



Metropolitan Council

H. Resolutions on Public Hearing

1. [RS2023-100](#)

A resolution exempting Tio Fun Mexican Munchies, located at 1008 Buchanan Street from the minimum distance requirements for obtaining a beer permit pursuant to Section 7.08.090.E of the Metropolitan Code.

Analysis

This resolution approves an exemption from the minimum distance requirements for obtaining a beer permit for Tio Fun Mexican Munchies, located at 1008 Buchanan Street.

The Metro Code of Laws prevents a beer permit from being issued to any establishment located within 100 feet of a religious institution, school, park, daycare, or one- or two-family residence. However, several exceptions exist to the distance requirements. For example, facilities within the USD separated from these protected establishments by state or federal four-lane highways are exempt, as are retailer on-sale beer permit holders in MUL districts and events catered by holders of caterers' permits. (See, Code section 7.08.090(A)).

Additionally, the Code provides a mechanism to exempt (a) restaurants or (b) any retail food store from Metro's minimum distance requirements, allowing such facilities to obtain beer permits upon the adoption of a resolution by the Council. (See, Code section 7.08.090(E)). Restaurants are no longer required to have state on-premises liquor consumption licenses in order to obtain such exemption.

A public hearing must be held by the Council prior to voting on resolutions brought under Section 7.08.090(E).

Sponsors: Taylor

I. Consent Resolutions and Resolutions

2. [RS2023-77](#)

A resolution accepting an in-kind grant from the Friends of Warner Parks to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to provide funding for the purchase and installation of a Metropolitan Historical Commission historical marker for the 1811 House in Percy Warner Park.

Analysis

This resolution accepts an in-kind grant from the Friends of Warner Parks to the Metropolitan Board of Parks and Recreation with an estimated value of \$3,200 and no cash match required. This in-kind grant will provide for the purchase and installation of a new Metropolitan Historical Commission historical marker sign at the 1811 House in Percy Warner Park. The Friends of Warner Parks will work with Metro Parks staff on the details of the plans, materials, and installation of the historical marker sign.

This was approved by the Board of Parks and Recreation at its September 5, 2023, meeting.

Sponsors: Porterfield, Ewing, Styles, Kupin, Allen, Welsch, Bradford and Gadd

3. [RS2023-101](#)

A resolution accepting a grant from the Tennessee Department of Children's Services to the Metropolitan Government, acting by and through the Davidson County Juvenile Court, to provide juvenile justice supplement funds to assist in employing a youth services officer.

Analysis

This resolution accepts a grant from the Tennessee Department of Children's Services to the Davidson County Juvenile Court to provide juvenile justice funds to supplement the employment of a youth services officer. The grant award is not to exceed \$45,000 with no cash match.

The term of the grant begins on July 1, 2024, and ends on June 30, 2029.

Sponsors: Porterfield, Evans and Preptit

4. [RS2023-102](#)

A resolution approving a contract between the Metropolitan Government of Nashville and Davidson County and West Publishing Corporation to provide a comprehensive online legal research database for attorneys and paralegals in the Department of Law and other Metropolitan departments.

Analysis

This resolution approves a sole source contract between the Metropolitan Government and West Publishing Corporation to provide a comprehensive online legal research database for attorneys and paralegals in the Department of Law and other Metropolitan departments.

Sole source contracts may be awarded under the Metro procurement code when it is determined that there is only one source for the supply or services rendered. Section 4.12.060 of the Metro Code requires all sole source contracts having a total value in excess of \$250,000 to be approved by the Council by resolution.

The term of the contract begins on January 1, 2024, and ends on December 31, 2028. The estimated value of the contract is \$820,395.60.

This sole source is requested by the Department of Law. According to the sole source justification form, the West Publishing Corporation develops and maintains the comprehensive online legal research database "Westlaw", which is used by the Department of Law and other Metro departments. The product is necessary for advising Metro employees, departments, boards, and commissions, and to represent these clients in legal proceedings. Westlaw is the only product that effectively fulfills this need.

Fiscal Note: The estimated value of this sole source contract no. 6553556 is \$820,395.60 to be paid from Fund 10101, Business Unit 061110110.

Sponsors: Porterfield

5. [RS2023-103](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the claims of Behnaz and James Sulkowski, SSE Investors, MCH Construction of TN, and Cobalt Ventures LLC against the Metropolitan Government of Nashville and Davidson County in the total amount of \$66,353.18, to be paid out of the NDOT Sidewalk Fund.

Analysis

In May 2023, the United States Court of Appeals for the Sixth Circuit ruled that Metro's sidewalk ordinance, Section 17.20.120 of the Metropolitan Code of Laws, was an unconstitutional exaction in violation of the Fifth Amendment's Takings Clause. Soon after this ruling, Metro established a claims process by which property owners and others who had incurred costs under the sidewalk ordinance in the year prior to the Sixth Circuit's ruling could submit claims for reimbursement. Reimbursement of permit projects for which use and occupancy letters had not yet been issued at the time of claim were processed beginning in August of 2023 and will not require Council approval.

