



Metro Council

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## G. Resolutions on Public Hearing

### 1. [RS2023-2130](#)

A resolution exempting Riverside Revival, located at 1600 Riverside Drive 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 Riverside Revival located at 1600 Riverside Drive.

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:** Benedict

### 2. [RS2023-2131](#)

A resolution exempting Nelson's Green Brier Distillery, located at 1414 Clinton 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 Nelson's Green Brier Distillery located at 1414 Clinton 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:** OConnell

## H.

### Bills on Public Hearing

#### 3. [BL2023-1691](#)

An Ordinance amending Section 17.12.030 of the Metropolitan Code, Zoning Regulations regarding street setbacks and building orientation for residential corner lots (Proposal No. 2023Z-002TX-001).

#### Analysis

This ordinance, as amended, amends Section 17.12.030 of the Metropolitan Code of Laws related to the setbacks for corner lots.

Current law allows corner lots that have a rear setback oriented towards the rear setback of a neighboring lot and corner lots created by plat prior to the effective date of the existing ordinance to reduce the required street setback shown in Table 17.12.030A of the Metropolitan Code by 50% on the secondary street frontage. The ordinance under consideration would require that corner lots in the R20, RS20, R30, RS30, R40, RS40, R80, and RS80 zoning districts provide the full required street setbacks of Table 17.12.030.A on both street frontages. Detached two family residential uses within these same identified zoning districts would be required to provide the full required contextual street setback for both streets.

In addition, current law requires the front façades of principal structures on corner lots that have unequal lot lines abutting streets to be oriented towards the shorter lot line, except when the longer lot line of a lot zoned for office, mixed-use, commercial, or industrial use is located along an arterial street as shown on the adopted major street plan; the proposed structure will contain multiple businesses with outside entrances; or the predominant character or pattern of adjoining development is or will be oriented to the street on which the longer lot line is located

as determined by the Zoning Administrator. The ordinance under consideration allows for the orientation of the front façade of a principal structure on a residential corner lot that has unequal lot lines abutting streets to orient towards the longer lot line if the previous principal structure on the lot was oriented towards the longer lot line.

This proposal is scheduled for the April 27, 2023 Planning Commission meeting.

**Sponsors:** Johnston and Henderson

## I. Consent Resolutions and Resolutions

### 38. [RS2023-2132](#)

A resolution approving amendment two to a Parental Assistance Court grant from the Tennessee Department of Human Services to the Metropolitan Government, acting by and through the Davidson County Juvenile Court, to provide opportunities for and meet the needs of eligible low-income families who have a court ordered child support obligation and to increase program participant parenting time with their children.

#### Analysis

This resolution approves the second amendment to a Parental Assistance Court grant from the Tennessee Department of Human Services to the Davidson County Juvenile Courts, originally approved by Resolution No. RS2021-990. This grant is used to provide opportunities for and meet the needs of eligible low-income families who have a court ordered child support obligation and to increase program participant parenting time with their children. The first amendment increased the grant amount to \$591,306.76 and the required cash match to \$304,613.24 and also extended the term of the grant to June 30, 2023.

The resolution under consideration increases the amount of the grant by \$334,800.00, from \$591,306.76 to \$926,106.76, and the required cash match by \$172,700.00, from \$304,613.24 to \$477,313.24. The resolution also extends the end date of the grant to June 30, 2024.

**Sponsors:** Rhoten, Hurt, Allen and Suara

### 39. [RS2023-2133](#)

A resolution approving the election of certain Notaries Public for Davidson County.

#### Analysis

This is a routine resolution approving the election of notaries public in accordance with state law.

**Sponsors:** Murphy

### 40. [RS2023-2134](#)

A resolution accepting an Economic Development Initiative, Community Project Funding grant from the U. S. Department of Housing and Urban Development (HUD) to the Metropolitan Government, acting by and through the Metropolitan Nashville Historical Commission, to provide funding for American Baptist College Historic Building Improvements and a Civil

Rights Walking Tour.

Analysis

This resolution accepts an Economic Development Initiative, Community Project Funding grant from the U.S. Department of Housing and Urban Development to the Metropolitan Nashville Historical Commission in an amount not to exceed \$796,812 with no cash match required. This grant will provide funding for improvements at four historic buildings at American Baptist College and funding for historical markers, signage, and a Civil Rights Walking Tour. The grant term ends on August 31, 2030.

**Sponsors:** Rhoten, Withers, Hurt, Allen and Suara

**41. [RS2023-2135](#)**

A resolution appropriating a total of \$100,000.00 from a certain account of the General Fund of the General Services District for a grant to the PENCIL Foundation.

Analysis

This resolution appropriates a total of \$100,000 from the Education Research & Support in the operating budget ordinance, as approved by Ordinance No. BL2022-1248, as substituted, to the PENCIL Foundation.

Section 7-3-314 of the Tennessee Code Annotated states that metropolitan forms of government may provide financial assistance to nonprofit organizations. Section 5.04.070 of the Metropolitan Code of Laws provides that the Council may, by resolution, appropriate funds for the financial aid of nonprofit organizations.

This ordinance appropriates \$100,000 to the PENCIL Foundation to be used to provide services pertaining to the enhancement of student engagement in career development. The ordinance further approves the grant contract between the Metropolitan Government and the PENCIL Foundation.

*Fiscal Note: The total budget for Education Research & Support in the Budget Ordinance (Substitute Ordinance No. BL2022-1248) is \$325,000 and \$100,000 will be appropriated from Fund No. 01101379 to the PENCIL Foundation.*

**Sponsors:** Rhoten, Allen and Hancock

**42. [RS2023-2136](#)**

A resolution appropriating a total of \$89,287.00 from the Nashville Public Library to various non-profit organizations for the provision of free and high-quality summer programming through the Library's Nashville After Zone Alliance.

Analysis

This resolution appropriates \$87,287 from the Nashville Public Library to two nonprofit organizations for the provision of free and high-quality afterschool programs through the Library's Nashville After Zone Alliance Program.

A total of \$35,123 would be appropriated to An Array of Charm Camps for Youth Development. A total of \$54,164 would be appropriated to Youth Journeyz. The resolution authorizes Metro to enter into grant agreements with each of these organizations detailing the terms and conditions under which the grant funds are to be spent.

**Sponsors:** Rhoten, Hurt, Allen and Suara

**43. [RS2023-2137](#)**

A resolution approving amendments to Contract Number L-5174, a grant contract between Nations Ministry Center and The Metropolitan Government of Nashville and Davidson County, and Contract Number L-5177, a grant contract between YMCA of Middle Tennessee and The Metropolitan Government of Nashville and Davidson County for the provision of free and high-quality afterschool programs through the Nashville After Zone Alliance.

**Analysis**

This resolution approves an amendment to a contract between Nations Ministry Center and the Metropolitan Government and an amendment to a contract between YMCA of Middle Tennessee and the Metropolitan Government. Both contracts are for the provision of free and high-quality afterschool programs through the Nashville After Zone Alliance (“NAZA”).

On June 21, 2022, the Council adopted Resolution RS2022-1593, which appropriated a total of \$2,544,580.20 from the Nashville Public Library to various non-profit organizations for the provision of free and high-quality afterschool programs through NAZA. This resolution authorized the Metropolitan Government to enter into grant contracts with these non-profit organizations.

As authorized by RS2022-1593, the Metropolitan Government provided a grant of \$193,371 to Nations Ministry Center pursuant to a grant contract. This resolution amends that grant contract to increase the grant amount by \$9,450 to increase funding for transportation expenses. The new grant total would be \$202,821.

