Metropolitan Council

PROPOSED AMENDMENTS PACKET

FOR THE COUNCIL MEETING OF

TUESDAY, AUGUST 4, 2026

Table of Contents

AMENDMENT NO. __1__

TO

ORDINANCE NO. BL2026-1446

Madam President –

I hereby move to amend Ordinance No. BL2026-1446 by amending Section 4 by adding the following conditions:

8. Heights within Zone A of the SP shall not exceed a total of 12 stories in a maximum of 135 feet as measured from 31st Avenue.
9. Heights within Zone B shall not exceed a total of 20 stories in a maximum of 300 feet.
10. Heights within Zone C shall not exceed 25 stories in a maximum of 370 feet.
11. Heights in Zone D shall not exceed 30 stories in a maximum of 420 feet.
12. Heights in Zone E shall not exceed 35 stories in a maximum height of 475 feet, and all height shall be measured in the same manner that height is measured in the Alternative Zoning Districts.
13. Vanderbilt shall create a Traffic Calming Fund of $750,000 to be funded in three equal installments of $250,000 each (timed to release at the completion of each new traffic study). The funds shall be administered by NDOT and used to directly implement the recommendations from the traffic calming studies.
14. For any construction within the SP boundary, Vanderbilt shall provide all developers with construction traffic routes that their construction crews must generally use to avoid residential roads within the Hillsboro West End Neighborhood. Deviations can occur to accommodate accidents, emergencies or road closures.
15. For any construction within the SP boundary Vanderbilt shall require developers and their contractors to formulate a parking plan for construction workers, accommodating construction parking outside residential streets within the HWEN neighborhood.
16. For any construction within the SP boundary, Vanderbilt and any developer and its contractor shall not use public roads or public property within the Hillsboro West End neighborhood for staging.
17. Vanderbilt will maintain safe and accessible pedestrian routes throughout construction with any temporary closures accompanied by a clearly marked alternative and advance notice to the community, in partnership with NDOT.
18. Before construction begins on the first phase of the SP, Vanderbilt will develop the following items and will keep them in place while construction is ongoing within the SP:
    a. A dedicated project website;
    b. An interactive mapping tool to provide real-time pedestrian, vehicular and accessible routes to navigate through the area;
    c. A newsletter which will include insights to the project, anticipated noise levels, and a summary of any impactful work that may occur;
    d. Real Time Messaging – Vanderbilt will use a direct messaging system so that neighbors may opt to receive direct text messages or emails about any unexpected

or urgent issues associated with the construction or report noncompliance issues with contractor traffic, parking, and staging; and,

e. A posted telephone number dedicated to monitoring neighborhood inquiries and responding rapidly.

19. For any blasting that occurs within Subdistrict A of the SP, Vanderbilt shall offer to survey any home on the South side of 31st Avenue, within the Hillsboro West End Neighborhood, that falls within 600 feet of the blasting zone.
20. The SP shall include ninety minutes of free parking for a 10-year period for retail customers within the SP. This commitment shall begin when the first building that includes retail uses within the SP is complete and receives a Use and Occupancy permit, and it shall conclude after 10 years.
21. Vanderbilt will work with WeGo Public Transit to encourage and incentivize the use of Easy Ride passes by office tenants and retail users within the SP.
22. An Innovation Neighborhood Advisory Committee shall be formed, including 6-8 members appointed by the District Council Member in whose district the SP is located for 4 year terms. The members of the committee should include a broad range of area stakeholders and should come from among the following: residents who live in the area most directly impacted by the project, residents from area HOAs or neighborhood associations such as Hillsboro West End and the Bristol West End, West End area merchants, a representative from VUMC, and a representative of the innovation community that is intended as the end-user of the development. This committee shall serve in an advisory role and meet quarterly with Vanderbilt to review plans, get updates on phasing, construction and blasting, and review traffic, parking and traffic calming studies and recommendations. Vanderbilt shall share any final site plans with this advisory committee prior to submitting them to the planning department for approval. The meetings shall be in January, April, July, and October on the 4th Monday of the month and open to the public but may be rescheduled as needed. The committee may meet additional times if needed to present plans in a timely manner. The committee shall terminate at the earlier of 30 years or when construction is complete.

SPONSORED BY:

____

Tom Cash
Member of Council

AMENDMENT NO. __2__

TO

ORDINANCE NO. BL2026-1446

Madam President –

I hereby move to amend Ordinance No. BL2026-1446 by amending Section 4 by adding the following as a subsequently numbered condition:

___. All clear fenestration on the lowest 100 feet of the structures shall be constructed of bird-friendly materials with an American Bird Conservancy (ABC) Threat Factor of 30 or less that reduce the risk of bird window collisions, such as fritted glass, etched or frosted glass, ultraviolet (UV) patterned glass, or glass with external screens or secondary facade systems.

