



Metropolitan Council

**PROPOSED AMENDMENTS PACKET
FOR THE COUNCIL MEETING OF
TUESDAY, DECEMBER 7, 2021**

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2021-831

Mr. President ---

I hereby move to amend Ordinance No. BL2021-831 by amending Section 4 as follows:

Section 4. That this Ordinance shall take effect five (5) days from and after its passage on January 1, 2022, provided that anyone with an active "short term rental property – not owner occupied" permit application on file with the Department of Codes Administration as of December 31, 2021, shall be eligible for that permit to be issued if all other conditions are met and if the final use and occupancy letter for the building is issued on or before December 31, 2021, and such Such change shall be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Freddie O'Connell
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2021-975

Mr. President –

I hereby move to amend Substitute Ordinance No. BL2021-975 as follows:

I. By amending Section 1, by adding the following language to part 2 of the proposed Subsection 17.40.660.D:

2. Notwithstanding the foregoing and regardless of the percentage of floor area damaged or destroyed, any nonconforming structure damaged or destroyed by the March 3, 2020, tornado may be reconstructed so long as there is not a substantial increase in the degree of non-conformity and the building permit is issued on or before March 3, 2025.

INTRODUCED BY:

Sandra Sepulveda
Member of Council

SUBSTITUTE ORDINANCE NO. BL2021-1007

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from AR2a to ~~RS7.5~~ SP zoning for properties located at 3163 and 3165 Anderson Road, at the northern terminus of Hamilton Lane (12.8 acres), all of which is described herein (Proposal No. 2021Z-072PR-001).

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

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

By changing from AR2a to ~~RS7.5~~ SP zoning for properties located at 3163 and 3165 Anderson Road, at the northern terminus of Hamilton Lane (12.8 acres), being Property Parcel Nos. 037, 040 as designated on Map 150-00 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the uses of this SP shall be limited to all uses permitted by the RS7.5 zoning district with the exception that the Short Term Rental Property – Owner Occupied use shall be prohibited.

Section 3. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. This property shall not be eligible for short-term rental property (STRP) permits under Chapter 17.16 of the Metropolitan Code of Laws. The Short Term Rental Property (STRP) – Owner Occupied use shall be prohibited.
2. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. Building facades shall be constructed of brick, stone, cast stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved by the Planning Commission. Front facades shall be at least 90% brick or other similar masonry material. Material restrictions shall be authorized by BL2021-1048.
4. Any garage door (if present) shall be located behind the front façade of the attached residential structure and preferably face the side or rear of the lot.
5. Chain link fencing shall be prohibited.
6. The developer shall work with the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) to identify and install traffic calming initiatives within the proposed development, along Hamilton Ln., and along Anderson Rd. at the developer’s expense.

Section 4. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 5. Be it further enacted, minor modifications to the preliminary SP plan may be approved

by the Planning Commission or its designee, based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increases the permitted density or floor area, adds uses not otherwise permitted, eliminates specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or adds vehicular access points not currently present or approved.

Section 6. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of RS7.5 zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 2.7. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 150 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3.8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Antoinette Lee
Member of Council

2021Z-072PR-001
Map 150, Parcel(s) 037, 040
Subarea 13, Antioch - Priest Lake
District 33 (Antoinette Lee)
Application fee paid by: SAMMY K SAID

A request to rezone from AR2a to ~~RS7-5~~ SP zoning for properties located at 3163 and 3165 Anderson Road, at the northern terminus of Hamilton Lane (12.8 acres), requested by Sammy Said and Marian Fangary, applicants and owners.



SUBSTITUTE RESOLUTION NO. RS2021-1201

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 \$568,855,000.

WHEREAS, it is necessary and in the public interest of The Metropolitan Government of Nashville and Davidson County (the "Metropolitan Government") to issue general obligation bonds in an aggregate principal amount of not to exceed \$568,855,000 (the "Bonds") for the purposes hereinafter provided; and,

WHEREAS, pursuant to Section 9-21-205, Tennessee Code Annotated, prior to the issuance of any general obligation bonds, the governing body of the local government proposing to issue said bonds shall adopt a resolution determining to issue the same; and,

WHEREAS, for the purpose of complying with the requirements of said statute, the Metropolitan County Council of the Metropolitan Government adopts this Resolution.

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

Section 1. Purpose. For the purposes of financing (a) all or a portion of the costs of the acquisition of land for and the planning, design, development, construction, renovation, modification, improvement, upgrade, expansion, repair, maintenance, rehabilitation, equipping and/or acquisition of the following public works projects (as defined in Section 9-21-105, Tennessee Code Annotated): (1) school buildings and facilities; (2) parks, parks facilities, greenways, and equipment related to the foregoing; (3) public safety buildings and facilities, including, buildings and facilities for the police and fire departments, and technology improvements related to the foregoing; (4) fairgrounds facilities and infrastructure; (5) technology equipment and related software used for local government purposes; (6) bikeways, sidewalks, roads, streets and rights-of-way, including streetscape improvements, street lights, drainage improvements, lighting, signage and signalization, roadway improvements related to traffic management and traffic calming, and related information technology improvements; (7) facilities related to transit centers and shelter improvements; (8) Metropolitan Government buildings and facilities, including planning and studies related thereto; (9) information technology improvements related to public works projects of the Metropolitan Government; (10) drainage systems including stormwater sewers and drains; (11) solid waste system improvements; (12) public transportation (including monies for grant matches); (13) vehicles for the Metropolitan Government; and, (14) new Juvenile Justice facility (collectively, the "Projects"), as all such Projects are more specifically set forth on Exhibit A attached hereto; provided, however, that the specific portion of total funding allocated to each Project as set forth on Exhibit A may hereafter be amended by legislation of the Metropolitan Council; and further provided that such Projects with an estimated value in excess of \$5,000,000 are more specifically set forth on collective Exhibit B attached hereto; and further provided that the Council's CIB Project Prioritization List, attached as Exhibit C, was considered when determining such Projects; (b) acquisition of all property, real and personal, appurtenant to the foregoing and acquisition or construction of certain public art as required by Ordinance No. BL2000-250; (c) legal, fiscal, administrative, architectural and engineering costs incident to all the foregoing; (d) all other costs authorized to be financed pursuant to Section 9-21-109, Tennessee Code Annotated, including without limitation, costs of issuance of the Bonds and (e) the payment or reimbursement of the payment of principal of and interest on any bonds, notes or other debt obligations issued in anticipation of the Bonds, the Metropolitan County Council hereby determines to issue the Bonds in an aggregate principal amount of not to exceed \$568,855,000.

Section 2. Authorization. The Bonds described herein shall be issued pursuant to the Charter of the Metropolitan Government and/or the Local Government Public Obligations Act of 1986, as amended, codified as Title 9, Chapter 21, Tennessee Code Annotated, and no referendum or election shall be required for the issuance of the Bonds unless a petition for an election relating to their issuance is filed within the time and in the manner provided for in said statute.

Section 3. Interest. The maximum rate of interest of the Bonds shall not exceed seven and one-quarter percent (7.25%) or the maximum rate permitted by applicable law.

Section 4. Source of Payment. Debt service on the Bonds shall be payable from and secured by ad valorem taxes on all taxable property in the General Services District and Urban Services District, fully sufficient to pay all such debt service falling due prior to the time of collection of the next succeeding tax levy; provided, however, taxes so levied in the General Services District shall be levied in an amount sufficient to pay that portion of such debt service attributable to school projects and projects in the General Services District financed by the Bonds; and the taxes so levied in the Urban Services District shall be levied in an amount sufficient to pay that portion of such debt service attributable to projects in the Urban Services District financed by the Bonds; provided, further, however, that the Metropolitan Government shall be unconditionally and irrevocably obligated to levy and collect ad valorem taxes without limit as to rate or amount on all taxable property within the Metropolitan Government to the full extent necessary to pay all debt service on the Bonds, and the full faith and credit of Metropolitan Government shall be irrevocably pledged to the payment thereof.

Section 5. Publication of Resolution. The Metropolitan Clerk is hereby directed to cause this Resolution, upon its adoption, together with the statutory notice required by Section 9-21-206, Tennessee Code Annotated, to be published in full once in a newspaper published and having general circulation in the Metropolitan Government.

Section 6. Effective Date. This Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government requiring it.