Similarly, the Metropolitan Government provided a grant of \$148,869.60 to YMCA of Middle Tennessee. This resolution also amends that grant contract to increase the grant amount by \$49,664.40 to expand programming at the YCAP Summer Camp. The new grant total would be \$198,534.

*Fiscal Note: The increases in the grant amount of \$9,450 to Nations Ministry and \$49,664 to YMCA of Middle Tennessee would be paid from Fund 10101, Business Unit #39104121, Nashville Public Library’s operating budget.*

**Sponsors:** Rhoten, Hurt, Allen, Hancock and Suara

**44. [RS2023-2138](#)**

A resolution approving an application for a Victims of Crime Act (VOCA) 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 fund counselor and victim advocate positions, purchase supplies, and subsidize travel.

Analysis

This resolution approves an application for a Victim of Crime Act (VOCA) grant from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs to the Metropolitan Nashville Police Department. If the grant is awarded, the grant award would be \$474,455 with no cash match required. The proceeds of the grant would be used to fund one Police Counselor II, one Advocate Specialist, four Outreach Advocates, purchase supplies, and subsidize travel.

**Sponsors:** Rhoten, Syracuse, Allen, Styles and Suara

**45. [RS2023-2139](#)**

A resolution approving a subaward to the Nashville Department of Transportation & Multimodal Infrastructure (“NDOT”) to support the Metropolitan Government of Nashville and Davidson County’s (“Metropolitan Government”) Complete Streets demonstration project, for a total of up to \$15,000, and approving a stipend of \$4,000 to a local artist to support the artist’s work on the demonstration project.

Analysis

This resolution approves a subaward from Smart Growth American (“SGA”), a neighborhood advocacy organization headquartered in Washington D.C., to the Nashville Department of Transportation & Multimodal Infrastructure (“NDOT”) in amount not to exceed \$15,000 for NDOT’s Complete Streets demonstration project. The resolution also approves a stipend of \$4,000 to a local artist to support the artist’s work on the demonstration project. NDOT will identify the artist and SGA will contract directly with the artist.

**Sponsors:** Toombs, Rhoten and Pulley

**46. [RS2023-2140](#)**

A resolution approving Amendment 2 to an Agreement by and between the Tennessee Department of Transportation (“TDOT”) and The Metropolitan Government of Nashville and Davidson County (“Metropolitan Government”), acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”), for Automatic Travelers Information System (ATIS), Intelligent Transportation Systems (ITS), Communication & Closed-Circuit Television (CCTV) (“the Project”), Fed. No. CM/ITS/STP-M-9312(42); State No. 19959-3239-94; PIN 040550.00 (Prop. No. 2023M-016AG-001).

Analysis

This resolution approves the second amendment to an agreement between the Tennessee Department of Transportation (“TDOT”) and the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”). The agreement provides for the planning and design of a fiber optic communications backbone along certain streets in Davidson County, along with signal detection, data collection, Automatic Travelers Information System (ATIS), Intelligent Transportation Systems (ITS), and Communication & Closed-Circuit Television (CCTV)

installation.

The Metropolitan Council approved the original agreement on June 27, 2001, pursuant to Ordinance No. BL2001-721. This agreement approved a fiber optics communications backbone and use of ATIS, ITS, and CCTV on 35-40 miles of arterial streets, chosen from the following list:

- US 31/SR 6 (Gallatin Pike)
- US 70S/Broadway/SR 1 (West End Blvd/Harding Road)
- US 70S/US 41/ SR 1 (Murfreesboro Pike)
- US 431/Broadway/21st Ave/SR 106 (Hillsboro Pike)
- Atl. US 41/Alt US 31/ 4th Ave/ SR 11 (Nolensville Pike)
- US 70/SR 24 (Charlotte Pike)
- US 70/SR 24 (Lebanon Pike)
- US 41/SR 11 (Dickerson Pike)

The first amendment to the agreement was approved on November 17, 2004, pursuant to Resolution No. RS2004-597 and changed the scope of work for the agreement to authorize ATIS, ITS, and CCTV on 15-20 miles of arterial streets, from the same list provided above. It further clarified that the contract provided for the design, in addition to the construction, of the project.

This second amendment replaces the entire contract. The agreement amendment reduces the scope of the project for the planning and design of a fiber optics backbone and use of ATIS, ITS, and CCTV. The project will consist of approximately 40 traffic signals over approximately 8.9 miles of the following streets:

- US 431/SR 106/21st Ave S (Hillsboro Pike), from US 70S/SR 1 (West End Ave) to Warfield Dr;
- Blakemore Ave/31st Ave S, from US 431/SR 106/21st Ave S to US 70S/SR 1 (West End Ave);
- Woodmont Blvd, from US 70S/SR106 (Harding Rd) to US 431/SR 106 (Hillsboro Pike); and
- US70S/ SR1 (West End Ave/Harding Rd), from SR 155 (White Bridge Rd) to I-440

The agreement amendment anticipates that the Metropolitan Government will be responsible for 50% of the cost of the project and the State and/or Federal Government will be responsible for 50% of the cost on a reimbursement basis.

**Sponsors:** Rhoten and Pulley

**47. [RS2023-2141](#)**

A resolution to approve the Seventh 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-015AG-001).

Analysis



This resolution approves the seventh 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 Legal Department. 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, an additional 1,491 square feet was leased for use by Criminal Justice Planning (per RS2019-1678) and an additional 3,854 square feet was leased for use by the Community Oversight Board (per RS2019-1863). In 2020, the lease term for the Metro Legal Department and Office of the District Attorney space was extended through November 30, 2028 (per RS2020-337).

This amendment extends the term of the lease for the Criminal Justice Planning space through November 30, 2028. The current term of the lease for the Community Oversight Board space will expire November 30, 2023, and the Metro Legal and Metro District Attorney space will expire November 30, 2028, unless otherwise extended.

The annual rent per rentable square foot for the Criminal Justice Planning space after November 30, 2023 will be as follows:

<u>Period</u>	<u>Annual Rental Per Rentable Square Foot</u>
December 1, 2023 - November 30, 2024	\$24.77
December 1, 2024 - November 30, 2025	\$25.27
December 1, 2025 - November 30, 2026	\$25.77
December 1, 2026 - November 30, 2027	\$26.29
December 1, 2027 - November 30, 2028	\$26.81

*Fiscal Note: The rental rate for the Criminal Justice Planning space during the period December 1, 2022 to November 30, 2023 is \$24.77 per rentable square foot. The rental rate remains the same for the next period and increased at approximately 2% each year thereafter through the remaining terms of the lease agreement.*

**Sponsors:** OConnell, Rhoten and Withers

**48. [RS2023-2142](#)**

A resolution accepting a Where It Starts: Breaking Barriers to Business grant from Living Cities in partnership with Main Street America and the Truist Foundation to the Metropolitan Government, acting by and through the Metropolitan Finance Department, to strengthen the relationship between local government and commercial corridor business support organizations with the goal of fostering an equitable entrepreneurial ecosystem for business owners of color in Nashville and address systemic barriers for business owners of color during each stage of business development and growth.