SPONSORED BY:

____

Burkley Allen
Member of Council

AMENDMENT NO. ___
TO
ORDINANCE NO. BL2026-1451

Madam President –

I hereby move to amend Ordinance No. BL2026-1451 as follows:

I. By amending Section 1, by amending proposed Subsection B as follows:

B. The Arts Center Plan is amended by adding a new section J that states as follows:

J. 2026 Plan Amendments

1. Portion of tax increment used: Notwithstanding anything to the contrary in the Plan, for all bonded or other indebtedness approved by MDHA under the Plan after the effective date of BL2026-_____ that is to be paid using tax increment funds, the portion of tax increment funds that may be used to pay the indebtedness shall not be greater than seventy-five percent (75%); provided however: (a) that MDHA shall be entitled to increase or decrease this percentage pursuant to criteria set forth in a written policy adopted by the Board of Commissioners of MDHA; and (b) nothing herein shall be interpreted as overriding or nullifying the requirements of Chapter 5.06 of the Metropolitan Code of Laws entitled "Tax Increment Financing."~~; and (c) that MDHA shall notify the Metropolitan Council in writing of the increase or decrease in the percentage.~~

2. Periodic assessment of activities and improvements eligible for tax increment financing:

(i) Notwithstanding anything to the contrary in the Plan, there shall be a mandatory periodic assessment of the activities and improvements eligible for tax increment financing under the Plan. An assessment may be requested by MDHA or the Metropolitan Council. The first such assessment was completed in August 2022. Future assessments shall occur no earlier than seven (7) years after the previous assessment, provided however that each subsequent assessment must be completed within ten (10) years after the previous assessment.

(ii) Each assessment shall include a review of the impact and goals of the Plan. For an assessment to be considered complete, MDHA and the Metropolitan Council must agree on the priorities of activities that are eligible for tax increment financing under the Plan. The Council's agreement shall be indicated by the passage of a resolution approved by the Metropolitan Council.

(iii) It shall be a New Loan Termination Event if any subsequent assessment is not complete within ten (10) years after the previous assessment. If a New Loan Termination Event occurs, MDHA shall not approve any additional bonded or other indebtedness to be paid by tax increment funds under the Plan until such time as MDHA and Metro Council have agreed upon the priorities of activities and improvements eligible for tax increment financing under the Plan. The occurrence of a New Loan Termination Event does not terminate the Plan or have any impact on any tax increment financing approved prior to the New Loan Termination Event.

3. Metropolitan Council or MDHA may initiate a Plan amendment: Subject to all other conditions and requirements set forth in Section H of the Plan, either the Metropolitan Council or MDHA may initiate a modification, change, or amendment to the Plan subject to the subsequent approval of the other. If the Metropolitan Council initiates a modification, change, or amendment, the approval of MDHA must be obtained before the third reading of the ordinance adopting such modification, change, or amendment.

II. By amending Section 2, by amending proposed Subsection A as follows:

A. The Bordeaux Plan is amended by adding a new section J that states as follows:

J. 2026 Plan Amendments

1. Portion of tax increment used: Notwithstanding anything to the contrary in the Plan, for all bonded or other indebtedness approved by MDHA under the Plan after the effective date of BL2026-_____ that is to be paid using tax increment funds, the portion of tax increment funds that may be used to pay the indebtedness shall not be greater than seventy-five percent (75%); provided however: (a) that MDHA shall be entitled to increase or decrease this percentage pursuant to criteria set forth in a written policy adopted by the Board of Commissioners of MDHA; and (b) nothing herein shall be interpreted as overriding or nullifying the requirements of Chapter 5.06 of the Metropolitan Code of Laws entitled "Tax Increment Financing."~~; and (c) that MDHA shall notify the Metropolitan Council in writing of the increase or decrease in the percentage.~~

2. Periodic assessment of activities and improvements eligible for tax increment financing:

(i) Notwithstanding anything to the contrary in the Plan, there shall be a mandatory periodic assessment of the activities and improvements eligible for tax increment financing under the Plan. An assessment may be requested by MDHA or the Metropolitan Council. The first such was completed in August 2022. Future assessments shall occur no earlier than seven (7) years after the previous assessment, provided however that each subsequent assessment must be completed within ten (10) years after the previous assessment.

(ii) Each assessment shall include a review of the impact and goals of the Plan. For an assessment to be considered complete, MDHA and the Metropolitan Council must agree on the priorities of activities and improvements that are eligible for tax increment financing under the Plan. The Council's agreement shall be indicated by the passage of a resolution approved by the Metropolitan Council.

(iii) It shall be a New Loan Termination Event if any subsequent assessment is not completed within ten (10) years after the assessment. If a New Loan Termination Event occurs, MDHA shall not approve any additional bonded or other indebtedness to be paid by tax increment funds under the Plan until such time as MDHA and Metro Council have agreed upon priorities of activities and improvements eligible for tax increment financing under the Plan. The occurrence of a New Loan Termination Event does not terminate the Plan or have any impact on any tax increment financing approved prior to the New Loan Termination Event.

3. Metropolitan Council or MDHA may initiate a Plan amendment: Subject to all other conditions and requirements set forth in Section H of the Plan, either the Metropolitan Council or MDHA may initiate a modification, change, or amendment to the Plan subject to the subsequent approval of the other. If the Metropolitan Council initiates a modification, change, or amendment, the approval of MDHA must be obtained before the third reading of the ordinance adopting such modification, change, or amendment.

III. By amending Section 4 as follows:

Section 3. ~~4.~~ Central State Plan

A. The Central State Plan is amended by adding a new section J that states as follows:

J. 2026 Plan Amendments

1. Portion of tax increment used: Notwithstanding anything to the contrary in the Plan, for all bonded or other indebtedness approved by MDHA under the Plan after the effective date of BL2026-_____ that is to be paid using tax increment funds, the portion of tax increment funds that may be used to pay the indebtedness shall not be greater than seventy-five percent (75%); provided however: (a) that MDHA shall be entitled to increase or decrease this percentage pursuant to criteria set forth in a written policy adopted by the Board of Commissioners of MDHA; and (b) nothing herein shall be interpreted as overriding or nullifying the requirements of Chapter 5.06 of the Metropolitan Code of Laws entitled "Tax Increment Financing." ~~; and (c) that MDHA shall notify the Metropolitan Council in writing of the increase or decrease in the percentage.~~

2. Periodic assessment of activities and improvements eligible for tax increment financing:

(i) Notwithstanding anything to the contrary in the Plan, there shall be a mandatory periodic assessment of the activities and improvements eligible for tax increment financing under the Plan. An assessment may be requested by MDHA or the Metropolitan Council. The first such assessment was completed in August 2022. Future assessments shall occur no earlier than seven (7) years after the previous assessment, provided however that each subsequent assessment must be completed within ten (10) years after the previous assessment.