SPONSORED BY:

Burkley Allen
Member of Council

AMENDMENT NO. 1
 TO
 Resolution NO. RS2021-1201

Mr. President –

I move to amend Resolution No. RS2021-1201 as follows:

I. By deleting the entry for NDOT in Exhibit A and replacing it with the following:

NDOT		\$114,500,000
State of Good Repair	22PW0002	\$50,000,000
Restoration & Resiliency, Partnership Funding (East Bank Spine Connector partnership funding)	22PW0004	\$45,000,000 <u>\$20,000,000</u>
<u>Traffic Management System/Signal Upgrades</u> (East Bank Spine Connector)	<u>22PW0007</u>	<u>\$5,000,000</u>
<u>Jefferson Street Multimodal/Cap Connector</u>	22PW0003 22PW0005 22PW0007	<u>\$15,000,000</u>
USD Annexation BL2020-491 Addition of Street Lights	22PW0011	\$500,000
Traffic Management System/Signal Upgrades	22PW0007	\$7,000,000
Safety/Vision Zero/Traffic Calming	22PW0005	\$5,000,000 <u>\$10,000,000</u>
Active Transportation/Bikeways	22PW0006	\$2,000,000
Sidewalk Construction	22PW0001	\$5,000,000

II. By removing from Exhibit B the existing Capital Project Cost Itemization Form for the NDOT – Restoration & Resiliency, Partnership Funding.

III. By removing from Exhibit B the existing Capital Project Cost Itemization Form for the NDOT – Safety/Vision Zero/Traffic Calming.

IV. By adding to Exhibit B the attached Capital Project Cost Itemization Forms for the NDOT projects amended in Section I hereinabove.

SPONSORED BY:

 Burkley Allen
 Member of Council

CAPITAL PROJECT COST ITEMIZATION FORM

NDOT -Jefferson Street Cap

CIB #s

22PW0003

Date 12/2/2012

CAPITAL PROJECT NAME:	Jefferson Street Multimodal Cap/Connector
PROJECT DESCRIPTION:	Jefferson Street eight-acre cap located over I-65/I-40 north of Jefferson Street between DB Todd and 17th Avenue

PROJECT FUNDING HISTORY	Resolution #	Fund #	Account String	Total Allocated *
	RS2021-757	42021		\$5,800,000

* less any Contingency

**Will this allocation complete the funding for this project?
If Yes, what is the anticipated date to close-out the project?
If No, when is additional funding anticipated? (Phased project)**

NO
on going

PROJECT COST ITEMIZATION:

BL2019-77: 5.04.150 Cost Itemization for capital projects. A. The Department of Finance shall develop a Capital Project Cost Itemization Form to be completed for all proposed capital projects with an estimated total value greater than \$5,000,000.00. Such form shall itemize the present value full projected costs, allowing for local market cost escalation, including, but not limited to, the following costs, as applicable:

Land Acquisition	
Environmental Compliance	0.00
Temporary Relocation	0.00
Architectural Engineering	0.00
Design	10,000,000.00
Construction	0.00
Furniture, Fixtures & Equipment	0.00
Infrastructure Improvement	0.00
New and Supporting Technology	0.00
Utility-Relocation, Misc. Costs, etc.	5,000,000.00
Other Anticipated Project Costs *	0.00
Total Funding Request	15,000,000.00

* Details of Other Anticipated Project Costs:

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ESTIMATED OPERATING BUDGET IMPACT:

Amount?	0.00
What Fiscal Year will this Impact Operating Budget?	N/A

Details - On Impact to Operating Budget

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Form Prepared By: Shanna Whitelaw

CAPITAL PROJECT COST ITEMIZATION FORM

NDOT -Jefferson Street Cap

CIB #s

22PW0003

Date

12/2/2012

Instructions:

Project Funding History - List any prior allocations related to the project. (Ex. Prior year capital funding, Phase 1 - Land, etc.) If no prior funding has been allocated for this project, just enter N/A.

Project Cost Itemization - List the full projected costs for each category, as applicable. If there are no costs associated with a particular category - list as \$0.00. If there are anticipated project costs beyond the listed categories, add the amount to the "Other Anticipated Project Costs" and provide details for those costs in the box provided.

Details of Other Anticipated Project Costs - Use this space to add details, if needed, for costs listed in "Other Anticipated Project Costs" category. If no additional costs anticipated, just enter N/A.

Estimated Operating Budget Impact - If the project will have an impact to your operational budget, list the estimated amount and the Fiscal Year of the impact and a detailed description of the type of impact it will have to your operating budget. Examples are additional staff (salary & fringe), annual maintenance agreement, warranty costs, internal service fees, etc.

CAPITAL PROJECT COST ITEMIZATION FORM

NDOT - Restoration & Resiliency

CIB #s

22PW0004

Date **12/2/2021**

CAPITAL PROJECT NAME:	Restoration & Resiliency, State Routes, Partnership Funding and Innovation/Sustainability Corridors (East Bank Spine Connector) - \$20,000,000
PROJECT DESCRIPTION:	Matching funds for early acquisition of ROW to include six parcels for Phase I -North/South Arterial Boulevard between Spring Street and Woodland Street for the East Bank Spine Connector. Agreement between TDOT further described in Resolution RS2021-1237.

PROJECT FUNDING HISTORY	Resolution #	Fund #	Account String	Total Allocated *
			N / A	

* less any Contingency

**Will this allocation complete the funding for this project?
If Yes, what is the anticipated date to close-out the project?
If No, when is additional funding anticipated? (Phased project)**

NO
on going

PROJECT COST ITEMIZATION:

BL2019-77: 5.04.150 Cost Itemization for capital projects. A. The Department of Finance shall develop a Capital Project Cost Itemization Form to be completed for all proposed capital projects with an estimated total value greater than \$5,000,000.00. Such form shall itemize the present value full projected costs, allowing for local market cost escalation, including, but not limited to, the following costs, as applicable:

Land Acquisition	20,000,000.00
Environmental Compliance	0.00
Temporary Relocation	0.00
Architectural Engineering	0.00
Design	0.00
Construction	
Furniture, Fixtures & Equipment	0.00
Infrastructure Improvement	0.00
New and Supporting Technology	0.00
Utility-Relocation, Misc. Costs, etc.	
Other Anticipated Project Costs *	0.00
Total Funding Request	20,000,000.00

* Details of Other Anticipated Project Costs:

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ESTIMATED OPERATING BUDGET IMPACT:

Amount?	0.00
What Fiscal Year will this Impact Operating Budget?	N/A

Details - On Impact to Operating Budget

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Form Prepared By: Shanna Whitelaw

CAPITAL PROJECT COST ITEMIZATION FORM

NDOT - Restoration & Resiliency

CIB #s

22PW0004

Date

12/2/2021

Instructions:

Project Funding History - List any prior allocations related to the project. (Ex. Prior year capital funding, Phase 1 - Land, etc.) If no prior funding has been allocated for this project, just enter N/A.

Project Cost Itemization - List the full projected costs for each category, as applicable. If there are no costs associated with a particular category - list as \$0.00. If there are anticipated project costs beyond the listed categories, add the amount to the "Other Anticipated Project Costs" and provide details for those costs in the box provided.

Details of Other Anticipated Project Costs - Use this space to add details, if needed, for costs listed in "Other Anticipated Project Costs" category. If no additional costs anticipated, just enter N/A.

Estimated Operating Budget Impact - If the project will have an impact to your operational budget, list the estimated amount and the Fiscal Year of the impact and a detailed description of the type of impact it will have to your operating budget. Examples are additional staff (salary & fringe), annual maintenance agreement, warranty costs, internal service fees, etc.

CAPITAL PROJECT COST ITEMIZATION FORM

NDOT - Safety / Vision Zero / Traffic Calming

CIB # **22PW0005**
Date **12/2/2021**

CAPITAL PROJECT NAME:	SAFETY / VISION ZERO / TRAFFIC CALMING - \$ 10,000,000
PROJECT DESCRIPTION:	To implement policies, programs and projects identified in the Vision Zero Action Plan (draft finalized by end of 2021). The Action Plan identifies the fifteen most dangerous crossings for pedestrians as well as other program and policy improvements. These funds will be utilized for design and construction of various improvements for these identified areas. Funds may also be used for additional traffic calming backlog and other safety improvements that are prioritized throughout the year.