Analysis



This resolution accepts a Where It Starts: Breaking Barriers to Business grant from Living Cities in partnership with Main Street America and the Truist Foundation to the Metropolitan Department of Finance in an amount not to exceed \$100,000 with no cash match required. This grant will be used by the Office of Diversity, Equity and Inclusion to strengthen the relationship between local government and commercial corridor business support organizations with the goal to foster an equitable entrepreneurial ecosystem for business owners of color in Nashville and address systemic barriers present for business owners of color during each stage of business development and growth. The term of the grant begins on June 30, 2023 and ends on June 30, 2026.

**Sponsors:** Rhoten, Hurt, Allen and Suara

**49. [RS2023-2143](#)**

A resolution appropriating \$471,694 in American Rescue Plan Act funds from Fund #30216 to the Big Brothers Big Sisters of Middle Tennessee, in partnership with Tennessee State University, to provide mentoring services for first-year college students through an initiative called Big Features.

**Analysis**

This resolution appropriates \$471,694 in American Rescue Plan Act (“ARP”) funds from Fund #30216 to be allocated to the Big Brothers Big Sisters of Middle Tennessee (“BBBSMT”), in partnership with Tennessee State University (“TSU”), to provide mentoring services for first-year college students through an initiative called Big Futures.

Pursuant to the program description attached to the resolution, BBBSMT will partner with TSU to build a system to support college freshmen in understanding how to achieve financial stability/success, advancing career goals, setting a trajectory for academic success/completion, and maintaining/improving mental health. The ARP funds will be used to provide no-cost access to mental health supports and connecting students to financial success professionals. The program will assist an initial cohort of 10 TSU students beginning in Spring 2024 and 10 additional students in Fall 2024. Students in the initial cohort will be financially compensated in exchange for providing feedback on their experience through listening sessions, focus groups, and surveys.

The Big Futures program budget including funding for staff, professional fees including market research, an online learning platform and additional IT expenses, and office expenses.

BBBSMT will be required to report quarterly to the COVID-19 Oversight Committee. The required information includes, but is not limited to, accounting of all grant funds, including identification of grant fund recipients, the use of funds and balance of fund remaining from the original allocation, and program results, including at a minimum the number of student matches, services provided to students, sessions/meetings held, etc.

*Fiscal Note: This \$471,694 appropriation, along with the appropriations per Resolutions No. RS2023-2144, RS2023-2145 and RS2023-2146 would be the 50th, 51st, 52nd and 53rd*

*resolutions appropriating from the American Recovery Plan Act (ARP) Fund for a cumulative total of \$255,784,599. The total grant award is \$259,810,600. The first half of this amount was received in July 2021 and the second half was received in July 2022. The grant award must be obligated by December 31, 2024 and expended by December 31, 2026.*

**Sponsors:** Rhoten, Hurt, Allen and Suara

**50. [RS2023-2144](#)**

A resolution appropriating \$400,125 in American Rescue Plan Act funds from Fund #30216 to WeGo, in partnership with Historically Black Colleges and Universities, to allow students, faculty and staff access to public transportation.

**Analysis**

This resolution appropriates \$400,125 in American Rescue Plan Act (“ARP”) funds from Fund #30216 to be allocated to WeGo, in partnership with Historically Black Colleges and Universities (“HBCUs”) to allow students, faculty, and staff access to public transportation.

This funding will be used to provide unlimited free rides to all students, faculty, and staff at participating HBCUs in Nashville. The program funding is based on the assumption that all students, faculty, and staff at each institution will actively use the program. The participating HBCUs and the estimated annual cost to utilize the program, based upon students, faculty, and staff at the institution, are as follows:

- Tennessee State University - \$238,875
- Fisk University -- \$30,000
- Meharry Medical College -- \$25,000
- American Baptist College -- \$6,250

WeGo will be required to report quarterly to the COVID-19 Oversight Committee. The required information includes, but is not limited to, accounting of all grant funds, including identification of grant fund recipients, the use of funds and balance of fund remaining from the original allocation, and program results, including at a minimum the ridership numbers separated out for each HBCU involved in the program.

*Fiscal Note: This \$400,125 appropriation, along with the appropriations per Resolutions No. RS2023-2143, RS2023-2145 and RS2023-2146 would be the 50th, 51st, 52nd and 53rd resolutions appropriating from the American Recovery Plan Act (ARP) Fund for a cumulative total of \$255,784,599. The total grant award is \$259,810,600. The first half of this amount was received in July 2021 and the second half was received in July 2022. The grant award must be obligated by December 31, 2024 and expended by December 31, 2026.*

**Sponsors:** Sepulveda, Rhoten, Hurt, Allen and Suara

**51. [RS2023-2145](#)**

A resolution appropriating \$621,750 in American Rescue Plan Act funds from Fund #30216 to The Nashville Food Project for the Feedback Nashville Project, a community-engaged systems transformation initiative that drives Nashville’s food system towards equity, justice, and sustainability by facilitating increased collaboration and collective impact between

non-profits, businesses, governments, and community members.

Analysis

This resolution appropriates \$621,750 in American Rescue Plan Act (“ARP”) funds from Fund #30216 to be allocated to the Nashville Food Project for the Feedback Nashville Project.

The funded work be used over two years to address food insecurity in Nashville and Davidson County. The Feedback Nashville Project will seek to facilitate increased collaboration and collective impact between nonprofits, businesses, governments, and community members. The program will seek to:

- Diagnose the root causes and effects of food insecurity in Nashville to identify barriers to and opportunities for food systems transformation;
- Facilitate inclusive opportunities for community members and food system stakeholders to create visions and solutions for a just and sustainable food system for Nashville; and
- Establish capacity and governance among Nashville community members to lead the city’s transition to a just and sustainable food system in the present and future.

ARP funds will be used to hire a systems transformation consultant; hire a systems coordinator; provide translation and interpretation services; provide outreach including partnership stipends, community participant stipends and bus fare reimbursement; provide materials and supplies; and for a fiscal sponsor agent fee.

The Nashville Food Project will be required to report quarterly to the COVID-19 Oversight Committee. The required information includes, but is not limited to, accounting of all grant funds, including identification of grant fund recipients, the use of funds and balance of fund remaining from the original allocation, and program activities and results toward each goal outlined in the resolution.

*Fiscal Note: This \$621,750 appropriation, along with the appropriations per Resolutions No. RS2023-2143, RS2023-2144 and RS2023-2146 would be the 50th, 51st, 52nd and 53rd resolutions appropriating from the American Recovery Plan Act (ARP) Fund for a cumulative total of \$255,784,599. The total grant award is \$259,810,600. The first half of this amount was received in July 2021 and the second half was received in July 2022. The grant award must be obligated by December 31, 2024 and expended by December 31, 2026.*

**Sponsors:** Sepulveda, Rhoten, Hurt, Allen and Suara

**52. [RS2023-2146](#)**

A resolution appropriating \$2.5 million dollars in American Rescue Plan Act funds from Fund #30216 to Fifty Forward to build the Bordeaux Connection Center, a shared community space in Bordeaux with primary tenants Fifty Forward and Creative Girls Rock.

Analysis

This resolution appropriates \$2,500,000 in American Rescue Plan Act (“ARP”) funds from Fund #30216 to be allocated Fifty Forward to build the Bordeaux Connection Center.

Fifty Forward currently owns a .92 acre parcel at 3315 John Mallette Drive. Fifty Forward intends to raze its current 1,800 square foot senior center in order to build a new center. The new center will house the Fifty Forward Bordeaux Senior Center and Creative Girls Rock. The new center will also provide adult day service for older adults with cognitive, memory, health, or physical needs, after-school creative arts programming, partner or shared offices, and over 1,500 square feet of community space, including a kitchen. The building will be approximately 9,800 square feet in total and will cost an estimated \$5.3 million to build.

