



Metro Council

H. Resolutions on Public Hearing

1. [RS2023-2236](#)

A resolution exempting 5918 Morrow Road #200, from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

Analysis

This resolution exempts 5918 Morrow Road #200 from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

On July 7, 2020, the Council adopted Substitute Ordinance No. BL2019-78, as amended, which provides that no new STRP - not owner-occupied permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. The Council may approve an exemption from the minimum distance requirements upon adoption of a resolution, after a public hearing, receiving 21 affirmative votes.

Sponsors: Roberts

2. [RS2023-2237](#)

A resolution exempting 217 24th Avenue North #101, from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

Analysis

This resolution exempts 217 24th Avenue North #101 from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

On July 7, 2020, the Council adopted Substitute Ordinance No. BL2019-78, as amended, which provides that no new STRP - not owner-occupied permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. The Council may approve an exemption from the minimum distance requirements upon adoption of a resolution, after a

public hearing, receiving 21 affirmative votes.

Sponsors: Taylor

3. [**RS2023-2238**](#)

A resolution exempting 217 24th Avenue North #102, from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

Analysis

This resolution exempts 217 24th Avenue North #102 from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

On July 7, 2020, the Council adopted Substitute Ordinance No. BL2019-78, as amended, which provides that no new STRP - not owner-occupied permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. The Council may approve an exemption from the minimum distance requirements upon adoption of a resolution, after a public hearing, receiving 21 affirmative votes.

Sponsors: Taylor

4. [**RS2023-2239**](#)

A resolution exempting 217 24th Avenue North #103, from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

Analysis

This resolution exempts 217 24th Avenue North #103 from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

On July 7, 2020, the Council adopted Substitute Ordinance No. BL2019-78, as amended, which provides that no new STRP - not owner-occupied permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. The Council may approve an exemption from the minimum distance requirements upon adoption of a resolution, after a public hearing, receiving 21 affirmative votes.

Sponsors: Taylor

5. [**RS2023-2240**](#)

A resolution exempting 217 24th Avenue North #104, from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

Analysis

This resolution exempts 217 24th Avenue North #104 from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

On July 7, 2020, the Council adopted Substitute Ordinance No. BL2019-78, as amended, which provides that no new STRP - not owner-occupied permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. The Council may approve an exemption from the minimum distance requirements upon adoption of a resolution, after a public hearing, receiving 21 affirmative votes.

Sponsors: Taylor

6. [**RS2023-2241**](#)

A resolution exempting 217 24th Avenue North #201, from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

Analysis

This resolution exempts 217 24th Avenue North #201 from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

On July 7, 2020, the Council adopted Substitute Ordinance No. BL2019-78, as amended, which provides that no new STRP - not owner-occupied permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. The Council may approve an exemption from the minimum distance requirements upon adoption of a resolution, after a public hearing, receiving 21 affirmative votes.

Sponsors: Taylor

7. [**RS2023-2242**](#)

A resolution exempting 217 24th Avenue North #202, from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

Analysis

This resolution exempts 217 24th Avenue North #202 from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

On July 7, 2020, the Council adopted Substitute Ordinance No. BL2019-78, as amended, which provides that no new STRP - not owner-occupied permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its

playground, a park, or a licensed day care center or its playground. The Council may approve an exemption from the minimum distance requirements upon adoption of a resolution, after a public hearing, receiving 21 affirmative votes.

Sponsors: Taylor

8. [RS2023-2243](#)

A resolution exempting 217 24th Avenue North #203, from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

Analysis

This resolution exempts 217 24th Avenue North #203 from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

On July 7, 2020, the Council adopted Substitute Ordinance No. BL2019-78, as amended, which provides that no new STRP - not owner-occupied permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. The Council may approve an exemption from the minimum distance requirements upon adoption of a resolution, after a public hearing, receiving 21 affirmative votes.

Sponsors: Taylor

9. [RS2023-2244](#)

A resolution exempting 217 24th Avenue North #204, from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

Analysis

This resolution exempts 217 24th Avenue North #204 from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Substitute Ordinance No. BL2019-78.

On July 7, 2020, the Council adopted Substitute Ordinance No. BL2019-78, as amended, which provides that no new STRP - not owner-occupied permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. The Council may approve an exemption from the minimum distance requirements upon adoption of a resolution, after a public hearing, receiving 21 affirmative votes.

Sponsors: Taylor

I. **Consent Resolutions and Resolutions**

10. [RS2023-2196](#)

A resolution adopting a new pay plan for the general employees of the Metropolitan Government of Nashville and Davidson County, excluding employees of the Board of Health, Board of Education, and the Police and Fire Departments, effective July 1, 2023.

Analysis

This resolution is the pay plan for the general Metropolitan Government employees to take effect July 1, 2023. The primary effect of this resolution would be to continue the pay plan, continue increment pay, provide a 4% cost-of-living-adjustment (COLA), and provide for the possibility of merit pay increases for open range employees. Step increases known as "increments" are pay increases for certain employment classifications on a six month, one year, eighteen month, or two year interval, depending upon the position. In addition to step increases, the equivalent of an additional 3% merit pay increase would be available for open range employees that do not receive increments. The amount of individual raises for open range employees are determined by department heads. The pay plan contemplates that open range employees are to be paid based upon merit, not length of service.

The Civil Service Commission recommended an additional 3% COLA for employees. However, the Director of Finance and Mayor, exercising their authority under Section 12.10 of the Metro Charter, removed the additional COLA.

Per section 12.10 of the Charter, pay plans may not be amended by the Council except by making uniform modifications of all employment grades (because the relationship between pay grades must remain the same under the Charter). The pay plan amendments submitted by this resolution have been approved by the Civil Service Commission, Finance Director, and the Mayor.

An amendment is anticipated from the sponsor that would amend the pay plan to include an additional 2% COLA for employees, consistent with the proposed substitute to BL2023-1867, the operating budget ordinance.

Sponsors: Rhoten, Benedict and Porterfield

11. [RS2023-2197](#)

A resolution adopting a new pay plan for employees of the Metropolitan Departments of Police and Fire, effective July 1, 2023.

Analysis

This resolution is the pay plan for the general Metropolitan Government employees to take effect July 1, 2023. The primary effect of this resolution would be to continue the pay plan, continue increment pay, provide a 4% cost-of-living-adjustment (COLA), and provide for the possibility of merit pay increases for open range employees. Step increases known as "increments" are pay increases for certain employment classifications on a six month, one year, eighteen month, or two year interval, depending upon the position. In addition to step increases, the equivalent of an additional 3% merit pay increase would be available for open range employees that do not receive increments. The amount of individual raises for open

range employees are determined by department heads. The pay plan contemplates that open range employees are to be paid based upon merit, not length of service.

The Civil Service Commission recommended an additional 3% COLA for employees. However, the Director of Finance and Mayor, exercising their authority under Section 12.10 of the Metro Charter, removed the additional COLA.

Per section 12.10 of the Charter, pay plans may not be amended by the Council except by making uniform modifications of all employment grades (because the relationship between pay grades must remain the same under the Charter). The pay plan amendments submitted by this resolution have been approved by the Civil Service Commission, Finance Director, and the Mayor.

An amendment is anticipated from the sponsor that would amend the pay plan to include an additional 2% COLA for employees, consistent with the proposed substitute to BL2023-1867, the operating budget ordinance.

Sponsors: Rhoten, Benedict, Syracuse and Hurt

12. [RS2023-2198](#)

A resolution adopting a new pay plan for employees of the Metropolitan Board of Health, effective July 1, 2023.

Analysis

This resolution is the pay plan for the employees of the Board of Health to take effect July 1, 2023. The Health Department has its own pay plan because Section 10.107 of the Metro Charter provides that the Board of Health shall constitute a civil service board with respect to the Health employees. The primary effect of this resolution would be to continue the pay plan, continue increment pay, provide a 4% cost-of-living-adjustment (COLA), and provide for the possibility of merit pay increases for open range employees. Step increases known as "increments" are pay increases for certain employment classifications on a six month, one year, eighteen month, or two year interval, depending upon the position. In addition to step increases, the equivalent of an additional 3% merit pay increase would be available for open range employees (who do not receive increments). The amount of individual raises for open range employees are determined by department heads. The pay plan contemplates that open range employees are to be paid based upon merit, not length of service.

Per section 12.10 of the Metropolitan Charter, pay plans may not be amended by the Council except by making uniform modifications of all employment grades (because the relationship between pay grades must remain the same under the Charter). The pay plan submitted by this resolution has been approved by the Finance Director, the Board of Health, and the Mayor.

An amendment is anticipated from the sponsor that would amend the pay plan to include an additional 2% COLA for employees, consistent with the proposed substitute to BL2023-1867, the operating budget ordinance.

Sponsors: Rhoten, Benedict, Syracuse and Hurt

13. [RS2023-2199](#)

A resolution adopting an annual salary increase for general officers and the Sheriff of the Metropolitan Government.

Analysis

This resolution increases the annual salary for general officers and the Sheriff of the Metropolitan Government.

According to Tenn. Code Ann. § 8-24-102, "general officers" include the Davidson County assessor of property, circuit court clerk, clerk and master, county clerk, criminal court clerk, juvenile court clerk, register of deeds, and trustee. The state law also requires that the salary of the sheriff be at least 10% higher than the general officers. The salary set by state law for general officers including assessor of property, clerk and master county clerk, juvenile court clerk, register of deeds, trustee is \$157,052. The salary set by state law for circuit court clerk and criminal court clerk is \$172,757.20 - note that this higher salary reflects that the clerks of court serve more than one clerk. The salary set by state law for sheriff is \$190,032.92.

This resolution increases the salary for all general officers by \$11,143.11 over the minimum salary. The salary for sheriff would be increased by \$12,257.42 over the minimum salary.

Sponsors: Rhoten, Benedict and Hurt

14. [RS2023-2245](#)

A resolution accepting a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the Metropolitan Government, acting by and through the Davidson County General Sessions Court, for the provision of the Tennessee Certified Recovery Court Program to incorporate intensive judicial supervision, treatment services, sanctions, and incentives to address the needs of non-violent offenders with substance use and/or co-occurring disorders.

Analysis

This resolution accepts a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the Davidson County General Sessions Court in an amount not to exceed \$69,000 with no cash match required. A total of \$50,000 from the grant amount will be applied to drug and alcohol testing to maintain compliance with National Association of Drug Court Professionals Key Component #5, which requires abstinence to be monitored by frequent testing. The remaining amount will apply to Metro's indirect cost of the grant. The grant period begins on July 1, 2023 and ends on June 30, 2024.

Sponsors: Rhoten and Welsch

15. [RS2023-2246](#)

A resolution authorizing the adoption of rules, regulations, and forms to be used by the Metropolitan Government in the collection of the privilege tax at the National Museum of

African American Music.

Analysis

This resolution authorizes the adoption of rules and regulations and forms to be used by the Metropolitan Government in the collection of the privilege tax at the National Museum of African American Music.

On November 15, 2022, the Metropolitan Council adopted BL2022-1506, which amended Title 5 of the Metropolitan Code of Laws to authorize the Metropolitan Government to come under the provisions of the Local Tourism Development Zone Business Act, Tenn. Code Ann. § 67-4-3001, et seq. (the “Act”). The Act authorizes the Metropolitan Government to collect a five percent privilege tax on goods and services sold at the National Museum of African American Music (the “Tax”). BL2022-1506 and the Act require the Metropolitan Council to approve the adoption of reasonable rules and regulations (including the form of the returns for the Tax) prior to the implementation and collection of the Tax, which may be approved by resolution.

