](#)

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

Analysis

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

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

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

Sponsors: Gamble and Parker

139. [BL2023-147](#)

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

Analysis

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

West.

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

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

Sponsors: Vo, Gamble and Parker

140. [BL2023-148](#)

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

Analysis

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

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

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

Sponsors: Evans, Gamble and Parker

141. [BL2023-149](#)

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

Analysis

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

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

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

Sponsors: Vo, Gamble and Parker

142. [BL2023-150](#)

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

Analysis

This ordinance accepts approximately 453 linear feet of new eight-inch sanitary sewer main (PVC), three sanitary sewer manholes and easement, for property located at 517 West Trinity Lane.

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

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

Sponsors: Toombs, Gamble and Parker

143. [BL2023-151](#)

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

Analysis

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

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

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

Sponsors: Parker and Gamble