(ii) Each assessment shall include a review of the impact and goals of the Plan. For an assessment to be considered complete, MDHA and the Metropolitan Council must agree on the priorities of activities and improvements that are eligible for tax increment financing under the Plan. The Council's agreement shall be indicated by the passage of a resolution approved by the Metropolitan Council.

(iii) It shall be a New Loan Termination Event if any subsequent assessment is not complete within ten (10) years after the previous assessment. If a New Loan Termination Event occurs, MDHA shall not approve any additional bonded or other indebtedness to be paid by tax increment funds under the Plan until such time as MDHA and Metro Council have agreed upon the priorities of activities and improvements eligible for tax increment financing under the Plan. The occurrence of a New Loan Termination Event does not terminate the Plan or have any impact on any tax increment financing approved prior to the New Loan Termination Event.

3. Metropolitan Council or MDHA may initiate a Plan amendment: Subject to all other conditions and requirements set forth in Section H of the Plan, either the Metropolitan Council or MDHA may initiate a modification, change, or amendment to the Plan subject to the subsequent approval of the other. If the Metropolitan Council initiates a modification, change, or amendment, the approval of MDHA must be obtained before the third reading of the ordinance adopting such modification, change, or amendment.

IV. By amending Section 6 as follows:

Section 4 ~~6~~. Phillips-Jackson Plan

A. The Phillips-Jackson Plan is amended by deleting the following text from the end of the section entitled “Tax Increment”:

", or other adopted and approved redevelopment plans"

B. The Phillips-Jackson Plan is amended by adding a new section J that states as follows:

J. 2026 Plan Amendments

1. Portion of tax increment used: Notwithstanding anything to the contrary in the Plan, for all bonded or other indebtedness approved by MDHA under the Plan after the effective date of BL2026-_____ that is to be paid using tax increment funds, the portion of tax increment funds that may be used to pay the indebtedness shall not be greater than seventy-five percent (75%); provided however: (a) that MDHA shall be entitled to increase or decrease this percentage pursuant to criteria set forth in a written policy adopted by the Board of Commissioners of MDHA; and (b) nothing herein shall be interpreted as overriding or nullifying the requirements of Chapter 5.06 of the Metropolitan Code of Laws entitled "Tax Increment Financing."~~; and (c)~~

~~that MDHA shall notify the Metropolitan Council in writing of the increase or decrease in the percentage.~~

2. Periodic assessment of activities and improvements eligible for tax increment financing:

(i) Notwithstanding anything to the contrary in the Plan, there shall be a mandatory periodic assessment of the activities and improvements eligible for tax increment financing under the Plan. An assessment may be requested by MDHA or the Metropolitan Council. The first such assessment was completed in August 2022. Future assessments shall occur no earlier than seven (7) years after the previous assessment, provided however that each subsequent assessment must be completed within ten (10) years after the previous assessment.

(ii) Each assessment shall include a review of the impact and goals of the Plan. For an assessment to be considered complete, MDHA and the Metropolitan Council must agree on the priorities of activities and improvements that are eligible for tax increment financing under the Plan. The Council's agreement shall be indicated by the passage of a resolution approved by the Metropolitan Council.

(iii) It shall be a New Loan Termination Event any subsequent assessment is not complete within ten (10) years after the previous assessment. If a New Loan Termination Event occurs, MDHA shall not approve any additional bonded or other indebtedness to be paid by tax increment funds under the Plan until such time as MDHA and Metro Council have agreed upon the priorities of activities and improvements eligible for tax increment financing under the Plan. The occurrence of a New Loan Termination Event does not terminate the Plan or have any impact on any tax increment financing approved prior to the New Loan Termination Event.

3. Metropolitan Council or MDHA may initiate a Plan amendment: Subject to all other conditions and requirements set forth in Section H of the Plan, either the Metropolitan Council or MDHA may initiate a modification, change, or amendment to the Plan subject to the subsequent approval of the other. If the Metropolitan Council initiates a modification, change, or amendment, the approval of MDHA must be obtained before the third reading of the ordinance adopting such modification, change, or amendment.

V. By amending Section 7 as follows:

Section <u>5</u> ~~7~~. Rutledge Hill Plan

A. The following language in Section 6 of Ordinance No. BL2014-699, previously amending the Rutledge Hill Plan, is hereby deleted:

"That the Rutledge Hill Plan is amended by replacing Section G “Tax Increment” of the Plan in its entirety and replacing it with the following:"

and instead is hereby replaced with the following:

> "That the Rutledge Hill Plan is amended by replacing Section H “Tax Increment” of the Plan in its entirety and replacing it with the following:"

B. The Rutledge Hill Plan is amended by deleting the following text from the end of the section entitled “Tax Increment”:

", or other adopted and approved redevelopment plans"