The County Clerk, in consultation with the Metropolitan Department of Finance, has developed the rules and regulations and tax form to be used in the administration and collection of the Tax.

This resolution approves the use of the rules and regulations and forms consistent with the Act. These items are attached to the resolution as Collective Exhibit A. The resolution also authorizes the County Clerk to make reasonable changes, insertions, deletions, amendments, supplements, and updates consistent with the intent and purposes of Chapter 5.16 of the Metropolitan Code of Laws and the Act.

Sponsors: Rhoten

16. [RS2023-2247](#)

A resolution appropriating to certain accounts for the benefit of the Davidson County Sheriff’s Office in the amount of Four Million, Three Hundred Thousand Dollars (\$4,300,000).

Analysis

This resolution approves supplemental appropriations totaling \$4,300,000. This amount would be appropriated from the GSD General Fund for the following purposes:

- Sheriff’s Office - Overtime \$2,900,000
- Sheriff’s Office - Security Services \$1,400,000

Sponsors: Rhoten and Bradford

17. [RS2023-2248](#)

A resolution declaring surplus and approving the disposition of certain parcels of real property

in accordance with section 2.24.050(G) of the Metropolitan Code of Laws. (Proposal No. 2023-M-003PR-001).

Analysis

This resolution declares 35 properties to be surplus and authorizes the Director of Public Property Administration to sell the properties in accordance with the standard procedures for the disposition of surplus property. The proceeds of the sale will be credited to the general fund. Section 2.24.250(G) of the Metro Code provides that surplus properties for which no building permit could be obtained due to the size or physical characteristics of the property may be sold to an adjacent property owner for the current appraised value listed in the records of the Assessor of Property, or to the adjacent property owner offering the highest price if no adjacent owner is willing to pay the appraised value.

The Planning Commission has approved this surplus property declaration. 0 Ewing Lane will be retained by Metro for future buildout of the Ewing Creek Greenway.

The 35 properties are as follows:

Map - Parcel No. Appraised Value	Address	Council District	Assessor's Office
162-05-0-284.00	0 Colemont Dr	27	\$ 500
074-04-0-132.00	0 Linden Grn	14	\$ 1,100
033-16-0-007.00	0 Apple Valley Rd	10	\$ 600
042-13-0-038.00	0 Tuckahoe Dr	8	\$ 1,400
023-00-0-037.00	0 Clay Lick	3	\$ 1,300
105.11-0-151.01	0 Allison Pl	17	\$ 900
105-13-0-058.00	0 12th Ave S	18	\$ 38,400
116-03-0-017.00	0 Woodmont Blvd	24	\$ 4,500
083-04-0-100.00	0 Carter Ave	7	\$ 900
072-13-0-345.00	1206 Cline Ave	5	\$ 1,300
059-14-0-205.00	0 Atwell Dr	2	\$ 700
061-13-0-018.00	0 Bethwood Dr	8	\$ 100
041-14-0A-042.00CO	0 Brick Ct	3	\$ 100
060-02-0-280.00	0 Ewing Ln	2	\$ 7,800
060-07-0-029.00	2930 Warrick Dr	2	\$ 8,000
060-01-0-044.00	409 Ewing Dr	2	\$ 1,700
081-12-0-037.00	0 Buchanan St	19	\$ 8,800
092-02-0-218.00	2618 Albion St	21	\$ 5,500
092-02-0-257.00	2706 Eden St	21	\$ 5,800
092-06-0-173.00	2817 Clare Ave	21	\$ 100
092-09-0-158.00	3109 Torbett St	21	\$ 100
092-06-0-293.00	709 30th Ave N	21	\$ 100
095-14-0-124.00	0 Air Lane Dr	15	\$ 1,000
119-03-0-004.00	105 Imperial Dr	16	\$ 500
119-03-0-003.00	107 Imperial Dr	16	\$ 500
093-16-0-432.00	45 Fairfield Ave	19	\$ 91,200
084-12-0-059.00	0 Renee Dr	15	\$ 2,500
084-15-0-067.00	0 Briley Pkwy	15	\$ 500

108-08-0-091.00	0 Wemberton Dr	13	\$ 1,000
073-09-0-259.00	0 Copper Ter	7	\$ 7,400
051-15-0-042.00	0 Saunders Ave	8	\$ 2,300
072-04-0-120.00	0 Shelton Ave	7	\$ 6,000
068-00-0-074.00	0 Amy Lynn Dr	1	\$ 900
060-13-0-063.00	421 Woodfolk	2	\$ 36,000
072-01-0-014.00	0 Allenwood Dr	8	\$ 100

Sponsors: Rhoten, Withers, Toombs, Benedict, Bradford, Syracuse, Welsch, Taylor, Hausser, Allen and Hancock

18. [RS2023-2249](#)

A resolution declaring surplus and authorizing the conveyance of real property to certain nonprofit organizations, and authorizing grants not exceeding \$3,000,000.00 from the Barnes Fund for Affordable Housing to AWAKE Nashville, Inc. for the express purpose of constructing affordable or workforce housing for older adults. (Proposal No. 2023M-007PR-001)

Analysis

This resolution declares surplus and authorizes the conveyance of these two properties and further authorizes grants not exceeding \$3,000,000 to AWAKE Nashville, Inc. for the express purpose of constructing or rehabilitating affordable or workforce housing for older adults.

Tenn. Code Ann. §7-3-314(e) permits Metro to convey by resolution any real property acquired pursuant to a delinquent tax sale by grant to a non-profit organization for the purpose of constructing affordable or workforce housing. This section also specifies that no property may be granted prior to the expiration of the statutory redemption period. This section also requires that all such property be used to construct affordable and workforce housing for residents in the county.

On January 16, 2023, the Metropolitan Housing Trust Fund Commission issued a request for applications to qualified nonprofit organizations to participate in the nonprofit housing development grant program. On November 17, 2022, Metropolitan Council appropriated \$8,000,000 in American Rescue Plan Act funding to the Housing Division of the Planning Department for the express purpose of supporting housing for older adults through RS2022-1861.

2937 and 2939 Brick Church Pike would be declared surplus and conveyed to AWAKE Nashville.

In addition to the grant of real property, AWAKE Nashville would receive from the Barnes Fund a grant totaling \$3,000,000 to construct 47 affordable housing units for older adults ages 62 and over. Tenn. Code Ann. § 7-3-314 authorizes Metro to provide financial assistance to nonprofit organizations. In addition, Section 5.04.070 of the Metro Code of Laws provides that the Council may appropriate funds for the financial aid of nonprofit organizations by resolution.

The grant contracts are attached to the resolution.

Per state law and section 5.04.070 of the Metro Code, adoption of this resolution requires 21 affirmative votes.

Fiscal Note: This appropriation would reduce the balance of the Barnes Fund by \$3,000,000.

Sponsors: Toombs, Hausser, Rhoten, Withers, Welsch, Allen and Hancock

19. [RS2023-2250](#)

A resolution declaring surplus and authorizing the conveyance of real property to certain nonprofit organizations, and authorizing grants not exceeding \$634,000.00 from the Barnes Fund for Affordable Housing to certain nonprofit organizations selected for the express purpose of constructing affordable or workforce housing. (Proposal No. 2023M-006PR-001)

Analysis

This resolution declares surplus and authorizes the conveyance of these nine properties and further authorizes grants not exceeding \$634,000 to two nonprofit organizations for the express purpose of constructing or rehabilitating affordable or workforce housing.

Tenn. Code Ann. §7-3-314(e) permits Metro to convey by resolution any real property acquired pursuant to a delinquent tax sale by grant to a non-profit organization for the purpose of constructing affordable or workforce housing. This section also specifies that no property may be granted prior to the expiration of the statutory redemption period. This section also requires that all such property be used to construct affordable and workforce housing for residents in the county.

On January 16, 2023, the Metropolitan Housing Trust Fund Commission issued a request for applications to qualified nonprofit organizations to participate in the nonprofit housing development grant program. Living Development Concepts, Inc., and Affordable Housing Resources, Inc., were selected to receive these properties, as follows:

- 908 28th Avenue N - District 21 - Living Development Concepts
- 1601 Wheless Street - District 21 - Living Development Concepts
- 0 Dabbs Avenue - District 13 - Living Development Concepts
- 8 Cannon Street - District 19 - Living Development Concepts
- 0 Ezell Road - District 28 - Living Development Concepts
- 69 Old Hermitage Avenue - District 19 - Living Development Concepts
- 85 Donelson Street - District 19 - Affordable Housing Resources
- 1626 12th Avenue N - District 21 - Affordable Housing Resources
- 1514 14th Avenue N - District 21 - Affordable Housing Resources

This resolution further authorizes the Metropolitan Housing Trust Fund Commission to enter into grant contracts with Living Development Concepts and Affordable Housing Resources for

the express purpose of constructing affordable and workforce housing on these properties.

In addition to the grants of real property, monetary grants from the Barnes Fund totaling \$634,000 would be made to two nonprofit organizations. \$275,000 would be granted to Living Development Concepts to construct six affordable housing units. \$359,000 would be granted to Affordable Housing Resources to construct three affordable housing units. Tenn. Code Ann. § 7-3-314 authorizes Metro to provide financial assistance to nonprofit organizations. In addition, Section 5.04.070 of the Metro Code of Laws provides that the Council may appropriate funds for the financial aid of nonprofit organizations by resolution. The grant contracts are attached to the resolution.

Per state law and section 5.04.070 of the Metro Code, adoption of this resolution requires 21 affirmative votes.

Fiscal Note: This appropriation would reduce the balance of the Barnes Fund by \$634,000.

Sponsors: Hausser, Rhoten, Withers, Bradford, Taylor and Allen

20. [RS2023-2251](#)

A resolution authorizing grants not exceeding \$9,647,269.00 from the Barnes Fund for Affordable Housing to certain nonprofit organizations selected for the express purpose of constructing and rehabilitating affordable or workforce housing.

Analysis

This resolution authorizes grants not exceeding \$9,647,269 to eight nonprofit organizations selected for the express purpose of constructing and rehabilitating affordable or workforce housing.

On January 16, 2023, the Metropolitan Housing Trust Fund Commission issued a request for applications to qualified nonprofit organizations to participate in the nonprofit housing development grant program. Tenn. Code Ann. § 7-3-314 authorizes Metro to provide financial assistance to nonprofit organizations. In addition, Section 5.04.070 of the Metro Code of Laws provides that the Council may appropriate funds for the financial aid of nonprofit organizations by resolution.

The funding would be appropriated as follows:

- Westminster Home Connection -- \$103,200
- The Housing Fund -- \$100,000
- Habitat for Humanity of Greater Nashville -- \$1,369,500
- Step Up on Second Street, Inc. -- \$1,420,000
- Urban Housing Solutions -- \$654,569
- Shelter America Group -- \$2,000,000
- Housing Services Alliance, Inc. -- \$2,000,000

- Urban League of Middle Tennessee -- \$2,000,000

The grant contracts are attached to the resolution.

Per state law and section 5.04.070 of the Metro Code, adoption of this resolution requires 21 affirmative votes.

Fiscal Note: This appropriation would reduce the balance of the Barnes Fund by \$9,647,269.

Sponsors: Hausser, Rhoten and Welsch

21. [RS2023-2252](#)

A resolution approving an Interlocal Agreement between The Metropolitan Government of Nashville and Davidson County and The Health and Educational Facilities Board of the Metropolitan Government of Nashville and Davidson County for administrative, financial, and legal services for the Mixed-Income PILOT Program.

