



Metropolitan Council

I. Resolutions

20. [RS2023-125](#)

A resolution appropriating a total of \$170,000 from the Juvenile Court to various nonprofit organizations selected to receive Community Partnership Fund grants.

Analysis

This resolution appropriates \$170,000 from the Juvenile Court to various nonprofit organizations selected to receive Community Partnership Fund grants. The Juvenile Court accepted applications from nonprofit organizations and recommended the distribution of funds to these organizations. The Mayor has accepted these recommendations.

Funds would be distributed as follows:

- \$90,000 to The F.I.N.D. Design Inc. for The Forever Loving Yourself (FLY) Girl Program;
- \$50,000 to Oasis Center, Inc. for the Reaching Excellence as Leader (REAL) Program;
- \$25,000 to Stars Nashville for the Youth Overcoming Drug Abuse (YODA) Program;
- \$5,000 to EPIC Girl Inc. for the EPIC GIRL Program.

The resolution authorizes the Metropolitan Government to enter into grant contracts with the above nonprofits for the amounts and purposes listed. The grant contracts are attached to the resolution.

Sponsors: Porterfield, Evans and Allen

21. [RS2023-126](#)

A Thirty-First Supplemental Electric System Revenue Bond Resolution supplementing certain resolutions of The Metropolitan Government of Nashville and Davidson County by authorizing the issuance of Electric System Revenue Bonds, 2024 Series A, and Electric System Revenue Refunding Bonds, 2024 Series B, as requested by the Electric Power Board of The Metropolitan Government of Nashville and Davidson County

Analysis

This resolution approves a supplemental electric system revenue bond resolution in an amount not to exceed \$325,000,000 and revenue refunding bonds in an amount not to exceed \$139,990,000, as approved and recommended by the Electric Power Board ("NES"). The

bonds will be issued in two series: Electric System Revenue Bonds, Series A and Electric System Revenue Refunding Bonds, Series B. The Series A bond proceeds will be used to finance improvements to the NES electric power system in accordance with the Board's capital improvement plan, the payment of interest, a deposit into a debt service reserve fund, if required, and the costs of issuance. The capital improvement plan can be found in Exhibit C on page 40 (page 118 of the pdf attachment). The Series B bond proceeds will be used to refund outstanding 2013 revenue refunding bonds and 2014 revenue bonds, the payment of interest, a deposit into a debt service reserve fund, if required, and the costs of issuance. The 2013 Bonds were authorized by Resolution No. RS2013-709 and the 2014 Bonds were authorized by Resolution No. RS2014-1067.

This would be the 31st supplement to the electric system revenue bond resolution originally adopted in 1985 pursuant to Resolution No. R85-746. The Council has typically adopted supplemental bond resolutions approximately every two years since 1985 to fund the capital needs of the electric system and refund outstanding bonds to obtain savings. Although the Metropolitan Charter grants NES complete control and authority over the operation of the electric system (Appendix III, Article 42), NES cannot independently issue bonds, rather the Board will adopt a resolution indicating that the electric system revenues will be sufficient to pay for all outstanding bonds as well as new bonds and it then becomes the duty of the Metro Council to authorize the bond issuance. (Id., at section 26-27). NES adopted its bond resolution on November 15, 2023. These bonds are to be paid solely from NES revenues and will not be an obligation of the general government or be guaranteed by the taxing authority of Metro.

Sponsors: Porterfield

K. Bills on Second Reading

42. [BL2023-70](#)

An ordinance to amend Section 13.08.040 of the Metropolitan Code of Laws related to the offering of merchandise for sale on or near public property.

Analysis

This ordinance amends Section 13.08.040, subsection A, of the Metropolitan Code of Laws related to the offering of merchandise for sale on public property.

Currently, this section prohibits a person from stopping, standing, or parking any wagon, pushcart, platform, table, automobile, truck, or other vehicle, or erecting any temporary stands, signs, or otherwise, upon any Metro property for the purpose of selling good, food, wares, merchandise, or products. The section further prohibits persons from selling or offering for sale any goods, food, wares, merchandise, or projects of any kind on Metro property. These restrictions do not apply to persons who have an agreement with or written permission of the department, board, agency, officer or other persons having control of custody of the property.

The ordinance under consideration would amend the section to also prohibit selling "services" in addition to goods, food, wares, merchandise, or products, on Metro property. In addition, this ordinance provides that the display or exhibition of animals for payment or gratuity constitutes a

prohibited action under this section.

Sponsors: Kupin, Evans and Huffman

43. [BL2023-112](#)

An ordinance accepting the conditional donation of approximately 0.026 acres of land near the intersection of Fesslers Lane and Lebanon Pike. (Proposal No. 2023M-014PR-001).