The claims subject to this resolution are for permit projects where the projects were complete and use and occupancy letters had been issued, as well as claims where sidewalks had been constructed. This resolution is the first of what may be multiple batches of claims for Council approval.

The claims comprising this batch are as follows:

Behnaz and James Sulkowski -- \$20,007.40

SSE Investors -- \$17,766.30

MCH Construction of TN -- \$13,894.06

Cobalt Ventures LLC -- \$14,685.42

The Department of Law recommends settlement of these claims by reimbursing these claimants for a total of \$66,353.18, to be paid from the NDOT Sidewalk Fund.

Fiscal Note: The total settlement amount of \$66,353.18 for the four claimants would be paid from NDOT Sidewalk Fund.

Sponsors: Porterfield

6. [RS2023-104](#)

A resolution to approve the Ninth Amendment to the Lease Agreement between The Metropolitan Government of Nashville and Davidson County and Square Investment Holdings, LLC for office space in the Washington Square Building located at 222 Second Avenue North (Proposal No. 2023M-044AG-001).

Analysis

This resolution approves the ninth amendment to the lease agreement between the Metropolitan Government and Square Investment Holdings, LLC for office space in the Washington Square Building located at 222 Second Avenue North.

Metro currently leases a total of 72,187 square feet of the Washington Square Building. Metro began leasing space in this building for Office of the District Attorney in 1993. A new lease agreement was approved in 2008 (per BL2008-226) to add another 18,000 square feet for the Metropolitan Department of Law. In 2013, Metro exercised a right to lease an additional 4,508 square feet and to extend the term of the lease through November 30, 2023 (per RS2013-921). In 2014, an additional 2,051 square feet was leased for use by Criminal Justice Planning (per RS2014-1016). In 2019, Metro leased an additional 1,491 square feet for use by Criminal Justice Planning (per RS2019-1678) and an additional 3,854 square feet for use by the Community Oversight Board (per RS2019-1863). In 2020, the lease term for the Department of Law and Office of the District Attorney space was extended through November 30, 2028 (per RS2020-337). Earlier this year, the lease terms for the Criminal Justice Planning space was extended through November 30, 2028 (per RS2023-2141) and the lease term for the Community Oversight Board was extended through May 31, 2024 (per RS2023-2367).

The amendment under consideration adds an additional suite of 1,300 square feet, known as Suite 416, to the leased premises. The term of the lease for Suite 416 will expire on November 30, 2028. This amendment is effective upon signature of all parties, approval of the Council, and filing with the Metro Clerk. The current term of the lease for the Community Review Board space will expire May 31, 2024, and the Metro Legal, District Attorney, and Criminal Justice Planning spaces will expire November 30, 2028. This amendment increases the total leased space to 73,487 square feet.

The annual rental per square foot of Suite 416 is as follows:

<u>Period</u>	<u>Annual Rental Per Rentable Square Foot</u>
Effective Date - December 31, 2023	\$18.94
January 1, 2024 - December 31, 2024	\$22.50
January 1, 2025 - December 31, 2025	\$23.18
January 1, 2026 - December 31, 2026	\$23.87
January 1, 2027 - December 31, 2027	\$24.59
January 1, 2028 - November 30, 2028	\$25.32

Fiscal Note: The rental rate for Suite 416 during the remaining period in 2023 is \$18.94 per rentable square foot. The rental rate will increase each year thereafter through the remaining terms of the lease agreements.

Sponsors: Kupin, Porterfield and Gamble

7. **RS2023-105**

A resolution accepting the terms of a cooperative purchasing master agreement for a multi-user manufactured restroom building for the Metropolitan Parks and Recreation Department.

Analysis

This resolution accepts the terms of a cooperative purchasing master agreement for a multi-user manufactured restroom building for the Department of Parks and Recreation. The purchasing agreement is between Sourcewell, which is a state of Minnesota local government agency, and CXT Inc. The agreement is valid through October 15, 2025. This agreement will enable the Metropolitan Government to procure a manufactured restroom for Hartman Park.

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: Porterfield and Styles

8. **RS2023-106**

A resolution to approve the Fifth Amendment to a grant contract for constructing affordable housing approved by RS2017-965 between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and Affordable Housing Resources.

Analysis

This resolution approves the fifth amendment to a grant contract between the Metropolitan Housing Trust Fund Commission and Affordable Housing Resources for the construction of affordable housing. The original grant contract, approved by RS2017-965, granted \$410,000 from the Barnes Fund for Affordable Housing to Affordable Housing Resources for a 24-month term. The contract was extended four times for a combined 72 months pursuant to RS2019-1855, RS2021-760, RS2021-1232, and RS2022-1859.

The fifth amendment extended the term of the grant contract for 12 months for a total term of 84 months. There is no increase in the amount of the grant.