Fifty Forward will be required to report quarterly to the COVID-19 Oversight Committee. The required information includes, but is not limited to, accounting of all grant funds, including identification of grant fund recipients, and the use of funds and balance of fund remaining from the original allocation.

*Fiscal Note: This \$2,500,000 appropriation, along with the appropriations per Resolutions No. RS2023-2143, RS2023-2144 and RS2023-2145 would be the 50th, 51st, 52nd and 53rd resolutions appropriating from the American Recovery Plan Act (ARP) Fund for a cumulative total of \$255,784,599. The total grant award is \$259,810,600. The first half of this amount was received in July 2021 and the second half was received in July 2022. The grant award must be obligated by December 31, 2024 and expended by December 31, 2026.*

**Sponsors:** Toombs, Rhoten, Hurt, Allen and Suara

**53. [RS2023-2147](#)**

A resolution amending RS2023-1948 to clarify the fiscal sponsor for the Nashville Voluntary Organization Active Disaster Coalition.

**Analysis**

This resolution amends Resolution No. RS2023-1948, which appropriated \$75,000 in American Rescue Plan Act funds from Fund #30216 to the Nashville Voluntary Organization Active Disasters (“VOAD”) coalition for a pilot program to engage the community in emergency preparedness through June 30, 2024.

This resolution amends RS2023-1948 to clarify that the funds will be appropriated to the Community Foundation of Middle Tennessee as the fiscal sponsor of VOAD. No other changes will be made.

**Sponsors:** Johnston, Sepulveda, Rhoten and Allen

**54. [RS2023-2148](#)**

A resolution amending RS2022-1362, which appropriated \$1,046,000.00 in American Rescue Plan Act funds from Fund #30216 to the Nashville Fairgrounds to provide rent relief to vendors at the Nashville Flea Market, to extend the effective date and extend the rent relief.

**Analysis**

This resolution amends an appropriation of \$1,046,000 in American Rescue Plan Act (“ARP”)

funds from Fund #30216 to the Nashville Fairgrounds, originally approved by Resolution No. RS2022-1362.

The original resolution approved an appropriation to the Nashville Fairgrounds to provide rent relief for Flea Market dealers. Permanent dealers, defined as dealers who commit to eight consecutive months of rental and a permanent booth space assignment, are eligible for up to eight months of rent. This includes dealers that held permanent status as of March 2020, regardless of attendance since May 2021. Non-permanent dealers, who attend periodically or do not desire to commit to eight consecutive months of rental, are eligible for up to four months of rent. New dealers, defined as dealers who have not rented booth space within the last two years, are eligible for up to two months of rent.

This resolution extends the eligibility period for relief payments from eight months through September 30, 2024. Approximately \$545,700 from the original appropriation remains available for rent relief.

The Nashville Fairgrounds will be required to report quarterly to the COVID-19 Oversight Committee. The required information includes, but is not limited to, accounting of all grant funds, including identification of grant fund recipients, the use of funds and balance of fund remaining from the original allocation, and the program results, such as number of vendors receiving rent relief, the number of months and dollar value of the relief, zip codes of the vendors, etc.

**Sponsors:** Rhoten, Allen and Suara

**55. [RS2023-2149](#)**

A resolution amending RS2021-1116, which appropriated \$3,000,000.00 in American Rescue Plan Act funds from Fund #30216, to provide rent, mortgage and utilities payments for Davidson County residents, to extend the effective date of the relief and expand rent relief to all participants who have household income up to and including 100% of AMI.

**Analysis**

This resolution amends an appropriation of \$3,000,000 in American Rescue Plan Act (“ARP”) funds from Fund #30216 to provide rent, mortgage and utilities payments for Davidson County residents, originally approved Resolution No. RS2021-1116.

Resolution No. RS2021-1116, adopted by the Council on September 7, 2021, provided rent and mortgage payments and utility payments for Davidson County residents who suffered a negative economic impact during the coronavirus pandemic who do not meet the eligibility requirements of the HOPE program administered by the Metro Action Commission (MAC). The original expiration date of this program was June 30, 2022. This relief was available to Davidson County residents earning up to 80% of Area Median Income (AMI). This program was amended by Resolution No. RS2022-1381 extended the end date of the rent, mortgage, and utility relief program through June 30, 2023 and expanded the eligibility requirements to receive mortgage payment relief to include all applicants with a household income up to 100% of AMI.

The resolution under consideration amends the appropriation to extend the end date of the rent, mortgage, and utility relief program through December 30, 2023. Further, the resolution extends the eligibility for rent and utility deposit payments to include all participants with a household income up to 100% of AMI for Davidson County residents who suffered a negative economic impact during the coronavirus pandemic who did not meet the eligibility requirements of the HOPE program administered by the Metro Action Commission or will meet the hardship eligibility requirements of THDA's pandemic eviction prevention grant.

**Sponsors:** Rhoten, Hurt, Allen, Hausser and Suara

**56. [RS2023-2150](#)**

A resolution amending Substitute RS2022-1356, which appropriated \$20,000,000.00 in American Rescue Plan Act funds from Fund #30216 to create the Nashville Small Business Recovery Fund, by enhancing the program to expediate deployment of funds.

**Analysis**

This resolution amends Resolution No. RS2022-1356, as substituted, which appropriated \$20,000,000.00 in American Rescue Plan Act funds from Fund #30216 to create the Nashville Small Business Recovery Fund ("NSBRF").

RS2022-1356 appropriated funds to the Mayor's Office of Economic and Community Development for the creation of a program to help small businesses throughout Metropolitan Nashville a Davidson County with a focus on businesses in North Nashville/Bordeaux and the areas of distress. Pursuant to that resolution, \$9,000,000 to a grant program under the NSBRF, an additional \$9,000,000 was allocated to a Nashville Opportunity Fund managed by Pathway Lending, and \$2,000,000 was allocated to the non-profit community to provide technical assistance, marketing, and outreach to small businesses in Nashville and Davidson County.

The resolution under consideration amends the NSBRF program by amending the eligible thresholds to allow for applicants who had less than \$1M in gross receipts for 2020 and 2021, but exceeded \$1M in gross receipts in 2022, to be eligible for a maximum loan of \$200,000. In addition, the dates of operation for business requirements would be adjusted to require that the applicant be in business for two years, since September 30, 2020. The amendment would also waive the grant or loan requirement for businesses in North Nashville zip codes to allow for previous grant recipients to now be eligible for a 2% loan.

**Sponsors:** Rhoten, Hurt, Allen and Suara

**57. [RS2023-2151](#)**

A resolution approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and GTOM West End, LLC, to provide improved public sanitary sewer service through the construction of an improved stormwater system (Project No. 2022066576 and Proposal Number 2023M-012AG-001).

**Analysis**



This resolution approves a participation agreement between the Metropolitan Department of Water and Sewerage Services (“MWS”) and GTOM West End, LLC.

The Council passed Ordinance No. BL2022-1214 on May 17, 2022, which authorizes MWS to enter into participation agreements with developers for infrastructure projects via resolutions. This is codified at Metropolitan Code of Laws Section 15.36.130.

Pursuant to the terms of this participation agreement, GTOM West End, LLC has agreed to provide on-site stormwater control measures and to provide MWS the amount of \$200,000 to fund the design and construction of the current and new stormwater infrastructure, according to the terms of the CSEP Separation Project Participation Agreement - The Sinclair.