C. The Rutledge Hill Plan is amended by adding a new section J that states as follows:

J. 2026 Plan Amendments

1. Portion of tax increment used: Notwithstanding anything to the contrary in the Plan, for all bonded or other indebtedness approved by MDHA under the Plan after the effective date of BL2026-_____ that is to be paid using tax increment funds, the portion of tax increment funds that may be used to pay the indebtedness shall not be greater than seventy-five percent (75%); provided however: (a) that MDHA shall be entitled to increase or decrease this percentage pursuant to criteria set forth in a written policy adopted by the Board of Commissioners of MDHA; and (b) nothing herein shall be interpreted as overriding or nullifying the requirements of Chapter 5.06 of the Metropolitan Code of Laws entitled "Tax Increment Financing."~~; and (c) that MDHA shall notify the Metropoltan Council in writing of the increase or decrease in the percentage.~~

2. Periodic assessment of activities and improvements eligible for tax increment financing:

(i) Notwithstanding anything to the contrary in the Plan, there shall be a mandatory periodic assessment of the activities and improvements eligible for tax increment financing under the Plan. An assessment may be requested by MDHA or the Metropolitan Council. The first such assessment was completed in August 2022. Future assessments shall occur no earlier than seven (7) years after the previous assessment, provided however that each subsequent assessment must be completed within ten (10) years after the previous assessment.

(ii) Each assessment shall include a review of the impact and goals of the Plan. For an assessment to be considered complete, MDHA and the Metropolitan Council must agree on the priorities of activities and improvements that are eligible for tax increment financing under the Plan. The Council's agreement shall be indicated by the passage of a resolution approved by the Metropolitan Council.

(iii) It shall be a New Loan Termination Event if any subsequent assessment is not complete within ten (10) years after the previous assessment. If a New Loan Termination Event occurs, MDHA shall not approve any additional bonded or other indebtedness to be paid by tax increment funds under the Plan until such time as

MDHA and Metro Council have agreed upon the priorities of activities and improvements eligible for tax increment financing under the Plan. The occurrence of a New Loan Termination Event does not terminate the Plan or have any impact on any tax increment financing approved prior to the New Loan Termination Event.

3. Metropolitan Council or MDHA may initiate a Plan amendment: Subject to all other conditions and requirements set forth in Section I of the Plan, either the Metropolitan Council or MDHA may initiate a modification, change, or amendment to the Plan subject to the subsequent approval of the other. If the Metropolitan Council initiates a modification, change, or amendment, the approval of MDHA must be obtained before the third reading of the ordinance adopting such modification, change, or amendment.

VI. By amending Section 8 as follows:

Section 6 ~~8~~. Skyline Plan

A. The Skyline Plan is amended by adding a new section J that states as follows:

J. 2026 Plan Amendments

1. Portion of tax increment used: Notwithstanding anything to the contrary in the Plan, for all bonded or other indebtedness approved by MDHA under the Plan after the effective date of BL2026-_____ that is to be paid using tax increment funds, the portion of tax increment funds that may be used to pay the indebtedness shall not be greater than seventy-five percent (75%); provided however: (a) that MDHA shall be entitled to increase or decrease this percentage pursuant to criteria set forth in a written policy adopted by the Board of Commissioners of MDHA; and (b) nothing herein shall be interpreted as overriding or nullifying the requirements of Chapter 5.06 of the Metropolitan Code of Laws entitled "Tax Increment Financing." ~~; and (c) that MDHA shall notify the Metropolitan Council in writing of the increase or decrease in the percentage.~~

2. Periodic assessment of activities and improvements eligible for tax increment financing:

(i) Notwithstanding anything to the contrary in the Plan, there shall be a mandatory periodic assessment of the activities and improvements eligible for tax increment financing under the Plan. An assessment may be requested by MDHA or the Metropolitan Council. The first such assessment was completed in August 2022. Future assessments shall occur no earlier than seven (7) years after the previous assessment, provided however that each subsequent assessment must be completed within ten (10) years after the previous assessment.

(ii) Each assessment shall include a review of the impact and goals of the Plan. For an assessment to be considered complete, MDHA and the Metropolitan Council must agree on the priorities of activities and improvements that are eligible for tax increment financing under the Plan. The Council's agreement shall be indicated by the passage of a resolution approved by the Metropolitan Council.

(iii) It shall be a New Loan Termination Event if any subsequent assessment is not complete within ten (10) years after the previous assessment. If a New Loan Termination Event occurs, MDHA shall not approve any additional bonded or other indebtedness to be paid by tax increment funds under the Plan until such time as MDHA and Metro Council have agreed upon the priorities of activities and improvements eligible for tax increment financing under the Plan. The occurrence of a New Loan Termination Event does not terminate the Plan or have any impact on any tax increment financing approved prior to the New Loan Termination Event.

3. Metropolitan Council or MDHA may initiate a Plan amendment: Subject to all other conditions and requirements set forth in Section H of the Plan, either the Metropolitan Council or MDHA may initiate a modification, change, or amendment to the Plan subject to the subsequent approval of the other. If the Metropolitan Council initiates a modification, change, or amendment, the approval of MDHA must be obtained before the third reading of the ordinance adopting such modification, change, or amendment.

VII. By amending Section 9 as follows:

Section 7 ~~9~~. This ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

____

Burkley Allen
Member of Council

AMENDMENT NO. ___

TO

ORDINANCE NO. BL2026-1479

Madam President –

I hereby move to amend Ordinance No. BL2026-1479 by amending Section 4 to add the following as condition 13:

13. A level 1 multimodal transportation analysis shall be submitted to NDOT prior to the application for a Final SP Plan. The developer shall implement the recommendations of the multimodal transportation analysis as stipulated by Subsection 17.20.140.J of the Metropolitan Code.