Sponsors: Porterfield, Gamble, Kupin, Allen and Preptit

9. **RS2023-107**

A resolution accepting a grant from the Community Foundation of Middle Tennessee to the Metropolitan Government, acting by and through the Metropolitan Arts Commission, to allow artists and members of the Metro Arts staff to attend the Arts Administrators of Color Conference in Chicago.

Analysis

This resolution approves a grant contract with the Community Foundation of Middle Tennessee and the Metropolitan Arts Commission to provide funding for artists and commission staff to attend the Arts Administrators of Color Conference. The conference was scheduled for November 11 and 12, 2023 in Chicago. The grant award is not to exceed \$10,000 with no cash match.

Sponsors: Porterfield and Styles

10. [RS2023-108](#)

A resolution approving agreements between the Metropolitan Board of Health and The Metropolitan Government of Nashville and Davidson County, and the State of Tennessee, Department of State, for the provision of administrative law judges.

Analysis

This resolution approves agreements between the Metropolitan Board of Health, the Metropolitan Government, and the State of Tennessee, Department of State, for the provision of administrative law judges.

T.C.A. § 7-7-105 authorizes the Metropolitan Government to contract with the Tennessee Secretary of State for the use of administrative law judges on a case-by-case basis to conduct hearings on any matters appealed to boards and commissions. The Metropolitan Government and the State of Tennessee have agreed upon the terms of two interlocal agreements whereby the State of Tennessee will provide administrative law judges to the Metropolitan Board of Health. T.C.A. § 12-9-104 provides that interlocal agreements between governments may be approved by resolution.

The first agreement is between the State of Tennessee, Department of State and the Metropolitan Public Health Department (“MPHD”). The term of the agreement begins January 1, 2023, and extends for a term of 60 months. MPHD will pay up to \$125,000 for the services performed under this agreement.

The second agreement is between the State of Tennessee, Department of State, and the Metropolitan Government. The terms are the same as the agreement with MPHD. The term of the agreement begins January 1, 2023, and extends for a term of 60 months. The Metropolitan Government will pay up to \$125,000 for the services performed under this agreement.

Fiscal Note: Metro would pay up to \$250,000 for a term of 60 months under this agreement.

Sponsors: Porterfield and Evans

11. [RS2023-109](#)

A resolution accepting a grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to implement and coordinate activities and services related to HIV prevention, testing, diagnosis, treatment, and surveillance.

Analysis

This resolution accepts a grant from the Tennessee Department of Health to the Metropolitan Board of Health in an amount not to exceed \$696,500 with no cash match required. The grant will be used to implement and coordinate activities and services related to HIV prevention, testing, diagnosis, treatment, and surveillance. The term of the grant period begins July 1, 2023, and ends June 30, 2024.

Sponsors: Porterfield, Evans and Bradford

12. [RS2023-110](#)

A resolution accepting a grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, for public safety partnerships in high impact areas 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 accepts a grant from the Tennessee Department of Health to the Metropolitan Board of Health in an amount not to exceed \$235,300 with no cash match required. This grant will be used for public safety partnerships in high impact areas 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. The term of the grant begins September 1, 2023, and ends August 30, 2024.

Sponsors: Porterfield, Evans and Kupin

13. [RS2023-111](#)

A resolution accepting a Health Promotion Services grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to promote Healthy People Goals, a ten-year program of national goals and objectives developed by the U.S. Department of Health and Human Services to reduce disease and improve the health of all Americans.

Analysis

This resolution accepts a Health Promotion Services grant from the Tennessee Department of Health to the Metropolitan Board of Health in an amount not to exceed \$904,900 with no cash match required. This grant will be used to promote Healthy People Goals, a ten-year program of national goals and objectives developed by the U.S. Department of Health and Human Services to reduce disease and improve the health of all Americans. The term of the grant begins July 1, 2024, and ends June 30, 2029.

Sponsors: Porterfield, Evans and Allen

14. [RS2023-112](#)

A resolution approving a contract between the Metropolitan Government, acting by and through the Metropolitan Board of Health, and Meharry Medical College to provide public health experience opportunities for its Master of Public Health program students.

Analysis

This resolution approves a contract between the Metropolitan Board of Health and Meharry Medical College to provide opportunities for Meharry Master of Public Health students to receive public health instruction and experience through the health department. Students will receive no compensation and would not be considered employees of the Metropolitan Government.

Meharry agrees to provide professional liability insurance for its students and faculty while involved in the program.

The term of the agreement begins August 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: Porterfield, Evans, Allen and Preptit

15. [RS2023-113](#)

A resolution approving a grant contract between the Metropolitan Government, acting by and through the Metropolitan Board of Health, and the Mental Health Cooperative to provide expertise and staff in emergency behavioral health care to support the Metropolitan Nashville Police Department (MNPd) co-response model known as Nashville Partners in Care.

Analysis

This resolution approves a grant contract between the Metropolitan Board of Health and the Mental Health Cooperative ("MHC") related to the Metropolitan Nashville Police Department's ("MNPd") co-response model, Nashville Partners in Care. These funds are to be used to provide expertise and staff in emergency behavioral health care to support the continuation of Nashville Partners in Care.