PROJECT FUNDING HISTORY	Resolution #	Fund #	Account String	Total Allocated *
	RS2021-757	42021	42410021.507999.0.0.0.42021.042.0.0.0.	\$15,000,000

* less any Contingency

Will this allocation complete the funding for this project?	NO
If Yes, what is the anticipated date to close-out the project?	
If No, when is additional funding anticipated? (Phased project)	on going

PROJECT COST ITEMIZATION:

BL2019-77: 5.04.150 Cost Itemization for capital projects. A. The Department of Finance shall develop a Capital Project Cost Itemization Form to be completed for all proposed capital projects with an estimated total value greater than \$5,000,000.00. Such form shall itemize the present value full projected costs, allowing for local market cost escalation, including, but not limited to, the following costs, as applicable:

Land Acquisition	0.00
Environmental Compliance	0.00
Temporary Relocation	0.00
Architectural Engineering	0.00
Design	4,000,000.00
Construction	6,000,000.00
Furniture, Fixtures & Equipment	0.00
Infrastructure Improvement	0.00
New and Supporting Technology	0.00
Utility-Relocation, Misc. Costs, etc.	
Other Anticipated Project Costs *	0.00
Total Funding Request	10,000,000.00

* Details of Other Anticipated Project Costs:

ESTIMATED OPERATING BUDGET IMPACT:

Amount?	0.00
What Fiscal Year will this Impact Operating Budget?	N/A

Details - On Impact to Operating Budget

CAPITAL PROJECT COST ITEMIZATION FORM

NDOT - Safety / Vision Zero / Traffic Calming

CIB # 22PW0005

Date 12/2/2021

Instructions: **Project Funding History** - List any prior allocations related to the project. (Ex. Prior year capital funding, Phase 1 - Land, etc.) If no prior funding has been allocated for this project, just enter N/A.

Project Cost Itemization - List the full projected costs for each category, as applicable. If there are no costs associated with a particular category - list as \$0.00. If there are anticipated project costs beyond the listed categories, add the amount to the "Other Anticipated Project Costs" and provide details for those costs in the box provided.

Details of Other Anticipated Project Costs - Use this space to add details, if needed, for costs listed in "Other Anticipated Project Costs" category. If no additional costs anticipated, just enter N/A.

Estimated Operating Budget Impact - If the project will have an impact to your operational budget, list the estimated amount and the Fiscal Year of the impact and a detailed description of the type of impact it will have to your operating budget. Examples are additional staff (salary & fringe), annual maintenance agreement, warranty costs, internal service fees, etc.

CAPITAL PROJECT COST ITEMIZATION FORM

NDOT - Traffic Management Systems

CIB # **22PW0007**
Date **12/02/201**

CAPITAL PROJECT NAME:	Traffic Management Systems/Signal Upgrades (East Bank Spine Connector) - \$ 5,000,000
PROJECT DESCRIPTION:	Matching funds for early acquisition of ROW to include six parcels for Phase I -North/South Arterial Boulevard between Spring Street and Woodland Street for the East Bank Spine Connector. Agreement between TDOT further described in Resolution RS2021-1237. The new spine connector road will include and utilize the latest traffic management systems.

PROJECT FUNDING HISTORY	Resolution #	Fund #	Account String	Total Allocated *
	RS2021-757	42021	42414021.507999.0.0.0.42021.042.0.0.0.	\$5,300,000

* less any Contingency

Will this allocation complete the funding for this project?
If Yes, what is the anticipated date to close-out the project?
If No, when is additional funding anticipated? (Phased project)

NO
on going

PROJECT COST ITEMIZATION:

BL2019-77: 5.04.150 Cost Itemization for capital projects. A. The Department of Finance shall develop a Capital Project Cost Itemization Form to be completed for all proposed capital projects with an estimated total value greater than \$5,000,000.00. Such form shall itemize the present value full projected costs, allowing for local market cost escalation, including, but not limited to, the following costs, as applicable:

Land Acquisition	5,000,000.00
Environmental Compliance	0.00
Temporary Relocation	0.00
Architectural Engineering	0.00
Design	
Construction	
Furniture, Fixtures & Equipment	0.00
Infrastructure Improvement	0.00
New and Supporting Technology	0.00
Utility-Relocation, Misc. Costs, etc.	
Other Anticipated Project Costs *	0.00
Total Funding Request	5,000,000.00

* Details of Other Anticipated Project Costs:

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ESTIMATED OPERATING BUDGET IMPACT:

Amount?	0.00
What Fiscal Year will this Impact Operating Budget?	N/A

Details - On Impact to Operating Budget

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CAPITAL PROJECT COST ITEMIZATION FORM

NDOT - Traffic Management Systems

CIB # 22PW0007

Date 12/02/201

Instructions: **Project Funding History** - List any prior allocations related to the project. (Ex. Prior year capital funding, Phase 1 - Land, etc.) If no prior funding has been allocated for this project, just enter N/A.

Project Cost Itemization - List the full projected costs for each category, as applicable. If there are no costs associated with a particular category - list as \$0.00. If there are anticipated project costs beyond the listed categories, add the amount to the "Other Anticipated Project Costs" and provide details for those costs in the box provided.

Details of Other Anticipated Project Costs - Use this space to add details, if needed, for costs listed in "Other Anticipated Project Costs" category. If no additional costs anticipated, just enter N/A.

Estimated Operating Budget Impact - If the project will have an impact to your operational budget, list the estimated amount and the Fiscal Year of the impact and a detailed description of the type of impact it will have to your operating budget. Examples are additional staff (salary & fringe), annual maintenance agreement, warranty costs, internal service fees, etc.

AMENDMENT NO. 2
TO
RESOLUTION NO. RS2021-1201

Mr. President –

I move to amend Resolution No. RS2021-1201 as follows:

I. By adding the attached Capital Project Cost Itemization Form for PARKS – Zoo Parking, CIB# 18PR0025, to the existing Collective Exhibit B.

SPONSORED BY:

Burkley Allen
Member of Council

CAPITAL PROJECT COST ITEMIZATION FORM

PARKS - Zoo Parking

CIB # **18PR0025**
Date **10/19/2021**

CAPITAL PROJECT NAME:	ADD PARKING / GARAGE SPACE TO NASHVILLE ZOO PARKING LOT
PROJECT DESCRIPTION:	Add Parking to Nashville Zoo Parking Lot

PROJECT FUNDING HISTORY	Resolution #	Fund #	Account String	Total Allocated *
			N / A	

* less any Contingency

Will this allocation complete the funding for this project?
If Yes, what is the anticipated date to close-out the project?
If No, when is additional funding anticipated? (Phased project)

YES / NO
Dec-23

PROJECT COST ITEMIZATION:

BL2019-77: 5.04.150 Cost Itemization for capital projects. A. The Department of Finance shall develop a Capital Project Cost Itemization Form to be completed for all proposed capital projects with an estimated total value greater than \$5,000,000.00. Such form shall itemize the present value full projected costs, allowing for local market cost escalation, including, but not limited to, the following costs, as applicable:

Land Acquisition	0.00
Environmental Compliance	0.00
Temporary Relocation	0.00
Architectural & Engineering	0.00
Design	0.00
Construction	15,000,000.00
Furniture, Fixtures & Equipment	0.00
Infrastructure Improvement	0.00
New and Supporting Technology	0.00
Utility-Relocation, Misc. Costs, etc.	0.00
Other Anticipated Project Costs *	0.00
Total Funding Request	15,000,000.00

* Details of Other Anticipated Project Costs:

ESTIMATED OPERATING BUDGET IMPACT:

Amount?	N/A
What Fiscal Year will this Impact Operating Budget?	N/A

Details - On Impact to Operating Budget

AMENDMENT NO. 3
TO
RESOLUTION NO. RS2021-1201

Mr. President –

I hereby move to amend Resolution No. RS2021-1201 by amending the project list attached to the Resolution as Exhibit A as follows:

- I. By reducing the allocation for CIB Project ID # 19PR0005, Wharf Park – 88 Hermitage Acquisition, in the amount of \$6,000,000.
- II. By adding CIB Project ID # 18PL0002, New Murfreesboro Road/Briley Parkway Branch Library – Planning and Construction, in the amount of \$4,500,000.
- III. By increasing the allocation for CIB Project ID # 20GS0001, OFM Replacements and Additions, in the amount of \$1,500,000.

SPONSORED BY:

Russ Bradford
Member of Council

AMENDMENT NO. 4
TO
RESOLUTION NO. RS2021-1201

Mr. President –

I hereby move to amend Resolution No. RS2021-1201 as follows:

- I. By amending the first recital clause and Section 1 of the resolution to reduce the maximum authorized aggregate principal amount of the general obligation bonds by \$500,000.
- II. By amending the project list attached to the Resolution as Exhibit A by deleting CIB Project ID # 19PR0005, Wharf Park – 88 Hermitage Acquisition, in the amount of \$20,000,000.
- III. By amending the project list attached to the Resolution as Exhibit A by increasing CIB Project ID # 18PR0025, Zoo Parking, in the amount of \$15,000,000.
- IV. By amending the project list attached to the Resolution as Exhibit A by adding CIB Project ID # 18PL0002, New Murfreesboro Road/Briley Parkway Branch Library – Planning and Construction, in the amount of \$4,500,000.