Analysis

This ordinance accepts the conditional donation of approximately 0.026 acres of land owned by McBride Properties, Inc. near the intersection of Fesslers Lane and Lebanon Pike. McBride Properties, Inc. has contracted to sell a larger parcel of property near the intersection of Fesslers Lane and Lebanon Pike. Adjacent to the property is an associated right-of-way remnant comprising approximately 0.026 acres which McBride Property, Inc. proposes to donate and convey to the Metropolitan Government by quitclaim deed conditioned upon the closing of the sale of the larger parcel. The form of the quitclaim deed is attached to the ordinance as an exhibit.

The ordinance accepts the conveyance of the 0.026-acre right-of-way remnant, conditioned upon the closing of the larger parcel of property. The Director of Public Property, or a designee, is authorized to execute such other documents as are necessary to carry out the intent of this ordinance. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: Metro would pay the sum of \$10.00 cash for the conveyance of the quitclaim title for the approximately 0.026 acres of land near the intersection of Fesslers Lane and Lebanon Pike.

Sponsors: Gregg, Porterfield and Gamble

44. [BL2023-113](#)

An ordinance approving Amendment Number 1 to Contract number 6488663 between the Metropolitan Government of Nashville and Davidson County ("Metro") and Axon Enterprise, Inc., to add an optional renewal term of up to 120 months and to increase the value of the contract.

Analysis

This ordinance approves the First Amendment to a sole source contract between the Metropolitan Government and Axon Enterprise, Inc. ("Axon"), originally approved by Resolution No. RS2022-1365. Pursuant to the terms of this agreement, Axon provides tasers, taser cartridges and accessories for the Metropolitan Nashville Police Department.

This amendment extends the term of the agreement from 60 months to 60 months with an optional renewal term of 60 months, for a potential total term of 120 months. Because the amended contract allows for a total term in excess of 60 months, Metropolitan Code of Laws Section 4.12.160.B requires Council approval.

In addition to the option to extend the term, the total estimated contract value would be increased by \$18,305,200, from \$6,500,000 to \$24,805,200 because the amendment replaces Exhibit A-Pricing to reflect new line items for additional taser related products and services such as training related to the new TASER 10. The Amendment also adds a clause with state-required language whereby Axon agrees it will not engage in a boycott of Israel, adds an acknowledgement that TASER 10 is classified as a firearm, and amends Exhibit C-Affidavits to obtain a necessary signature.

The ordinance further provides that future amendments to this contract may be approved by a resolution of Council receiving at least 21 affirmative votes.

Fiscal Note: This sole source contract (6488663) amendment increases the contract life value by \$18,305,200 to a new estimated contract life value of \$24,805,200, to be paid from Fund 10101, Business Unit 31121251.

Sponsors: Porterfield, Evans and Johnston

45. [BL2023-114](#)

An ordinance authorizing Edgehill Village Townhomes, LLC to construct and install underground encroachments at 1516 Edgehill Avenue. (Proposal No. 2023M-013EN-001).

Analysis

This resolution authorizes Edgehill Village Townhomes, LLC to install, construct and maintain underground encroachments at 1516 Edgehill Avenue. The proposal will consist of an irrigation system within the grass strip encroaching the right-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachments and is required to post a certificate of public liability insurance in the amount of \$4,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

Sponsors: Vo, Gamble and Parker

46. [BL2023-115](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public gate valve on a public water line, and to accept and relocate new public gate valve on a public water line, for property located at Cabot Drive (unnumbered), also known as Cabot Townhomes, (MWS Project No. 23-WL-77 and Proposal No. 2023M-154ES-001).

Analysis

This ordinance abandons an existing six-inch gate valve and accepts and relocates a new six-inch gate valve closer to the public water main for property located at Cabot Drive (unnumbered), also known as Cabot Townhomes.

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

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

Sponsors: Gamble and Parker

L. Bills on Third Reading

47. [BL2023-78](#)

A ordinance correcting a typographical error in section 15.60.175 of the Metropolitan Code of Laws.

Analysis

This ordinance corrects a typographical error in Metropolitan Code of Laws section 15.60.175, which addressed water, sewers, and other public services. The code currently references 40 CFR 403.8(f)(2)(v), but it should instead cite 40 CFR 403.8(f)(2)(vi).

Sponsors: Parker

48. [BL2023-80](#)

An ordinance approving a lease agreement between the Metropolitan Government of Nashville and Davidson County and Nashville Metropolitan LLC for office space at 1281 Murfreesboro Pike, Nashville, Tennessee (Parcel No. 12000015500) (Proposal No. 2023M-043AG-001).