SPONSORED BY:

____

Tonya Hancock
Member of Council

AMENDMENT NO. __

TO

ORDINANCE NO. BL2026-1488

Madam President –

I move to amend Ordinance No. BL2026-1488 as follows:

I. By substituting the current Exhibit A attached to this bill for the Exhibit A contained herein.

INTRODUCED BY:

____

Rollin Horton
Member of Council

Exhibit A

Key: P-Permitted PC-Permitted w/ conditions* SE-Special exception* A-Accessory* O-Overlay * Refer to Chapter 17.16 for standards	MUN, MUN-NS, MUN-A, and MUN-A-NS	MUL, MUL-NS, MUL-A, and MUL-A-NS	MUG, MUG-NS, MUG-A, and MUG-A-NS	MUI, MUI-NS, MUI-A, and MUI-A-NS	ON	OL	OG and OG-NS	OR20 through OR40-A-NS	ORI, ORI-NS, ORI-A, ORI-A-NS	CN, CN-NS, CN-A, and CN-A-NS	CL, CL-NS, CL-A, and CL-A-NS	CS, CS-NS, CS-A, and CS-A-NS	CA and CA-NS	CF and CF-NS	North	South	East	West	Central	SCN and SCN-NS	SCC and SCC-NS	SCR and SCR-NS	IWD	IR	IG
Office Uses:																									
Alternative financial services	PC^^^	PC^^^	PC^^^	PC^^^		PC^^^	PC^^^	PC^^^	PC^^^		PC^^^	PC^^^	PC^^^	PC^^^						PC^^^	PC^^^	PC^^^	PC^^^		
Commercial Uses:																									
Automobile repair												~~P^^^~~ PC^^^				PC^^^							PC^^^	PC^^^	PC^^^
Automobile service			P^^^	P^^^							P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	~~P^^^~~	P^^^	P^^^	P^^^	P^^^	P^^^
Bar or nightclub	PC^^^	P^^^	P^^^	P^^^					P^^^	PC^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	PC^^^	P^^^	P^^^	P^^^	P^^^	P^^^
Beer and cigarette market	~~PC~~^^^	~~P~~ PC^^^	~~P~~ PC^^^	~~P~~ PC^^^		~~A~~^^^	~~A~~^^^	~~A~~^^^	~~PC~~^^^	~~PC~~^^^	~~P~~ PC^^^	~~P~~ PC^^^	~~P~~ PC^^^	~~P~~ PC^^^	~~P~~ PC^^^	~~P~~ PC^^^	~~P~~ PC^^^	~~P~~ PC^^^	~~P~~ PC^^^	PC^^^	PC^^^	~~P~~ PC^^^	~~PC~~P^^^	~~PC~~P^^^	~~PC~~P^^^
Commercial Amusement (inside)	P^^^	P^^^	P^^^	P^^^					P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	SE^^^
Liquor Sales			P^^^	P^^^					P^^^		P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	P^^^	~~P^^^~~	P^^^	P^^^	P^^^	P^^^	P^^^

^^^ Uses located within the commercial compatibility overlay shall be regulated by Section 17.36.760 and Section 17.36.770

SUBSTITUTE RESOLUTION NO. RS2026-2164

A resolution approving amendment three to an Air Pollution Control Program Support grant from the United States Environmental Protection Agency to the Metropolitan Government, acting by and through the Metropolitan Board of Health, for the ongoing collection of data on ambient air monitoring and various other activities to reduce or control air pollutants ~~concentrations for fine particulate matter~~ in Nashville, Tennessee.

WHEREAS, the Metropolitan Government, acting by and through the Metropolitan Board of Health, previously entered into a grant agreement with the United States Environmental Protection Agency for the ongoing collection of data on ambient air monitoring ~~concentrations for fine particulate matter~~ in Nashville, Tennessee approved by RS2025-1433, RS2025-1637 (amendment one), and RS2026-1729 (amendment two); and,

WHEREAS, the parties wish to amend that grant agreement to increase the amount of the grant by $430,824, from $$395,547.00 to $826,371.00. Including the local cash match, the total grant amount would be increased from $1,105,573.00 to $1,536,397.00 and update various administrative conditions which apply solely to the funds added with this amendment and any previously awarded funds not yet disbursed by the recipient as of this amendment award date, a copy of which amendment three is attached hereto; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that amendment three be approved; and,

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

Section 1. That amendment three to the Air Pollution Control Program Support grant by and between the United States Environmental Protection Agency, and the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Health, for the ongoing collection of data on ambient air monitoring and various other activities to reduce or control air pollutants such as ozone, particulate matter, regional haze, sulfur dioxide, carbon monoxide and mercury ~~concentrations for fine particulate matter~~ in Nashville, Tennessee, a copy of which amendment three is attached hereto and incorporated herein, is hereby approved, and the Metropolitan Mayor is authorized to execute the same.

Section 2. That this resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Burkley Allen
Member of Council

RESOLUTION NO. __________

A resolution approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and 563 Veritas, LLC, to provide public water service improvements for 563 Verita's proposed development, as well as other existing properties in the area (MWS Project No. 23-WL-0080 and Proposal No. 2025M-018AG-001).