*Fiscal Note: The Department of Water and Sewerage Services will receive \$200,000 from GTOM West End, LLC, towards the Combined Sewer Elimination Program to fund the design and construction of the current and new stormwater systems for the Kerrigan Basin.*

**Sponsors:** Taylor, Rhoten, Withers and Pulley

**58. [RS2023-2152](#)**

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Rae H. Ryan against the Metropolitan Government of Nashville and Davidson County in the amount of \$91,532.93, with said amount to be paid out of the Self-Insured Liability Fund.

**Analysis**

On March 1, 2023, Rae Ryan received approval from Metro Water Services (“MWS”) for a private contractor to tie in a new waterline for the basement of a home at 408 McAdoo Avenue. While trying to locate the existing water line, the end cap blew off and released water into the basement. The contractor called MWS emergency customer support to have the water turned off. A MWS inspector went to 408 McAdoo Avenue to inspect the situation and by the time the inspector arrived, the water had been turned off. However, the water ran for approximately two hours before it was turned off. The property was flooded with over two inches of water causing extensive damage. The end cap appeared to have been improperly installed.

The damages totaled \$91,532.93, including loss of rental revenue, loss of non-salvageable items, storage of salvageable items, demolition and construction, landscaping, foundation damage, and clean-up.

The Metropolitan Department of Law recommends settlement of this property damage claim for \$91,532.93.

*Fiscal Note: This \$91,532.93 settlement would be the 30th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$1,102,454. The fund balance would be \$18,863,996 after these payments.*



**Sponsors:** Rhoten

## K. Bills on Second Reading

### 73. [BL2023-1688](#)

An ordinance to amend Chapters 8.04 and 8.08 relative to the regulation of animals.

#### Analysis

This ordinance amends Chapters 8.04 and 8.08 of the Metropolitan Code of Laws relative to the regulation of animals.

Chapter 8.04 of the Metropolitan Code of Laws currently regulates dogs. The ordinance under consideration would expand the application of this section to all animals, but most of the regulations would apply only to dogs and cats. The ordinance would update the existing definitions of "At large", "Dog", and "Owner" and add new definitions for "Animal care and control division", "Cat", "Community cat", "Community cat caregiver", "Compendium/Rabies Compendium", "Livestock", "Person", "Pet", and "Quarantine". In addition, the ordinance under consideration provides clarification to existing provisions related to rabies vaccination requirements, confinement of animals suspected of having rabies, licenses for dogs and cats, and animals running at large. The Board of Health would be given the discretion to set the fees for pet licenses and impoundment and boarding of animals. In addition, the existing provisions regulating guard dogs would be moved from Metro Code of Laws Section 8.08.020 to 8.04.110. The existing provisions would largely be kept the same but would require the owner to keep records of any training completed by the guard dog.

The current Chapter 8.08 of the Metropolitan Code of Laws regulates vicious dogs. The ordinance under consideration adds definitions for terms used in the existing Metro Code for "Secure enclosure" and "Physical device or structure". The existing definition of "Vicious dog" would be amended to include a dog which seriously injures or kills a person or animal without provocation. The existing definition of "Guard dog" would be amended to remove unnecessary language.

The ordinance further updates Chapters 8.04 and 8.08 to reflect the current terms used by the Department of Health, referring to the Animal Care and Control Division and the Director of Health (instead of Chief Medical Director), and provide clarification of and housekeeping edits to existing provisions.

**Sponsors:** Bradford, Hancock and Styles

### 74. [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

75. [BL2023-1803](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water mains and fire hydrant assembly, and to accept new public water main, for two properties located at 2600 Jess Neely Drive and 2555 West End Avenue, also known as Vanderbilt University Basketball Facility (MWS Project No. 22-WL-108 and Proposal No. 2023M-035ES-001).

Analysis

This ordinance abandons approximately 262 linear feet of existing six-inch water main (DIP), approximately 326 linear feet of existing 16-inch water main (DIP), and one fire hydrant assembly, and accepts approximately 296 linear feet of new 16-inch water main (DIP) for two properties located at 2600 Jess Neely Drive and 2555 West End Avenue, also known as Vanderbilt University Basketball Facility.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Cash, Withers and Pulley

76. [BL2023-1839](#)

An ordinance codifying a residential landlord's duty to register with the Metropolitan Department of Codes Administration pursuant to Tennessee Code Annotated Section 66-28-107, and authorizing the Department of Codes Administration to process and collect

registration fees, impose and collect fines for noncompliance, and establish an administrative process for appeals of any such fines.

#### Analysis

This resolution codifies a residential landlord's duty to register with the Metropolitan Government pursuant to state law.

Tennessee Code Annotated Section 66-28-107 provides that in counties with a metropolitan form of government and a population in excess of 500,000, each landlord of one or more dwelling units is required to register with the local department responsible for enforcing building codes - which is the Metropolitan Department of Codes Administration ("Codes") for the Metropolitan Government. The statute further authorizes the Department of Codes to collect a registration fee of \$10. Pursuant to the state law, landlords who fail to register are subject to a fine of \$50 per week.

Codes has been enforcing these provisions pursuant to state law. This ordinance simply mirrors the state law requirements in the Metropolitan Code of Laws to publicize and better enforce these provisions.

*Fiscal Note: Metro receives a \$10 fee upon registration and annually from landlords for each dwelling unit owned, leased, or subleased to cover administration cost. The landlord is charged \$50 fine per week until compliance for failure to update the information with the Codes Department within 30 days of a change.*

**Sponsors:** Rhoten, Welsch, Styles and Benedict

#### 77. [BL2023-1840](#)

An ordinance approving a lease agreement between the Metropolitan Government of Nashville and Davidson County and Little Big Properties, LLC for use of office space located at 150 2nd Avenue North, Nashville, Tennessee (Proposal No. 2023M-011AG-001).

#### Analysis

This ordinance approves a lease agreement between the Metropolitan Government and Little Big Properties, LLC ("the Landlord") for the use of office space located at 150 2nd Avenue North.

The Metropolitan Government has determined that office space at 150 2nd Avenue North is necessary to provide office space for the Public Defender of Nashville and Davidson County. Pursuant to the lease agreement, Metro will rent Suites 200, 300, and 400, comprising approximately 54,483 square feet of space in the building. The lease will begin upon the Landlord's completion of improvements for Suites 300 and 400, anticipated to be November 1, 2023 but no later than January 1, 2024. Suite 200 will be available no later than September 1, 2024. In the event that Suite 200 is delivered later than Suites 300 and 400, the rent will be reduced proportionately.

The rent in the first year will be \$36.00 per square foot, paid monthly, with an increase of 2.5% each year. The monthly rent for each year is as follows:

- Months 1-12 -- \$163,449
- Months 13-24 -- \$167,535.23
- Months 25-36 -- \$171,712.26
- Months 37-48 -- \$176,025.49
- Months 49-60 -- \$180,429.54
- Months 61-72 -- \$184,924.38
- Months 73-84 -- \$189,555.44
- Months 85-96 -- \$194,277.30
- Months 97-108 -- \$199,135.37
- Months 109-120 -- \$204,129.64

If the rent is extended for an additional five-year period, the monthly rent during the first extension will begin at \$46.31 per square foot, with an increase of 3% each year, as follows:

- Extension Months 1-12 -- \$210,258.98
- Extension Months 13-24 -- \$216,569.93
- Extension Months 25-36 -- \$223,062.48
- Extension Months 37-48 -- \$229,736.65
- Extension Months 49-60 -- \$236,637.83

Rent during the second additional five-year period will be based upon the market rates for comparable buildings in downtown Nashville.

