Metropolitan Nashville and Davidson County, TN Tuesday, April 15, 2025 6:30 PM Metropolitan Council Agenda Analysis Historic Metro Courthouse 1 Public Square, 2nd floor Nashville, TN 37201 Metropolitan Courthouse

Metropolitan Council

# Resolutions on Public Hearing

# 1. RS2025-1133

I.

A resolution exempting Mama Bread, located at 1600 Woodland Street, from the minimum distance requirements for obtaining a beer permit pursuant to Section 7.08.090.E of the Metropolitan Code.

## <u>Analysis</u>

This resolution approves an exemption from the minimum distance requirements for obtaining a beer permit for Mama Bread, located at 1600 Woodland 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)).

This exemption is requested because the business is located within 100 feet of a residence.

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**: Capp

# 2. RS2025-1134

A resolution exempting Groceries, Etc., located at 95 South 16th 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 Groceries, Etc., located at 95 South 16th 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)).

This exemption is requested because the business is located within 100 feet of a residence.

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**: Capp

# K. Resolutions

#### 3. RS2025-1123

A resolution approving a preliminary engineering agreement between CSX Transportation, Inc. ("CSXT"), a Virginia corporation with its principal place of business in Jacksonville, Florida, and the Metropolitan Government of Nashville and Davidson County, to facilitate bridge replacement over CSXT rail at West Due West Avenue. (Proposal No. 2025M-007AG-001).

## Analysis

This resolution approves a preliminary engineering agreement between CSX Transportation ("CSXT") and the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") to facilitate the development of a proposed bridge replacement over a CSXT rail line at Due West Avenue.

The agreement provides that CSXT will prepare and approve final engineering and design plans, specifications, drawings, agreements and other documents connected with a proposed bridge replacement at Due West Avenue near Gibson Drive.

CSXT would also prepare cost estimates for its work in connection with the project and review construction cost estimates, site surveys, plats, legal descriptions, assessments, studies, easements, agreements and related construction documents submitted by NDOT.

NDOT will reimburse CSXT for the costs and expenses associated with the engineering and design services, estimated to be \$37,600.

Ordinance No. BL2005-787 authorized approval of agreements between the Department of Public Works (now NDOT) and CSXT through a Metropolitan Council resolution.

Fiscal Note: Nashville Department of Transportation and Infrastructure ("NDOT") would reimburse CSXT the estimated cost of \$37,600 for the preliminary engineering and design services for the replacement of an existing bridge on West Due West Avenue.

**Sponsors:** Benedict, Porterfield, Gamble and Parker

# 4. <u>RS2025-1135</u>

A resolution approving amendment four 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.

## <u>Analysis</u>

This resolution approves the fourth amendment to a Parental Assistance Court grant from the Tennessee Department of Human Services to the Davidson County Juvenile Court, originally approved by Resolution No. RS2021-990. The grant provides opportunities for and meets the needs of eligible low-income families who have a court-ordered child support obligation and increases the program participants' 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 second amendment increased the grant amount to \$926,106.76 and the required cash match to \$477,313.24 and also extended the term of the grant to June 30, 2024. The third amendment increased the amount of the grant to \$1,152,888.84, increased the required cash match to \$593,912.45, and extended the end date of the grant to June 30, 2025.

The proposed amendment increases the amount of the grant from \$334,950 from \$1,152,888.84 to \$1,487,838.84. The required cash match would also increase by \$172,550 from \$593,912.45 to \$776,462.45. The grant's end term would be extended to June 30, 2026. The amendment would also provide minor changes to the contract's scope of services description, remove requirements regarding the Tennessee Child Support Enforcement System and related technologies, remove background investigation requirements within the contract, and update the parties' contact information.

**Sponsors:** Porterfield, Welsch, Gadd and Suara

# 5. RS2025-1136

A resolution approving amendment three to a grant from the Tennessee Department of

Human Services to the Metropolitan Government, acting by and through the Davidson County Juvenile Court, to establish and enforce federal and state mandated child support program quidelines for children born out of wedlock.

## <u>Analysis</u>

This resolution approves the third amendment to a grant from the Tennessee Department of Human Services to the Davidson County Juvenile Court, originally approved by Resolution No. RS2022-1523. This grant is used to establish and enforce federal and state mandated child support program guidelines for children born out of wedlock.

The first amendment, approved by RS2023-2166, increased the grant amount to \$2,029,468.04. It also increased the required cash match to \$543,300. The amendment also extended the end date of the contract to allow for the execution of up to three renewal periods of 12 months.

The second amendment, approved by RS2024-447, increased the amount of the grant to \$3,084,082.04, increased the required cash match to \$1,588,790.96, and extended the end date of the grant to June 30, 2025, with the option for the execution of up to two renewal periods of 12 months.

The proposed amendment would increase the grant amount by \$1,170,526.00 from \$3,084,082.04 to \$4,254,608.04. The grant's required cash match would be changed by \$602,998 from \$1,588,790.96 to \$2,191,788.96. The grant term would also be extended to June 30, 2026. The amendment would update the scope of services and contact information. It would also provide an option of execution of a single renewal period of 12 months.

**Sponsors:** Porterfield, Welsch and Gadd

#### 6. RS2025-1137

A resolution calling the independent Metropolitan Board of Equalization into regular session beginning June 2, 2025, and special session beginning June 30, 2025.

#### Analysis

This is a routine, annual resolution to call the Metropolitan Board of Equalization ("MBOE") into regular session from June 2, 2025, until June 27, 2025. It would also call the MBOE into special session convening June 30, 2025, to complete any unfinished business regarding appeals on pro-rated assessments. The special session is not to extend beyond May 31, 2026.

The MBOE always meets during the month of June to hear appeals of assessments on real property. Historically, the MBOE has been required to have special sessions to conclude its work due to the large number of appeals. State law authorizes county legislative bodies to fix the number of days the Board of Equalization is to sit in regular session and to call the board into special session to complete any unfinished business. (T.C.A. § 67-1-404).

**Sponsors:** Porterfield and Gadd

# 7. RS2025-1138

A resolution approving the appointment of hearing officers by the independent Metropolitan Board of Equalization to conduct preliminary hearings and to make investigations regarding complaints before the board.

# <u>Analysis</u>

This resolution approves the appointment of 31 Davidson County citizens to serve as hearing officers for the Metropolitan Board of Equalization ("MBOE"). The MBOE is authorized under state law to hear appeals of assessments on real property and personal property. This will include 26 residential hearing officers and five commercial hearing officers. State law requires that the MBOE members be approved by the county legislative body by resolution. (T.C.A. § 67-5-1406).

**Sponsors**: Porterfield and Gadd

# 8. <u>RS2025-1139</u>

A resolution adopting the revised Fund Balance Reserve Policies for The Metropolitan Government of Nashville and Davidson County.

# **Analysis**

This resolution would adopt revised Fund Balance Reserve Policies for the Metropolitan Government of Nashville and Davidson County. Section 5.04.170 of the Metropolitan Code of Laws requires that Metro maintain fund balance policies and that the Department of Finance shall review the annual operating budget for compliance with the fund balance policies. The current Fund Balance Reserve Policies were adopted by Council Resolution RS2022-1901. The Department of Finance is recommending that the Fund Balance Reserve Policies ("Policies") be revised effective as of the beginning of Fiscal Year 2026 (July 1, 2025).