Analysis

This ordinance approves a lease agreement between the Metropolitan Government and Nashville Metropolitan LLC, (“the Landlord”) for use of office space located at 1281 Murfreesboro Pike. This property would be used to provide office space for the Metropolitan Action Commission.

Pursuant to the terms of the lease, Metro would lease the first, second, and fourth floors of the building, which is approximately 43,820 in rentable square feet of space. The lease is 10 years in length with two successive options to extend the lease for five years each.

The rent in the agreement would begin at \$19.35 per square foot and increase by three percent annually over the course of the 10-year lease. The annual rent payments are as follows:

- Year 1: \$847,917.00 per year; \$19.35 per rentable square foot
- Year 2: \$873,332.60 per year; \$19.93 per rentable square foot
- Year 3: \$899,555.15 per year; \$20.53 per rentable square foot
- Year 4: \$926,541.80 per year; \$21.15 per rentable square foot
- Year 5: \$954,338.05 per year; \$21.79 per rentable square foot
- Year 6: \$982,968.20 per year; \$22.44 per rentable square foot
- Year 7: \$1,012,457.24 per year; \$23.11 per rentable square foot
- Year 8: \$1,042,830.96 per year; \$23.80 per rentable square foot

- Year 9: \$1,074,115.89 per year; \$24.51 per rentable square foot
- Year 10: \$1,106,339.36 per year; \$25.24 per rentable square foot

If an option to extend the contract is accepted, the annual rent would increase three percent or be set at current market rent as reasonably agreed upon by Metro and the Landlord. All utilities would be paid for by the Landlord.

Future amendments to this lease agreement may be approved by a resolution receiving at least 21 affirmative votes.

Fiscal Note: The rental rate for the Metro Action Commission space is an annualized rent of \$847,917 which is \$19.35 per rentable square foot for the first year of the lease agreement. The rental rate will increase at an annual rate of 3% thereafter through the remaining terms of the lease agreement.

Sponsors: Bradford, Porterfield, Gamble and Evans

49. [BL2023-82](#)

An ordinance authorizing Auto Nashville Hotel, LLC to construct and install underground and aerial encroachments at 127 8th Avenue South (Proposal No. 2023M-012EN-001).

Analysis

This ordinance authorizes Auto Nashville Hotel, LLC, to construct, install, and maintain underground and aerial encroachments at 127 8th Avenue South. The encroachment comprises a canopy overhang, underground parking, restaurant canopy, and NES equipment.

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

This ordinance has been approved by the Planning Commission.

Sponsors: Kupin, Gamble and Parker

50. [BL2023-83](#)

An ordinance approving an agreement between the Metropolitan Government and PR II/SH Peabody Union Apartments Owner, LLC, a Delaware limited liability company, concerning the use of a parking facility by employees and visitors to the District Energy System generating plant.

Analysis

This ordinance approves a license agreement between the Metropolitan Government and PR II/SH Peabody Union Apartment Owner, LLC, concerning the use of a parking facility by employees and visitors to the District Energy System (“DES”).

PR II/SH Peabody Union Apartment Owner, LLC, is developing a parcel of property at 30 Peabody Street in Nashville, which will include an underground parking facility. PR II/SH Peabody Union Apartment Owner, LLC, proposes to provide parking to employees and visitors to the DES generating plant, which is located at 90 Peabody Street.

Pursuant to the terms of the license agreement PR II/SH Peabody Union Apartment Owner, LLC, will provide DES with access to and nonexclusive use of the parking facility for a total of 75 parking hours per month. DES is not required to pay any parking fee during the 75 parking hours. The parking hours may only take place during operating hours, between 6:00 a.m. and 6:00 p.m., Monday through Friday, but may be adjusted. The agreement creates an irrevocable license and will not terminate.

Fiscal Note: There is no cost to Metro for the 75 non-cumulative parking hours per month under this agreement but will be responsible for any fees for excess time. Metro would pay for the cost of access devices replacement or additional access devices beyond the initial allocation.

Sponsors: Kupin, Porterfield and Parker

51. [BL2023-84](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and sanitary sewer manholes, for two properties located at 13345 and 13371 Old Hickory Boulevard (MWS Project No. 22-SL-296 and Proposal No. 2023M-153ES-001).

Analysis

This ordinance accepts approximately 510 linear feet of new eight-inch sanitary sewer main (DIP) and three sanitary sewer manholes for two properties located at 13345 and 13371 Old Hickory Boulevard.