Metro is responsible for taxes, insurance, and utilities. Metro's share of property operating costs will be 62.87%. Metro will have an allowance of \$1,500,000 from the Landlord for improvements. The Landlord is responsible for the maintenance of the common areas of the building as well as janitorial, cleaning, and pest control services. The Landlord is also responsible for keeping and maintaining the premises, common areas, heating, ventilation and air conditioning equipment, plumbing systems, lighting, electrical systems, roof and structural systems in good repair and working order.

The term of the lease is 120 months, beginning on the delivery of Suites 300 and 400. Metro has the option to renew the lease for up to two additional five-year periods.

**Sponsors:** OConnell, Rhoten and Withers

**78. [BL2023-1841](#)**

An ordinance authorizing Vortex, LLC c/o AJ Capital Partners to install, construct and maintain aerial and underground encroachments in the right of way located at 200 Broadway. (Proposal No. 2022M-033EN-001)

**Analysis**

This resolution authorizes Vortex, LLC c/o AJ Capital Partners to install and maintain aerial and

underground encroachments at 200 Broadway. The encroachment will consist of a marquee sign, a blade sign, an NES transformer vault, a grease interceptor, and a six-inch domestic water meter encroaching the right-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachments and is required to post a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This ordinance has been approved by the Planning Commission.

**Sponsors:** OConnell, Withers and Pulley

**79. [BL2023-1842](#)**

An ordinance authorizing Starwood Capital Group Holdings, L.P. to install, construct and maintain aerial and underground encroachments in the right of way located at 710 Demonbreun Street. (Proposal No. 2022M-030EN-001)

**Analysis**

This resolution authorizes Starwood Capital Group Holdings, L.P. to install and maintain aerial and underground encroachments at 710 Demonbreun Street. The encroachment will consist of a sign, lights, and a channel drain along 7th Avenue encroaching the right-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachments and is required to post a certificate of public liability insurance in the amount of \$4,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This ordinance has been approved by the Planning Commission.

**Sponsors:** OConnell, Withers and Pulley

**80. [BL2023-1843](#)**

An ordinance providing the honorary street name designation of "Pastor James H. Johnson Way" for a portion of 4th Avenue North.

**Analysis**

This ordinance adds the honorary street name designation of "Pastor James H. Johnson Way" for a portion of 4th Avenue North between Buchanan Street and Garfield Street.

Section 13.08.025 of the Metro Code provides a procedure for the designation of honorary street signs whereby the Council, by ordinance, can authorize and direct the Nashville Department of Transportation and Multimodal Infrastructure to install two honorary street signs per street - at each end of a street - beneath the official street name sign for any street identified on the official Street and Alley Centerline Layer map. No honorary street sign can be installed honoring a living person; and each member of Council can sponsor only one such ordinance each calendar year. This ordinance does not officially re-name the designated street. Therefore, there would be no change of official address for properties along this portion of 4th

Avenue North.

**Sponsors:** Hurt and OConnell

**81. [BL2023-1844](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main, and to accept new public water main, for six properties located on University Avenue (MWS Project No. 22-WL-135 and Proposal No. 2023M-032ES-001).

**Analysis**

This ordinance abandons approximately 272 linear feet of existing 2.25-inch water main and accepts approximately 283 linear feet of new six-inch water main (DIP), for six properties located on University Avenue.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Withers and Pulley

**82. [BL2023-1845](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new sanitary sewer main in addition to sanitary sewer manholes and easements for three properties located at 2130 Hobson Pike, 1273 Maritime Prt and Maritime Prt (unnumbered), also known as Hobson Flats (MWS Project No. 22-SL-208 and Proposal No. 2023M-040ES-001).

**Analysis**

This ordinance accepts approximately 174 linear feet of new eight-inch sanitary sewer main (PVC), in addition to two sanitary sewer manholes and easements, for three properties located at 2130 Hobson Pike, 1273 Maritime Prt and Maritime Prt (unnumbered), also known as Hobson Flats.

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

*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

**83. [BL2023-1846](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer mains and easements, and to accept new water and sanitary

sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for two properties located at 4154 Murfreesboro Pike and Maxwell Road (unnumbered), also known as Oliveri Phase 1 (MWS Project Nos. 22-WL-75 and 22-SL-158 and Proposal No. 2023M-042ES-001).

#### Analysis

This ordinance abandons approximately 191 linear feet of existing eight-inch sanitary sewer main (PVC), approximately 40 linear feet of 15-inch sanitary sewer main (PVC) and easements, and accepts approximately 1,262 linear feet of new eight-inch water main (DIP), approximately 517 linear feet of new eight-inch sanitary sewer main (PVC), three fire hydrant assemblies, two sanitary sewer manholes and easements for two properties located at 4154 Murfreesboro Pike and Maxwell Road (unnumbered), also known as Oliveri Phase 1.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Withers and Pulley

#### 84. [BL2023-1847](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing water main and easements, for two properties located at 333 B Douglas Avenue and 1310 B Lischey Avenue, also known as Starlet East Condominiums (MWS Project No. 22-WL-134 and Proposal No. 2023M-044ES-001).

#### Analysis

This ordinance abandons approximately 248 linear feet of existing two-inch water main and easements, for two properties located at 333 B Douglas Avenue and 1310 B Lischey Avenue, also known as Starlet East Condominiums.

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

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

**Sponsors:** Pulley and Withers

#### 85. [BL2023-1848](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation of an existing public fire hydrant assembly and a new public sanitary sewer manhole, for property located at 210 2nd Avenue North, also known as 2nd Avenue Streetscape Improvements - North Block (MWS Project Nos. 22-WL-142 and 22-SL-293 and Proposal No. 2023M-039ES-001).



Analysis

This ordinance accepts the relocation of one existing fire hydrant assembly and one new sanitary sewer manhole, for property located at 210 2nd Avenue North, also known as 2nd Avenue Streetscape Improvements - North Block.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** OConnell, Withers and Pulley

**86. [BL2023-1849](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer mains, sanitary sewer force mains, sanitary sewer manholes and easements, for five properties located on East Hill Drive and Twin Hills Drive, also known as Riverview at Cumberland Hills (MWS Project No. 17-SL-246 and Proposal No. 2023M-046ES-001).

Analysis

This ordinance accepts approximately 1,088 linear feet of new eight-inch sanitary sewer main (PVC), approximately 424 linear feet of new eight-inch sanitary sewer main (DIP), approximately 765 linear feet of new two-inch sanitary sewer force main (PVC), approximately 201 linear feet of new 1.5-inch sanitary sewer force main (PVC), 15 sanitary sewer manholes and easements for five properties located on East Hill Drive and Twin Hills Drive, also known as Riverview at Cumberland Hills.

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

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

**Sponsors:** Withers, Pulley and Young

**87. [BL2023-1850](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept public sanitary sewer main and sanitary sewer manhole, and to rehabilitate existing public sanitary sewer manholes, for two properties located on 820 and 828 Youngs Lane, also known as Cumberland View Villas development (MWS Project No. 22-SL-175 and Proposal No. 2023M-043ES-001).