According to the grant contract, MHC will receive \$3,224,000 to be used for the following outcomes:

- Preparation of master's level clinicians for mental health crisis response and assignment to specific police details throughout the county for the purpose of fulfilling the charge and work of Partners in Care.
- Coordination with the Metropolitan Public Health Department ("MPHD"), MNPd, the Mayor's Office, and other necessary Metro departments and stakeholder organizations to ensure regular and timely data sharing.
- Provision of regular reporting to MPHD, MNPd, the Mayor's Office, and stakeholders through a process and schedule acceptable to Metro departments and MHC.
- Preparation and staffing services and two additional precincts.

The term of the agreement begins upon the approval and filing of the contract with the Metropolitan Clerk and ends on June 30, 2024. However, MHC has provided services prior to

the agreement and will be allowed to submit invoices and be paid for services rendered beginning July 1, 2023.

Fiscal Note: Metro would pay \$3,224,000 to Mental Health Cooperative to provide expertise and staff in emergency behavioral health care to support the continuation of MNPD's co-response model, Nashville Partners in Care.

Sponsors: Porterfield, Evans, Ellis, Kupin and Allen

16. [RS2023-114](#)

A resolution approving a grant contract between the Metropolitan Government, acting by and through the Metropolitan Board of Health, and the Mental Health Cooperative to provide expertise and staff in emergency behavioral health care to support the Nashville Fire Department co-response model, also known as Responders Engaged and Committed to Help (REACH).

Analysis

This resolution approves an agreement between the Metropolitan Board of Health and the Mental Health Cooperative ("MHC") to provide expertise and staff in emergency behavioral health care to support the Nashville Fire Department co-response model, also known as Responders Engaged and Committed to Help ("REACH").

Pursuant to the terms of the grant, the Metropolitan Board of Health will provide MHC up to \$202,600 to be used for the following outcomes:

- Preparation of master's level clinicians for mental health crisis response and assessing to specific fire details throughout the county for the purpose of fulfilling the charge and work of REACH.
- Coordination with Metro departments and stakeholder organizations to ensure regular and timely data sharing.
- Provision of regular reporting to the Metropolitan Department of Public Health, the Nashville Fire Department, the Mayor's Office and stakeholders through a process and schedule acceptable to both parties.

The term of the agreement begins on the date the contract is approved and filed with the Metropolitan Clerk and ends on June 30, 2024. However, MHC is allowed to submit invoices and be paid for services rendered beginning July 1, 2023.

Fiscal Note: Metro would pay \$202,600 to Mental Health Cooperative to provide expertise and staff in emergency behavioral health care to support the Nashville Fire Department co-response model, Responders Engaged and Committed to Help.

Sponsors: Porterfield, Evans, Ellis, Kupin, Allen and Preptit

17. [RS2023-115](#)

A resolution approving amendments one and two to the Healthy Start Initiative - Eliminating Racial/Ethnic Disparities Grant from the U.S. Department of Health and Human Services to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to

provide a variety of services in reducing infant mortality for pregnant and parenting women.

Analysis

This resolution approves the first and second amendments to a grant contract from the U.S. Department of Health and Human Services to the Metropolitan Board of Health, previously approved by RS2023-2209. The Healthy Start Initiative - Eliminating Racial/Ethnic Disparities Grant provides a variety of services to reduce infant mortality for pregnant and parenting women. The term of the grant contract began on April 1, 2023, and ends on March 31, 2024.

The first amendment to this contract adds \$15,000 to the grant award to provide for the purchase of Mother and Infant Supply Kits. The second amendment lifts certain grant conditions and releases funding to be used for Mother and Infant Supply Kits.

Sponsors: Porterfield, Evans and Preptit

18. [RS2023-116](#)

A resolution approving amendment two to a grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide public health activities to enhance the health and well-being of women, infants, and families by improving community resources and service delivery systems available to them.

Analysis

This resolution approves the second amendment to a grant between the Tennessee Department of Health to the Metropolitan Board of Health to provide public health activities to enhance the health and well-being of women, infants, and families by improving community resources and service delivery systems available to them, previously approved by RS2020-166. The grant amount was increased, and the end date extended pursuant to amendment one, approved by RS2020-567.

The amendment under consideration increases the grant amount by \$318,600, from \$1,274,400 to \$1,593,000. The amendment further extends the end date by one year to June 30, 2025. Other housekeeping changes would be made to the contract, including updating the existing reporting requirement, adding a Federal Award Identification Worksheet, clarifying that the funds awarded under the grant contract cannot be used for lobbying, and updating the grant attachments to reflect the updated term and amount.

Sponsors: Porterfield, Evans and Kupin

19. [RS2023-117](#)

A resolution approving amendment one to a Port Security Grant from the U.S. Department of Homeland Security to the Metropolitan Government, acting by and through the Office of Emergency Management, for equipment to enhance current land based and maritime response capabilities.