Analysis

This resolution approves an interlocal agreement between the Metropolitan Government and the Health and Educational Facilities Board of the Metropolitan Government (“HEFB”) for administrative, financial, and legal services for the Mixed-Income PILOT Program (the “Program”).

The Metropolitan Council authorized the Mixed Income Pilot Program on May 5, 2022 pursuant to Ordinance No. BL2022-1170. The aim of the Program is to incentivize mixed-income housing that is affordable to households with incomes at 50% or 75% or less of the area median income (“AMI”) for the Nashville-Davidson Metropolitan Statistical Area in multifamily properties that otherwise would not have any income-restricted units. Program applicants apply to receive a property tax abatement for a specified number of years where the abatement value is determined by a tiered programmatic structure based on specific AMI levels and percentage of reduced rent units proposed in the development.

The agreement under consideration authorizes Metro to continue providing these services, as has been requested by the HEFB. The services are as follows:

- The housing division of the Metropolitan Planning Department will handle administrative support related to the implementation and oversight of the Program by the HEFB.
- The Director of Finance, or a designee, will maintain accounts and funds on behalf of the HEFB for the purposes of the Program.
- The Director of Finance, or a designee, will allocate or transfer funds as appropriate, designate expenditures, and authorize payments from the revenue maintained by the Metropolitan Government on the HEFB’s behalf for the Program.
- The Director of Finance, or a designee, will handle all other financial matters as needed from time to time by the HEFB as are related to the Program.

- The Director of Law, or a designee, will provide general legal counsel to the HEFB as is related to the Program.

The term of this agreement will begin upon approval of the Council and continue as long as (1) the Program remains in effect or (2) a qualifying property continues to receive a property tax abatement pursuant to the terms of the Program, whichever comes first. This agreement may be terminated by either party upon 90 days' written notice.

Sponsors: Rhoten, Withers and Allen

22. [RS2023-2253](#)

A resolution approving an application for a grant from the U. S. Department of Health and Human Services to the Metropolitan Government, acting by and through the Department of General Services, to fund the construction of the third floor at 1354 Brick Church Pike for the future Nashville Assessment Center to provide therapeutic pre-charge diversion services to address low level misdemeanor and youth offenses.

Analysis

This resolution approves an application for a grant from the U.S. Department of Health and Human Services to the Department of General Services. If the grant is awarded, the award would be \$2,200,000 with no cash match required. The grant would be used to fund the construction of the Nashville Assessment center on the third floor for the Juvenile Justice Center/Nashville Youth Campus for Empowerment building at 1354 Brick Church Pike to provide therapeutic pre-charge diversion services to address low level misdemeanor and youth offenses.

Sponsors: Toombs, Rhoten, Syracuse and Welsch

23. [RS2023-2254](#)

A resolution approving a grant contract between the Metropolitan Government, acting by and through the Metropolitan Board of Health, and Meharry Medical College to train college students as peer health educators to create service-oriented resources to impact COVID-19 disparities and related social determinates of health.

Analysis

This resolution approves a grant contract between the Metropolitan Board of Health and Meharry Medical College. Pursuant to the terms of the grant agreement, Meharry will recruit 30 students to serve as health ambassadors and two public health masters students to guide student ambassadors. The student health ambassadors would be trained as peer health educators to create service-oriented resources to impact COVID-19 disparities and related social determinates of health.

The Metro Board of Health would grant to Meharry an amount not to exceed \$115,500 as part of this grant contract.

The term of this grant is 18 months, beginning on December 1, 2022 and ending May 31, 2024.

Fiscal Note: The Metropolitan Board of Health would provide Meharry Medical College \$115,500 per this grant contract.

Sponsors: Rhoten, Syracuse and Welsch

24. [**RS2023-2255**](#)

A resolution approving a limited revocable license agreement between the Metropolitan Government, acting by and through the Metropolitan Board of Health, and Cosecha Community Development to create, operate, and maintain a community garden on the west side of the Woodbine Clinic to utilize Metro property that is under-utilized or unused.

Analysis

This resolution approves a limited revocable license agreement between the Metropolitan Board of Health and Cosecha Community Development to create, operate, and maintain a community garden on the west side of the Woodbine Clinic to utilize Metro property that is under-utilized or unused.

Pursuant to the license agreement, Cosecha Community Development agrees to create a community garden in the fenced-in area on the west side of the clinic building at 224 Oriel Avenue. No fees will be charged by Cosecha unless first obtaining written permission from Metro Health. Cosecha agrees to maintain the property in a neat and orderly condition and to store bulk gardening materials out of public sight at the rear of the garden. Metro Health agrees to allow Cosecha to access the site pursuant to a revocable license agreement for the purpose of developing, managing, and operating a community garden and educational programs in compliance with all Metro rules, regulations, and policies.

The term of the license begins upon approval of all parties and filing with the Metropolitan Clerk. The initial license term will end 24 months from the beginning date.

Fiscal Note: There is no cost to Metro for the performance of this agreement.

Sponsors: Rhoten, Syracuse and Welsch

25. [**RS2023-2256**](#)

A resolution approving a contract between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Health, and Western Governors University to provide clinical experience opportunities for its students.

Analysis

This resolution approves a contract between the Metropolitan Board of Health and Western Governors University to provide a clinical experience opportunity for its students. Pursuant to the agreement, the Metropolitan Health Department would provide clinical and public health instruction and experience to students. Students will receive no compensation and would not be considered employees of the Metropolitan Government.

The school is required to provide assurances that students are covered by health and professional liability insurance and the school has agreed to assume responsibility for its students participating in the program.

The term of the agreement begins April 1, 2023 and continues for five years. The agreement may be terminated by either party upon 90 days' written notice.

Fiscal Note: There is no cost to Metro for the performance of this agreement.

Sponsors: Rhoten and Syracuse

26. [RS2023-2257](#)

A resolution approving amendment one to a grant from the State of Tennessee, Department of Health, to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to use available data to identify populations at high risk for adverse consequences from substance abuse and employ evidence-based interventions that are responsive to population needs.

Analysis

This resolution approves amendment one to a grant from the Tennessee Department of Health to the Metropolitan Board of Health previously approved by Resolution No. RS2022-1707. The purpose of the grant is to use available data to identify populations at high risk for adverse consequences from substance abuse and employ evidence-based interventions that are responsive to population needs.

This amendment reduces the amount of the grant award by \$259,400, from \$681,000 to \$421,600. Further, it amends the scope of services to reflect the new funding amount.

Sponsors: Rhoten, Syracuse and Welsch

27. [RS2023-2258](#)

A resolution approving amendment two to a grant from A Step Ahead Foundation of Middle Tennessee, Inc. to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide reimbursement for certain costs associated with providing long-acting reversible contraception.

Analysis

This resolution approves amendment two to a grant from A Step Ahead Foundation of Middle Tennessee, Inc. to the Metropolitan Board of Health, previously approved by Resolution No. RS2021-1243 and amended by RS2022-1772. This grant provides reimbursement for certain costs associated with providing long-acting reversible contraception. The total grant award is \$270,000 and the grant end date is December 31, 2024.

This amendment adds additional terms and conditions to the grant contract. The responsibilities of each party will remain the same, except that new mutual responsibilities

would be added to the contract related to compliance with federal law and joint review of the contract. Provisions related to conflicts of interest, lobbying, public accountability, public notice, and keeping of records would be added to the contract.

Sponsors: Rhoten, Syracuse, Welsch and Allen

28. [RS2023-2259](#)

A resolution approving amendment eight to a grant from the U. S. Environmental Protection Agency to the Metropolitan Government, acting by and through the Metropolitan Board of Health, for the ongoing collection of data on ambient air concentrations for fine particulate matter in Nashville, Tennessee.

Analysis

This resolution approves amendment eight to a grant from the U.S. Environmental Protection Agency to the Metropolitan Board of Health for the ongoing collection of data on ambient air concentrations for fine particulate matter in Nashville, Tennessee. This grant was originally approved by Resolution No. RS2020-187 and subsequently amended by Resolutions No. RS2021-721, RS2021-1046, RS2022-1432, RS2022-1743, RS2023-1992, and RS2023-2176. The end date of the grant is September 30, 2023.

The amendment increases the grant amount by \$153,400, from \$1,610,942 to \$1,764,342. No other changes would be made to the grant agreement.

Sponsors: Rhoten, Syracuse, Welsch and Hancock

29. [RS2023-2260](#)

A resolution accepting a grant from the Centennial Park Conservancy to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to provide funding for one part-time position in the Parthenon Museum Store.

Analysis

This resolution accepts a grant from the Centennial Park Conservancy to the Metropolitan Board of Parks and Recreation in an amount not to exceed \$19,709.23 with no cash match required. This grant will provide for one part-time position in the Parthenon Museum store. The grant period begins on July 1, 2023 and ends on June 30, 2024. This was approved by the Board of Parks and Recreation at its May 9, 2023 meeting.

Sponsors: Taylor and Rhoten

30. [RS2023-2261](#)

A resolution accepting an in-kind grant from Nashville Youth Hockey League, Inc. to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to fund the purchase and installation of up to 20 door wrap graphics for the locker room and other doors on Rinks A and B of the Centennial Sportsplex.

Analysis

This resolution accepts an in-kind grant from Nashville Youth Hockey League, Inc. to the Metropolitan Board of Parks and Recreation in an approximate value not to exceed \$5,000 with no cash match required. This grant provides for the purchase and installation of up to 20 door wrap graphics for locker room and other doors on Rink A and Rink B of the Centennial Sportsplex. There is no term for this in-kind grant. This was approved by the Board of Parks and Recreation at its May 9, 2023 meeting.

Sponsors: Taylor and Rhoten

31. [RS2023-2262](#)

A resolution accepting a grant from the Friends of Warner Parks to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to continue funding staff positions and copier costs.

Analysis

This resolution accepts a grant from the Friends of Warner Parks to the Metropolitan Board of Parks and Recreation in an amount not to exceed \$50,600.69 with no cash match required. This grant will provide for two part-time Naturalist 1 positions, two seasonal Nature Center Aide positions, and a copier rental for the Warner Parks Headquarters. The term of this grant begins on July 1, 2023 and ends on June 30, 2024. This was approved by the Board of Parks and Recreation at its May 9, 2023 meeting.

Sponsors: Rhoten

32. [RS2023-2263](#)

A resolution accepting a grant from the Friends of Warner Parks to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to provide seasonal staffing for the Special Work Education and Trails (S.W.E.A.T.) program at Warner Parks.

Analysis

This resolution accepts a grant from the Friends of Warner Parks to the Metropolitan Board of Parks and Recreation in amount of \$44,707.05 with no cash match required. This grant will provide for 6 seasonal Special Work Education and Trails (“S.W.E.A.T.”) Crew Worker positions for the S.W.E.A.T. program at Warner Parks. The grant term begins on July 1, 2023 and ends on June 30, 2024. This was approved by the Board of Parks and Recreation at its May 9, 2023 meeting.

Sponsors: Rhoten

33. [RS2023-2264](#)

A resolution accepting an in-kind grant from the Joe C. Davis Foundation and the Friends of Mill Ridge Park to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, for a planning study to determine the scope of work for phase two of the Mill Ridge Park Master Plan.