Analysis

This ordinance accepts approximately 23 linear feet of new 12-inch (PVC) sanitary sewer main

and one sanitary sewer manhole, and authorizes the rehabilitation (epoxy coating) of three existing sanitary sewer manholes for two properties located at 820 and 828 Youngs Lane, also known as Cumberland View Villas.

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

*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

**88. [BL2023-1851](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main, and to accept new public sanitary sewer main and sanitary sewer manhole, for property located at 315 B Douglas Avenue (MWS Project No. 22-SL-212 and Proposal No. 2023M-037ES-001).

**Analysis**

This ordinance abandons approximately 47 linear feet of existing eight-inch sanitary sewer main (VCP) and accepts approximately 47 linear feet of new eight-inch sanitary sewer main (PVC) and one sanitary sewer manhole for property located at 315 B Douglas Avenue.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Withers and Pulley

**89. [BL2023-1852](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assembly, sanitary sewer manholes and easements, for property located at Cane Ridge Road (unnumbered), also known as Cane Ridge Farms Phase 3 Section 3 (MWS Project Nos. 21-WL-119 and 21-SL-280 and Proposal No. 2023M-045ES-001).

**Analysis**

This ordinance accepts approximately 320 linear feet of new eight-inch water main (DIP), approximately 250 linear feet of new eight-inch sanitary sewer main (PVC), one fire hydrant assembly, two sanitary sewer manholes and easements for property located at Cane Ridge Road (unnumbered), also known as Cane Ridge Farms Phase 3 Section 3.

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

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

**Sponsors:** Withers, Pulley and Styles

90. [BL2023-1853](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation of a public fire hydrant assembly, for property located at 625 West Trinity Lane (MWS Project Nos. 22-WL-126 and Proposal No. 2023M-050ES-001).

Analysis

This ordinance accepts the relocation of a public fire hydrant assembly, for property located at 625 West Trinity Lane.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Toombs, Withers and Pulley

91. [BL2023-1854](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation of a public fire hydrant assembly, for property located at 1404 Clinton Street, also known as Nelson's Greenbrier Distillery (MWS Project No. 23-WL-09 and Proposal No. 2023M-047ES-001).

Analysis

This ordinance accepts the relocation of a public fire hydrant assembly, for property located at 1404 Clinton Street, also known as Nelson's Greenbrier Distillery.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** OConnell, Withers and Pulley

92. [BL2023-1855](#)

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 seven properties located on Glenclyff Road, also known as Noble Place Townhomes (MWS Project Nos. 22-WL-31 and 22-SL-74 and Proposal No. 2023M-051ES-001).

Analysis

This ordinance accepts approximately 2,261 linear feet of new eight-inch water main (DIP), approximately 1,876 linear feet of new eight-inch sanitary sewer main (PVC), four fire hydrant assemblies, 13 sanitary sewer manholes and easements, for seven properties located on Glenclyff Road, also known as Noble Place Townhomes.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Welsch, Withers and Pulley

**93. [BL2023-1856](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to construct public sanitary sewer mains and sanitary sewer manholes, and to acquire permanent and temporary easements through negotiations and acceptance needed for 15 properties located on Fain Street and J C Napier Street (Project No. 22-SG-239 and Proposal No. 2023M-038ES-001).

Analysis

This ordinance constructs approximately 290 linear feet of new eight-inch sanitary sewer main (PVC) and four sanitary sewer manholes, and to acquire permanent and temporary easements through negotiations and acceptance needed for 15 properties located on Fain Street and J C Napier Street.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** OConnell, Withers and Pulley

**L. Bills on Third Reading****94. [BL2022-1471](#)**

An ordinance to amend Sections 16.24.030 and 17.04.060 of the Metropolitan Code of Laws to amend the definitions of “dwelling unit” and “family”. (Proposal No. 2022Z-017TX-001).

Analysis

This ordinance, as substituted and amended, amends the definition of “Family” in Titles 16 and 17 of the Metropolitan Code to change the allowance of unrelated persons living together from three to four persons and provide that this group can include a combination of related and

unrelated persons.

Additionally, this ordinance amends the portion of the “Family” definition in Title 17 related to group homes for persons with disabilities to update terminology to modern standards and to align with state law more closely. The ordinance also adds a definition of “dwelling unit” to clarify that it is a single unit for use by one family.

This has been approved with a substitute by the Planning Commission.

**Sponsors:** Parker and Welsch

**98. [BL2023-1793](#)**

An ordinance approving a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Board of Education and East End Prep (Proposal No. 2023M-003AG-001).

**Analysis**

This ordinance approves a lease agreement between the Metropolitan Board of Education and East End Prep for use of property at 1460 McGavock Pike as a charter school. The property includes approximately 91,970 square feet of the building.

The term of the lease begins July 1, 2022 and ends June 30, 2031. Upon termination of the lease, the property will revert to MNPS. For the first year, the lease payment will be \$39,853.37 per month, which represents a rate of \$5.20 per square foot. The lease includes the cost of grounds maintenance, preventative maintenance, and refuse removal provided by MNPS’s contracted providers, as well as major building systems components and capital repairs. The lease payment will increase from \$5.20 per square foot in Year 1 to \$5.41 per square foot in Year 2, and then increase by 4% each year throughout the term of the lease. The monthly rental payments for Year 2 through Year 9 will be as follows:

- Year 2 -- \$41,447.81 per month
- Year 3 -- \$43,105.73 per month
- Year 4 -- \$44,829.95 per month
- Year 5 -- \$46,623.15 per month
- Year 6 -- \$48,488.08 per month
- Year 7 -- \$50,427.60 per month
- Year 8 -- \$52,444.71 per month
- Year 9 -- \$54,542.49 per month

MNPS is responsible for the major building system components and their capital repairs. This includes the building’s roof, foundation, structural members of exterior walls, HVAC system components, and more. MNPS is also responsible for the refuse collection and ground maintenance, the cost of which is included in the lease payment. East End Prep is responsible for custodial services, utilities, routine maintenance of the premises, ADA compliance, and building, fire, and zoning codes and regulations. East End Prep must maintain commercial general liability insurance of not less than \$1,000,000 per occurrence.

*Fiscal Note: The basic lease per square foot price is \$5.20/square foot or \$39,853.37 per month for the approximate square footage of 91,970 during Year 1. The basic lease per square foot includes the cost of grounds maintenance preventive maintenance, refuse removal, major building systems components and capital repairs. The lease rate will increase by 4% each year beginning in Year 2 and throughout the term of the lease.*

**Sponsors:** Benedict, Rhoten, Suara and Withers

**99. [BL2023-1794](#)**

An ordinance approving a contract between the Metropolitan Government of Nashville and Davidson County and Xylem Vue, Inc. to provide updates and maintenance of Water Network Optimization distribution system and treatment plant optimization platform.

**Analysis**

This ordinance approves a contract between the Metropolitan Government and Xylem Vue, Inc. to provide updates and maintenance of Water Network Optimization distribution system and treatment plant optimization platform.

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.

According to the sole source justification form attached to the agreement, Xylem Vue is the creator of the Water Network Optimization system and treatment plant optimization platform for Metro Water Services. The platform is proprietary and significant capital investment would be necessary to switch to another provider or developer, as no other vendor could use the existing platform.

The term of this contract is 60 months, with an option to extend the contract for an additional 60 months. The term of the contract begins upon approval by all required parties and filing with the Metropolitan Clerk's Office. The estimated contract value is \$15,000,000. Future amendments to this ordinance may be made by resolution.