Analysis

This resolution approves the first amendment to a Port Security Grant from the U.S.

Department of Homeland Security to the Office of Emergency Management for equipment to enhance current land based and maritime response capabilities, previously approved by RS2021-1151. The grant award is not to exceed \$337,500, with a required local cash match of \$112,500.

The amendment under consideration extends the end date of the grant from August 31, 2024, to February 28, 2025. No changes would be made to the grant amount.

Sponsors: Porterfield, Evans, Bradford and Kupin

20. [RS2023-118](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Yessica Garcia-Pavon against the Metropolitan Government of Nashville and Davidson County in the amount of \$62,669.02, and that said amount be paid out of the Self-Insured Liability Fund.

Analysis

On October 11, 2017, a Metropolitan Nashville Police Department officer completed a traffic stop on the right shoulder of Nolensville Pike. Yessica Garcia-Pavon was driving along the left lane of Nolensville Pike. The officer pulled into the right lane from the shoulder with his emergency lights on and attempted to complete a u-turn from the right lane. The officer did not see Ms. Garcia-Pavon and struck the passenger side of her vehicle. During the claims process, the Metropolitan Government paid \$3,378 for the damage to Ms. Garcia-Pavon's vehicle.

Ms. Garcia-Pavon was transported to the emergency room after the accident. She was diagnosed with a closed, non-displaced fracture of the second cervical vertebra, and was placed in a cervical collar. Ms. Garcia-Pavon had additional appointments and x-rays at the hospital. She experienced shoulder pain and numbness down her right arm and remained in her cervical collar for six weeks. Her medical bills totaled \$31,334.51.

The Department of Law recommends settling Ms. Garcia-Pavon's personal injury claim for \$62,669.02.

Disciplinary action taken against the MNPD officer involved consisted of a suspension for one day of vacation.

Fiscal note: This \$62,669.02 settlement would be the 16th payment from the Self-Insured Liability Fund in FY24 for a cumulative total of \$787,469. The fund balance would be \$15,836,631 after this payment.

Sponsors: Porterfield

21. [RS2023-119](#)

A resolution accepting a donation from GS Rivergate Apartments, LLC in the amount of \$50,000 as a contribution towards infrastructure improvements in the vicinity of 110 One Mile Parkway.

Analysis

This resolution accepts a donation from GS Rivergate Apartments, LLC in the amount of \$50,000 to the Metropolitan Government. GS Rivergate Apartments, LLC owns and plans to develop a parcel of property at 110 One Mile Parkway. This donation will be used toward the estimated costs of construction for nearby infrastructure needs. The donation will be made within 14 days after approval by the Metropolitan Council.

Sponsors: Porterfield and Parker

22. [RS2023-120](#)

A resolution authorizing Urban Music City Owner, LLC to construct and install an aerial encroachment at 127 Rosa L Parks Boulevard. (Proposal No. 2023M-016EN-001).

Analysis

This resolution authorizes Urban Music City Owner, LLC to construct, install, and maintain an aerial encroachment at 127 Rosa L Parks Boulevard. Ordinance No. BL2020-392 authorized, among other things, the grant of an air rights easement and a temporary construction easement from the Metropolitan Government to Urban Music City Owner, LLC to permit construction, use, and maintenance of improvements above and in the margin of Alley No. 63.

The encroachment is for a flagpole over a portion of a sidewalk, which encroaches the public right-of-way at 127 Rosa L Parks Boulevard. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachment. Prior to receiving a permit, the applicant must file a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk and the Nashville Department of Transportation and Multimodal Infrastructure naming the Metropolitan Government as an insured party. This resolution must be approved by 21 affirmative votes.

Sponsors: Kupin, Gamble and Parker

23. [RS2023-121](#)

A resolution approving an agreement between The Metropolitan Government of Nashville and Davidson County and The City of Belle Meade, The City of Brentwood, The City of Goodlettsville, The City of Lavergne, The City of Millersville, The City of Ridgetop and The White House Utility District, for the selection of a rate consultant in wholesale contracts.

Analysis

This resolution approves an agreement between the Metropolitan Government, the City of Belle Meade, the City of Brentwood, the City of Goodlettsville, the City of La Vergne, the City of Millersville, the City of Ridgetop, and the White House Utility District for the selection of a rate consultant to develop an initial utility price for future sewage treatment contracts.

The Metropolitan Government previously approved individual agreements and individual amendments with the above entities for sewage treatments on August 5, 2014, pursuant to RS2014-1180. Each individual term ended on October 1, 2024. The existing agreements allow

for the selection of a rate consultant no later than October 1, 2018, to develop an initial utility price for the calendar year beginning October 1, 2019.

The contract under consideration would allow the Metropolitan Government and the above entities to select a new rate consultant no later than December 1, 2023, to develop the initial utility price for the calendar year beginning on October 1, 2024. The parties would then develop long-term agreements to safely accept and treat sewage flows from all parties involved. The remaining terms of the individual agreements and individual amendments would remain in full force and effect.