The revisions to the Policies are focused on budget sustainability and budget stabilization matters. The Policies maintain the minimum fund balance reserve targets for the governmental funds (17%) and the debt service funds (50%) but remove the language permitting the Finance Director to increase the minimum targets by an amount no greater than 3% to avoid the need for tax anticipation notes. In its place, the revised Policies create a Budget Sustainability Reserve with a minimum target of 3% of the budgeted operating expenditures and the budgeted debt service, or up to 6% if the Finance Director determines it necessary. The Budget Sustainability Reserve targets will be established with each budget ordinance.

The Budget Sustainability Reserve will be used for Budget Stabilization purposes, which is not changed from the current Policies, and to maintain the minimum target percentages in the in both the Operating Reserve (17%) and the Debt Service Fund Balance (50%). This maintenance of minimum target percentages is a new provision in the Policies. If necessary, amounts in the Budget Sustainability Reserve may be appropriated in the annual budget ordinance to the Operating Reserve and the Debt Service Fund Balance to meet the minimum targets. If the Budget Sustainability Reserve is insufficient to replenish the fund balances, then the Surplus Fund Balance will be used for replenishment.

The revised Policies contain a new provision regarding annual review of the use of Surplus Fund Balance to fund certain projects. Such appropriations shall be expended within a 12-month period. If not, the Finance Director shall review such appropriations to determine continued need based on departmental justifications for extensions. If an extension of an appropriation is not warranted, the Finance Director will be authorized to return the appropriation from the original fund.

Per Section 5.04.170 of the Metropolitan Code of Laws, amendments to the fund balance policies are to be approved by the Council by resolution.

**Sponsors:** Porterfield, Allen and Gadd

## 9. RS2025-1140

Resolution supplementing Substitute Resolution No. RS2010-1442 to authorize the execution, terms, issuance, sale and payment of water and sewer revenue refunding and improvement bonds in an aggregate principal amount of not to exceed \$700,000,000.

## <u>Analysis</u>

This resolution authorizes the execution, terms, issuance, sale, and payment of water and sewer revenue refunding and improving bonds in an aggregate principal amount not to exceed \$700.000.000.

Substitute Resolution RS2010-1442 (the "Bond Resolution") authorized the issuance from time to time of Metro Water and Sewer (MWS) revenue bonds after adoption of a supplemental Council resolution. This authority has been used eight times since then. The first supplemental resolution authorized the 2010 bonds in four series, collectively known as the Series 2010 bonds. The second supplemental resolution, approved in 2011, amended certain provisions of the Bond Resolution. The third supplemental resolution authorized the 2013 revenue bonds, and the fourth supplemental resolution authorized the 2017 revenue bonds. The fifth supplemental resolution was approved in March 2020 and the sixth supplemental resolution was approved in April 2020 to authorize the financing and construction of several MWS capital projects through the State Revolving Fund Loan. The seventh supplemental resolution authorized the issuance of Series 2021 revenue bonds to retire commercial paper, fund capital improvements to the water and sewer system, refund the Series 2013 Bonds, and to defease the remaining outstanding Series 2012 Subordinate Lien Bonds. The eighth supplemental resolution was approved on September 6, 2022, to fund capital improvements and repeal provisions of the second supplemental resolution that authorized the issuance of subordinate lien water and sewer revenue bonds.

This resolution, which will be the ninth supplemental resolution, authorizes the issuance of Series 2025 water/sewer revenue bonds in an amount not to exceed \$700,000,000 to retire commercial paper, refund all or a portion of the Series 2017 Bonds and Series 2021 Bonds, and pay the costs of issuing such bonds. The Series 2025 Bonds will have a final maturity date of July 1, 2035. The plan of financing is consistent with Metro's debt policy approved by the Council. These bonds will be sold through a negotiated sale. The underwriters on the bonds will

be BofA Securities, Inc., Morgan Stanley & Co. LLC, Ramirez & Co., Inc., Bancroft Capital, LLC, Blaylock Van, LLC, D.A. Davidson & Co., Fifth Third Securities, Inc., and Raymond James & Associates, Inc. Only revenues generated by water and sewer customers are used to pay the obligations on these bonds. The bonds do not constitute a debt of the Metropolitan Government that would compel the use of sales or property tax revenues.

**Sponsors:** Porterfield

# 10. RS2025-1141

Resolution authorizing the issuance, sale and payment of federally taxable general obligation refunding bonds in an approximate principal amount of \$61,000,000; and providing for the levy of ad valorem taxes for the payment of debt service on the bonds

## **Analysis**

This resolution authorizes the issuance, sale, and payment of federally taxable general obligation improvement bonds in a principal amount not to exceed \$61 million and providing for the levy of ad valorem taxes for the payment of debt service on the bonds. The proceeds from the sale of the bonds would refund the Metropolitan Government's General Obligation Improvement Bonds, Series 2015C, which are dated July 30, 2015, and maturing July 1, 2026, through July 1, 2028.

The resolution provides that Metro pledges to levy ad valorem property taxes on all taxable property in the General Services and Urban Service Districts each year in an amount sufficient to pay the debt service on the bonds as required by state law. Metro will further pledge the full faith and credit of the Metropolitan Government to the payment of the bonds. These bonds would be sold through a public bidding process to the financial institution whose bid results in the lowest true interest cost to Metro.

Metro would begin making debt service payments on the bonds on January 1, 2026, and would mature either serially or through mandatory redemption beginning on July 1, 2026, through July 1, 2028.

State law does not limit the amount of general obligations bonds that may be issued by the Metropolitan Government, nor does it require the issuance of general obligation bonds to be approved by the voters. State law does require that the Metropolitan Government adopt a debt management policy - Metro's Debt Management Policy was originally adopted by Council approval of Resolution No. RS2011-94 and was subsequently amended by Ordinance No. BL2023-1872.

**Sponsors**: Porterfield

# 11. RS2025-1142

A resolution approving an intergovernmental agreement between the Metropolitan Government of Nashville and Davidson County and the East Bank Development Authority (Proposal No. 2025M-012AG-001).

<u>Analysis</u>

This resolution approves an intergovernmental agreement between the Metropolitan Government ("Metro") and the East Bank Development Authority ("Authority").

Ordinance No. BL2024-428 formally approved, ratified, and adopted Chapter 68 of the Private Acts of 2024, which authorized the establishment of the East Bank Development Authority. The intergovernmental agreement under consideration further outlines the rights and responsibilities of Metro and the Authority.

## **Real Property Rights**

The agreement provides that Metro will convey the property known as the IDA Land and the property known as Plaza Land, as shown on Exhibit A to the agreement, via quitclaim deed to the Authority. Metro also agrees to take all steps necessary to obtain fee title to the site of the existing Nissan Stadium from the Sports Authority and, once obtained, will convey this property via quitclaim deed to the Authority. Additional property may be conveyed to the Authority and the Authority may acquire additional real property interests upon approval of the Council and the Board of Directors of the Authority. If the Authority acquires additional real property interests, it must execute, deliver, and record an option agreement by which Metro would be able to acquire the property rights at a nominal price upon the termination of this intergovernmental agreement.