SPONSORED BY:

Russ Bradford
Member of Council

AMENDMENT NO. 5
TO
RESOLUTION NO. RS2021-1201

Mr. President –

I hereby move to amend Resolution No. RS2021-1201 as follows:

- I. By amending the first recital clause and Section 1 of the resolution to reduce the maximum authorized aggregate principal amount of the general obligation bonds by \$15,000,000.
- II. By amending the project list attached to the Resolution in Exhibit A by deleting CIB Project ID # 22PW0003 and reducing the total amount allocated to NDOT by \$15,000,000.
- III. By amending Exhibit B to remove the reference to CIB Project ID # 22PW0003 on the NDOT – Restoration & Resiliency Capital Project Cost Itemization Form.

SPONSORED BY:

Bob Mendes
Sharon Hurt
Members of Council

AMENDMENT NO. 6
TO
RESOLUTION NO. RS2021-1201

Mr. President –

I hereby move to amend Resolution No. RS2021-1201 as follows:

- I. By amending the first recital clause and Section 1 of the resolution to increase the maximum authorized aggregate principal amount of the general obligation bonds by \$10,514,500.
- II. By amending the project list attached to the Resolution as Exhibit A by adding an allocation for CIB Project ID # 18MT0002, Neighborhood Transit Centers, in the amount of \$3,300,000.
- III. By amending the project list attached to the Resolution as Exhibit A by increasing the allocation for CIB Project ID # 22PW0005, Safety/Vision Zero/Traffic Calming, in the amount of \$7,214,500.

APPROVED AS TO
AVAILABILITY OF FUNDS



Kelly Flannery
Director of Finance

SPONSORED BY:

Freddie O'Connell
Courtney Johnston
Members of Council

AMENDMENT NO. 7
TO
RESOLUTION NO. RS2021-1201

Mr. President –

I hereby move to amend Resolution No. RS2021-1201 by amending the project list attached to the Resolution as Exhibit A as follows:

- I. By deleting CIB Project ID # 19PR0004, 1st & Gay Park Development for permanent supportive housing, in the amount of \$3,000,000.
- II. By increasing the allocation for CIB Project ID # 18PL0003, Main Library Infrastructure Repairs, in the amount of \$3,000,000.

SPONSORED BY:

Freddie O'Connell
Member of Council

AMENDMENT NO. 8
TO
RESOLUTION NO. RS2021-1201

Mr. President –

I hereby move to amend Resolution No. RS2021-1201 by amending the project list attached to the Resolution as Exhibit A as follows:

- I. By deleting CIB Project ID # 18PR0025, Zoo Parking, in the amount of \$15,000,000.
- II. By adding CIB Project ID # 18MT0002, Neighborhood Transit Centers, in the amount of \$3,300,000.
- III. By increasing the allocation for CIB Project ID # 22PW0005, Safety/Vision Zero/Traffic Calming, in the amount of \$6,000,000.
- IV. By increasing the allocation for CIB Project ID # 22PW0001, Sidewalk Construction, in the amount of \$3,000,000.
- V. By increasing the allocation for CIB Project ID # 22PW0006, Active Transportation/Bikeways, in the amount of \$2,700,000.

SPONSORED BY:

Freddie O'Connell
Ginny Welsch
Members of Council

AMENDMENT NO. 9
TO
RESOLUTION NO. RS2021-1201

Mr. President –

I hereby move to amend Resolution No. RS2021-1201 by amending the project list attached to the Resolution in Exhibit A as follows:

- I. By reducing the total funding for CIB Project ID # 22PW0004 “Restoration & Resiliency, Partnership Funding” by \$16,000,000.
- II. By increasing the total funding for CIB Project ID # 17PL0001 “Master Plan - Hadley Park Branch” by \$16,000,000.

SPONSORED BY:

Brandon Taylor
Member of Council

Substitute Resolution No. RS2021-1204

A resolution appropriating ~~\$1,933,000.00~~ \$1,260,000.00 in American Recovery Plan Act funds from Fund #30216 to Metro Parks to be used for ~~managing homeless encampments, and the renovation and repair of Brookmeade Park to fulfill its mission to provide safe and enjoyable parks and greenway space to Nashville citizens.~~

WHEREAS, on June 15, 2021, the Metropolitan Council passed Resolution RS2021-966, a resolution which accepted grant funds for local government support from the Coronavirus State and Local Fiscal Recovery Funds established by the American Recovery Plan (ARP) Act of 2021 from the U.S. Department of the Treasury to The Metropolitan Government of Nashville and Davidson County, which was subsequently signed into law by Mayor John Cooper on June 16, 2021; and,

WHEREAS, Resolution RS2021-966 established a COVID-19 Financial Oversight Committee ("the Committee") whose role is to collect, consider, and recommend appropriate uses of the ARP Funds as designated by the Metropolitan Council disbursement plan. The Committee will submit its reports and recommendations to the Mayor, the Director of Finance, and the Metropolitan Council not later than June 30, 2025; and,

WHEREAS, there are federal requirements for use of American Rescue Plan Act funds that require that these funds be expended or obligated on or before December 31, 2024; and,

WHEREAS, the Committee supports the mission of the Metro Homeless Impact Division of Metropolitan Social Services ("HID") to provide temporary and permanent housing to those experiencing homelessness; and,

WHEREAS, in recognition of HID's important mission, the Committee has recommended allocating \$1,541,400.00 to provide emergency shelters and to assist those experiencing homelessness to find permanent housing; and,

WHEREAS, the COVID-19 pandemic has placed additional burdens on the Metro Parks Department ("Parks") to fulfill its mission to provide safe and enjoyable parks and greenway space to Nashville citizens, ~~primarily due to an increase in the number of urban camps as a result of the pandemic and the increase of homeless individuals living in Metro parks;~~ and,

WHEREAS, the Committee recognizes the needs of Parks to regulate the use of its parks and greenway spaces, ~~including use of the parks as encampments for those experiencing homelessness;~~ and,

WHEREAS, Parks has identified vehicles and equipment necessary to enhance safety and maintain ~~Metro parks~~ Brookmeade Park as intended, including Eye in the Sky cameras ~~in locations in parks and facilities with a presence of urban camps,~~ and for renovations and repairs necessary to Brookmeade Park, as further described in Parks' request to the Committee (Exhibit A), which will resolve critical needs and is the best and most appropriate use of funds for Parks; and,

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

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

Section 1. The Metropolitan Council accepts this resolution as a recommendation of the COVID-19 Financial Oversight Committee.

Section 2. That ~~\$1,933,000.00~~ \$1,260,000.00 from the Covid-19 American Rescue Plan Fund #30216 is hereby appropriated to Metro Parks to be used in described in Exhibit A.

Section 3. No funds allocated under this resolution shall be used for the purpose or effect of removing, inconveniencing, or otherwise disturbing residents from existing homeless

encampments, nor shall any funds allocated under this resolution be used to free up resources to be used for such.

Section 4. This resolution shall take effect from and after its final passage, the welfare of the public requiring it.

SPONSORED BY:

Dave Rosenberg
Thom Druffel
Colby Sledge
Jennifer Gamble
Courtney Johnston
Gloria Hausser
Members of Council

Parks Brookmeade Park Renovations

Total: \$1,260,000

ITEM	PURPOSE	BRAND	QTY	UNIT PRICE	TOTAL PRICE
Equipment					
Trash Trucks 8 yd	Transport trash to dump	Isuzu	2	\$180,000	\$360,000
Pressure Washer Rigs on Trailers	Sanitation of Pavilions Shelters Playgrounds		2	\$10,000	\$20,000
Equipment Total					\$380,000
Eye in the Sky Cameras					
Brookmeade Park			6	\$5,000	\$30,000
Capital Project – Brookmeade Renovation					\$850,000
Trailhead signage and map					
Parking lot – Repaved striped, curb repair, bollards					
Paved trail – Repaved					
Demo existing bridge build new bridge at Trailhead					
New Decking on interior bridge					
Railing on Overlook					
Installation of Electronic Gates at Parking Lot					
TOTALS					\$1,260,000

SUBSTITUTE RESOLUTION NO. RS2021-1236

A resolution recommending implementation of certain transportation system safety policies in furtherance of Vision Zero.