Sponsors: Porterfield and Parker

H. Bills on Second Reading

33. [BL2023-70](#)

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

Analysis

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

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

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

Sponsors: Kupin, Evans and Huffman

34. [BL2023-78](#)

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

Analysis

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

Sponsors: Parker

35. [BL2023-80](#)

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

Analysis

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

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

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

- Year 1: \$847,917.00 per year; \$19.35 per rentable square foot
- Year 2: \$873,332.60 per year; \$19.93 per rentable square foot
- Year 3: \$899,555.15 per year; \$20.53 per rentable square foot
- Year 4: \$926,541.80 per year; \$21.15 per rentable square foot
- Year 5: \$954,338.05 per year; \$21.79 per rentable square foot
- Year 6: \$982,968.20 per year; \$22.44 per rentable square foot
- Year 7: \$1,012,457.24 per year; \$23.11 per rentable square foot
- Year 8: \$1,042,830.96 per year; \$23.80 per rentable square foot
- Year 9: \$1,074,115.89 per year; \$24.51 per rentable square foot
- Year 10: \$1,106,339.36 per year; \$25.24 per rentable square foot

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

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

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

Sponsors: Bradford, Porterfield, Gamble and Evans

36. [BL2023-81](#)

An ordinance approving a sole source contract between the Metropolitan Government of Nashville and Davidson County and Carahsoft Technology Corporation, to provide hosting and security services for Nashville.gov, and licensing and support services for departmental systems.

Analysis

This ordinance approves a sole source contract between the Metropolitan Government and Carahsoft Technology Corporation to provide hosting and security services for Nashville.gov. The contract also provides licensing and support services for departmental systems such as HubNashville, MAC Hope, Metro Clerk's public records requests, Finance public records requests, and HR Benefits CRM system. The contract has an estimated value of \$25,000,000. The term of the contract begins on approval by all required parties and filing in the Metropolitan Clerk's Office and extends for a period of 60 months. Metro has the option to extend the contract for an additional 60 months.

Section 4.12.060 of the Metropolitan Code of Laws authorizes the Metropolitan Purchasing Agent to enter into sole source contracts when the Purchasing Agent determines in writing according to standards adopted by the Procurement Standards Board that there is only one source for the supply or services required. Sole source contracts with a total contract value over \$250,000 must be approved by the Council. Sole source contracts are generally approved by resolution, however, contracts with a term exceeding sixty months must be approved by ordinance.

This sole source contract is being requested by the ITS Department. According to the sole source justification form, this contract provides Acquia hosting and security services and Salesforce licensing and support. The use of the Salesforce system has grown tremendously in recent years, and Nashville.gov moved to a cloud-based system through Acquia. Both systems were obtained through Carahsoft, and Metro is seeking to leverage and obtain volume discounts on these programs procured through Carahsoft.

Fiscal Note: The estimated value of this sole source contract no. 6508243 is \$25,000,000 to be paid from Fund 51137, Business Unit 14521017. However, actual expenses may be paid from various department's fund and business unit when purchase orders are issued.

Sponsors: Porterfield and Bradford

37. [BL2023-82](#)

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

Analysis

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

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

This ordinance has been approved by the Planning Commission.

Sponsors: Kupin, Gamble and Parker

38. [BL2023-83](#)

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

Analysis

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

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

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

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

Sponsors: Kupin, Porterfield and Parker

39. [BL2023-84](#)

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

Analysis

This ordinance accepts approximately 510 linear feet of new eight-inch sanitary sewer main

(DIP) and three sanitary sewer manholes for two properties located at 13345 and 13371 Old Hickory Boulevard.

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

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

Sponsors: Lee, Gamble and Parker

40. [BL2023-85](#)

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

Analysis

This ordinance accepts approximately 13 linear feet of new eight-inch water main (DIP), one fire hydrant assembly, one sanitary sewer manhole and authorizes the vertical relocation of one existing sanitary sewer manhole and easements for two properties located at 2526 and 2528 8th Avenue South, also known as The Eighth.

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

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

Sponsors: Johnston, Gamble and Parker

41. [BL2023-86](#)

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

Analysis

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

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

Fiscal Note: This ordinance has no cost to Metro. Abandoned and donated easements have no

market value according to the Department of Water Services.

Sponsors: Welsch, Gamble and Parker

42. [BL2023-87](#)

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

Analysis

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

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

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

Sponsors: Vo, Gamble and Parker

43. [BL2023-88](#)

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

Analysis

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

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

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

Sponsors: Capp, Gamble and Parker

44. [BL2023-89](#)

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

Analysis

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

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

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

Sponsors: Gamble and Parker

45. [BL2023-90](#)

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

Analysis

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

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

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

Sponsors: Johnston, Gamble and Parker

46. [BL2023-111](#)

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

Analysis

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

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

Sponsors: Kupin, Porterfield, Gamble and Parker

I. Bills on Third Reading

47. [BL2023-1](#)

An ordinance approving the contract between the Metropolitan Government of Nashville and Davidson County ("Metro") and Net Tango, Inc., to provide website maintenance and development support for Metro's website, Nashville.gov, and for other Metro governmental agency or department websites, as needed, and which will replace the expiring contract between the parties (contract number 432814).