Analysis

This resolution accepts an in-kind grant from the Joe C. Davis Foundation and the Friends of Mill Ridge Park to the Metropolitan Board of Parks and Recreation with an estimated value of \$38,750 with no cash match required. This grant will provide for a planning study to determine the scope of work for Phase 2 of the Mill Ridge Park Masterplan. There is no grant period. This was approved by the Board of Parks and Recreation at its May 9, 2023 meeting.

Sponsors: Lee and Rhoten

34. [RS2023-2265](#)

A resolution accepting an in-kind grant from Greenways for Nashville to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to raise funds for improvements to 30 greenway trailhead and signage sites on the Cumberland River, Mill Creek, Richland Creek, and Seven Mile Creek greenways.

Analysis

This resolution accepts an in-kind grant from Greenways for Nashville to the Metropolitan Board of Parks and Recreation with an estimated value of \$270,000 with no cash match required. This grant will provide improvements to 30 greenway trailhead and signage sites on the Cumberland River, Mill Creek, Richland Creek, and Seven Mile Creek Greenways. There is no grant period. This was approved by the Board of Parks and Recreation at its May 9, 2023 meeting.

Sponsors: Rhoten, Welsch and Allen

35. [RS2023-2266](#)

A resolution accepting a Homeland Security Grant from the Tennessee Emergency Management Agency to the Metropolitan Government, acting by and through the Office of Emergency Management, to implement State Homeland Security Strategies by addressing the identified planning, equipment, training, and exercise needs required to prevent, respond to, and recover from acts of terrorism.

Analysis

This resolution accepts a Homeland Security Grant from the Tennessee Emergency Management Agency to the Office of Emergency Management in an amount not to exceed \$352,431 with no cash match required. This grant will fund efforts to prevent terrorism and other catastrophic events and prepare the Nation for the threats and hazards that pose the greatest risk by addressing the identified planning, equipment, training and exercise needs required. The grant term starts on September 1, 2022 and ends on April 30, 2025.

Sponsors: Rhoten and Syracuse

36. [RS2023-2267](#)

A resolution accepting a grant from the Tennessee Emergency Management Agency to the Metropolitan Government, acting by and through the Office of Emergency Management, to

provide resources for hazardous materials (hazmat) preparedness.

Analysis

This resolution accepts a grant from the Tennessee Emergency Management Agency to the Office of Emergency Management in an amount not to exceed \$98,660 with a required cash match of \$24,665. This grant will fund hazardous materials (hazmat) training and equipment. The \$24,665 is a salary match and will be used as the indirect costs in the grant budget. The grant term begins on October 1, 2022 and ends on August 31, 2025.

Sponsors: Rhoten and Syracuse

37. [RS2023-2268](#)

A resolution accepting a Violent Crime Intervention Fund (VCIF) grant from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs, to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department, to provide support to local law enforcement in developing and implementing evidence-based strategies to combat violent crime.

Analysis

This resolution accepts a Violent Crime Intervention Fund (“VCIF”) grant from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs to the Metropolitan Nashville Police Department in an amount not to exceed \$3,000,000 with no cash match required. This grant will be utilized for technology upgrades and police support and towards implementing a new Group Violence Intervention Program and strategies that will reduce violent crime. \$2,350,000 of this funding will be used for capital purchase and \$650,000 for indirect costs. The grant term begins on August 1, 2023 and ends on June 30, 2025.

Sponsors: Rhoten, Syracuse and Allen

38. [RS2023-2269](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the claim of Tracy Evans as surviving spouse and next of kin of James Evans, deceased, against the Metropolitan Government of Nashville and Davidson County in the amount of \$150,000.00, with said amount to be paid from the Self-Insured Liability Fund.

Analysis

On June 12, 2019, a Metropolitan Nashville Police Department (“MNPDP”) officer initiated a traffic stop of Anthony Poplar for exceeding the speed limit and failing to use a turn signal. Mr. Poplar made a U-turn and the MNPDP officer followed, believing Mr. Poplar was pulling into a parking lot of an adjacent business. Instead, Mr. Poplar attempted to flee and accelerated to a high rate of speed. According to the MNPDP officer, the officer did not immediately deactivate the emergency lights and sirens in an effort to warn other motorists, as Mr. Poplar was approaching the intersection of Jefferson Street and 21st Avenue against a red light. Once Mr. Poplar cleared the intersection, the MNPDP officer deactivated the emergency lights and siren

and did not engage in a pursuit. Shortly after passing through the intersection, Mr. Poplar lost control of his vehicle and collided with the rear of a vehicle driven by James Evans. The vehicle was parked on the shoulder of Jefferson Street near the I-40 overpass. The MNPDP officer realized there had been a crash and approached the accident scene with the emergency lights and sirens activated and rendered aid to Mr. Evans.

Mr. Evans was transported to the hospital with severe injuries. He sustained a spinal cord injury that caused him to be paralyzed from the chest down. He spent months in hospitals and rehabilitation clinics. He incurred \$561,732 in medical expenses related to the accident. On January 28, 2020, Mr. Evans passed away due to complications from his injuries.

Tracy Evans, the widow of James Evans, brought a wrongful death claim on behalf of Mr. Evans against Mr. Poplar, the owner of the vehicle driven by Mr. Poplar, and the Metropolitan Government.

The Department of Law recommends settlement of Ms. Evans's wrongful death claim for \$150,000.

No disciplinary action was taken against the MNPDP officer involved.

Fiscal Note: This \$150,000 settlement, along with the settlement per Resolution No. RS2023-2272 would be the 37th and 38th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$1,636,499. The fund balance would be \$18,030,576 after these payments.

Sponsors: Rhoten

39. [RS2023-2270](#)

A resolution approving an application for a Regional Infrastructure Accelerator Program grant from the Tennessee Department of Transportation to the Metropolitan Government, acting by and through the Nashville Department of Transportation & Multimodal Infrastructure (NDOT), to develop and coordinate project staging and financing for the multitude of transportation and related infrastructure projects in development that impact the Middle Tennessee region.

Analysis

This resolution approves an application for a Regional Infrastructure Accelerator Program grant from the Tennessee Department of Transportation to the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT"). If awarded, the grant award would be \$4,000,000 with no local cash match required.

The grant would be used to develop and coordinate project staging and financing for the multitude of transportation and related infrastructure projects in development that impact the Middle Tennessee region.

Sponsors: Rhoten and Pulley

40. [RS2023-2271](#)

A resolution approving Amendment Five to an Agreement by and between the State of Tennessee, Department of Transportation ("TDOT"), and the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT"), for improvements on Jefferson Street, Federal No. STP-M-1900(28), State No. 19LPLM-F3-011, PIN 103490.00, Prop No. 2023M-026AG-001.

Analysis

This resolution approves amendment five to an agreement between the Tennessee Department of Transportation ("TDOT") and the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") for improvements on Jefferson Street. The agreement was initially approved pursuant to Resolution No. RS2008-245 and included a grant of \$920,808 with a required match of \$480,203 for intersection improvements on Jefferson Street. Resolution No. RS2013-745 approved the first amendment to this agreement, which extended the agreement to June 1, 2017, specifically identified the intersections on Jefferson Street at 28th Avenue/Ed Temple and 21st Avenue North to be improved, and better reflected TDOT's current fund descriptions. Resolution No. RS2017-708 approved the second amendment to the agreement, which extended the date for completion to June 1, 2019, based upon additional recommendations from a 2017 traffic study. Resolution No. RS2019-1624 approved a third amendment to extend the completion date of all phases of work to December 31, 2020. Resolution No. RS2020-649 replaced the prior contract with a new contract and extended the term until December 31, 2022, added language related to the use of TDOT on-call consultants, and added right-of-way acquisition for, and the construction of, a roundabout at the intersection of 28th Avenue N and Jefferson Street.

This fifth amendment extends the completion date to December 31, 2025 to allow for the negotiation of adjusted design costs, acquisition of right-of-way, and build out the proposed roundabout and improvements to 21st Avenue North and Jefferson Street. The amended further increases the design cost by \$201,412, from 325,563 to \$526,975.

Fiscal Note: The design cost would be increased by \$201,412, to be paid from Business Unit 42404016 and Business Unit 42408021.

Sponsors: Taylor, Rhoten, Withers, Pulley and Welsch

41. [RS2023-2272](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Bernie Cox against the Metropolitan Government of Nashville and Davidson County in the amount of \$80,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On July 11, 2022, Bernie Cox was riding his electric skateboard in the bike lane of Commerce Street and Rep. John Lewis Way when he hit a large metal plate in the street. The metal plate originally held a yellow pole to prevent motorists from entering the bike lane. The pole was removed, but the plate was left in the street. No cones or other warnings were placed around

the obstruction.

Mr. Cox injured his head and left arm. He sought treatment at the hospital that same day and was advised he needed surgery to repair his broken arm. Following the surgery, he received physical therapy. Mr. Cox's medical costs totaled \$38,582.98.

The Department of Law recommends settlement of Mr. Cox's personal injury claim for \$80,000.

Fiscal Note: This \$80,000 settlement, along with the settlement per Resolution No. RS2023-2269 would be the 37th and 38th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$1,636,499. The fund balance would be \$18,030,576 after these payments.

Sponsors: Rhoten

42. [RS2023-2273](#)

A resolution accepting the terms of a cooperative purchasing master agreement for Verizon Connect fleet management technologies with related software solutions.

Analysis

This resolution accepts the terms of a cooperative purchasing master agreement for Verizon Connect fleet management technologies with related software solutions. The purchasing agreement is between Sourcewell, which is a State of Minnesota local government agency, and Verizon Connect NWF, Inc. The agreement is valid through March 26, 2025.

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

Sponsors: Rhoten and Pulley

43. [RS2023-2274](#)

A resolution approving Supplement #1 to an Intergovernmental Agreement by and between the State of Tennessee, Department of Transportation, and The Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, to construct PIN Number 105766.02, SR-11, (Nolensville Pike), from North of Mill Creek to near SR-254, located in Davidson County, Tennessee, (State Project No. 19028-2245-14, MWS Project No. 16-WG-0060 and Proposal No. 2023M-020AG-001.

Analysis

This resolution approves Supplement #1 to an intergovernmental agreement between the Tennessee Department of Transportation and the Metropolitan Department of Water and Sewerage Services ("MWS") originally approved by Resolution No. RS2018-1094. RS2018-1094 authorized MWS to enter into a Utility Relocation Contract with TDOT for the

construction of State Project No. 105766.02, SR-11, (Nolensville Pike), from North of Mill Creek to near SR-254 (Old Hickory Boulevard), located in Davidson County. Tenn. Code Ann. § 12-9-104(a)(2) authorizes approval of intergovernmental agreements by resolution.

This Supplement amends the intergovernmental agreement previously approved by RS2018-1094 to reflect the updated cost estimate of the project. The estimated cost of relocating the facilities is \$6,021,700, which is an increase from the original estimate of \$3,959,370. This cost includes an increased betterment cost from \$1,663,116 to \$1,737,120 and an increased deposit amount from \$1,864,931.90 to \$2,043,718.40. This deposit includes the \$1,737,120 betterment cost plus \$306,598.40 in pro-rata costs of utility facilities located on public highway right-of-way. TDOT caps the maximum reimbursement for relocating utility facilities on public highway right-of-way for municipalities at \$1,750,000.

Fiscal Note: The Metropolitan Department of Water and Sewerage Services' deposit to the Tennessee Department of Transportation (TDOT) towards the Utility Relocation Contract No. 8756 would be increased by \$178,786.50, from \$1,864,931.90 to \$2,043,718.40. The total estimated cost of relocating the utility facilities would be increased by \$2,062,330, from \$3,959,370 to \$6,021,700.