WHEREAS, Vision Zero is a strategy to eliminate all traffic fatalities and severe injuries while increasing safe, healthy, and equitable mobility for all; and,

~~WHEREAS, on January 18, 2020, Mayor Cooper announced his administration's commitment to Vision Zero to help eliminate traffic fatalities and severe injuries in Nashville and Davidson County; and,~~

~~WHEREAS, Vision Zero is a strategy to eliminate all traffic fatalities and severe injuries while increasing safe, healthy and equitable mobility for all; and,~~

WHEREAS, the Metro Nashville WalknBike Strategic Plan of 2017 recommended the completion of a Vision Zero plan, and in January, 2020, Mayor Cooper announced his administration's commitment to Vision Zero in Nashville and Davidson County, and the Metro Council is represented on the Vision Zero Task Force Steering Committee;

~~WHEREAS, committing to Vision Zero requires implementing policies that require the Metropolitan Government of Nashville and Davidson County ("Metro") strategies and transportation safety policies, allowing the Metropolitan Government of Nashville and Davidson County ("Metro") to shape to engineer its transportation and mobility infrastructure around for the safety and well-being of all residents and all modes of travel; and,~~

WHEREAS, implementation of a quick-build policy by the Metropolitan Department of Finance, Procurement Division, would enable Metro to deliver quick-build projects in a more efficient and expedited manner by streamlining project delivery; and,

WHEREAS, implementation of a crosswalk policy would provide a framework with procedures for installation, enhancement, removal and relocation of crosswalks throughout Nashville and Davidson County, with specific guidance on crosswalks near bus stops; and,

~~WHEREAS, implementation of a fatal crash investigative team led by the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") in connection with Metro Nashville Police Department ("MNPD") would enable Metro to evaluate the engineering, environmental, vehicle, and behavioral factors for deadly crashes; and,~~

~~WHEREAS, advancing these polices and ensuring the success of Vision Zero is in the best interest of the citizens of the Metropolitan Government and Davidson County.~~

WHEREAS, implementation of a multi-disciplinary working group led by the Nashville Department of Transportation & Multimodal Infrastructure ("NDOT"), working in concert with the fatal crash investigative team of the Metropolitan Nashville Police Department Traffic Division, would enable NDOT to consistently evaluate and address engineering factors in deadly and severe-injury crashes; and

WHEREAS the draft Vision Zero Plan will be released for public comment on December 15, 2020 and advancing complimentary policies now will be compatible with that work and lay the foundation for Vision Zero efforts; and

WHEREAS, implementing and reporting on these and other Vision Zero policies and goals, and organizing staff and work flow to manage processes that deliver timely infrastructure improvement and safety results is in the best interest of the citizens of the Metropolitan Government of Nashville & Davidson County.

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

Section 1. That the Metropolitan Council hereby goes on record as recommending that the Finance Department, Division of Procurement, examine current law, in consultation with the Metro Legal Department, to determine the legality of a quick-build policy and if feasible, implement the same.

Section 2. That the Metropolitan Council hereby goes on record as recommending that the Nashville Department of Transportation and Multimodal Infrastructure implement a cross-walk policy ~~with~~ framework with procedures for installation, enhancement, removal and relocation of crosswalks throughout Nashville and Davidson County.

Section 3. That the Metropolitan Council hereby goes on record as recommending that the Nashville Department of Transportation and Multimodal Infrastructure, in connection with the Metro Nashville Police Department, formalize a multi-disciplinary work group and referral process in concert with the fatal crash investigative team of the Metropolitan Nashville Police Department Traffic Division to evaluate the ~~enable~~ NDOT to address engineering, ~~environmental, vehicle, and behavioral~~ factors for all deadly and severe-injury crashes.

Section 4. That the Metropolitan Clerk is authorized to send a copy of this resolution to Department of Finance, Procurement Division Director, the Metropolitan Nashville Police Department, Traffic Division, the Metropolitan Legal Department Director and the Nashville Department of Transportation and Multimodal Infrastructure.

Section 5. That NDOT will report to the Metropolitan Council on the recommendations of this resolution on or before March 1, 2022.

Section ~~5~~6. That this resolution shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville & Davidson County requiring it.

SPONSORED BY:

Angie Henderson
Member of Council

SUBSTITUTE RESOLUTION NO. RS2021-1260

A resolution appropriating ~~\$20,200,000.00~~ \$40,400,000.00 in American Rescue Plan Act funds from Fund #30216 to supplement The Barnes Fund, to establish a Catalyst Fund for affordable housing purchases, and to create a centralized database of subsidized housing.

WHEREAS, on June 15, 2021, the Metropolitan Council passed Resolution RS2021-966, a resolution which accepted grant funds for local government support from the Coronavirus State and Local Fiscal Recovery Funds established by the American Rescue Plan Act of 2021 (“ARP Funds”) from the U.S. Department of the Treasury to The Metropolitan Government of Nashville and Davidson Count, which was subsequently signed into law by Mayor John Cooper on June 16, 2021; and,

WHEREAS, Resolution RS2021-966 established a COVID-19 Financial Oversight Committee (“the Committee”) whose role is to collect, consider, and recommend appropriate uses of the ARP Funds as designated by the Metropolitan Council disbursement plan. The Committee will submit its reports and recommendations to the Mayor, the Director of Finance, and the Metropolitan Council not later than June 30, 2025; and,

WHEREAS, there are federal requirements for use of ARP Funds that require that these funds be expended or obligated on or before December 31, 2024; and,

WHEREAS, the Committee recognizes that creating and sustaining affordable housing is a critical priority for the city; and,

WHEREAS the Committee recognizes that the negative financial effects of the COVID-19 pandemic have emphasized the need to create additional affordable housing opportunities; and,

WHEREAS, the Director of Housing Programs of the Mayor’s Office (“the Mayor’s Office”) has proposed a Catalyst Fund to allow affordable housing developers to compete against market rate developers in speed and offer structure to preserve affordable housing, which is described in Exhibit A; and,

WHEREAS, the Mayor’s Office has also proposed development of a software program that identifies every subsidized housing unit in the county by allowing access to providers of those units and allows residents to submit applications to multiple units through the program, which is described in Exhibit A; and,

WHEREAS, the Mayor’s Office, as also recommended by the Affordable Housing Task Force, has recommended that additional funds be allocated to The Barnes Fund to build additional affordable housing, which is described in Exhibit A; and,

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

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

Section 1. The Metropolitan Council accepts this resolution as a recommendation of the COVID-19 Financial Oversight Committee.

Section 2. That ~~\$20,200,000.00~~ \$40,400,000.00 from the Covid-19 American Rescue Plan Fund #30216 is hereby appropriated to the Mayor’s Office to be used in described in Exhibit A.

Section 3. This resolution shall take effect from and after its final passage, the welfare of the public requiring it.

SPONSORED BY:

Colby Sledge
Ginny Welsch
Freddie O'Connell
Gloria Hausser
Joy Styles
Member of Council

ARP Funding Requests – Affordable Housing

Catalyst Fund: \$20M requested

Challenge: The housing market nationally and locally remains extremely competitive and state law prevents us from providing expanded tenant protections. Timely, strategic housing preservation is a crucial aspect of housing stability, especially for residents who are especially exposed to economic pressures. The Catalyst Fund allows developers to compete against market rate developers in speed and offer structure to preserve affordable housing. Additionally, when proposed investments are announced, proactive acquisitions can be made to develop affordable housing near assets.

Solution: Metro provides \$20M in funding. This will launch an RFP to recruit an experienced partner that will manage the fund and pursue additional investors to the Fund. By being housing outside Metro, the Fund can move quickly to acquire land. Metro will preset deal terms and guidelines for qualifying deals. For example, housing along transit access could be prioritized.

Additional Benefits: Provides an avenue for recruiting national partners, both corporate and philanthropic, to invest in Nashville’s affordable housing market.

Examples:

[New Generation Fund in Los Angeles](#): this fund offers discounted financing options for flexible acquisition, predevelopment and rehab for affordable housing creation and preservation. California does not have discounted debt options through CITC.

[Denver Regional TOD Fund](#): this fund offers debt financing for acquisition of land or operating properties near public transit in the Denver Metro area. Colorado does not have access to discounted debt options through CITC.

Centralized Housing Platform: \$200,000 requested

Challenge: Residents seeking affordable housing must call 15-20 providers to see if a unit is available. Then, they complete separate affordability certification documents for every provider. Different properties have different requirements based on their funding source or impact focus. The burden on our residents is too great. This investment centralizes units to increase transparency, efficiency, and choice for residents.