Analysis

This ordinance approves a sole source contract between the Metropolitan Government and Net Tango, Inc. for the purpose of website maintenance and developmental support for Nashville.gov, the Nashville Public Library website, and other departmental websites. The contract term is five years beginning upon the date the contract is approved by all parties and filed in the Metropolitan Clerk's Office. As amended, the Metropolitan Government would have the option to extend the contract by an additional five years if desired. The estimated contract value is \$10,000,000.

Section 4.12.060 of the Metropolitan Code of Laws authorizes the Metropolitan Purchasing Agent to enter into sole source contracts when the Purchasing Agent determines in writing according to standards adopted by the Procurement Standards Board that there is only one source for the supply or services required. Sole source contracts with a total contract value over \$250,000 must be approved by the Council. Sole source contracts are generally approved by resolution, however, contracts with a term exceeding sixty months must be approved by ordinance.

According to the sole source justification form, Net Tango possesses in-depth critical experience and the propriety knowledge of the Metropolitan Government's websites. Net Tango developed the previous and current versions of Nashville.gov and its related content

management system (“CMS”), heavily customized the CMS, and works with the Metropolitan Government in maintaining its current websites. Net Tango was previously awarded two competitive Requests for Proposals (“RFPs”) for five-year contracts prior to this sole source request.

Fiscal Note: The estimated value of this sole source contract no. 6528123 is \$10,000,000 to be paid from Fund No. 51137, Business Unit No. 14521021 to Net Tango, Inc. This contract is for the re-design of the Metro’s website Nashville.gov, maintenance and development support. Net Tango’s hourly rate for the following service categories is \$155/hour for design, development, project and account management, and \$310/hour for emergency support-after hours.

Sponsors: Porterfield and Bradford

48. [BL2023-5](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by renaming Due West Avenue, between Gallatin Pike and Fernbank Drive, to “Montague Way”. (Proposal Number 2022M-003SR-001).

Analysis

This ordinance renames Due West Avenue between Gallatin Pike and Fernbank Drive to “Montague Way”. This name change has been approved by the Planning Commission and the Emergency Communications District Board. The required report from the Historical Commission has been received and is available as an attachment to the ordinance online.

Sponsors: Benedict, Rutherford and Parker

59. [BL2023-71](#)

An ordinance amending section 13.08.080 of the Metropolitan Code of Laws related to the placement and removal of license plate readers and related signage.

Analysis

This ordinance amends Section 13.08.080 of the Metropolitan Code of Laws to add language regarding the placement and removal of license plate readers (“LPR”) and related signage.

Under current law, Section 13.08.080.G.12 provides regulations for the placement of LPR. This includes a requirement that LPR be placed only on major and collector streets and that LPR devices be distributed equitably across the north, south, east, and west quadrants of the county. The section further requires signage to be placed by any fixed LPR that states “License Plate Reader Technology In Use” to give notice to the public of the technology’s use at a given location.

The ordinance under consideration adds language to Section 13.08.080.G.12 related to the removal of fixed LPR technology and related notice signage. The fixed LPR and related signage would be required to be removed from the public right-of-way at the conclusion of a

six-month pilot program referenced in subsection G.14 of this section. Fixed LPR and related signage would also be required to be removed within 15 days following the termination of a vendor contractor or agreement to ease, license, maintain, monitor, or otherwise contract for the right to use, service, or locate LPR technology in the right-of-way. The department responsible for the LPR would be required to cause the removal of the LPR technology and related notice signage from the public right-of-way.

Sponsors: Benedict, Welsch, Porterfield, Hill, Horton, Vo, Preptit, Kimbrough, Suara and Gadd

60. [BL2023-72](#)

An Ordinance to amend Section 16.60.110 of the Metropolitan Code of Laws related to monitoring of green building performance.

Analysis

This ordinance amends Section 16.60.110 of the Metropolitan Code of Laws related to continued monitoring of green building performances.

Currently, this section provides that Metro buildings constructed or renovated using the LEED sustainable building rating system must provide an annual report to the Council no later than June 30 of each year. This annual report must include the following information:

- (1) the total cost to construct or renovate the facility;
- (2) the costs for electricity, natural gas, and water for the previous calendar year;
- (3) the building or facility's energy and water usage in kilowatt hours, therms, and gallons (as applicable) for the previous calendar year compared to a non-LEED certified building/facility of similar size and use within the area of the Metropolitan Government;
- (4) the estimated energy and water cost savings for the previous calendar year compared to a non-LEED certified building/facility of similar size and use within the area of the Metropolitan Government; and
- (5) the square footage of both the LEED building and the comparison building.