Sponsors: Rutherford, Rhoten, Withers and Pulley

44. [RS2023-2275](#)

A resolution approving Supplement #1 to an Intergovernmental Agreement by and between the State of Tennessee, Department of Transportation, and The Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, to construct PIN Number 105766.02, SR-11, (Nolensville Pike), from North of Mill Creek to near SR-254, located in Davidson County, Tennessee, (State Project No. 19028-2245-14, MWS Project No. 16-SG-0045 and Proposal No. 2023M-019AG-001).

Analysis

This resolution approves Supplement #1 to an intergovernmental agreement between the Tennessee Department of Transportation and the Metropolitan Department of Water and Sewerage Services ("MWS") originally approved by Resolution No. RS2018-1100. RS2018-1100 authorized MWS to enter into a Utility Relocation Contract with TDOT to allow construction of State Project No. 19028-2245-14, SR-11 (Nolensville Pike) from North of Mill Creek to near SR-254 (Old Hickory Boulevard).

This Supplement amends the intergovernmental agreement previously approved by RS2018-1100 to reflect the updated cost estimate of the project. The estimated cost of relocating the facilities would be increased by \$763,645, from \$761,165 to \$1,524,810. TDOT caps the maximum reimbursement for relocating utility facilities on public highway right-of-way for municipalities at \$1,750,000.

Fiscal Note: The estimated total cost of relocating the facilities would increase by \$763,645, from \$761,165 to \$1,524,810. The reimbursement of the cost to Metro is limited to 75% of

actual allowable costs up to a maximum reimbursement cap of \$1,750,000.

Sponsors: Rutherford, Rhoten, Withers and Pulley

45. [RS2023-2276](#)

A resolution approving an agreement between the United States Department of the Army and the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, to provide relocation assistance for the Richland Creek Flood Risk Management Project in Davidson County, Tennessee.

Analysis

This resolution approves an agreement between the United States Department of the Army and the Metropolitan Department of Water and Sewerage Services (“MWS”) to provide relocation assistance for the Richland Creek Flood Risk Management Project in Davidson County.

The Richland Creek Flood Risk Management project, authorized by federal law, allows for the acquisition of 23 residential structures and the elevation of 16 residential structures be carried out pursuant to the Flood Control Act of 1948.

This agreement may be terminated by either party upon 60 days written notice to the other party.

Fiscal Note: Metro would pay the United States Department of the Army the estimated labor cost of \$18,000 per tract for the relocation assistance. The payment will be made in advance yearly based on the anticipated number of tracts to acquire per year.

Sponsors: Roberts, Murphy, Rhoten and Pulley

46. [RS2023-2277](#)

A resolution authorizing The Metropolitan Government of Nashville and Davidson County to enter into an agreement with Madison Suburban Utility District for reading and maintaining water consumption meters and disconnecting water service.

Analysis

This resolution authorizes the Metropolitan Government to enter into an agreement with Madison Suburban Utility District (“MSUD”) for reading and maintaining water consumption meters and disconnecting water service.

Pursuant to the terms of this agreement, MSUD agrees to read the water consumption meter of each of Metro’s water service customers. MSUD will submit these readings to Metro and Metro will calculate and individually bill the customers using these meter readings provided by MSUD. MSUD will notify Metro of new accounts, closed accounts, or account changes within five business days. MSUD will promptly notify Metro if water consumption meters within the scope of this agreement are found to be malfunctioning or inoperable. Each month, Metro will pay MSUD \$0.67 per water meter reading data provided to Metro for its use in sewerage billing.

Metro will add an annual inflation amount to this fee after the first year and in each following year during the term of the agreement. Metro will also bill and collect reconnection fees from customers and will remit these fees the MSUD.

The term of this agreement is 10 years, beginning on October 1, 2023. Either party may terminate this agreement upon 180 days written notice to the other party.

Tenn. Code Ann. § 12-9-101, et seq., authorizes local governments in Tennessee to enter into cooperative agreements by resolution.

Fiscal Note: Metro would pay Madison Suburban Utility District (MSUD) a basic fee of \$0.67 per water meter reading provided for monthly sewer billing. Metro would also bill and collect reconnection fees from any water customer service when the disconnection and reconnection was made at Metro's request. The reconnection fees, based on current and future adopted fees, will be remitted to MSUD.

Sponsors: Rhoten and Pulley

47. [RS2023-2278](#)

A resolution amending Ordinance No. BL2023-1690 to extend its effective date to October 1, 2023.

Analysis

This resolution amends Ordinance No. BL2023-1690 to extend the effective date. BL2023-1690 established a stormwater capacity fee for Davidson County. That ordinance provided an effective date of July 1, 2023. The ordinance further provided that amendments to the ordinance may be approved by a resolution of Council.

This resolution extends the effective date of the ordinance from July 1, 2023 to October 1, 2023.

Sponsors: Syracuse

K. Bills on Second Reading

64. [BL2021-920](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main and easements, and to accept new sanitary sewer mains, sanitary sewer manholes and easements, for three properties located at 5540 Oakmont Circle and 262 and 264 White Bridge Pike, (MWS Project No. 20-SL-317 and Proposal No. 2021M-071ES-001).

Analysis

This ordinance abandons approximately 225 linear feet of existing eight inch sanitary sewer main (LINED) and easements, and accepts approximately 188 linear feet of new eight inch sanitary sewer main (PVC), approximately 101 linear feet of new eight inch sanitary sewer

main (DIP), four sanitary sewer manholes and easements, for three properties located at 5540 Oakmont Circle and 262 and 264 White Bridge Pike. Future amendments to this ordinance may be made by resolution. This has been approved by the Planning Commission.

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: Murphy and Nash

65. [BL2023-1740](#)

An ordinance amending Section 11.12.080 of the Metropolitan Code of Laws related to the discharge of weapons.

Analysis

This ordinance amends Section 11.12.080 of the Metropolitan Code of Laws related to the discharge of weapons.

Currently, the Metropolitan Code of Laws provides that it is unlawful to discharge any firearm within the urban services district at any time, and within the general services district during the nighttime. "Nighttime" is defined as the period of time 30 minutes after dusk and 30 minutes prior to sunrise. There are exceptions to this rule, including the allowance of the discharge of a firearm (1) while in the lawful performance of duty as an officer of the law, (2) within a legally established shooting range or shooting gallery where precautions have been taken to insure the protection of human life and property, (3) while lawfully engaged in hunting, as permitted by the state, upon any property located within the urban services district of the metropolitan government; or (4) while legally defending person or property.

The ordinance under consideration prohibits the discharge of a weapon in the general services district within 500 feet of an occupied residential structure. An exception would be added to allow for the discharging of a weapon within 500 feet of an occupied residential structure with the prior permission of the owner of the structure and the owner of the property. An exception would also be made for where the discharge of a firearm is expressly authorized or permitted by state law.

Sponsors: Rosenberg, Evans and Styles

66. [BL2023-1882](#)

An ordinance creating Chapter 2.153 of the Metropolitan Code of Laws establishing a Bicycle and Pedestrian Advisory Commission.

Analysis

This ordinance creates a Bicycle and Pedestrian Advisory Commission, who will advise the mayor, council, and relevant Metropolitan departments and provide written formal recommendations when necessary. This will be a thirteen-member commission. Eleven members will be appointed by the mayor, one member will be appointed by the vice mayor, and one member will be elected by the council. All appointments must be confirmed by a majority of

the membership to which the council is entitled. All members serve without compensation. The membership of the commission must reflect the diversity of the citizens of Nashville and Davidson County. The mayor will select the chair from the voting membership of the committee and the chair will serve for one year.

The eleven members appointed by the mayor would be recommended to be selected from the following categories:

- Non-profit community groups advocating biking and walking;
- Students or faculty members from a local university;
- Local organizations that represents disabled persons;
- Transportation planning, policy, or design professionals;
- Senior citizen advocacy organizations such as AARP or Fifty-Forward;
- Local bicycle clubs;
- Walking, running, or hiking clubs;
- Urban planning or multi-modal transportation support organizations;
- Parks or greenways friends groups; and
- Individuals who are interested in biking and walking.

In addition to the thirteen voting members, the mayor, the director of the metro health department, the director of the parks department, the director of the department of transportation and multimodal infrastructure, the chief of the metropolitan police department, the superintendent of metro public schools, the director of the metro planning department, and the director of WeGo would serve as ex officio members. Ex officio members have no vote and do not count toward quorum.

Members of the committee will serve staggered four-year terms. A position on the committee will be deemed vacant based upon failure to attend two consecutive meetings.

- The duties and purpose of the Bicycle and Pedestrian Advisory Commission is to advise the mayor, council, and relevant departments and to provide formal recommendations related to the following:
- Promotion of bicycling and walking to the mayor, council, and departments.
- Promotion of the WalknBike Strategic Plan and bicycle, greenway and pedestrian infrastructure projects to the mayor and council.
- Promotion of the integration of bicycling, shared mobility devices, and walking in the metropolitan government's planning, design, and development of transportation facilities including bikeways and greenways.
- Promotion of the integration of bicycling, shared mobility devices, and walking in the metropolitan government's planning process and implementation of community plans, including feedback on specific plan zoning requests as they relate to walking and biking.
- Coordinate with the Vision Zero Advisory Committee, Traffic and Parking Commission, and other relevant committees, including appointing a member to serve as liaison to these bodies.

- Working with local businesses, governmental agencies, and community organizations to encourage bicycling and walking and promote community investment in bicycle racks, signage, markings and other facilities and programs.
- Working with the metropolitan government, board of education, and community groups to foster programs to educate all age groups on safe bicycling and walking skills.
- Developing and distributing informational, educational, and promotional materials for bicyclists, pedestrians, and motorists.
- Providing guidance and serving as a resource to the department of transportation and multimodal infrastructure, department of parks and recreation and the planning department in developing long-range plans to encourage increased micromobility, bicycling, and walking.
- Build a more inclusive bicycling community by representing the needs of the diverse population of bicyclists in the city.
- Provide guidance to the mayor, council, and departments on the implementation of bike share systems and shared micromobility programs.

The commission will hold regular monthly meetings and meet no less than ten times per year. Special meetings can be called by the chair. Meetings must be publicly noticed at least two weeks in advance and all relevant documents must be made available on Nashville.gov.

The commission will report quarterly to the council's Transportation and Infrastructure Committee and the Public Facilities, Arts, and Culture Committee, as needed and requested. The report may be by writing or by appearance. The commission will also submit an annual report to the council and mayor on the activities of the commission during that year, including a report on improvements and remaining needs in the bicycling and walking infrastructure. The commission will also hear from members of the public at called meetings to the extent possible.

Departments will work cooperatively with the commission in meeting these requirements and provide assistance as required. The Department of Transportation and Multimodal Infrastructure will provide day to day staffing and assistance to the commission as it may require.

Fiscal Note: The thirteen voting members of the Bicycle and Pedestrian Advisory Commission will serve without receiving compensation from Metro.

Sponsors: OConnell, Welsch, Allen, Benedict, Mendes, Sledge and Evans

67. [BL2023-1885](#)

An ordinance to amend Section 10.60.050 of the Metropolitan Code of Laws to amend an alarm registration display requirement.

Analysis

This ordinance amends Section 10.60.050 of the Metropolitan Code of Laws relative to the display of alarm permits.

Current law requires that alarm registration “sticker” provided to a permittee be displayed so as to be easily visible from the outside front of the building.