Solution: \$200,000 will pay for licensing, technical assistance, and onboarding to bring every subsidized housing unit in the county onto a central, transparent, accessible platform.

Structure: Going forward, all Metro subsidized contracts will require providers to maintain real-time availability of listings and to utilize the centralized platform. Dr. White is enthusiastic about bringing all MDHA properties and units onto the platform. Technical assistance will be provided to insure successful, thorough onboarding to support our providers in making this adjustment. Market testing has been conducted with housing providers to inform an eventual contract.

The Barnes Fund: \$20M Requested

Challenge: Nonprofit developers have multiple projects in the pipeline and the only bottleneck to increasing affordable housing supply is funding. The Barnes Fund is an efficient, effective funding tool for affordable housing development. An additional funding round will be invested in developments that are ready to proceed but only need equity to help unlock bank loans. On average, each Metro dollar into the Barnes Fund leverages an additional \$7 in private, philanthropic or state/federal funding. This housing is affordable for 30 years which provides essential stability for Nashvillians.

Solution: \$20M will provide an additional round of funding that can be launched early 2022. The current round is open, and awards will be finalized before the end of the year. These equity grants provide an invaluable source of funding to support nonprofit housing developers as they create and preserve units throughout the county.

Structure: All Barnes awards are made after an open and competitive application and review process. The final contracts are structured on a reimbursement basis. Work is completed, inspected by a third party and reviewed by staff before funds are disbursed. This monitoring is invaluable to not only ensure strong stewardship of public funds but also to allow us to work closely with our grantees to navigate any challenges that may arise in the development process.

RESOLUTION NO. RS2021-_____

A resolution recognizing the 90th anniversary of Nashville Children’s Theatre.

WHEREAS, Nashville Children’s Theatre was founded in 1931 by members of the Junior League of Nashville, including some of Nashville’s most dedicated philanthropists, and with the assistance of various other local theatre groups; and

WHEREAS, the theatre opened with an enormously successful production of “Aladdin and His Wonderful Lamp”, featuring 27 volunteer actresses; and

WHEREAS, the organization was entirely led and operated by a corps of local volunteers for its first 29 years, and continued to utilize volunteers in most key operational positions for another 25 years; and

WHEREAS, unlike other non-commercial children’s theatres of its time, Nashville Children’s Theatre was the only organization to raise money solely for the purpose of continuing to produce more theatre, and sustained itself from the very beginning on ticket sales and donations; and

WHEREAS, Nashville Children’s Theatre is the oldest surviving performing arts company in Nashville and the oldest professional children’s theatre in the country; and

WHEREAS, for many years the theatre performed in numerous landmarks around the city including the Belcourt Theatre and Vanderbilt University; and

WHEREAS, in the late 1950s, Ann Stahlman Hill led a group of like-minded community members and successfully petitioned city officials to fund a permanent home for the theatre; and

WHEREAS, in 1959, Nashville’s Board of Park Commissioners approved a quarter-million dollars on a home for the Nashville Children’s Theatre beside the Children’s Museum, making it the first children’s theatre in the country to be built with public funds; and

WHEREAS, in 1960, Nashville Children’s Theatre opened the doors to its permanent home behind Howard School off 2nd Avenue South where it continues to exist today; and

WHEREAS, the theatre has always been closely allied with local schools, and when Metro Schools began bussing students across town as part of desegregation efforts, Nashville Children’s Theatre radically changed their business model to accommodate students with transportation conflicts, ensuring that no student would have to miss out on artistic opportunities; and

WHEREAS, that reinvention led to more ambitious programming, the hiring of professional actors for productions, and expansion of the Theatre Academy; and

WHEREAS, over the decades, many established celebrities participated as actors or supported the theatre, and numerous future artists performed with the theatre as youths before going on to greatness; and

WHEREAS, Nashville Children’s Theatre has been nationally recognized and achieved many “firsts” including being the first Theatre for Young Audiences to perform in Washington D.C.’s Kennedy Center for the Performing Arts, being awarded the Sara Spencer Award for Excellence in Children’s Theatre by the American Theatre Association, and was the first to be awarded a grant by the Tennessee Department of Economic and Community to do a theatre tour to underdeveloped areas of the state; and

WHEREAS, the theatre’s mission is to nurture the next generation of global citizens by providing transformational theatrical experiences that reflect the evolving community, instill profound empathy, and foster personal discovery; and

WHEREAS, it is fitting and proper that the Metropolitan Council celebrates the 90th anniversary of Nashville Children’s Theatre and recognizes their work to be an accessible and inclusive organization which empowers young people through cultural literacy and creative exploration.

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

Section 1. The Metropolitan Council hereby goes on record as recognizing the 90th anniversary of Nashville Children’s Theatre.

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

INTRODUCED BY:

Freddie O’Connell
Member of Council

RESOLUTION NO. RS2021-_____

A resolution calling on Metropolitan Nashville Public Schools to take action to solve dire issues affecting teachers and students at Bellevue Middle School.

WHEREAS, there is an ongoing pattern of alleged mishandling of issues of race, discipline, safety, and culture by the administration at Bellevue Middle School; and

WHEREAS, teachers and parents have articulated experiences of being bullied and disempowered by school administration; and

WHEREAS, affected parties and their elected representatives have not been afforded the opportunity to adequately share their concerns with Metro Nashville Public Schools or see action taken on these issues.

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

Section 1. That the Metropolitan Council hereby goes on record as calling on Metropolitan Nashville Public Schools to procure an independent investigation of the administration at Bellevue Middle School.

Section 2. That such investigation shall create an environment where current Metro Nashville Public Schools employees who have been employed at Bellevue Middle School in the past three years can speak freely about the administration and school culture at Bellevue Middle School anonymously and without fear of reprisals.

Section 3. That such investigation shall examine records related to discipline, personnel, safety, and other decisions undertaken by or involving the school administration or the executive director overseeing Bellevue Middle School.

Section 4. That such investigation shall encompass any other matters deemed appropriate based on testimony, findings, or other information obtained during the course of the investigation.

Section 5. That the results of such investigation shall be presented to members of the Metropolitan Nashville Board of Education.

Section 6. That members of the Metropolitan Council representing areas zoned for Bellevue Middle School, including as a zoned option, and all at-large members of the Metropolitan Council shall have the opportunity to share with investigators documentation provided to them by families of current or former students at the school and shall have the opportunity to review the result of such investigation to the extent allowed by law.

Section 7. That a copy of this resolution shall be delivered to Metro Nashville Public Schools' director of schools, the Chair of the Metropolitan Nashville Board of Education, and each member of the Metropolitan Nashville Board of Education.

Section 8. That this resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Dave Rosenberg
Zulfat Suara
Sharon Hurt
Bob Mendes
Gloria Hausser
Members of Council

SUBSTITUTE ORDINANCE NO. BL2021-1010

An Ordinance to amend Section Chapter 6.77.320 of the Metropolitan Code of Laws relative to the operating area operation of entertainment transportation vehicles.

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

Section 1. That Section 6.77.320 of the Metropolitan Code of Laws is hereby amended by adding the following sentence at the end of the Section:

6.77.320 Operating area.

Entertainment transportation vehicles shall operate upon the streets within the metropolitan area on routes or zones, and within hours of operation, established by the MTLC or its staff. Any deviation from these approved routes, zones, or hours of operation must be approved by the MTLC or its staff. Any approved deviation must be reported to the MTLC or the MTLC director staff prior to beginning of operations. ~~Notwithstanding any law to the contrary, between the hours of 8am and 4pm Monday through Friday, no entertainment transportation vehicle may operate outside of the following boundaries: Union Street, from 2nd Avenue North to 4th Avenue North; 4th Avenue North from Union Street to Broadway; Broadway from 4th Avenue North to 2nd Avenue North; 2nd Avenue North from Broadway to Union Street~~ Notwithstanding any law to the contrary, between the hours of 8am and 6pm Monday through Friday, no entertainment transportation vehicle may operate within 600 feet of the property line of a community education facility as defined in Section 17.04.060 of the Metropolitan Code of Laws. The provisions of this section shall become effective immediately upon adoption.

Section 2. That Section 6.77.240 of the Metropolitan Code of Laws is hereby amended by adding the following new subsection D.:

D. It is unlawful for any person driving or in any way operating an unenclosed entertainment transportation vehicle to knowingly allow a passenger to consume alcoholic beverages or beer during operation of an unenclosed vehicle. For purposes of this subsection, “knowingly allow” means the person has actual notice of or, through reasonable due diligence, should know that a passenger is consuming an alcoholic beverage or beer upon or within the unenclosed transportation entertainment vehicle. The provisions of this section shall become effective immediately upon adoption.