# **Contractual Rights**

The agreement further provides that Metro will assign to the Authority Metro's right, title, and interest in certain contracts listed below, which are also attached to the contract as Exhibit D:

- HDR #6549826: Program Management for the Implementation of the East Bank Vision Plan between Planning and HDR Engineering Inc. dated 10/25/23
- KHA #6553742: Civil Engineering Firm East Bank Vision Plan between Planning and
  - Kimley Horn and Associates Inc. dated 12/10/23
- AECOM#6564902: East Bank North/South Multi-Modal Boulevard between NDOT and AECOM Technical Services, Inc dated 8/20/24
- Master Development Agreement between Metro and TFC Nashville Development LLC ("TFC"), dated as of 11/13/24
- Campus Operations and Use Agreement, dated as of 11/13/24, among Metro, TFC and Tennessee Stadium, LLC ("StadCo")
- Parking Agreement, dated as of 11/13/24, between Metro and StadCo
- First Amended and Restated Site Coordination Agreement, dated as of 11/13/24, between Metro and StadCo
- Declaration of Easements, Restrictions and Covenants for Parcel B, the Stadium Plaza,

Parcel C, East Bank, dated as of 11/13/24

Metro may assign additional contracts to the Authority upon approval of the Council and the Board of Directors of the Authority. Upon the termination of this agreement, the Authority must assign all contracts to which it is a party to Metro.

# **Capital Spending Plan Funding**

Certain unspent capital spending plan funding that has been previously approved for projects within the East Bank boundaries would be granted or otherwise made available to the Authority. Future capital spending plan funding related to public works projects within the East Bank boundaries would also be granted or otherwise made available to the Authority, unless otherwise expressly designated by the Council. The Authority must apply the funding to the applicable public works projects and coordinate with the Department of Finance to document the application of the funds.

## **Transition of Designated Metropolitan Government Employees**

The appropriate Metro officers and departments will take necessary steps to transition those existing Metro employees identified by the Mayor and the Board of Directors of the Authority to the control of the Authority. The employees' existing benefits will be preserved and continued under Metro's employee benefits programs.

### **General Responsibilities of the Authority**

The Authority will be responsible for developing and facilitating the development of the East Bank. Responsibilities of the Authority include providing assistance to the Planning Department regarding East Bank planning matters, coordinating the acquisition and installation of public infrastructure, administering tax increment financing districts or special assessment districts subject to the approval of the Council, administering real property and contractual agreements in which the Authority has an interest, coordinating the development of affordable housing projects, among other responsibilities.

The agreement specifically acknowledges that it does not empower the Authority to exercise zoning powers or construction permitting powers, operate any utility system, or exercise eminent domain.

The Authority is authorized to hire employees necessary to conduct its operations, procure office space, and incur necessary operating expenses.

The Authority must submit an annual audit and report of its business affairs and transactions to the Council.

# **Disposition of Revenues**

The agreement outlines how rent, use, and other payments made to the Authority must be used. First, revenue must be used for the payment of operating expenses. Second, any excess revenue must be used to (i) establish an operating reserve for the Authority, which cannot exceed 100% of the operating expenses of the Authority for the prior year and (ii) reimburse Metro for its payment of the operating expenses of the Authority. Third, any excess revenue must be remitted to Metro's General Fund. This would not apply to moneys paid to or collected by the Authority related to tax increment, special assessment, or other incentive or program.

# **General Responsibilities of the Metropolitan Government**

Metro must provide operating expenses for the Authority and provide services including human resources, information technology, legal, financial, and other administrative services until the Authority is positioned to fully provide for such services on its own behalf. Upon termination of this agreement, Metro will pay any and all expenses of the Authority necessary to wind up its affairs.

The term of the agreement will begin on the date it is executed and will continue until (i) termination of the agreement by the Council and Board of Directors of the Authority or (ii) if Metro or the Authority fail to perform or become unable to perform their obligations.

Future consents and approvals required under the agreement and any amendments, renewals, or extensions to the term of this intergovernmental agreement may be approved by resolution.

**Sponsors:** Kupin, Porterfield and Gamble

## 12. **RS2025-1143**

A resolution approving Amendment One to a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Board of Education and Conexion Americas (Proposal No. 2022M-035AG-001).

## Analysis

This resolution approves the first amendment to a lease agreement between the Metropolitan Board of Education ("MNPS") and Conexion Americas, previously approved by Ordinance No. BL2022-1511. Pursuant to the terms of the agreement, MNPS leases office space, pre-kindergarten space and parking spaces from Conexion Americas. Pursuant to BL2022-1511, any amendment, change, or extension to the lease must be approved by resolution of the Metropolitan Council receiving twenty-one affirmative votes.

The proposed amendment would expand the space leased to MNPS from 8,975 square feet to 9,050 square feet. The total square footage of the EL Office space portion of the premises would be reduced from 265 to 244 square feet. An additional office space comprising 96 square feet would be added to the leased premises. MNPS will pay Conexion Americas no more than \$1,750,000 over the course of the lease, an increase from \$1,550,000 in the original lease. MNPS will make payments to Conexion Americas as follows:

The amendment provides that MNPS will make payments to Conexion Americas as follows:

## EL Office space (244 square feet):

- Year 1: \$900 per month (\$3.39 per square foot)
- Year 2: \$861.32 per month (\$3.53 per square foot)
- Year 3: \$932.08 per month (\$3.82 per square foot)
- Year 4: \$1,088.24 per month (\$4.46 per square foot)
- Year 5: \$1,088.24 per month (\$5.02 per square foot)
- Year 6: \$1,378.60 per month (\$5.65 per square foot)
- Year 7: \$1,432.28 per month (\$5.87 per square foot)
- Year 8: \$1,490.84 per month (\$6.11 per square foot)
- Year 9: \$1,549.40 per month (\$6.35 per square foot)
- Year 10: \$1,612.00 per month (\$6.61 per square foot)

## <u>Pre-Kindergarten space (8,710 square feet):</u>

- Year 1: \$9,530.19 per month (\$1.09 per square foot)
- Year 2: \$9,911.39 per month (\$1.13 per square foot)
- Year 3: \$10,307.84 per month (\$1.18 per square foot)
- Year 4: \$10,720.15 per month (\$1.23 per square foot)
- Year 5: \$11,148.95 per month (\$1.28 per square foot)
- Year 6: \$11,594.90 per month (\$1.33 per square foot)
- Year 7: \$12,058.69 per month (\$1.38 per square foot)
- Year 8: \$12,541.03 per month (\$1.43 per square foot)
- Year 9: \$13,042.67 per month (\$1.49 per square foot)
- Year 10: \$13,564.37 per month (\$1.55 per square foot)

### Additional office space (96 Square Feet):

- Year 1: \$415.00 per month (\$4.32 per square foot)
- Year 2: \$432.00 per month (\$4.50 per square foot)
- Year 3: \$451.00 per month (\$4.69 per square foot)
- Year 4: \$469.00 per month (\$4.88 per square foot)
- Year 5: \$489.00 per month (\$5.09 per square foot)
- Year 6: \$508.00 per month (\$5.29 per square foot)
- Year 7: \$530.00 per month (\$5.52 per square foot)
- Year 8: \$552.00 per month (\$5.74 per square foot)
- Year 9: \$574.00 per month (\$5.97 per square foot)
- Year 10: \$597.00 per month (\$6.21 per square foot)

The original, unchanged term of the lease agreement is 10 years, began on January 1, 2023, and will end on December 31, 2032.

Fiscal Note: This lease amendment increases Metro Nashville Public School's rentable square feet from approximately 8,975 to 9,050 from Conexion Americas. The total rent amount will increase, not to exceed, from \$1,550,000 to \$1,750,000 for the remaining terms of the lease agreement.

