

RESOLUTION NO. _____

A resolution approving an amendment to a lease agreement by and between the Metropolitan Government and the Electric Power Board of the Metropolitan Government of Nashville and Davidson County relating to the operation of a community solar array on the old Due West Landfill at 801 Due West Avenue (Parcel ID No. 05100002200).

WHEREAS, pursuant to BL2017-1007, the Metropolitan Council approved a lease agreement (the "Lease") between the Metropolitan Government and the Electric Power Board of the Metropolitan Government of Nashville and Davidson County ("NES") for a parcel of property (the "Property") that was the site of the old Due West Landfill; and,

WHEREAS, under the Lease, NES operates a community solar array known as Music City Solar; and,

WHEREAS, pursuant to the proposed amendment (the "Amendment") to the Lease attached as Exhibit A, the parties propose to permit NES to add battery storage to the solar project and extend the term of the Lease by 10 years; and,

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

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

Section 1. That the proposed amendment to the Lease by and between the Metropolitan Government and the Electric Power Board of the Metropolitan Government of Nashville and Davidson County is hereby approved.

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

APPROVED AS TO AVAILABILITY
OF FUNDS:


Jenneen Reed, Director
Department of Finance

INTRODUCED BY:

RECOMMENDED BY:


Abraham Wescott, Director
Public Property Administration

APPROVED AS TO FORM AND
LEGALITY:


Metropolitan Attorney

Members of Council

AMENDMENT NO. 1 TO GROUND LEASE AGREEMENT

THIS AMENDMENT NO. 1 TO GROUND LEASE AGREEMENT (the "Amendment") is entered into as of **July __, 2026** (the "Effective Date"), by and between THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, a municipal corporation of the State of Tennessee (hereinafter, "Metro") and THE ELECTRIC POWER BOARD OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, operating under the service name of Nashville Electric Service (hereinafter, "NES"). Metro and NES may be collectively referred to as the "Parties."

WHEREAS, NES entered into a Ground Lease Agreement, NES Contract No. 17-34-223, to lease approximately ten (10) acres of land (the "Property") from Metro for the construction a two megawatt (2 MW) community solar array called Music City Solar (hereinafter, the "Agreement"); and

WHEREAS, NES would like to expand its footprint on the Property to pilot a battery energy storage system (hereinafter, "BESS") connected with Music City Solar, which is identified in the drawing attached hereto as Exhibit A; and

WHEREAS, BESS technology can be used to capture energy from different resources (in this case, clean, renewable solar) and store it in rechargeable batteries for later use, allowing for balance of the energy supply, peak shaving, reductions in utility costs, and provision of critical backup power; and

WHEREAS, piloting BESS will allow NES and Metro to better understand the costs, benefits, and other impacts of energy storage technology that can inform future, additional applications that can positively serve NES customers and Davidson County residents; and

WHEREAS, the Parties desire to modify the terms and conditions of the Agreement and to add or delete certain other terms and conditions to the Agreement filed with the Metro Clerk's Office on November 28, 2017.

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions, and remunerations herein provided, and the rights and obligations created hereunder, the Parties hereto agree as follows:

1. **Agreement Number.** The number assigned by Metro to the Agreement is hereby changed from **INSERT** to **INSERT**. Any reference to the Agreement number moving forward shall be **INSERT**.

2. **Property.** The leased Property is hereby increased by approximately **5,000 sq. feet** bounded by the current Music City Solar line fence to the ROW at Skyline Ridge Dr., as depicted in Exhibit A.

3. **Lease Term.** The parties agree that the lease term of the Agreement shall be amended by adding an additional ten (10) years to the Initial Term to extend the expiration of the Agreement to November 17, 2052.

4. **Use.** The permissible uses of the Property shall include the development, construction, operation, and maintenance of a BESS system on the Property, subject to any applicable existing land restrictions in the Agreement.

5. **Reports.** NES shall submit at least quarterly reports to Metro that document the BESS system's technical performance and any challenges encountered during installation and operation. Technical performance indicators may include peak demand reduction, energy discharged during peak periods, contribution to load shifting, battery availability and reliability, monthly demand charge savings, energy cost savings via time-of-use shifting, etc.

6. **Ratification.** Subject to the modifications set forth in this Amendment, the above-referenced Agreement between the parties is hereby ratified and confirmed.

[Signature page follows.]

IN WITNESS WHEREOF, this Amendment has been executed as of the Effective Date first above written.

**THE METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY**

By: Abraham Wescott
Public Property Administrator

Date: 7/23/2026 | 8:49 AM CDT

DEPARTMENT OF FINANCE

By: Jeannine Reed /adm
Director of Finance

Date: 7/23/2023

DEPARTMENT OF LAW

Approved as to Form and Legality:

By: [Signature]
Metropolitan Attorney

Date: 7-23-26

FILED IN THE OFFICE OF THE
METROPOLITAN CLERK:

By: _____
Metropolitan Attorney

Date: _____

**THE ELECTRIC POWER BOARD OF
THE METROPOLITAN
GOVERNMENT OF NASHVILLE AND
DAVIDSON COUNTY**

By: Clifton E. Harris
VICE Chair of the Board

Date: 7/22/26

By: [Signature]
President & CEO

Date: 7/22/2026

Approved as to Form and Legality:

By: [Signature]
Chief Legal Officer & General Counsel

Date: 7/22/2026

Attest:

By: [Signature]
Secretary

Date: 7/22/26

Exhibit A

BESS Conceptual Plans