Section 23. This ordinance shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Steve Glover
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2021-971

Mr. President –

I hereby move to amend Ordinance No. BL2021-971 by amending Section 1, proposed Metro Code of Laws Section 2.63.010 as follows:

2.63.010 – Creation

There is hereby created an Office of Housing and Homelessness, which shall consist of a director and other such officers and employees as may be deemed necessary by the director. The director shall be appointed by the ~~mayer~~ Metropolitan Housing Trust Fund Commission and shall be an unclassified service employee.

SPONSORED BY:

Freddie O'Connell
Member of Council

SUBSTITUTE ORDINANCE NO. BL2021-971

An ordinance to amend Title 2 of the Metropolitan Code of Laws to create commission an organizational effectiveness and performance review assessing an Office of Housing and Homelessness and alternative organization.

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

Section 1. That Title 2 of the Metropolitan Code of Laws is hereby amended by adding the following new Chapter 2.63:

Chapter 2.63 –Organizational Effectiveness and Performance Review for assessment of an Office of Housing and Homelessness and alternative organization.

2.63.010 – Assessment and Creation

There is hereby commissioned a Metropolitan Government organizational effectiveness and performance review to assess the feasibility and structuring of a proposed Office of Housing and Homelessness and alternatives thereto. Within sixty (60) days of the enacted date of this section, a resolution appropriating a supplemental allocation from undesignated fund balances of the General Fund of the General Services Fund shall be filed with the Metropolitan Clerk’s Office, appropriating therein funds sufficient to provide a comparative organizational effectiveness and performance review of (a) a proposed Office of Housing and Homelessness, and (b) the human services functions currently provided by the Metropolitan Government by and/or through the Metro Social Services Department, the Metropolitan Development and Housing Agency, the Metro Action Commission, the Metro Planning Department, the Office of the Mayor, and any other Metropolitan Government departments providing services within this area. The review, to be implemented and/or monitored by the Department of Finance of the Metropolitan Government, shall include assessments of the workforce development activities, provision of homelessness services, and affordable housing activities of each entity, including peer city comparisons, with the objective of determining organizational structures that most effectively and efficiently address:

- (1) the promotion of affordable housing in Nashville and Davidson County;
- (2) providing expertise and coordinating a community response to homelessness;
- (3) providing resources regarding affordable housing and homelessness throughout Nashville and Davidson County;
- (4) providing staff and resources for the Nashville Davidson County Continuum of Care Homelessness Planning Council; and
- (5) assisting with the administration of the Metropolitan Housing Trust Fund Commission and the Barnes Fund for Affordable Housing.

Within one hundred eighty (180) days of adoption hereof, the Department of Finance shall submit a report to the Metropolitan Council summarizing the organizational effectiveness and performance review. Whereupon the Council may adopt legislation establishing an Office of Housing and Homelessness or such other office or organizational structure as may be recommended.

~~There is hereby created an Office of Housing and Homelessness, which shall consist of a director and other such officers and employees as may be deemed necessary by the director. The director shall be appointed by the mayor and shall be an unclassified service employee.~~

-
~~2.63.020 – Duties of office.~~

-
~~The duties of the office of housing and homelessness shall include, but not limited to, the following: (1) the promotion of affordable housing in Nashville and Davidson County; (2) providing expertise and coordinate a community response to homelessness; (3) providing resources regarding affordable housing and homelessness throughout Nashville and Davidson County; (4) providing staff and resources for the Metropolitan Homelessness Commission and the Nashville Davidson County Continuum of Care Homelessness Planning Council; and (5) assisting with the administration of the Metropolitan Housing Trust Fund Commission and the Barnes Fund for Affordable Housing.~~

-
~~2.63.030 – Personnel.~~

-
~~All employees of the Homeless Impact Division of Metropolitan Social Services, the Affordable Housing Program Manager, and the Director of Housing Program shall be transferred to the Office of Housing and Homelessness.~~

Section 2. That ~~Section 2.144.020~~ of the Metropolitan Code of Laws is amended by deleting subsection E and replacing it with the following:

-
~~E. The Metropolitan Homelessness Commission staff shall be known as the Metro Homeless Impact Division and shall be housed within the Office of Housing and Homelessness. The Metro Homeless Impact Division shall provide staff and resources to assist the Nashville Davidson County Continuum of Care Homelessness Planning Council in carrying out the duties and responsibilities established by this chapter.~~

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

INTRODUCED BY:

Member of Council

SUBSTITUTE ORDINANCE NO. BL2021-1011

An Ordinance to amend Chapter 7.08 of the Metropolitan Code of Laws pertaining to the sale of beer and beer permits and Chapter 7.24 of the Metropolitan Code of Laws pertaining to alcoholic beverage use restrictions.

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

Section 1. That Section 7.08.010 of the Metropolitan Code of Laws is hereby amended by adding the following definitions in alphabetical order:

“BYO Beer” is beer that may be brought by a customer to be stored, opened and consumed ~~on a pedal carriage, horse drawn carriage, or entertainment transportation vehicle with a managed BYO beer permit~~ an MTLC-regulated establishment; but not wine, spirits or beer having an alcoholic content of more than eight percent by weight.

“Food Truck” means a licensed vehicle or trailer that is capable of movement, is permanently enclosed and has a service window for the sale and service of meals that are regularly prepared in the vehicle or trailer.

“Food Truck beer permit” means a retailer’s on-sale permit issued by the metropolitan beer permit board to a food truck business. Food trucks selling or otherwise dispensing beer shall comply with portable barrier and signage requirements as may be promulgated by the beer permit board.

“Mobile beer permit” means a retailer’s on-sale permit issued by the metropolitan beer permit board to a business permitted as an MTLC-regulated establishment. Mobile beer permit establishments may only sell beer for on-premise consumption. Beer may be sold sealed and opened by the purchaser. Beer may be sold, served and consumed in the main office, patio or on carriages or vehicles. Mobile beer permit establishments may also hold a mobile BYO beer permit.

“Managed Mobile BYO beer permit” means a permit issued by the metropolitan beer permit board that grants a business permitted as a ~~pedal carriage, horse drawn carriage, or entertainment transportation vehicle~~ by the Metropolitan transportation licensing commission (MTLC) pursuant to Title 6 of the Metropolitan Code the right to allow BYO Beer in the ~~pedal carriage, horse drawn carriage, or entertainment transportation vehicle.~~ an MTLC-regulated establishment the right to allow BYO Beer on the MTLC-regulated establishment.

“MTLC-regulated establishment” means the following:

1. A business permitted as a pedal carriage, horse drawn carriage, or entertainment transportation vehicle by the Metropolitan transportation licensing commission (MTLC) pursuant to Title 6 of the Metropolitan Code, or an affiliate of such business with common officers or LLC managers.
2. The premises of an MTLC-regulated establishment shall include the enclosed, interior main office space, an enclosed or caged storage area, a fenced patio, and pedal carriages, horse drawn carriages, or entertainment transportation vehicles operated by the permittee. No beer shall leave the premises of an MTLC-regulated establishment, except that customers may carry beer to and from the office and pedal

carriage, horse drawn carriage, or entertainment transportation vehicle, but not across a public street ~~or sidewalk~~, and the MTLC-regulated establishment may transport beer to and from carriages or vehicles and the main office space or storage area. An MTLC-regulated establishment shall not allow beer to be removed from the premises. All beer shall be consumed or disposed of on pedal carriages, the main office, or patio.

- ~~3. An MTLC-regulated establishment shall only sell beer for on-premise consumption. Beer may be sold sealed and opened by the purchaser.~~

“On-premise beer permit” means a retailer’s on-sale permit issued by the metropolitan beer permit board to a business with seating capacities for not less than sixteen persons, where meals or lunches are regularly served and where the premises are equipped with adequate toilet facilities and handwashing facilities, including hot and cold running water, for use by customers.

Section 2. That Section 7.08.030 is amended by adding the following as a new subsection H and redesignating the existing subsections H and I accordingly:

- H. A mobile BYO beer permit shall be issued to any ~~person~~ business engaged in a ~~business that is permitted as a pedal carriage, horse drawn carriage, or entertainment transportation vehicle by the Metropolitan transportation licensing commission (MTLC) pursuant to Title 6 of the Metropolitan Code,~~ an MTLC-regulated establishment and grants the right to allow a customer to store, open and consume BYO beer ~~on a pedal carriage, horse drawn carriage, or entertainment transportation vehicle~~ on the premises of an MTLC-regulated establishment, under the supervision of the MTLC-regulated establishment. An MTLC-regulated establishment shall be responsible for enforcement of all applicable laws respecting beer under this Title 7.