Sponsors:

Vo, Porterfield, Gamble, Welsch, Allen, Ellis, Gadd and Suara

## 13. RS2025-1144

A resolution accepting a Summer Jobs Connect grant from the Cities for Financial Empowerment Fund, Inc. ("CFE Fund") to the Metropolitan Government, acting by and through the Metro Action Commission, to implement a comprehensive financial empowerment program that provides participants with access to safe bank or credit union products.

## Analysis

This resolution accepts a grant from the Cities for Financial Empowerment Fund, Inc., to the Metropolitan Action Commission ("MAC") to implement a comprehensive financial empowerment program that provides participants with access to safe bank or credit union products.

The Summer Jobs Connect program will provide banking access and finance empowerment training to participants in summer youth employment programs. MAC will utilize these funds to provide financial literacy for youth.

The grant award is in an amount not to exceed \$10,000. The grant term would be effective as of May 1, 2023, and end on April 15, 2025.

**Sponsors:** Porterfield, Evans, Welsch, Allen, Ellis, Gadd and Suara

## 14. RS2025-1145

A resolution to appropriate grant funds from the Martha O'Bryan Center's Tennessee Opportunity Pilot Initiative Implementation Grant to the Metropolitan Government, acting by and through the Metropolitan Action Commission, to formalize the party's relationship while collaborating on direct services, capacity building, collaborative activities, and grant compliance.

#### Analysis

This resolution appropriates grant funds from the Martha O'Bryan Center to the Metropolitan Action Commission ("MAC") in an amount not to exceed \$160,000 with no local cash match required. This grant is part of the Martha O'Bryan Center's Tennessee Opportunity Pilot Initiative Grant and will formalize the parties' relationship while collaborating on direct services, capacity building, collaborative activities, and grant compliance.

Pursuant to the collaboration agreement, MAC will employ two family-centered coaches who will spend all of their time on Our Chance TN, an initiative from the Tennessee Alliance for Economic Mobility that "endeavors to support families in moving beyond the benefits cliff." The term of the agreement is effective November 1, 2024, and ends October 31, 2025.

**Sponsors:** Porterfield, Evans, Welsch, Allen, Ellis, Gadd and Suara

#### 15. RS2025-1146

A Resolution authorizing the Metropolitan Development and Housing Agency to negotiate and enter into a PILOT Agreement and accept payments in lieu of ad valorem taxes with respect

to a multi-family housing project located at 3539 Dickerson Pike known as Artist Lofts.

## Analysis

This resolution authorizes the Metropolitan Development and Housing Agency ("MDHA") to enter into an agreement to accept payments in lieu of taxes ("PILOT") for a multi-family housing project located at 3539 Dickerson Pike. In 2016, Ordinance Nos. BL2015-1281, BL2016-334 and BL2016-435 authorized MDHA to negotiate and accept PILOT payments from operators of low-income housing tax credit ("LIHTC") properties, capped at \$2,500,000 annually. In 2024, Ordinance No. BL2024-392 increased the total abatement from \$2,5000,000 to \$5,000,000. If approved, this PILOT, would be the fifty-third such PILOT program overall, and the first for MDHA in 2025. Before this project, the amount of annual funding available for LIHTC projects is \$5,000,000.

PILOT agreements essentially provide tax abatements for real and/or personal property taxes that would otherwise be owed to the Metropolitan Government. PILOTs were historically used by Metro to provide incentives through the Industrial Development Board ("IDB") to large employers to create job opportunities. But Tenn. Code Ann. § 13-20-104 was amended several years ago to give MDHA the authority to enter PILOTs to create affordable rental housing subject to Council approval.

MDHA developed their PILOT program to provide additional financial incentives to developers considering construction or rehabilitation of affordable housing units through a federally funded LIHTC program. Subsidized LIHTC developments serve those at or below 60% of the average median income ("AMI") for the Nashville area, which translates to an income cap of \$48,240 for individuals and \$66,880 for families of four in 2025. Once negotiated by MDHA, each PILOT agreement must be approved by the Council by resolution.

The maximum term for the PILOT payments under this program is 10 years. The PILOT agreement would only be available for additional tax liability over and above the pre-development assessed value of the property. The program is available for both existing and new developments, based on financial need. The PILOT lease is to be terminated if the property sits vacant for two years.

MDHA is required by state law to file an annual report with the Council, Assessor of Property, and State Board of Equalization identifying the values of the properties subject to PILOTs, the date and term for each PILOT, the amount of PILOT payments made, and a calculation of the taxes that would otherwise be owed.

The owner of the property, Artist Lofts, LP, proposes approximately 251 units to be restricted to individuals and families earning at or below 60% AMI. The amount of the PILOT payment to Metro will be \$13,805 in the first tax year after completion. The owner will be required to pay a monitoring and reporting fee to MDHA not to exceed 5% of the in lieu of tax payment. The estimated project valuation upon completion is \$53,838,858.

Fiscal Note: This PILOT request would require the developer to make a first-year payment of \$13,805 in lieu of property taxes, with a 3% annual increase starting at Year 2 through the remainder of the 10-year period.

In addition to the PILOT payments, the developer would be required to pay a monitoring and reporting fee to MDHA. This fee would be set by MDHA not to exceed 5% of the amount of the PILOT payment due each year.

The final assessed value of this project will not be known until completion. However, the value of the project when completed is estimated to be \$53,838,858. For purposes of this analysis, this number will be used as a reasonable estimate of the final project value.

Over the 10-year life of this PILOT agreement, a total of \$6,849,407 would be abated, Metro would receive \$158,259 of in-lieu of payments from this project, as depicted in the following table:

# Real Property Tax (New)

Trout i Toporty Tax (11011)						
Year Total Value		ue Stand	Standard Tax PILOT Abatement			Abatement %
1	\$53,838,858	\$700,767	\$13,805	\$686,962	98.0%	
2	\$53,838,858	\$700,767	\$14,219	\$686,548	98.0%	
3	\$53,838,858	\$700,767	\$14,646	\$686,121	97.9%	
4	\$53,838,858	\$700,767	\$15,085	\$685,682	97.8%	
5	\$53,838,858	\$700,767	\$15,538	\$685,229	97.8%	
6	\$53,838,858	\$700,767	\$16,004	\$684,763	97.7%	
7	\$53,838,858	\$700,767	\$16,484	\$684,283	97.6%	
8	\$53,838,858	\$700,767	\$16,978	\$683,789	97.6%	
9	\$53,838,858	\$700,767	\$17,488	\$683,279	97.5%	
10	\$53,838,858	\$700,767	\$18,012	\$682,755	97.4%	
Totals	s \$7	,007,666	\$158,259	\$6,849,407	7 97.	7%

After the property tax abatement from this project, \$4,313,038 would still be available within MDHA's annual cap of \$5 million for other PILOT projects in 2025.

**Sponsors:** Parker, Porterfield, Gamble, Allen and Gadd

# 16. RS2025-1147

A resolution authorizing the grant of certain parcels of surplus real property to The Housing Fund, Inc. for the Nashville Community Land Trust (Proposal No. 2019M-009PR-001)

#### <u>Analysis</u>

This resolution declares five properties to be surplus and authorizes the Director of Public Property Administration to grant the properties to The Housing Fund, Inc. ("THF") for the Nashville Community Land Trust.