The ordinance under consideration would change this language to provide that the alarm registration “permit” be displayed, instead of the “sticker.”

Sponsors: Syracuse

68. [BL2023-1886](#)

An ordinance amending Chapter 11.22 of the Metropolitan Code of Laws to require landlords to provide to certain older persons sixty-days’ notice of termination of tenancy for purposes of eviction to make way for new property development.

Analysis

This ordinance amends Chapter 11.22 of the Metropolitan Code of Laws to require landlords to provide to certain older persons sixty-days’ notice of termination of tenancy for purposes of eviction to make way for new property development.

In April of this year, the Tennessee General Assembly adopted legislation, known as the “Norma Jean Upshaw Act,” to provide notice to certain tenants at least 60 days prior to the termination of the tenancy. Pursuant to this law, a landlord must provide 60 days’ notice of the termination of a tenancy for the purpose of eviction of a residential tenant of a facility if (1) the tenant has paid all due rent and is not in arrears on rent payment and (2) the termination and eviction are to allow for a new property development. Under the Act, a facility is defined as a facility that provides housing for older persons. “New property development” is defined as (1) razing a facility for the purposes of using the property for purposes other than housing for older persons or (2) renovating a facility in a manner that requires tenants to vacate the facility in order to turn the facility into residential housing offered at a market rate. The state law is set to take effect July 1, 2023.

The ordinance under consideration simply mirrors the state law in the Metropolitan Code. The Metropolitan Government has no authority to enforce this provision on its own. Davidson County is subject to the Tennessee Uniform Residential Landlord and Tenant Act (“URLTA”), which regulates the relationships of landlords and tenants. URLTA preempts the entire field of legislation concerning the regulation of landlords and tenants, which prohibits Metro from adopting any laws that conflict with or are in addition to the state law. Tenn. Code Ann. § 66-28-102.

Sponsors: Hurt and Welsch

69. [BL2023-1887](#)

An ordinance amending Ordinance No. BL2021-594 to authorize lowering the speed limit on streets designated as local streets on the Major and Collector Street Plan within the General Services District from 30 miles per hour to 25 miles per hour, allowing exceptions to that general reduction to be granted by the Metropolitan Traffic and Parking Commission, and amending Section 12.20.020 of the Metropolitan Code.

Analysis

This ordinance amends Ordinance No. BL2021-594 to lower speed limits on local streets within the General Services District.

Ordinance No. BL2021-594, approved by the Metropolitan Council on February 2, 2021, lowered the speed limit on streets designated as local streets on the Major and Collector Street Plan within the Urban Services district. The speed limit was lowered from 30 miles per hour to 25 miles per hour. The Metropolitan Traffic and Parking Commission (“MTLC”) approved the lowering of speed limits on local streets throughout the General Services District from 30 miles per hour to 25 miles per hour at its April 10, 2023 meeting.

This ordinance would lower the speed limits on streets designated as local streets on the Major and Collector Street Plan within the General Services District in urban and suburban neighborhoods are hereby generally lowered from 30 miles per hour to 25 miles per hour. The MTLC would retain authority to officially adopt this speed limit reduction and provide exceptions to the speed limit reduction. The MTLC would be required to hold a noticed public hearing on the request prior to the adoption of an exception. Section 12.20.020 of the Metropolitan Code of Laws would be amended to reflect this change.

The MTLC is further authorized to post appropriate speed limit signage to effectuate this ordinance.

Fiscal Note: The estimated cost to Metro for the replacement of the speed limit signs is \$60,000, broken down as follows: Parts and materials - \$42,000, labor and overtime - \$11,000, contingency - \$7,000.

Sponsors: Rutherford, Pulley, Hancock, Bradford, Henderson, Welsch and Allen

70. [BL2023-1889](#)

An ordinance approving a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County by and through the Metropolitan Board of Education and the State of Tennessee, on behalf of Nashville State Community College.

Analysis

This ordinance approves a lease agreement between the Metropolitan Board of Education and Nashville State Community College for the use of property at 5248 Hickory Hollow Parkway for the Academy at Hickory Hollow. The property includes approximately 6,596 square feet of the building and would be used by Metro for classrooms and support space.

The term of the lease begins on August 1, 2023 and ends on July 31, 2033. Either party may terminate the lease following 180 days’ notice. Upon termination of the lease, the property will revert to the State of Tennessee. Metro’s lease payment will be \$56,066.00 per year, or \$4,672.17 per month. Under the agreement, the State would remain responsible for maintenance, repair work, utilities, and janitorial services on the property.

Fiscal Note: Metro would pay a base lease price of \$4,672.17 per month to the State of Tennessee for an approximate square footage of 6,596 square feet.

Sponsors: Murphy, Rhoten, Porterfield and Suara

71. [BL2023-1890](#)

An ordinance adopting the Five Year Consolidated Plan and 2023 Action Plan for Housing and Community Development and authorizing the Metropolitan Mayor to submit the Consolidated Plan and 2023 Action Plan to the U.S. Department of Housing and Urban Development.

Analysis

This ordinance adopts the 2023-2028 Consolidated Plan for Housing and Community Development (“Consolidated Plan”) and authorizes the Mayor to submit the Plan to the U.S. Department of Housing and Urban Development (“HUD”). This five-year Consolidated Plan was prepared by the Metropolitan Development and Housing Agency (“MDHA”) and is to be administered by MDHA. The Council most recently adopted a Consolidated Plan in 2018 for the years 2018-2023 pursuant to Ordinance No. BL2018-1246.

HUD requires local governments seeking federal funding under the Community Development Block Grant program (“CDBG”), the HOME investment partnerships program, the Emergency Shelter Grant program (“ESG”), and the Housing Opportunities for Persons With AIDS (“HOPWA”) program to submit a consolidated plan for housing and community development.

This plan includes a Needs Assessment, a Housing Market Analysis, and a Strategic Plan that establishes priorities for addressing housing and community development needs. In addition, the Action Plan for 2023 provides for expenditure of CDBG, HOME, ESG, and HOPWA funds to address the Consolidated Plan's priorities.

Funding for the programs in the 2023 Action Plan would be used for the following purposes:

- CDBG - Acquisition, Administration and Planning, Economic Development, Housing, Public Improvements, and Public Services
- HOME - Acquisition, Homebuyer assistance, Homeowner rehab, Multifamily rental new construction, Multifamily rental rehab, New construction for ownership, and Tenant-Based Rental Assistance (“TBRA”)
- HOPWA - Permanent housing in facilities, Permanent housing placement, Short term or transitional housing facilities, Short-Term Rent, Mortgage, and Utility Assistance (STRMU), Supportive services, and TBRA
- ESG - Conversion and rehab for transitional housing, Financial Assistance, Overnight shelter, Rapid re-housing (rental assistance), Rental Assistance Services, and Transitional housing

Funding for these programs could not be allocated for any property acquisition for which the power of eminent domain is utilized by MDHA, which is restricted under federal law.

Fiscal Note: The 2023 Action Plan includes the following funding levels:

CDBG

Allocation -- \$4,922,781

Program Income -- \$208,404

The actual expenditure of CDBG funds would be submitted to the Council for approval by resolution at the time the projects are identified. CDBG funds are not to be used for capital improvement projects, as stated in the ordinance.

HOME

Allocation -- \$2,767,733

Program Income -- \$378,840

The twenty-five percent (25%) local match for the HOME Investment Partnerships Program will be provided by non-federal funds utilized for HOME projects as well as the value of donated and or improvements associated with HOME-funded projects, or by other eligible methods as provided in the HOME regulations.

HOPWA

Allocation -- \$2,389,060

ESG

Allocation -- \$445,903

Local matching funds are required under the ESG program to be provided by the local nonprofits that participate in the program as sub-grantees.

Sponsors: Rhoten and Hausser

72. [BL2023-1893](#)

An ordinance approving an agreement between the Metropolitan Government of Nashville-Davidson County, acting by and through the Office of Family Safety, and Caravan Studios to participate in the Safe Shelter Collaborative that addresses quick identification of immediately available and survivor appropriate-shelter.

Analysis

This ordinance approves an agreement between the Office of Family Safety and Caravan Studios to participate in the Safe Shelter Collaborative that addresses quick identification of immediately available and survivor-appropriate shelter. The agreement addresses the provision of content relevant to survivor support and the protection of confidential information.

The term of this agreement commences upon execution by all involved parties and approval by the Metropolitan Council. The term will automatically renew annually but in no event may the agreement exceed 60 months from the effective date. Either party may terminate this agreement immediately upon written notice to the other party.

Fiscal Note: There is no cost to Metro for the performance of this agreement.

Sponsors: Syracuse, Hancock, Hurt and Porterfield

73. [BL2023-1895](#)

An ordinance authorizing the granting of a permanent utility easement to Piedmont Natural Gas Co. on certain property owned by the Metropolitan Government (Parcel No. 14200021700) (Proposal No. 2023M-068ES-001).

Analysis

This ordinance authorizes the Director of Public Property Administration to grant a permanent utility easement to Piedmont Natural Gas Co. ("Piedmont") on Metro Government property located at 0 Highway 70 South. This easement is for the purposes of constructing, installing, maintaining, operating, repairing, altering, replacing, removing, relocating, inspecting, upgrading, and protecting one or more underground pipelines. Piedmont agrees to pay Metro \$1,800, representing the fair market value, for this permanent easement.

Fiscal Note: Piedmont Natural Gas Co. has agreed to pay \$1,800 to Metro for the permanent easement.

Sponsors: Hausser, Rhoten, Withers and Pulley

74. [BL2023-1896](#)

An ordinance authorizing the acquisition of certain rights of way, easements, and property rights, by negotiation or condemnation, for use by the Metropolitan Government of Nashville and Davidson County ("Metropolitan Government" or "Metro"), acting by and through the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT"), in connection with the public project described as "Early Acquisition of ROW to include six parcels for Phase I-North/South Arterial Boulevard between Spring Street and Woodland Street", State Project No. 19LPLM-S2-190, PIN 132289.00 ("the Project"); Proposal No. 2023M-021AG-001.

Analysis

This ordinance authorizes the Director of Public Property Administration to acquire by negotiation or condemnation rights-of-way, easements, and property rights for use by the Nashville Department of Transportation and Multimodal Infrastructure for the public project "Early Acquisition of ROW to include six parcels for Phase I-North/South Arterial Boulevard between Spring Street and Woodland Street." The State of Tennessee previously agreed to share the costs of such right-of-way acquisition pursuant to Resolution No. RS2021-1237 and as amended by RS2022-1410.

Future amendments to this legislation may be approved by resolution.

Fiscal Note: Metro's estimated cost is \$23,000,000, which represents 50% of the total estimated cost of the acquisition to be paid from Fund No. 40022, Business Unit 42401022.

Sponsors: Parker, Withers, Rhoten and Pulley

75. [BL2023-1897](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning a portion of Pawnee Trail unimproved right-of-way, (Proposal Number 2023M-001AB-001).

Analysis

This ordinance abandons a portion of Pawnee Trail unimproved right-of-way, from terminus southeastward 36.3 feet between parcel 05314000800 and parcel 05314011400. This has been requested by Council Member Tonya Hancock, applicant.

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

Sponsors: Hancock, Withers and Pulley

76. [BL2023-1898](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main, sanitary sewer manholes, fire hydrant assemblies and easements, for property located at 840 Old Lebanon Dirt Road (MWS Project Nos. 22-SL-110 and 22-WL-48 and Proposal No. 2023M-061ES-001).