WHEREAS, pursuant to the terms of the participation agreement, attached hereto as Exhibit 1, 563 Veritas, LLC ("DEVELOPER") in compliance with all Metropolitan Government of Nashville and Davidson County ("METRO") requirements and specifications, will contract and oversee the construction of approximately 120 linear feet of four-inch water main (DIP), to serve the residents on Veritas Street, as shown in Exhibit 2 hereto attached, Project No. 23-WL-0080; and,

WHEREAS, METRO will inspect the construction and upon acceptance, will be responsible for ongoing operation and maintenance; and,

WHEREAS, METRO agrees to pay the lesser of fifty percent (50%) of the actual project costs that benefit both parties, not to exceed Twenty-Three Thousand Eight Hundred Twenty-Six Dollars ($23,826.00); and,

WHEREAS, as part of this project DEVELOPER further agrees to improve the public water main from the westernmost property line to its terminus to the benefit of the general community and the public water system without benefit to DEVELOPER and be reimbursed by METRO not to exceed Forty-Nine Thousand Two Hundred Sixty-Six Dollars ($49,266.00.00); and,

WHEREAS, BL2022-1214 authorizes the Metropolitan Department of Water and Sewerage Services to enter into participation agreements funding infrastructure with developers by resolution of the Metropolitan Council; and;

WHEREAS, the Project is deemed to benefit both parties and the general community.

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

Section 1. The participation agreement (Exhibit 1) between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, and 563 Veritas, LLC to improve public water services in Davidson County, Tennessee, attached hereto and incorporated herein, is hereby approved, and the Director of Water and Sewer Services is authorized to execute the same.

Section 2. Twenty-Three Thousand Eight Hundred Twenty-Six Dollars ($23,826.00) from METRO is available in Fund No. 47410 to pay the lesser of fifty percent (50%) of the project costs that benefit both parties and Forty-Nine Thousand Two Hundred Sixty-Six Dollars ($49,266.00.00) from METRO is available in Fund No. 47410 to reimburse DEVELOPER for the additional work being completed, for a total contribution of Seventy-Two Thousand Ninety-Two Dollars ($72,092.00) toward the Project.

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

RECOMMENDED BY:

Signed by:
Scott Potter/bf
C30F49F9E5D9459...
Scott A. Potter, Director
Water and Sewerage Services

INTRODUCED BY:

____

____

____
Council Member(s)

APPROVED AS TO THE AVAILABILITY
OF FUNDS:
FUND#: 47410
PIF 25-090

Signed by:
Jenneen Reed/mjw
62377A2A8742469...
Jenneen Reed, Director
Department of Finance

APPROVED AS TO FORM AND
LEGALITY:

Signed by:
Hannah Zeitlin
D7D037A5DCA5413...
Assistant Metropolitan Attorney

563 VERITAS PARTICIPATION AGREEMENT

THIS AGREEMENT is entered into by and between **563 Veritas, LLC**., hereinafter known as "**DEVELOPER**", and The Metropolitan Government of Nashville and Davidson County acting through the Metropolitan Department of Water and Sewerage Services, hereinafter known as "**METRO**".

WHEREAS, both **DEVELOPER** and **METRO** desire to provide improved public water service for both its proposed development as well as the existing properties in this area; and

WHEREAS, DEVELOPER has been approved to serve its development 563 Veritas Street; known as Project No. 23-WL-0080, and

WHEREAS, the provision of such water service will directly benefit both parties and the general community of Nashville and Davidson County, Tennessee; and

NOW, THEREFORE, THE DEVELOPER AND METRO AGREE AS FOLLOWS:

I. SCOPE OF WORK:

A project consisting of the Developer constructing approximately 120 LF of new four-inch water main (DIP) to serve the 563 Veritas development.

II. PAYMENT TERMS AND CONDITIONS:

A. **DEVELOPER** will contract and oversee construction of this project, and water main design shall meet all METRO specifications and requirements including telemetry and any required repeater sites.
B. **METRO** will inspect the construction and will be responsible for ongoing operation and maintenance.
C. **METRO's** level of participation is based on a determination by METRO utilizing a benefit/cost analysis to the project area's existing customer base and overall systemic operational needs. For this specific project, **METRO's** level of participation will be the lesser of 50% of the actual project costs not to exceed $23,826.00 as a contribution towards these improvements. As a part of this project, **DEVELOPER** agrees to improve the public water main the remaining distance of 61 linear feet (from the westernmost property line to its terminus) which has been determined to benefit the general community and the public water system. This portion will be inspected and fully reimbursed by Metro not to exceed $49,266.00. This amount is based on the secured competitive bid prices of three licensed contractors. The awarded bid amount and unit prices are within range of recently bid public projects of similar scope and size.
D. This agreement is subject to the approval through Resolution (one reading) of The Metropolitan Council of Nashville and Davidson County and will be null and void if the improvements are not operational by July 1st, 2027.
E. This project must be constructed or obligated for this Funding Agreement to become binding on either party.

III. FUTURE AMENDMENTS:

Any future amendments to this agreement shall be approved by resolution of the Metropolitan Council.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

Version date 2.27.24

RECOMMENDED BY:

Signed by:
Scott Potter/bf
C30F49F9E5D9459...
Director Metropolitan Department of Water and Sewerage Services

APPROVED AS TO AVAILABILITY OF FUNDS:

Signed by:
Jenneen Reed/mjw
62377A2A8742469...
Director of Finance

APPROVED AS TO FORM AND LEGALITY:

Signed by:
Hannah Zeitlin
D7D037A5DCA5413...
Metropolitan Attorney

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

____
Metropolitan Mayor

ACCEPTED BY:

Josh Silvis
Developer

Sworn to and subscribed to before me, a Notary Public, 24 day of July 2024 by Josh Silvis of Developer and duly authorized to execute this instrument on Developer's behalf.