Tennessee Code Annotated § 7-3-314(e) permits the Metropolitan Government by resolution to authorize the conveyance of real property acquired pursuant to a delinquent tax sale by grant to a nonprofit organization.

These five properties were originally conveyed to THF pursuant to Resolution No. RS2019-1570. This resolution conveyed a total of 15 parcels to THF, which was able to successfully develop four of the properties for the purpose of affordable housing. THF was unable to obtain title and develop 11 of these properties within the five-year period required by RS2019-1570 and the properties reverted to the Division of Public Property.

The resolution under consideration would declare five parcels surplus and authorize the properties be conveyed to THF for the purposes of the Nashville Community Land Trust.

**Sponsors:** Porterfield, Gamble, Vo, Taylor, Welsch, Allen, Gadd and Suara

# 17. RS2025-1148

A resolution appropriating a total of \$110,000 from a certain account of the Community Safety Fund for a grant to Nashville Anti-Human Trafficking Coalition to provide services that support victims of sex trafficking through rescues, assessments, intervention, addiction, and trauma recovery.

## <u>Analysis</u>

This resolution appropriates a total of \$110,000 from the Community Safety Fund to the Nashville Anti-Human Trafficking Coalition ("NAHT").

Pursuant to the terms of the agreement, NAHT will partner with the Metropolitan Public Health Department ("MPHD") to implement a program the supports victims of sex trafficking, primarily women and children, through rescues, assessments, invention, addiction, and trauma recovery. NAHT agrees to provide trauma-informed care by trained and licensed providers and agrees to provide 150 individual assessments to program participants, up to 100 human trafficking rescues, and provide assessments, interventions, and rescues to 120 unduplicated individuals, among other services. NAHT will also provide data to MPHD regarding the frequency of the services provided, number of individual assessments performed, monthly program progress updates, number of unduplicated individuals receiving assessments, interventions and rescues, number of individuals who complete the rehabilitation program and enroll in the "Restore Program", and other data as requested.

The term of the grant is 12 months, beginning upon approval of all parties and filing in the Metropolitan Clerk's Office. Metro will pay \$110,000 to NAHT in performance of this agreement.

Fiscal Note: Metro would pay \$110,000 to the Nashville Anti-Human Trafficking Coalition for the performance of this contract.

**Sponsors:** Porterfield, Evans, Welsch, Allen, Ellis, Gadd and Suara

#### 18. RS2025-1149

A resolution approving an agreement for the purchase of a half-acre parcel of property located at 1045 28th Avenue North for use in connection with construction of a new public library. (Proposal No. 2025M-011AG-001).

## <u>Analysis</u>

This resolution approves an option agreement for the purchase of a half-acre parcel of property located at 1045 28th Avenue North for use in connection with the construction of a new public library.

The option agreement would permit the Metropolitan Government to purchase the property from Sunset Real Property I, LLC.. If the option is exercised, the Metropolitan Government would pay \$2,100,000 for this property, which consists of approximately one-half acre of property.

Pursuant to Metropolitan Code of Law section 2.24.250(F), option agreements for the purchase of real property intended for uses other than vehicular rights of way may be approved by resolution.

This proposal has been approved by the Planning Commission.

Fiscal Note: According to the Property Assessor's website, the appraised value for the half-acre parcel at 1045 28th Avenue North is \$1,904,700.

**Sponsors:** Taylor, Porterfield, Gadd and Gamble

# 19. **RS2025-1150**

A resolution approving an application for a Libraries as Pillars of Education and Democracy grant from the Carnegie Corporation of New York to the Metropolitan Government, acting by and through the Nashville Public Library, to implement leveled English as a Second Language (ESL) classes at up to six branch locations in collaboration with partner organizations.

#### Analysis

This resolution approves an application for a Libraries as Pillars of Education and Democracy grant from the Carnegie Corporation of New York to the Nashville Public Library to implement leveled English as a Second Language ("ESL") classes for up to six branch locations in collaboration with partner organizations.

The grant application is for an award of \$450,000 with no required cash match. If approved, the grant would allow Nashville Public Library to work with the GOAL Collective, the Branch of Nashville, and the Nashville International Center for Empowerment to offer more ESL classes and greatly reduce a current waitlist of Nashville residents seeking these services.

**Sponsors:** Porterfield, Gadd, Welsch, Allen, Ellis and Suara

## 20. RS2025-1151

A resolution authorizing the Metropolitan Department of Law to compromise and settle the claim of Deveda Lenoir as Administrator of the Estate of SaDarion Lenoir against the Metropolitan Government of Nashville and Davidson County in the amount of \$175,000.00, and that said amount be paid from the Self-Insured Liability Fund.

## <u>Analysis</u>

On May 23, 2023, the Nashville Fire Department ("NFD"), the Metropolitan Nashville Police Department ("MNPD"), and a counselor from Mobile Crisis responded to a 911 call regarding SaDarion Lenior. Dispatchers were advised that Mr. Lenoir had suicidal ideations and had allegedly attempted suicide, and that Mr. Lenior had a history of mental illness and was not taking his prescribed medication. Mr. Lenior admitted to the Mobile Crisis counselor that he was having ideations but denied attempting suicide. His vitals were taken, and it was determined that, because he had an elevated heart rate, he could not be taken to a mental health facility and needed to be transported to an emergency room to be medically cleared.

MNPD officers, NFD personnel, the Mobile Crisis counselor, and Mr. Lenoir's loved ones all urged him to go to the emergency room in a waiting ambulance. Mr. Lenoir entered and exited the ambulance and stated he did not want to go but eventually agreed to be transported. He was secured to a stretcher inside the ambulance through restraints fixed to the stretcher. Mr. Lenoir was initially calm during the ride to the hospital. But as the ambulance entered the hospital grounds, he unbuckled the restraints, opened the rear door, and jumped out of the back door of the ambulance traveling 20 to 25 miles per hour. Mr. Lenoir hit his head on the roadway, which caused a head injury and he died the following day.

The Estate of Mr. Lenoir sued the Metropolitan Government for damages under Tennessee's wrongful death and medical malpractice statutes. The Estate alleged that NFD failed to properly address Mr. Lenoir's physical and psychiatric needs, safely transport him to the hospital, and take additional precautions that would have prevented his death. NFD's procedures and guidelines about patient restraints did not require their use beyond standard safety belts, as Mr. Lenoir was not extremely agitated or exhibiting uncontrollable, disruptive, or potentially harmful behavior.

The parties have participated in settlement negotiations and have agreed upon the settlement amount of \$175,000, subject to approval from the Metropolitan Council. Though the Department of Law could assert a defense of comparative fault, it recommends settlement of this claim to mitigate the cost and risk of an adverse result at trial, which could result in a \$300,000 judgment against the Metropolitan Government. The Department of Law recommends settlement of the Estate of Mr. Lenoir's claims against the Metropolitan Government for \$175,000.

Fiscal Note: The total settlement amount is \$175,000. This settlement would be the 29th payment after approval by Metropolitan Council from the Self-Insured Liability Fund in FY25 for a cumulative total of \$1,528,677. The fund balance would be \$12,177,702 after this payment.

**Sponsors**: Porterfield

# 21. RS2025-1152

A resolution accepting an Emergency Management Performance Grant from the Tennessee Emergency Management Agency to the Metropolitan Government, acting by and through the Office of Emergency Management, to subsidize the Emergency Management Program.