The current section provides that, in the alternative to these reports, a copy of any annual report submitted to the U.S. Green Building Council or other applicable rating agency required by such agency to maintain LEED-certified status may be submitted to the Council.

The ordinance under consideration would require the above information to be made available to the public on Metro's website no later than June 30 of each year, instead of submitting an annual report directly to the Council. In addition, the requirement to report the cost to construct or renovate the facility would be removed. The information would also require a comparison of the facility's energy and water usage to the current Commercial Buildings Energy Consumption Survey Energy Use Intensity benchmark for similar building type. The alternative of submitting an annual report that was submitted to the U.S. Green Building Council or other applicable rating agency would be removed.

Sponsors: Allen, Porterfield, Evans-Segall, Hill and Hancock

61. [BL2023-73](#)

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 December 30, 2023, and ending at 6 o'clock (6:00) a.m. on January 1, 2024, relative to the use of these areas in conjunction with the 2023 New Year's Eve Celebration and related activities and events.

Analysis

This ordinance approves a temporary "Special Event Zone" for the downtown area, in conjunction with the 2023 New Year's Eve Celebration and related activities and events from December 30, 2023 to January 1, 2024. A map of the Special Event Zone areas is attached to the ordinance. Activity restrictions within the Special Event Zone would begin at 9:00 p.m. on Saturday, December 30, 2023, and end at 6:00 a.m. on Monday, January 1, 2024. 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.
- Alcoholic beverages provided, served, or sold from any temporary outdoor use would be prohibited, except as authorized.
- The sale or distribution of merchandise pertaining to the New Year's Eve Celebration, where it is apparent on its face that the merchandise is not licensed by CVC, would be prohibited.
- No tents or membrane structures of any kind would be permitted, except as authorized by CVC or Metro for public safety purposes.
- The construction, placement, occupation, or use of any temporary structure would be prohibited except those sanctioned and authorized by the CVC.
- The distribution, promotional give-away activity, or provision of free products, services, or coupons by persons or entities that are not event sponsors officially sanctioned and authorized by CVC would be prohibited, except within any Public Participation Area.
- Vehicles would 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, would be permitted within the Special Event Zone.
- No handguns, rifles, or firearms would be permitted. (Tennessee Code Annotated § 39-17-1359)
- No knives, swords, or other fighting devices would be permitted.
- No fireworks, firecrackers, or explosive devices of any type would be permitted, except exhibitions permitted by CVC.
- The Special Event Zone would 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 New Year's Eve 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 New Year's Eve Celebration. However, no additional Metro personnel or overtime would be required merely for the enforcement of these restrictions.

Sponsors: Kupin

62. [BL2023-75](#)

An ordinance to rename the Kelly Miller Smith Memorial Bridge on Jefferson Street as the "Rev. Kelly Miller Smith, Sr. Memorial Bridge".

Analysis

This ordinance updates the name of the Kelly Miller Smith Memorial Bridge on Jefferson Street. The bridge was first named in memory of Rev. Kelly Miller Smith, Sr. by ordinance in 1994. Separately, a portion of 10th Circle North was renamed for Rev. Smith in 2020 pursuant to Ordinance No. BL2020-464. This substitute ordinance would rename the structure as "Rev. Kelly Miller Smith, Sr. Memorial Bridge".

Section 13.26.010 of the Metropolitan Code of Laws requires that any change to the name of a Metro-owned building or structure occur by an ordinance approved by the Metropolitan Council.

Sponsors: Kupin

63. [BL2023-76](#)

An ordinance authorizing Newco Arc, LLC to construct and install underground encroachments at 223 4th Avenue North (Proposal No. 2023M-010EN-001).

Analysis

This ordinance authorizes Newco Arc, LLC to construct, install, and maintain underground encroachments at 223 4th Avenue North. The encroach would consist of a grease interceptor vault and a related inlet and outlet lines under the western sidewalk of 4th Avenue North.

Metropolitan Code of Laws § 13.08.030 allows the Metropolitan Council to grant encroachments in, on, over, or under any street, road, alley, sidewalk, or other public way by ordinance. The construction and maintenance of this encroachment shall be directed, supervised, controlled, and approved by the Director of the Nashville Department of Transportation and Multimodal Infrastructure.

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

Sponsors: Kupin and Parker

64. [BL2023-77](#)

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 right-of-way and easements of existing Lemuel Road at the intersection of Dickerson Pike and Lemuel Road, after the completion of the realignment of Lemuel Road at that intersection. (Proposal Number 2023M-011AB-001).

Analysis

This ordinance abandons a portion of right-of-way and easements on Lemuel Road at the intersection of Dickerson Pike and Lemuel Road. This has been requested by Mary McGowan with Kimley-Horn, applicant.

The abandonment would take effect after the realignment of Lemuel Road at the intersection of Lemuel Road and Dickerson Pike is dedicated, constructed, and accepted for maintenance by the Nashville Department of Transportation and Multimodal Infrastructure.

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

Sponsors: Toombs and Parker