____
Notary Public

RANDY HARDISON STATE OF TENNESSEE NOTARY PUBLIC WILLIAMSON COUNTY My Commission Expires 03-06-2027

My Commission Expires: ______________

ATTEST:

____
Metropolitan Clerk

Date: ______________________________

Version date 2.27.24

LEGEND

Proposed 120 LF of 4-inch DIP Water Main

Abandonment of 146 LF of 1-inch and 2-inch Water Main and Associated Easements

DATE: 2/21/2025

ENGINEERING FIRM: Dale and Associates
ENGINEER: Michael Garrigan, PE

COUNCIL DISTRICT: 16
PARCEL NUMBERS: 13305002500

- - - - CAUTION - - - -

THE POSITION OF THE WATER AND SANITARY SEWER MAINS SHOWN ARE APPROXIMATE AND ARE INTENDED TO SHOW THE GENERAL LOCATION ONLY. THE SIZES NOTED ARE TO THE BEST OF MWS KNOWLEDGE. IN ALL CASES WHERE PRECISE LOCATION AND MAIN SIZES ARE REQUIRED, FIELD VERIFICATION WILL BE NECESSARY.

0 100 Feet

METRO WATER SERVICES

N

ORIGINAL

METROPOLITAN COUNTY COUNCIL

Resolution No. ______________

A resolution approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and 563 Veritas, LLC, to provide public water service improvements for 563 Verita’s proposed development, as well as other existing properties in the area (MWS Project No. 23-WL-0080 and Proposal No. 2025M-018AG-001).

Introduced ______________________

Amended ______________________

Adopted ______________________

Approved ______________________

By ______________________

Metropolitan Mayor

NASHVILLE
PLANNING

May 6, 2025

To: Peggy Deaner Metro Water Services

Re: 563 Veritas Street Water Line Participation Agreement
Planning Commission Mandatory Referral 2025M-018AG-001
Council District # 16 Ginny Welsch, Council Member

On behalf of the Metropolitan Planning Commission, the following item, referred to the Commission as required by the Metro Charter, has been recommended for *approval* to the Metropolitan Council:

A request for approval of a participation agreement between 563 Veritas, LLC and The Metropolitan Government of Nashville and Davidson County acting through the Metropolitan Department of Water and Sewerage Services, for MWS Project No. 23-WL-0080.

The relevant Metro agencies (Metro Parks, Nashville Department of Transportation, Metro Water Services, Metro Emergency Communications, the Nashville Electric Service, General Services-Public Property and the Metro Historical Commission) have reviewed the proposal and concur in the recommendation for approval. This request must be approved by the Metro Council to become effective. A sketch showing the location of the request is attached to this letter.

Conditions that apply to this approval: none

This recommendation for approval is given as set forth in the Metropolitan Planning Commission Rules and Procedures. If you have any questions about this matter, please contact Delilah Rhodes at Delilah.Rhodes@nashville.gov or 615-862-7208

Sincerely,

Lisa Milligan
Assistant Director Land Development
Metro Planning Department
cc: *Metro Clerk*

Re: 563 Veritas Street Water Line Participation Agreement
Planning Commission Mandatory Referral 2025M-018AG-001
Council District # 16 Ginny Welsch, Council Member

A request for approval of a participation agreement between 563 Veritas, LLC and The Metropolitan Government of Nashville and Davidson County acting through the Metropolitan Department of Water and Sewerage Services, for MWS Project No. 23-WL-0080.

Tara Ladd, Assistant Director

Water and Sewerage Services
Nashville, TN 37208

July 28, 2026

TO: Vice Mayor Angie Henderson & Members of Metro Council

FROM: Tara Ladd, Assistant Director
Water and Sewerage Services

Signed by:
Tara Ladd
61B0567C0927450...

RE: **Suspension of Rule 11**

Metro Water Services respectfully requests suspension of the rules to late file a resolution for a participation agreement that was previously approved and became null and void when the improvements weren't completed by the date in the agreement.

{N0348012.1}

AMENDMENT NO. ___

TO

ORDINANCE NO. BL2026-1403

Madam President –

I hereby move to amend ordinance BL2026-1403 Section 4 by adding the following conditions:

17. With any final site plan submittal and with the installation of the new signal that NDOT evaluate the signalization patterns along Gallatin Pike and adjust signal timing as necessary.
18. With the final site plan submittal, the northeastern portion of the site, specifically surrounding the relocated Renraw House, additional landscaping and open space opportunities shall be considered for incorporation into the site plan.

SPONSORED BY:

____

Sean Parker
Member of Council

AMENDMENT NO. __

TO

ORDINANCE NO. BL2026-1430

Madam President –

I move to amend Ordinance No. BL2026-1430 by amending Section 1, proposed Metropolitan Code of Laws subsection 2.08.030.A, as follows:

A. The metropolitan mayor shall~~, upon filing the recommended operating budget with the metropolitan clerk no later than May 1~~ at least three days prior to a department's budget hearing conducted by the metropolitan council budget and finance committee, provide each member of the metropolitan council with a copy of the department's budget summary, organizational structure, recommended budget modifications, and financial details, provided each such budget hearing is held no earlier than May 10, and no more than four budget hearings per day shall be subject to the three-day deadline referenced herein. ~~recommended operating budget, with an executive summary of the budget and descriptive operational and budget information about each~~ For purposes of this section, "department" shall mean a department, board, commission, or agency of the metropolitan government.

SPONSORED BY:

____

Russ Bradford
Member of Council

AMENDMENT NO. ___

TO

ORDINANCE NO. BL2026-1434

Madam President –

I hereby move to amend Ordinance No. BL2026-1434 by amending Section 1 as follows:

Section 1. That Section 13.20.020(B) of the Metropolitan Code of Laws shall be deleted in its entirety and replaced with the following:

B.1. No excavation may be undertaken in any street, road, alley or right-of-way or of any utility or temporary construction easement of the metropolitan government or other government entity by any department of the metropolitan government or any other entity unless notice as required herein has been given to the following:

a. the occupant of the property abutting a street, road, alley, or right-of-way in which work is to be performed;

b. the fee owner and occupant of the property burdened by the easement in which work is to be performed;

c. all occupants within the block where such work is to be performed; and

d. the district member(s) of council representing the area of such excavation.