### Analysis

This resolution accepts a grant from the Tennessee Emergency Management Agency to the Office of Emergency Management to subsidize the Emergency Management Program. The grant will fund training, exercises, planning, management, and administration and equipment purchases as allowed under the Emergency Management Performance Grant program.

The grant amount is not to exceed \$180,049.50 with a required cash match of \$180,049.50. The grant term begins on October 1, 2023, and ends on September 30, 2025.

Sponsors: Porterfield, Evans, Welsch, Allen, Ellis, Gadd and Suara

# 22. RS2025-1153

A resolution approving an amendment to a contract between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Police Department, and the Mental Health Cooperative Clinical Personnel.

### **Analysis**

This resolution approves the first amendment to a contract between the Metropolitan Nashville Police Department ("MNPD") and the Mental Health Cooperative Clinical Personnel ("MHC"). The original contract, approved by Ordinance No. BL2022-1120, provided for the provision, integration, and implementation of mental health training for MNPD personnel by MHC personnel.

The Metropolitan Council previously allocated \$350,000 in American Rescue Plan Act ("ARPA") funds through Resolution No. RS2022-1313 towards the implementation of this mental health training program. The funds were allocated through the end of Fiscal Year 2025.

The proposed amendment would extend the time in which the ARPA funds could be expended through Fiscal Year 2026 and Fiscal Year 2027.

Sponsors: Porterfield, Evans, Welsch, Allen, Ellis, Gadd and Suara

## 23. RS2025-1154

A resolution approving an application for a Project Safe Neighborhoods 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 reduce gun related violence in Nashville by providing funding for overtime for the investigation of violent crimes involving guns.

## <u>Analysis</u>

This resolution approves an application for a Project Safe Neighborhoods grant from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs, to the Metropolitan Nashville Police Department. If awarded, the grant would be \$175,294 with no cash match required. The grant would be used to reduce gun related violence in Nashville by providing funding for overtime for the investigation of violent crimes involving guns.

**Sponsors:** Porterfield, Evans, Ellis and Gadd

## 24. RS2025-1155

A resolution approving a contract between the Metropolitan Government of Nashville and Davidson County and Remix Technologies, LLC to provide transportation planning software for the Nashville Department of Transportation.

#### Analysis

This resolution approves a sole source contract between the Metropolitan Government and Remix Technologies to provide transportation planning software for the Nashville Department of Transportation. The contract states that Remix Technologies would provide software licenses and access, initial software setup and training, and ongoing support, maintenance, and updates for street design software.

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 a resolution receiving 21 affirmative votes. The contract under consideration has an estimated value in excess of \$250,000 and therefore requires Council approval.

The estimated value of this contract is \$266,500. The contract term begins upon approval of all required parties and filing in the Metropolitan Clerk's Office and extends for 36 months. The contract may be extended by amendment for no more than 60 months from the original effective date.

According to the sole source review form, the Remix Technologies street design software is the only platform that includes elements of design, GIS integration, and collaboration or collection of feedback from the public.

Fiscal Note: The estimated value of this sole source contract number 6577813 with Remix Technologies, LLC for Remix Streets Software is \$266,500 to be paid from Fund 3003, Business Unit 42201000. However, actual expenses may be paid from various department's fund and business unit numbers when purchase orders are issued.

**Sponsors**: Porterfield and Parker

# 25. RS2025-1156

A resolution approving a preliminary engineering agreement between CSX Transportation, Inc. ("CSX"), a Virginia corporation with its principal place of business in Jacksonville, Florida, and the Metropolitan Government of Nashville and Davidson County, to facilitate the development of proposed improvements to existing roadway under CSX rail at First Street (Proposal No. 2025M-013AG-001).

#### Analysis

This resolution approves a preliminary agreement between CSX Transportation ("CSXT") and the Nashville Department of Transportation and Infrastructure ("NDOT") to facilitate the development of improvements to existing roadway under CSXT rail at First Street.

The agreement provides that CSXT will prepare and approve final engineering and design plans, specifications, drawings, agreements and other documents tied to improvements to existing road, including six-lane roadway with dedicated bus transit lanes and multi-use paths on either side of roadway under CSXT rail at First Street.

CSXT would also prepare cost estimates for its work in connection with the project and review construction cost estimates, site surveys, plats, legal descriptions, assessments, studies, easements, agreements and related construction documents submitted by NDOT.

NDOT will provide funding participation in the amount of \$41,500 from the project budget. This proposal has been approved by the Planning Commission.

Ordinance No. BL2005-787 authorized approval of agreements between the Department of Public Works (now NDOT) and CSXT through a Metropolitan Council resolution.

Fiscal Note: Metro would reimburse CSX Transportation, Inc. \$41,500, the estimated cost of the engineering work, towards the proposed improvements to the existing roadway, including six-lane roadway with dedicated bus lanes, multi-use paths on either side of the roadway under CSX rail at First Street.

**Sponsors:** Kupin, Porterfield, Gamble and Parker

# 26. RS2025-1157

A resolution approving an intergovernmental agreement by and between the State of Tennessee, Department of Transportation ("TDOT"), and the Metropolitan Government of Nashville and Davidson County, by and through the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT"), for the repair of existing pavement failures and resurfacing of 4.43 miles of Bell Road; State Project No. 19SAR1-S8-016, PIN: 134654.00. (Proposal No. 2025M-006AG-001).

### <u>Analysis</u>

This resolution approves an intergovernmental agreement between the Tennessee Department of Transportation ("TDOT") and the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") to repair existing pavement failure and resurface 4.43 miles of Bell Road from Smith Springs Road to Stewarts Ferry Pike.

The estimated total cost of the project is \$3,747,600. TDOT will fund 98 percent of the project cost, or \$3,672,648. NDOT will be responsible for two percent of the project cost, or \$74,952. The term of the agreement begins upon approval of all required parties and ends on June 30, 2026.

State law authorizes the Metropolitan Government to enter into intergovernmental agreements with the State of Tennessee by resolution.

Fiscal Note: The Metropolitan Government will contribute two percent of the total cost of the project. Metro's estimated contribution is \$74,952.

**Sponsors:** Porterfield, Gamble, Parker, Ellis, Gadd and Bradford

## 27. RS2025-1158

A resolution approving a renewed intergovernmental license agreement by and between the State of Tennessee, Department of Transportation, and the Metropolitan Government of Nashville and Davidson County ("Metro"), through the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT"), for the benefit of the Metropolitan Nashville Arts Commission, to maintain public art within a State right of way.

#### **Analysis**

This resolution approves a renewed intergovernmental license agreement between the Tennessee Department of Transportation ("TDOT") and the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") for the benefit of the Metropolitan Arts Commission to maintain public art at the Korean Veterans Boulevard Roundabout.

Resolution No. RS2014-1265 approved an intergovernmental license agreement with TDOT to use a portion of the Korean Veterans Boulevard Roundabout to install and maintain public art. The project, known as "Stix", was installed at this space pursuant to the original license agreement. The resolution under consideration renews this license for an additional term of ten years.

Fiscal Note: There is no cost to Metro for the license to use a portion of the Korean Veterans Boulevard Roundabout to install and maintain public art.

**Sponsors:** Kupin, Porterfield, Gadd and Parker

## 28. RS2025-1159

A resolution authorizing Urban Cowboy Arcade to construct and install an aerial encroachment at 230 Rep. John Lewis Way North (Proposal No. 2025M-002EN-001).