*Fiscal Note: The estimated value of the 10-year life of this contract is \$15,000,000, to be paid from Fund 47335, Business Unit 65490106.*

**Sponsors:** Rhoten and Pulley

**100. [BL2023-1795](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to acquire property through negotiation, condemnation, or fee simple take, for property located at Country Way Road (unnumbered), for the Clean Water Nashville Town Village Sewer Pump Station Upgrade Project (Project No. 22-SC-0132 and Proposal No. 2022M-148ES-001).

Analysis

This ordinance authorizes the Director of Public Property Administration to acquire property through negotiation, condemnation, or by fee simple, for property located at Country Way Road (unnumbered). This property will be used for the Clean Water Nashville Town Village Sewer Pump Station Upgrade Project.

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

**Sponsors:** Lee, Rhoten, Withers and Pulley

**101. [BL2023-1796](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to acquire a portion of two properties through negotiations, condemnation or fee simple take, for properties located at 1213 and 1217 Northgate Business Parkway, for the construction of the Dry Creek WRF Flood Mitigation System (MWS Project No. 21-SC-0226 and Proposal No. 2022M-120ES-001).

Analysis

This ordinance authorizes the Director of Public Property Administration through negotiation, condemnation, or by fee simple two properties located at 1213 and 1217 Northgate Business Parkway. This property will be used for the construction of the Dry Creek WRF Flood Mitigation System.

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

**Sponsors:** Hancock, Young, Rhoten, Withers and Pulley

**102. [BL2023-1797](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing water and sanitary sewer mains, sanitary sewer manhole and easements, and to accept new water and sanitary sewer mains, fire hydrant assembly, sanitary sewer manholes and easements, for property located at 1310 Hillside Avenue, also known as Reservoir Zone 3 (MWS Project Nos. 22-WL-25 and 22-SL-92 and Proposal No. 2023M-027ES-001).

Analysis

This ordinance abandons approximately 100 linear feet of existing six-inch water main (Cast Iron), approximately 63 linear feet of existing eight-inch sanitary sewer main, one sanitary sewer manhole and easements, and accepts approximately 678 linear feet of new eight-inch-water main (DIP), approximately 152 linear feet of new eight sanitary sewer main (PVC), one fire hydrant assembly, two sanitary sewer manholes and easements for property located at 1310 Hillside Avenue, also known as Reservoir Zone 3.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Sledge, Withers and Pulley

**103. [BL2023-1798](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public fire hydrant assembly, for two properties located at 701 and 711 South 7th Street, also known as Martha O'Bryan Center (MWS Project No. 22-WL-43 and Proposal No. 2023M-030ES-001).

**Analysis**

This ordinance accepts one new public fire hydrant assembly for two properties located at 701 and 711 South 7th Street, also known as Martha O'Bryan Center.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Withers and Pulley

**104. [BL2023-1799](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new public water main, for two properties located at 409 and 411 McAdoo Avenue (MWS Project Nos. 23-WL-07 and Proposal No. 2023M-031ES-001).

**Analysis**

This ordinance accepts approximately 61 linear feet of new six-inch water main (DIP) for two properties located at 409 and 411 McAdoo Avenue.

Future amendments to this legislation may be approved by resolution. This ordinance 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, Withers and Pulley

**105. [BL2023-1800](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation of fire hydrant assemblies, for property located at 30 Peabody Street, also known as Peabody Union Water, (MWS Project No. 21-WL-94 and Proposal No. 2023M-025ES-001).

Analysis

This ordinance accepts the relocation of fire hydrant assemblies for property located at 30 Peabody Street, also known as Peabody Union Water.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Withers and Pulley

**106. [BL2023-1801](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer mains and easements, and to accept new sanitary sewer mains, sanitary sewer manholes and easements, for two properties located at 30 and 90 Peabody Street, also known as Peabody Union Sewer (MWS Project No. 21-SL-221 and Proposal No. 2023M-034ES-001).

Analysis

This ordinance abandons approximately 856 linear feet of existing eight-inch sanitary sewer mains and easements, and accepts approximately 116 linear feet of new eight-inch sanitary sewer main (PVC), approximately 478 linear feet of new 12-inch sanitary sewer main, approximately 262 linear feet of new 15-inch sanitary sewer main (DIP), two sanitary sewer manholes and easements for two properties located at 30 and 90 Peabody Street, also known as Peabody Union Sewer.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Withers and Pulley

**107. [BL2023-1802](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer mains, sanitary sewer manholes and easements, for property located at 616 North Dupont Avenue, also known as Birchstone Village (MWS Project No. 22-SL-63 and Proposal No. 2023M-036ES-001).

Analysis

This ordinance accepts approximately 868 linear feet of new eight-inch sanitary sewer main (PVC), approximately 217 linear feet of new eight-inch sanitary sewer main (DIP), six sanitary sewer manholes and easements for property located at 616 North Dupont Avenue, also known as Birchstone Village.

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

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

**Sponsors:** Hancock, Withers and Pulley

**108. [BL2023-1804](#)**

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 Central Pike (unnumbered), also known as Tulip Grove and Central Pike Phase 2 (MWS Project Nos. 22-WL-92 and 22-SL-189 and Proposal No. 2023M-029ES-001).

Analysis

This ordinance accepts approximately 927 linear feet of new eight-inch water main (DIP), approximately 1,102 linear feet of new eight-inch sanitary sewer mains (PVC), two fire hydrant assemblies, 10 sanitary sewer manholes and easements for property located at Central Pike (unnumbered), also known as Tulip Grove and Central Pike Phase 2.

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

*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

**109. [BL2023-1805](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing water mains, fire hydrant assemblies and easements, and to accept new public water mains, fire hydrant assemblies, replacement of fire hydrant assemblies and easements, at six properties located on Knight Drive, Tisdall Drive, Green Lane, and Brick Church Lane, off-site of the project location at 420 Green Lane and Tisdall Drive (unnumbered), also known as Ridgecrest at Vista Phase 2 (MWS Project No. 22-WL-84 and Proposal No. 2022M-192ES-002).

Analysis

This ordinance abandons approximately 2,630 linear feet of existing 2.25-inch water main, approximately 1,366 linear feet of existing four-inch water main, approximately 1,385 linear feet of existing eight inch water main, three fire hydrant assemblies and easements and accepts approximately 48 linear feet of new four-inch water main (DIP), approximately 3,728 linear feet of new eight-inch water main (DIP), approximately 6,133 linear feet of new 12-inch water main (DIP), 14 fire hydrant assemblies, replacement of three fire hydrant assemblies and easements at six properties located on Knight Drive, Tisdall Drive, Green Lane, and Brick Church Lane,

off-site of the project location at 420 Green Lane and Tisdall Drive (unnumbered), also known as Ridgecrest at Vista Phase 2.

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Gamble, Withers and Pulley

**110. [BL2023-1806](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public combination sewer main, combination sewer manhole and easement, and to accept the replacement of a combination sewer manhole with new public stormwater inlet, for three properties located at 125 and 129 11th Avenue and Church Street (unnumbered) (MWS Project No. 22-SL-284 and Proposal No. 2023M-033ES-001).

**Analysis**

This ordinance abandons approximately 185 linear feet of existing 36-inch combination sewer main (brick), one combination sewer manhole and easement, and accepts the replacement of one combination manhole with one stormwater inlet, for three properties located at 125 and 129 11th Avenue and Church Street (unnumbered).

Future amendments to this legislation may be approved by resolution. This ordinance 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:** Withers and Pulley