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

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

Sponsors: Lee, Gamble and Parker

52. [BL2023-85](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water main, fire hydrant assembly, sanitary sewer manhole, vertical relocation of an existing public sanitary sewer manhole and easements, for two properties located at 2526 and 2528 8th Avenue South, also known as The Eighth, (MWS Project Nos. 23-WL-21 and 23-SL-43 and Proposal No. 2023M-144ES-001).

Analysis

This ordinance accepts approximately 13 linear feet of new eight-inch water main (DIP), one

fire hydrant assembly, one sanitary sewer manhole and authorizes the vertical relocation of one existing sanitary sewer manhole and easements for two properties located at 2526 and 2528 8th Avenue South, also known as The Eighth.

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

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

Sponsors: Johnston, Gamble and Parker

53. [BL2023-86](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer manhole, for property located at 2215 HM Foster Avenue, also known as Woodbine Village Townhomes, (MWS Project No. 23-SL-77 and Proposal No. 2023M-148ES-001).

Analysis

This ordinance accepts one new sanitary sewer manhole for property located at 2215 HM Foster Avenue, also known as Woodbine Village Townhomes.

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

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

Sponsors: Welsch, Gamble and Parker

54. [BL2023-87](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main and sanitary sewer manholes, and to accept new public water and sanitary sewer mains, sanitary sewer manholes and fire hydrant assembly, for property located at 1621 Ensley Boulevard, also known as Ensley Boulevard Office Building, (MWS Project Nos. 22-WL-97 and 22-SL-215 and Proposal No. 2023M-150ES-001).

Analysis

This ordinance abandons approximately 554 linear feet of existing eight-inch sanitary sewer main (CONC) and three sanitary sewer manholes and accepts approximately 154 linear feet of new eight-inch water main (DIP), approximately 554 linear feet of new eight-inch sanitary sewer main (DIP), one fire hydrant assembly, and four sanitary sewer manholes for property located at 1621 Ensley Boulevard, also known as Ensley Boulevard Office Building.

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

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

Sponsors: Vo, Gamble and Parker

55. [BL2023-88](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and public sanitary sewer manholes, for property located at 201 B North 11th Street, also known as 11th and Forest Avenue Townhomes (MWS Project No. 23-SL-126 and Proposal No. 2023M-152ES-001).

Analysis

This ordinance accepts approximately 325 linear feet of new eight-inch sanitary sewer main (PVC) and two sanitary sewer manholes for property located at 201 B North 11th Street, also known as 11th and Forest Avenue Townhomes.

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

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

Sponsors: Capp, Gamble and Parker

56. [BL2023-89](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer mains and sanitary sewer manholes and to acquire permanent and temporary easements through negotiation, condemnation, and acceptance, for 17 properties located along Sugar Mill Drive, Rocky Fork Road, Nolensville Road, Bradfield Drive, and Williams Road in Williamson County, also known as Darsey Subdivision (Nolensville) (MWS Project No. 22-SL-285 and Proposal No. 2023M-151ES-001).

Analysis

This ordinance accepts approximately 3,580 linear feet of new 10-inch sanitary sewer main (PVC) and 18 sanitary sewer manholes, and authorizes the negotiation, condemnation, and acceptance of permanent and temporary easements for 17 properties located along Sugar Mill Drive, Rocky Fork Road, Nolensville Road, Bradfield Drive, and Williams Road in Williamson County, also known as Darsey Subdivision (Nolensville).

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

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

Sponsors: Gamble and Parker

57. [**BL2023-90**](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, sanitary sewer manhole and easements, for two properties located at 4430 C and 4432 C Providence Heights, also known as Homes at Providence Heights, (MWS Project Nos. 23-WL-48 and 23-SL-108 and Proposal No. 2023M-149ES-001).

Analysis

This ordinance accepts approximately 52 linear feet of new six-inch water main (DIP), approximately 57 linear feet of new eight-inch sanitary sewer main (DIP), one sanitary sewer manhole and easements for two properties located at 4430 C and 4432 C Providence Heights, also known as Homes at Providence Heights.

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

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

Sponsors: Johnston, Gamble and Parker

58. [**BL2023-111**](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to acquire through negotiations, condemnation, or fee simple purchase, a parcel of real property known as 1818 Cement Plant Road for the expansion of Biosolids operations (and Proposal No. 2023M-013PR-001).

Analysis

This ordinance authorizes the Directors of Water and Sewerage Services and Public Property Administration to acquire through negotiations, condemnation, or fee simple purchase, a parcel of real property known as 1818 Cement Plant Road. This property will be used for expansion of Metro Water Services' Biosolids operations. According to the appraisal attached to the ordinance, the current market value of this property is \$15,600,000.

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

Sponsors: Kupin, Porterfield, Gamble and Parker