### **Analysis**

This resolution authorizes Urban Cowboy Arcade to construct, install, and maintain an aerial encroachment at 230 Rep. John Lewis Way North. The encroachment is for one double-faced, LED illuminated blade sign.

The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachments. 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

## 29. RS2025-1160

A resolution authorizing The Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, to enter into a Construction Agreement and six Pipeline Crossing License Agreements with R.J. Corman Railroad Company/Nashville & Eastern Railroad Line, to develop six pipeline encroachments and construct and maintain six pipelines for waste, raw and finished water in the railroad right-of-way at 1400 Pumping Station Road and Pumping Station Road (unnumbered) in Davidson County, (Project No. 21-WC-0121 and Proposal No. 2025M-008AG-001).

## Analysis

This resolution approves a construction agreement and six pipeline crossing license agreements between R.J. Corman Railroad Company/Nashville & Eastern Railroad Line ("RJC") and the Metropolitan Department of Water and Sewerage Services ("MWS") to develop six pipeline encroachments and construct and maintain six pipelines for waste, raw, and finished water in the railroad right-of-way at 1400 Pumping Station Road and Pumping Station Road (unnumbered) in Davidson County.

Pursuant to the terms of the construction agreement, MWS would prepare all documents related to the design and construction of the project for the development of six pipeline encroachments. RJC will review and approve the plans. MWS will install the six pipelines and traffic control. RJC will perform, or cause to be performed, preliminary engineering and

construction engineering and flagging services.

Pursuant to the terms of the six pipeline crossing license agreements, MWS would construct and maintain six, separate pipelines solely for the transmission of waste, raw, or finished water under or over tracks and property owned or controlled by RJC.

**Sponsors:** Gregg, Porterfield, Gamble and Parker

## 30. RS2025-1161

A resolution authorizing a supplemental agreement between the Metropolitan Government of Nashville and Davidson County acting by and through the Department of Water and Sewerage Services, hereinafter called the "Licensee," and CSX TRANSPORTATION, INC. hereinafter called "Licensor" to abandon a casing pipe and to construct, use and maintain sanitary sewer line in the railroad right-of-way along Hurricane Creek in Rutherford County. (MWS Project No. 11-SC-0116 and Proposal Number 2020M-009AG-002)

#### **Analysis**

This resolution authorizes a supplemental agreement between the Department of Water and Sewerage Services ("Metro Water") and CSX Transportation, Inc. ("CSXT") to abandon a casing pipe and to contract, use, and maintain sanitary sewer line in the railroad right of way along Hurricane Creek in Rutherford County.

The supplemental agreement replaces an original agreement between Metro Water and CSXT dated March 23, 2020, previously approved by RS2020-381. The original agreement gave Metro Water permission to construct and maintain one eight-inch sub-grade pipeline crossing for the conveyance of raw or treated sewage. The bore of the pipeline crossing was not successful, and Metro Water seeks to amend the agreement to perform a second bore in the same location.

The proposed supplemental agreement would abandon one 16-inch casing pipe and maintain one eight-inch diameter sub-grade pipeline crossing, within a 24-inch pipe within a 42-inch casing, solely for the conveyance of raw or treated sewage water.

Metro Water would pay a one-time, non-refundable fee of \$5,100 to CSXT upon the execution of the contract.

Ordinance No. O98-1393 authorizes the Metropolitan Government to enter these types of agreements with CSX for water and sewer line construction by resolution.

Fiscal Note: The Metropolitan Government would pay an encroachment fee of \$5,100 to CSX Transportation, Inc.

**Sponsors**: Styles, Porterfield, Gamble and Parker

#### 31. RS2025-1162

A resolution approving the execution of an Amendment to the Agreement between the Metropolitan Government of Nashville and Davidson County and the Cumberland River Compact, amending their original grant contract and extending its term.

# <u>Analy</u>sis

This resolution approves an amendment to an agreement between the Metropolitan Government and the Cumberland River Compact regarding tree canopy restoration and

maintenance, previously approved by Resolution No. RS2022-1599.

Chapter 5.11 of the Metropolitan Code of Laws establishes a mechanism for providing funds to restore and maintain the tree canopy in Nashville and Davidson County by allocating from the general fund equivalent to one percent of the annual revenues for building permits, the annual revenues for grading permits, and the five-year average of net proceeds of general obligation bonds issues to fund construction projects. This section provides for an annual funding cap of \$2,500,000 per fiscal year. This tree canopy program is set to expire on March 1, 2026, as provided by RS2023-2063.

RS2022-1599 appropriated up to \$2,500,000 annually through a contract between the Metropolitan Department of Water and Sewerage Services and the Cumberland River Compact to provide tree canopy restoration and maintenance.

The proposed amendment would amend the term of the grant contract to begin on July 1, 2025, and end on June 30, 2030. However, funding beyond March 1, 2026, is contingent upon to extension of the tree canopy program set forth in Chapter 5.11 of the Metropolitan Code. The proposed amendment would also allow funds to be expended for services provided to residents of Davidson County and properties located within Davidson County.

Fiscal Note: Metro will pay up to \$2,500,000 annually to Cumberland River Compact to provide tree canopy restoration and maintenance until June 30, 20230 under this grant agreement.

Sponsors: Porterfield, Parker, Welsch, Allen, Gadd and Suara

# 32. RS2025-1163

A resolution accepting the terms of a cooperative purchasing master agreement for rental equipment for the Department of Water and Sewerage Services.

#### Analysis

This resolution accepts the terms of a cooperative purchasing agreement for rental equipment for the Department of Water and Sewerage Services ("Metro Water"). The original agreement is between Sourcewell, which is a Minnesota governmental agency, and United Rentals (North America), Inc. The total project value is \$5,000,000.

Metro Water seeks to use this contract for pump rentals and ancillary equipment needed for emergency bypass pumping when a pumping station has failed or a sewer water main has collapsed, according to the cooperative request form.

The pricing in the cooperative purchasing agreement was from a competitive RFP with 11 offers, according to the cooperative request review form. It is unlikely that Metro would obtain a better value through a competitive solicitation. The agreement would expire on June 11, 2028. Sourcewell and United Rentals may agree to up to three additional one-year extensions.

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. M.C.L. § 5.04.020 requires that all equipment leases be approved by a Metropolitan Council resolution if the annual expenditure for the lease exceeds \$5,000.

Fiscal Note: According to the Cooperative Request Review form from the Division of Purchases, the anticipated project value is \$5,000,000.

**Sponsors**: Porterfield and Parker

# 33. RS2025-1164

A resolution authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and sanitary sewer manhole, for property located at 108 Glenrose Avenue (MWS Project No. 24-SL-166 and Proposal No. 2025M-020ES-001).

### **Analysis**

This resolution accepts approximately 40 linear feet of new public sanitary sewer main (PVC) and one sanitary sewer manhole for property located at 108 Glenrose Avenue.

Tennessee Code Annotated § 7-35-406(a)(2) and Ordinance No. BL2024-345 allow the Metropolitan Department of Water and Sewerage Services to approve extensions, additions, or works by resolution of the Metropolitan Council.

This proposal has been approved by the Planning Commission.

**Sponsors:** Welsch, Gamble and Parker

# 34. RS2025-1165

A resolution authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and sanitary sewer manholes, for property located at 2183 Kidd Road in Williamson County. (MWS Project No. 23-SL-179 and Proposal No. 2025M-025ES-001).