Section 3. That Section 7.08.100 is hereby deleted in its entirety and replaced with the following:

7.08.100 - Retailer on-sale beer permit-Issuance requirements.

~~Retailer on-sale beer permits shall not be issued except to performing arts facilities, MTLC-regulated establishments, or to eating establishments where such eating establishments possess seating capacities for not less than sixteen persons and where meals or lunches are regularly served and except to places where the premises are equipped with adequate toilet facilities and handwashing facilities, including hot and cold running water, for use by customers. Establishments selling beer for on-premise consumption holding retail on-sale beer permits shall be constructed of such material that the floors, walls, ceilings, carriages or~~ and vehicles can be easily cleaned and kept clean.

Section 4. That Section 7.08.140, Subsection E, of the Metropolitan Code of Laws is hereby deleted in its entirety and replaced with the following:

- E. To allow any person under eighteen years of age to loiter or congregate about the premises. The burden of ascertaining the age of minor persons shall be on the permit holder and his agent or employee. When a minor is seated at a table, there shall be no beer served at the table unless such minor is accompanied by ~~one or both of his parents,~~ but only if served in conjunction with food. a parent or guardian. When a minor is seated at an MTLC-regulated establishment that holds a mobile beer permit or mobile BYO beer

permit, there shall be no beer served unless such minor is accompanied by ~~one both of his parents~~ a parent or guardian;

Section 5. That Section 7.08.140, Subsection J, of the Metropolitan Code of Laws is hereby deleted in its entirety and replaced with the following:

J. To permit rowdy or disorderly conduct on the premises;

Section 6. That the last sentence of Section 7.24.040, subsection C.1.a, of the Metropolitan Code of Laws is hereby deleted in its entirety and replaced with the following:

a. It may contain windows capable of being opened, which may be open or fully raised while the vehicle is in operation.

Section 57. That Section 7.24.040, subsection C.2, of the Metropolitan Code of Laws is hereby deleted in its entirety and replaced with the following:

2. It is unlawful for any passenger to consume any alcoholic beverage or beer or possess an open container of alcoholic beverage or beer during the operation of an unenclosed vehicle. This provision shall not apply to any ~~vehicle business~~ with a managed mobile beer permit or mobile BYO beer permit as authorized by issued pursuant to Chapter 7.08 of the Metropolitan Code of Laws.

Section 78. This Ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Freddie O'Connell
Member of Council

AMENDMENT NO. ____
TO
SUBSTITUTE ORDINANCE NO. BL2021-1011

Mr. President:

I move to amend Substitute Ordinance No. BL2021-1011 by adding the following as a new Section 8 and renumbering the current Section 8 as Section 9:

Section 8. That Section 7.24.040 of the Metropolitan Code of Laws is amended to add the following as a new Subsection C.3:

3. It is unlawful for any person driving or in any way operating an unenclosed entertainment transportation vehicle to knowingly allow a passenger to consume alcoholic beverages or beer during operation of an unenclosed vehicle. For purposes of this subsection, "knowingly allow" means the person has actual notice of or, through reasonable due diligence, should know that a passenger is consuming an alcoholic beverage or beer upon or within the unenclosed transportation entertainment vehicle. The provisions of this subsection shall become effective immediately upon adoption.

Section ~~8~~9. This Ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Freddie O'Connell
Member of Council

SECOND SUBSTITUTE ORDINANCE NO. BL2021-621

An ordinance amending Sections 17.40.720 and 17.40.730 of the Metropolitan Code, Zoning Regulations, to require additional public notice regarding applications for permits from the Historic Zoning Commission (Proposal No. 2021Z-003TX-001).

BE IT ENACTED BY THE METROPOLITAN COUNCIL OF NASHVILLE & DAVIDSON COUNTY:

Section 1. That Section 17.40.720 of the Metropolitan Code is hereby amended by adding the following new subsection D.:

D. Historic Zoning Commission Preservation Permits. No action shall be taken by the historic zoning commission on a preservation permit application under Section 17.40.420 that involves but not limited to demolition without immediate life or safety concerns, alterations, additions, or removals that are substantial, or do not meet the design guidelines, are of a precedent-setting nature, or involve a change in the appearance of a structure or site, and are more substantial in nature than routine maintenance or minor work projects such as new primary or outbuilding construction, expansion of a building footprint, or significant changes in features but shall not include routine maintenance which includes repair or replacement unless there is no change in the design, materials, or general appearance of elements of the structure or grounds unless, at least eleven days prior to consideration of the application by the commission, the permit applicant provides written notice by U.S. Mail of the date, time, and place of the commission meeting to all property owners ~~adjacent to~~ within two hundred and fifty feet of the subject property. The applicant shall be responsible for the costs associated with the preparation of the written notices and shall be responsible for the mailing of such written notices.

Section 2. That Section 17.40.730 of the Metropolitan Code is hereby amended by deleting the first paragraph and replacing it with the following:

Public notice signs shall be posted in accordance with the following provisions on any property subject to council consideration of an amendment to the official zoning map, or to the consideration of a variance, hillside exception or a special exception use permit by the board of zoning appeals. Notwithstanding, the following provisions shall not apply to a change in zoning district title or the specific provisions therein upon the adoption or subsequent amendment of this title. Public notice signs shall be posted in accordance with subsection E of this section on any property subject to consideration of certain preservation permit applications under Section 17.40.420 by the historic zoning commission.

Section 3. That Section 17.40.730 of the Metropolitan Code is further amended by adding the following new subsection E:

E. Historic Zoning Commission Preservation Permits. Public notice signs shall be posted on any property subject to consideration by the historic zoning commission of a preservation permit application that involves but not limited to demolition without immediate life or safety concerns, alterations, additions, or removals that are substantial, or do not meet the design guidelines, are of a precedent-setting nature, or involve a change in the appearance of a structure or site, and are more substantial in nature than routine maintenance or minor work projects such as new primary or outbuilding construction, expansion of a building footprint, or significant changes in features but shall not include routine maintenance which includes repair or replacement unless there is no change in the design, materials, or general appearance of

elements of the structure or grounds, which proposes demolition of a historic building, new construction of a primary building, an addition or outbuilding for a corner lot, or any other preservation permit that requires a setback determination. The public notice sign shall be installed on affected properties no less than eleven days prior to the consideration by the historic zoning commission. One double-sided 24" (vertical) x 36" (horizontal) sign shall be posted for every fifty feet of public road frontage excluding alleys, whenever practical located within ten feet of the right of way and positioned in a manner to best inform the monitoring public without creating a safety hazard, and shall contain at a minimum the time, date and location of the scheduled public hearing at the Historic Zoning Commission, the general nature of the hearing and a phone number for additional information. The number and placement of public notice signs shall be posted in accordance with subsection C. The applicant shall be responsible for both the cost of preparation of these public notice signs, and the placement of the signs in accordance with this provision, and providing proof of compliance to the historic zoning commission.

Section 4. Be it further enacted, that this ordinance shall take effect 60 days after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Kathleen Murphy
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2021-766

Mr. President –

I hereby move to amend Substitute Ordinance No. BL2021-766 as follows:

I. By amending Section 4, by adding the following language as Condition 7:

7. Replace Note 1 on Sheet C2.0 with “All private drive aisles shall be built to a pavement thickness per the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) ST-252 pavement section.”

INTRODUCED BY:

Delishia Porterfield
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2021-970

Mr. President –

I hereby move to amend Ordinance No. BL2021-970 as follows:

I. By amending Section 1, proposed Metropolitan Code of Laws Section 2.24.250, Subsection G, as follows:

G. Notwithstanding Section 5.04.140 of the Metropolitan Code of Laws, When when the director of public property administration determines that there is a parcel of property acquired through the delinquent tax-sale process established in Tennessee Code Annotated § 67-5-2501 et seq. and no department nor any affordable or workforce or any similar housing agency has any use for the parcel, the director is authorized, with the approval of the metropolitan council, to sell such property, and the proceeds shall be deposited into the Barnes Fund for Affordable Housing. Such proceeds shall not be construed as prohibiting other appropriations to the Barnes Fund separate from the annual operating budget ordinance of the metropolitan government from available revenue sources. This is intended to provide additional funding to the Barnes Fund above and beyond the annual funding provided in the operating budget each year.

SPONSORED BY:

Zulfat Suara
Member of Council