Analysis

This ordinance accepts approximately 917 linear feet of new eight-inch sanitary sewer main (PVC), seven sanitary sewer manholes, two fire hydrant assemblies and easements for property located at 840 Old Lebanon Dirt Road.

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

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

Sponsors: Evans, Withers and Pulley

77. [BL2023-1899](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation and replacement of public water main, for property located at 401 Clay Street, also known as Lexus of Nashville (MWS Project No. 23-WL-28 and Proposal No. 2023M-062ES-001).

Analysis

This ordinance accepts the vertical relocation and replacement of approximately 10 linear feet of six-inch water main (DIP) for property located at 401 Clay Street, also known as Lexus of Nashville.

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

ordinance may be approved by resolution.

Sponsors: Taylor, Withers and Pulley

78. [BL2023-1900](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at 3739 Hoggett Ford Road, also known as The Reserve at Magnolia Farms (MWS Project Nos. 22-WL-95 and 22-SL-204 and Proposal No. 2023M-065ES-001).

Analysis

This ordinance accepts approximately six linear feet of new 10-inch water main (DIP), approximately 1,014 linear feet of new eight-inch water main (DIP), approximately 220 linear feet of new six-inch water main (DIP), approximately 434 linear feet of new eight-inch sanitary sewer main (DIP), approximately 859 linear feet of new eight-inch sanitary sewer main (PVC), two fire hydrant assemblies, seven sanitary sewer manholes and easements for property located at 3739 Hoggett Ford Road, also known as The Reserve at Magnolia Farm.

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

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

Sponsors: Rhoten, Withers and Pulley

79. [BL2023-1901](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public storm sewer pipeline and easement, for property located at 2212 12th Avenue South (MWS Grading Permit No. 2022037291 and Proposal No. 2023M-071ES-001).

Analysis

This ordinance abandons existing public storm sewer pipeline and easement, for property located at 2212 12th Avenue South. The abandonment has been requested by Barge Civil Associates, on behalf of the owner.

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

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

Sponsors: Sledge, Withers and Pulley

80. [BL2023-1902](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to

accept new public sanitary sewer mains, sanitary sewer manholes and easements, for property located at 3507 Central Pike, also known as Hermitage 7-Eleven (MWS Project No. 23-SL-37 and Proposal No. 2023M-058ES-001).

Analysis

This ordinance accepts approximately 204 linear feet of new eight-inch sanitary sewer main (DIP), approximately 33 linear feet of new eight-inch sanitary sewer main (PVC), two sanitary sewer manholes and easements for property located at 3507 Central Pike, also known as Hermitage 7-Eleven.

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

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

Sponsors: Rhoten, Withers and Pulley

81. [BL2023-1903](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation of an existing public fire hydrant assembly, for property located at 433 Opry Mills Drive, also known as PF Chang's restaurant (MWS Project No. 23-WL-23 and Proposal No. 2023M-072ES-001).

Analysis

This ordinance accepts the relocation of an existing public fire hydrant assembly, for property located at 433 Opry Mills Drive, also known as PF Chang's restaurant.

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

Sponsors: Syracuse, Withers and Pulley

82. [BL2023-1904](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new public sanitary sewer manhole and easement, for two properties located at 1011 and 1013 West Trinity Lane (MWS Project No. 22-SL-131 and Proposal No. 2023M-067ES-001).

Analysis

This ordinance accepts a new public sanitary sewer manhole and easement for two properties located at 1011 and 1013 West Trinity Lane.

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

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

Sponsors: Toombs, Withers and Pulley

83. [BL2023-1905](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and sanitary sewer manholes, for property located at 1219 11th Avenue North (MWS Project No. 22-SL-270 and Proposal No. 2023M-079ES-001).

Analysis

This ordinance accepts approximately 162 linear feet of new eight-inch sanitary sewer main (DIP) and two sanitary sewer manholes for property located at 1219 11th Avenue North.

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

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

Sponsors: Withers and Pulley

84. [BL2023-1906](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept public new sanitary sewer force main and rehabilitation of existing sanitary sewer manholes, for four properties located on Rural Hill Road, Mount View Road, and Highlander Drive, also known as NOVO Antioch (MWS Project No. 22-SL-43 and Proposal No. 2023M-052ES-001).

Analysis

This ordinance accepts approximately 1,472 linear feet of new four-inch sanitary sewer force main (DIP) and authorizes the rehabilitation of three existing sanitary sewer manholes for four properties located on Rural Hill Road, Mount View Road, and Highlander Drive, also known as the NOVO Antioch development.

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

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

Sponsors: Withers and Pulley

85. [BL2023-1907](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains and sanitary sewer manholes, for property located at 1287 Currey Road, also known as Habiba Subdivision (MWS Project Nos. 22-WL-110 and 22-SL-230 and Proposal No. 2023M-073ES-001).

Analysis

This ordinance accepts approximately 300 linear feet of new eight-inch water main (DIP), approximately 623 linear feet of new eight-inch sanitary sewer main (PVC), and two sanitary sewer manholes for property located at 1287 Currey Road, also known as Habiba Subdivision.

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

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

Sponsors: Bradford, Withers and Pulley

86. [BL2023-1908](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer mains and sanitary sewer manholes, and to accept new public sanitary sewer mains and sanitary sewer manholes, for eight properties located on Ewing Drive, Dickerson Pike, and Ben Allen Road, also known as Ewing Drive Sanitary Sewer Replacement, (MWS Project No. 23-SL-13 and Proposal No. 2023M-055ES-001).

Analysis

This ordinance abandons approximately 663 linear feet of existing eight-inch sanitary sewer main (PVC), approximately 19 linear of existing 15-inch sanitary sewer main (PVC), and five sanitary sewer manholes, and accepts approximately 633 linear feet of new 12-inch sanitary sewer main (DIP), approximately 19 linear feet of new 15-inch sanitary sewer main (DIP) and four new sanitary sewer manholes for eight properties located on Ewing Drive, Dickerson Pike, and Ben Allen Road, also known as Ewing Drive Sanitary Sewer Replacement.

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: Toombs, VanReece, Withers and Pulley

87. [BL2023-1909](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for two properties located at 5991 and 5997 Edmondson Pike, also known as Sycamore Estates (MWS Project Nos. 22-WL-99 and 22-SL-209 and Proposal No. 2023M-066ES-001).

Analysis

This ordinance accepts approximately 1,491 linear feet of new eight-inch water main (DIP),

approximately 83 linear feet of new six-inch water main (DIP), approximately 1,073 linear feet of new eight-inch sanitary sewer main (PVC), approximately 328 linear feet of new eight-inch sanitary sewer main (DIP), four fire hydrant assemblies, six sanitary sewer manholes and easements for two properties located at 5991 and 5997 Edmondson Pike, also known as Sycamore Estates.

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

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

Sponsors: Withers and Pulley

88. [BL2023-1910](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and adjustment of sanitary sewer manholes, for property located at 455 Rural Hill Road, also known as Edge O’Lake Sanitary Sewer Improvement (MWS Project No. 22-SL-295 and Proposal No. 2023M-049ES-001).

Analysis

This ordinance accepts approximately 788 linear feet of new 15-inch sanitary sewer main (PVC) and authorizes the adjustment of four sanitary sewer manholes for property located at 455 Rural Hill Road, also known as Edge O’Lake Sanitary Sewer Improvement.

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

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

Sponsors: Porterfield, Withers and Pulley

L. Bills on Third Reading

90. [BL2023-1867](#)

A bill to be entitled: The Budget Ordinance of the Metropolitan Government of Nashville and Davidson County, Tennessee for Fiscal Year 2024

Analysis

This ordinance is the proposed operating budget for the Metropolitan Government for Fiscal Year 2024. The budget filed by the Mayor provides for the following proposed funding:

- General Services District General Fund \$1,490,780,400
- General Services District Schools Fund \$1,205,472,800
- General Services District General Debt Service Fund \$ 327,270,400

- General Services District Schools Debt Service Fund \$ 136,782,600

TOTAL GENERAL SERVICES DISTRICT BUDGET \$3,160,306,200

- Urban Services District General Fund \$ 183,819,600
- Urban Services District General Debt Service Fund \$ 20,189,000

TOTAL URBAN SERVICES DISTRICT BUDGET \$ 204,008,600

TOTAL OPERATING BUDGET \$ 3,364,314,800

The Fiscal Year 2023 budget is \$2,970,260,500. The Mayor's proposed budget represents an overall increase of \$598,062,900 (20.14%).

The Mayor's proposed budget is projected to result in the following fund balance percentages by June 30, 2024:

- General Services District General Fund 20.2%
- General Services District Debt Service Fund 50.0%
- General Services District Schools Operations Fund 22.5%
- Schools Debt Service Fund 57.6%
- Urban Services District General Fund 17.1%
- Urban Services District Debt Service Fund 61.0%

Pursuant to the Fund Balance Policies adopted by the Council in RS2022-1901, appropriations of surplus funds from the unreserved fund balances of the primary budgetary funds are permissible only after meeting levels recommended in the policies during the budget annual review. Any remaining balance may be utilized for one-time expenditures: capital expenditures; debt reduction; and establishment of other reserves to enhance Metro's financial position. The proposed budget includes the following appropriations of fund balance surplus funds:

Barnes Fund Affordable Housing	\$ 6,750,000
Capital Grants for Cultural Support	\$ 2,000,000
Large Vehicle Fleet	\$ 4,957,500
Hospital Authority FY24 Capital Request	\$ 7,344,800
MTA Murfreesboro Pike BRT Construction Planning	\$15,000,000
NDOT Vision Zero	\$12,000,000
NDOT Traffic Calming	\$ 4,000,000
NDOT Sidewalks	\$ 7,500,000
Total	\$59,552,300

Additionally, an appropriation of MNPS fund balance surplus funds would be made in the amount of \$65,894,800 (see below for details).

Ordinance No. BL2023-1868 would adopt the same rates as the current FY23 property tax

rates: GSD is \$2.922 per \$100 of assessed value and USD is \$0.332, giving a combined rate of \$3.254.

Growth is expected to generate new property taxes in the amount of \$46.4 million over the budgeted FY23 revenue. The proposed FY24 budget includes an increase of \$137.2 million in projected local option sales tax revenues. The budget also includes expected revenue increases from grants and other non-tax revenues in the amount of \$56.9 million.

The proposed budget includes \$54.9 million for new pay plan improvements, an increase of \$11.3 million over the FY23 amount. All employees would receive a 4% cost-of-living raise on July 1, 2023. In addition, funding is included for increment increases for all eligible employees and funding for 3% open-range pay increases. The department heads have the discretion to determine the actual raises to be given to each open-range employee.

The Mayor's budget includes a \$2.6 million increase for equipment and building repairs - the General Fund Reserve Fund.

The Barnes Fund for Affordable Housing would receive an additional \$23.2 million as part of the continuing commitment for affordable housing, which is partly funded by the local portion of the hotel/motel taxes generated by short-term rental properties. This amount represents a \$8.2 million increase over the FY23 appropriation.