Such notice shall be given to the persons provided above at least seven days prior to the beginning of any such construction work. The person holding the excavation permit shall deliver to the director a signed statement containing the list of persons notified or the addresses of the occupants notified and what manner of notification was used prior to commencement of work.

2. For the purposes of this subsection, adequate notice shall be written notice providing the following information:

a. the purpose of the excavation;

b. a description of the excavation work;

c. the expected beginning date and completion date of the excavation work;

d. the name, address, and telephone number of a contact person available to provide information regarding the project and to receive complaints from the public; and

e. such other information as may be required by the director.

3. In the event such construction work is for emergency repairs <u>as determined by the director or a member of management of the department</u>, the notice required herein shall be waived, provided, that notice shall be given as soon as practicable to the owner setting forth both the

work being undertaken and the purposes for such emergency repairs <u>if such work is being conducted more than seven days following the initiation of the emergency</u>.

<u>4. The notice requirements of this subsection shall not apply to minor, routine excavation work that:</u>

> <u>a. is undertaken solely to install, connect, inspect, maintain, repair, replace, or remove a service line, meter, valve, conduit, or other utility facility serving an individual property;</u>
>
> <u>b. is reasonably expected to be completed within three working days; and</u>
>
> <u>c. does not materially restrict access to any property other than the property being served.</u>

SPONSORED BY:

____
Antoinette Lee
Member of Council

AMENDMENT NO. _1_

TO

ORDINANCE NO. BL2026-1437

Madam President –

I hereby move to amend Ordinance No. BL2026-1437 by amending Section 2 as follows:

Section 2. That recordings <u>and written minutes</u> of such public meetings shall be published within 72 hours of the meeting's conclusion on the official website of the Metropolitan Government or the responsible department or agency or on a publicly accessible video hosting platform. The Office of the Metropolitan Clerk, in coordination with the Department of Information Technology Services, shall be responsible for establishing and maintaining a centralized public portal to access all applicable recordings.

SPONSORED BY:

____
Burkley Allen
Member of Council

AMENDMENT NO. 2

TO

ORDINANCE NO. BL2026-1437

Madam President –

I move to amend Ordinance No. BL2026-1437 as follows:

I. By amending Section I as follows:

Section 1. That the following boards, commissions, and authorities shall have their public meetings and work sessions recorded with video or audio: Audit Committee, Metropolitan Housing Trust Fund, Industrial Development Board, Health and Education Facilities Board, Convention Center Authority, Hospital Authority, Sports Authority, Metropolitan Transit Authority, <u>Metropolitan Nashville Airport Authority, Metropolitan Action Commission, Metropolitan Property Standards and Appeals Board, Metropolitan Development and Housing Agency Board,</u> and any other board, commission, or authority determined by the Director of Finance to exercise direct or advisory authority over the expenditure, allocation, or management of public financial resources, including tax revenues, grants, bonds, and capital investments.

II. By adding the following as a new Section 3 and renumber the remaining section accordingly:

<u>Section 3. That this requirement to publish recordings within 72 hours shall not apply to the Metropolitan Employee Benefits Board and the Metropolitan Civil Service Commission, which shall record their meetings and submit those recordings to the Office of the Metropolitan Clerk. Footage of these meetings shall be released by the Office of the Metropolitan Clerk upon public request.</u>

SPONSORED BY:

____
Jennifer Webb
Member of Council

AMENDMENT NO. ___

TO

ORDINANCE NO. BL2026-1492

Madam President –

I hereby move to amend Ordinance No. BL2026-1492 as follows:

I. By deleting Section 2 in its entirety and renumbering the following section.

SPONSORED BY:

____

Burkley Allen
Member of Council

AMENDMENT NO. ___

TO

ORDINANCE NO. BL2026-1414

Madam President –

I hereby move to amend Ordinance No. BL2026-1414 by amending Section 4 to add the following as condition 10:

10. A 6’ tall opaque fence shall be installed along all side and rear property lines in addition to the shown 20’ wide Type “C” landscape buffer.

SPONSORED BY:

____
Erin Evans
Member of Council

AMENDMENT NO. ___

TO

ORDINANCE NO. BL2026-1489

Madam President –

I hereby move to amend Ordinance No. BL2026-1489 as follows:

I. By adding a new Section 4 as follows:

Section 4. Immediately upon receipt of any final written report or signed, certified appraisal providing an estimated value of any portion of the Property, whether prepared by or for the Metropolitan Government or a third party, the Director of Public Property Administration or designee will provide a copy of any such appraisal to the Metropolitan Council. The Metropolitan Government shall not file any condemnation action authorized by this Ordinance until at least three (3) weeks after the Metropolitan Council has received a copy the signed, certified appraisal used to determine the amount to be deposited with any condemnation petition filed pursuant to Tenn. Code Ann. § 29-17-701(a) for the Property. The provisions of this Section 4 shall automatically expire at the sooner of (i) the Metropolitan Government's acquisition of the fee simple interest in the Property, or (ii) the issuance of any final, nonappealable order from a court of law in any condemnation action authorized by this Ordinance.

II. By amending the current Section 4 as follows:

Section ~~4.~~ 5. This ordinance shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

____
Quin Evans Segall
Member of Council