The largest investment in the Mayor's proposed budget is for Metro Nashville Public Schools. This includes an \$96.47 million increase in the amount of local funding for schools. This would result in a total MNPS operating budget of \$1,205,472,800. This includes employee pay for support staff, steps and 4% COLA for all employees. Additionally, \$65.8 million in schools fund balance surplus is appropriated for a collection of one-time capital expenses and additional reserves:

Alex Green Elementary Addition	\$ 9,480,000
Pre-K Classroom Additions/Renovations	\$25,600,000
Fifth Grade Space Portables/Renovations	\$ 750,000
Districtwide capital improvements	\$18,314,800
Additional Reserve	\$11,750,000
Total	\$65,894,800

The budget includes funding for a number of improvement requests submitted by various departments. This includes a \$10.1 million increase for WeGo, \$15.3 million for Fire and EMS operations, \$29.18 million for the Police Department, \$9.7 million for NDOT, \$7.2 million for the Parks Department. Internal service appropriations will increase by \$2.7 million in the GSD and \$3.2 million in the USD representing an increase of 63% and 510% respectively over the FY23 budget.

The Hospital Authority would receive a subsidy from the general fund of \$57.8 million, an increase of approximately \$5 million over the FY23 budget. The subsidy includes approximately \$10 million for operations costs related to building lease, parking garage, grant match, and

Bordeaux and Knowles pension/healthcare costs.

Section 6.07 of the Charter requires the next order of business following adoption of the operating budget ordinance, to be the adoption of the tax levy ordinance - BL2023-1868.

Per Rules 39 and 41 of the Metro Council Rules of Procedure, the budget ordinance is amendable on third reading. And pursuant to section 6.06 of the Metro Charter, the Council must adopt a substitute operating budget no later than June 30. Otherwise, the budget as originally submitted by the Mayor becomes effective on July 1 by operation of law.

Analysis of the Substitute Budget

The Chair of the Budget and Finance Committee is proposing a substitute budget that provides for some changes in appropriations, surplus allocations, and revenue projections. The substitute includes increased funding totaling \$ \$14,619,100 for the following departments and programs:

- \$13,000,000 for a 2% increase to the Metro employee COLA bringing the total to 6%.
- \$183,100 to fund the addition of two FTEs (Veterinarian and Veterinarian Tech) for MACC/Health Department.
- \$87,000 to fund the addition of one FTE (Veterans' Services Officer) for the Human Resources Department.
- \$633,000 to fund transportation services for the Library's NAZA program.
- \$25,000 of the appropriation to Metro Action Commission will be used to support the Rapha Institute.
- \$50,000 of the appropriation to Metro Action Commission Workforce will be used to support MC3 workforce development.
- \$380,000 for Metropolitan Transit Authority to provide new routes in Bellevue to support student transportation to the new Lawson H.S.
- \$45,000 to support Neighbor 2 Neighbor's efforts to create a directory of services and information for neighborhood associations and additional training bringing the total appropriation to \$60,000.
- \$191,000 appropriated to the Council Office to increase councilmember education and development travel as well as fund contractual services.
- \$75,000 appropriated to Metro Family Safety to support the Safe Bar Program.
- \$25,000 to support Sister Cities, increasing the direct appropriation to \$95,000.

Additionally, increased pay for the Administrator of Elections up to the maximum salary amount of the Assessor of Property is authorized subject to the Election Commission budget appropriation.

The following appropriations are being reduced to fund the increased expenditures:

Corp Dues/Contribution	(\$150,000)
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Judgements & Losses	(\$4,836,000)
General Fund 4% Reserve Fund	(\$3,449,600)
Benefit Adjustments	(\$4,714,400)
Contingency Utility Increase	(\$141,000)
Mayor's Office NDOT	(\$132,000) (\$1,196,100)

The substitute budget includes allocation modifications in General Fund Surplus totaling \$9,817,500 as follows:

- Reducing the Hospital Authority Capital allocation by \$60,000 and reallocating the funds to the Health Department to support The Justice Center work to assist Nashville residents with anticipated Medicaid enrollment changes.
- Reducing the General Services Large Vehicle Fleet allocation by \$4,957,500 and reallocating to Public/Private Real Estate one-time expenses to support the Naval Reserve Building and the School for the Blind. It is anticipated that this modification will be offset by a change to prior capital spending plans to de-obligate the expenditures for the Naval Building and the School for the Blind and approve expenditures for Large Vehicle Fleet.
- Reducing the MTA Murfreesboro Pike allocation by \$2,800,000 and reallocating the funds to MTA's Better Bus Initiative for one-time capital expenditures.
- Reducing the Capital Grants for Cultural Support in the Administrative Department by \$2,000,000 and reallocating the funding for Arts Commission -Capital Grants for Cultural Support.

The substitute budget also includes allocation modifications in Schools Fund Surplus totaling \$2,750,000 as follows:

- Reducing the MNPS Additional Reserve allocation by \$1,750,000 and reallocating to MNPS for One-Time Substitute Pay.
- Reducing the MNPS Additional Reserve allocation by \$ 1,000,000 and reallocating to MNPS Family Liaisons Pilot Program.

Unlike prior years and in part due to the adoption of the Fund Balance Policies in January, this substitute budget does not make any new appropriations from the undesignated fund balance for one-time spending items. Rather, all the one-time spending items are covered by the Fund Balance Surplus Allocations. Language is added to Article I of the substitute budget to clarify that the Fund Balance Policies are amended for the purposes of this budget to allow one-time expenditures to include not only capital expenditures, but also other non-recurring expenditures. Because of the Fund Balance Surplus and adherence to the Fund Balance Policies, the total fund balance available for use in the event of unforeseen emergencies or economic downturns has not been diminished.

The substitute budget reduces the appropriation to the general fund reserve fund, known as the 4% Fund, by approximately \$3,449,600 for a total appropriation of about 4.5% or \$54,000,000. Per the Metro Charter, this fund is to be funded with 4% of the gross revenues of the GSD general fund and reserved for equipment and building repair uses throughout the

year.

The proposed mayor's budget included General Fund Surplus Allocations for Vision Zero (\$12,000,000), Traffic Calming (\$4,000,000), Sidewalks (\$7,500,000). During the budget work sessions held by the Budget and Finance Committee Chair, NDOT Director Alarcon provided detailed location and scope information about each of the budgeted items. Exhibits A, B, and C have been included in the substitute budget to provide clarity to each of the surplus allocations.

The budget ordinance is amendable on third reading. Pursuant to Council Rules, no amendment to the budget may be offered unless it has been submitted to the Budget & Finance Committee for a recommendation. The Budget & Finance Committee will meet at 4:30 p.m. on Tuesday, June 20, to consider the substitute budget. The full Council will consider the substitute at the regular Council meeting at 6:30 p.m. on June 20.

Sponsors: Rhoten and Gamble

91. [BL2023-1868](#)

An ordinance establishing the tax levy in the General Services District for the fiscal year 2023-2024, and declaring the amount required for the annual operating budget of the Urban Services District, pursuant to section 6.07 of the Metropolitan Charter.

Analysis

This ordinance approves the property tax levy for FY24. Section 6.07 of the Metropolitan Charter provides that the Council's next order of business upon adopting the annual operating budget is to adopt a tax levy that fully funds that budget. The property tax rate proposed by the Mayor is identical to the FY23 property tax rate. The property tax rate will remain \$2.992 in the General Services District and will remain \$0.332 in the Urban Services District. This tax levy rate is projected to be sufficient to fully fund the Mayor's proposed FY24 operating budget.

The tax levy is amendable on third reading. Following the adoption of the tax levy ordinance the Urban Council must meet to approve a separate resolution to approve the property tax rate as proposed for the Urban Services District.

Sponsors: Rhoten and Gamble

92. [BL2023-1873](#)

An ordinance creating the positions of Accounts Payable Specialist 1, Accounts Payable Specialist 2, Accounts Payable Specialist 3, Attorney 1, Attorney 2, Attorney 3, Attorney 4, Behavioral Health Services Coordinator, Collections Specialist 1, Collections Specialist 2, Collections Specialist 3, Collections Specialist 4, Crime Lab DNA Technical Lead, Crime Lab Forensic Scientist 4, Data Compliance Technician, Extension Deputy Director, Homeless Services Director, Industrial Maintenance Manager, Payroll Analyst 1, Payroll Analyst 2, Payroll Specialist 1, Payroll Specialist 2, Skilled Craft Leader, and Transportation Administrator.

Analysis

This ordinance creates 24 new positions within the Metropolitan Government. Section 12.10 of

the Metropolitan Charter provides that newly created positions within the Metropolitan Government must be approved by ordinance.

The Civil Service Commission, upon the recommendation of the Director of Human Resources and with the agreement of the Mayor, has approved the creation of the following new positions:

- Accounts Payable Specialist 1,
- Accounts Payable Specialist 2,
- Accounts Payable Specialist 3,
- Attorney 1,
- Attorney 2,
- Attorney 3,
- Attorney 4,
- Behavioral Health Services Coordinator,
- Collections Specialist 1,
- Collections Specialist 2,
- Collections Specialist 3,
- Collections Specialist 4,
- Crime Lab DNA Technical Lead,
- Crime Lab Forensic Scientist 4,
- Data Compliance Technician,
- Extension Deputy Director,
- Homeless Services Director,
- Industrial Maintenance Manager,
- Payroll Analyst 1,
- Payroll Analyst 2,
- Payroll Specialist 1,
- Payroll Specialist 2,
- Skilled Craft Leader, and
- Transportation Administrator

A job description for each position is attached to the ordinance.

Sponsors: Rhoten

93. [BL2023-1892](#)

An ordinance to provide for the designation of public property within specified areas of downtown Nashville as a temporary “Special Event Zone” during the time period beginning at nine o’clock (9:00) p.m. on July 2, 2023, and ending at eleven fifty-nine (11:59) p.m. on July 5, 2023, relative to the use of these areas in conjunction with the 2023 July 4th Celebration and related activities and events.

Analysis

This ordinance approves a temporary “Special Event Zone” within portions of the downtown area, in conjunction with the 2023 July 4th Celebration and related activities and events from

July 2, 2023 until July 5, 2023. A map of the Special Event Zone areas established under this ordinance is attached to the ordinance. Activity restrictions within the Special Event Zone would begin at 9:00 p.m. on Sunday, July 2, 2023, and end at 11:59 p.m. on Wednesday, July 5, 2023. Activities on public property or in the public right-of-way within the Special Event Zone are regulated as follows:

- The sale of any food, beverages, goods, or merchandise would be prohibited, unless street vendors obtain a “Special Event Zone” permit from the Nashville Convention and Visitors Corporation (CVC) in order to sell within the geographic area listed above.
- The sale, provision, or serving of alcoholic beverages are prohibited, except as authorized.
- The sale or distribution of merchandise pertaining to the July 4th Celebration not licensed by the CVC is be prohibited.
- The distribution, promotional give-away activity, or provision of free products, services, or coupons by persons or entities that are not event sponsors is prohibited, except within any Public Participation Area.
- Vehicles shall be allowed only as directed by Metropolitan Nashville Police.
- No shared urban mobility devices, as defined by Metropolitan Code of Laws Section 12.62.010, are permitted within the Special Event Zone.
- No handguns, rifles, or firearms are permitted (Tennessee Code Annotated § 39-17-1359).
- No knives, swords or other fighting devices are permitted.
- No fireworks, firecrackers, or explosive devices are permitted, except event-related exhibitions permitted by the CVC.
- The Special Event Zone will be a “no fly zone.”

This ordinance requires at least one Public Participation Area within the Special Event Zone while the zone is in effect. This Area would allow for the reasonable expression by the public in a manner that is not disruptive to the July 4th Celebration activities, and events.

Fiscal Note: This ordinance places restrictions on the activities that would be allowed to take place within the special event zone during the 2023 July 4th Celebration. However, no additional Metro personnel or overtime would be required just for the enforcement of these restrictions.

Sponsors: OConnell and Rhoten