#### Analysis

This resolution accepts approximately 904 linear feet of new eight-inch sanitary sewer main (PVC) and three new sanitary sewer manholes, for property located at 2183 Kidd Road in Williamson County.

Tennessee Code Annotated § 7-35-406(a)(2) and Ordinance No. BL2024-345 allow the Metropolitan Department of Water and Sewerage Services to approve extensions, additions, or works by resolution of the Metropolitan Council.

This proposal has been approved by the Planning Commission.

**Sponsors**: Gamble and Parker

## 35. RS2025-1166

A resolution authorizing the Metropolitan Department of Law to compromise and settle the Section 1983 class action claims brought by Peyton Pratt on behalf of herself and all other similarly situated property owners against the Metropolitan Government in the amount of \$1,450,250.09. The amount of \$1,445,250.09 to refund all payments made under Metro Code § 15.64.035 shall be paid from Fund 47335 or Fund 47346. The amount of \$5,000 for attorney's fees shall be paid from the Judgment and Losses Fund.

# <u>Analysis</u>

On March 7, 2023, the Metropolitan Council enacted Ordinance No. BL2023-1690, which established a stormwater capacity fee. The effective date of the stormwater capacity fee was

extended to January 1, 2024, by Resolution No. RS2023-2388. The Metropolitan Department of Water and Sewerage Services ("Metro Water") began collecting the fee on January 1, 2024, and stopped collecting the fee on January 5, 2025.

Peyton Pratt brought a class action lawsuit on December 30, 2024, seeking to certify a class of property owners that paid the stormwater capacity fee, declare the fee unconstitutional under the Fifth Amendment, enjoin the collection of the fee, and award "just compensation" to herself and all others that paid the fee.

Metro Water collected \$1,445,250.09 over the life of the fee. This is significantly lower than the amount anticipated when the stormwater capacity fee was first contemplated. While the Metropolitan Department of Law believes there is a strong case for the continuation of the fee under the Fifth Amendment, including a nexus and rough proportionality, the Metropolitan Government would be responsible for significant attorneys' fees if the litigation is successful.

The Metropolitan Department of Law recommends a settlement of \$1,450,250.09, representing a full refund of all stormwater capacity fees collected plus \$5,000 in attorneys' fees.

Fiscal Note: This settlement would be paid from the Judgment and Losses Fund in the amount of \$5,000 and \$1,450,250.09 from Fund 47335 or Fund 47346. This settlement would be the 9th payment after approval by Metropolitan Council from the Self-Insured Liability Fund in FY25 for a cumulative total of \$1,930,427. The fund balance would be \$16,187,697 after this payment.

**Sponsors**: Porterfield and Ellis

# M. Bills on Second Reading

### 49. BL2025-770

An ordinance amending Chapter 2.40 of the Metropolitan Code of Laws relative to the Department of Law.

#### Analysis

This ordinance amends Chapter 2.40 of the Metropolitan Code of Laws, which outlines some of the powers and duties of the Department of Law.

The ordinance under consideration would amend Section 2.40.100 of the Metropolitan Code to increase the threshold for what property damage claims the Metropolitan Attorney is authorized to settle without explicit Council approval. Currently, the Metropolitan Attorney is authorized to settle any property damage claim under \$15,000. All property damage settlements exceeding this amount must be explicitly approved by the Council. The ordinance under consideration would increase this threshold to \$35,000.

Section 2.40.100 would also be amended to increase the settlement authorization threshold from \$5,000 to \$25,000 that would apply to any other type of claim (i.e. not property damage) against the Metropolitan Government. The amended language would extend this same settlement authorization to claims against officials, officers, employees, or board and commission members of the Metropolitan Government.

Section 2.40.110 of Metropolitan Code would be amended to authorize the Department of Law to settle claims for damages to Metropolitan Government property caused by negligent or unlawful acts of others if the amount does not exceed \$35,000. Currently, this threshold is \$5,000.

Under the existing Section 2.40.115 of the Metropolitan Code, the Department of Law provides the Metropolitan Council with a quarterly report of significant litigation. The report is due 30 days after the end of each calendar quarter. The ordinance under consideration would change 30 days to 60 days. This section also requires a report of judgments entered against the Metropolitan Government. The report is due within 30 days of the date the judgment becomes final. The ordinance under consideration would change 30 days to 60 days.

Section 2.40.130 would be amended to clarify existing language regarding when the Department of Law will represent and employee of the Metropolitan Government. No substantive changes would be made to this section.

Section 2.40.140 would be amended to clarify and simplify language regarding when the Metropolitan Government is authorized to indemnify an employee from a judgement against the employee. There are currently two requirements - that the judgment arises from an act or omission arising out of the employee's performance of their official duties and does not result from willful, wanton, or malicious wrongdoings or violations of departmental rules or orders and that the Department of Law has furnished defense counsel to the employee and the employee has cooperated with the defense counsel. This language would be reorganized and language would be amended to better conform to longstanding practices. In addition, another condition would be added that the employee has no insurance coverage protecting the employee from damages up to the amounts provided in the section.

In addition, Section 2.40.140 also contains the amount up to which the Metropolitan Government will indemnify an employee. Currently, that amount is \$50,000 per person or property damaged in one incident or accident and \$100,000 for all personal injuries and property damage in one incident or accident. This ordinance would increase that amount to \$250,000 per person or property damaged in one incident or accident and \$400,000 for all personal injuries and property damage in one incident or accident.

**Sponsors**: Porterfield and Toombs

#### 50. BL2025-771

An Ordinance amending Title 15 of the Metropolitan Code of Laws to amend the membership and credential requirements of the Stormwater Management Commission.

# <u>Analysis</u>

This ordinance amends Chapter 15.64 of the Metropolitan Code of Laws regarding the membership and credential requirements of the Stormwater Management Commission.

This ordinance makes various housekeeping edits to Chapter 15.64 regarding the Stormwater

Management Commission. In 2023, pursuant to Ordinance No. BL2023-1888, the entity was renamed from the Stormwater Management Committee to the Stormwater Management Commission. The ordinance under consideration updates instances of "committee" that remain in this Chapter.

In addition, this ordinance amends the membership of the Commission. The ordinance adds a requirement that at least one member of the Commission must be a civil or environmental engineer, preferably from the non-profit or academic sector. In addition, the ordinance adds a requirement that one member be a representative of a local environmental organization, elected from nominations submitted by the Metropolitan Department of Water and Sewerage Services. The membership of the commission would remain at seven.

The ordinance further provides that all current member of the Commission will remain in office pursuant to their predetermined durations. When future vacancies occur, new members will be selected from the categories added above. In addition, matters pending before the Commission as of the effective date of the ordinance would not be affected by any provision contained in the ordinance.

**Sponsors:** Sepulveda, Preptit and Parker

# 51. <u>BL2025-781</u>

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 Public Education and Municipal Communications III, LLC (Proposal No. 2025M-002AG-001).

### Analysis

This ordinance approves a lease between Metropolitan Nashville Public Schools ("MNPS") and Municipal Communications III, LLC for a portion of the parcel known as the Johnston Alternative Learning Center at 1200 2nd Avenue S. Municipal Communications will construct and operate a communication tower and related communications facilities at this site. The lease will cover 5,100 square feet of surface ground space, a maximum communications facility height of 150 feet, and access and utility easements. The monthly lease fee will be \$2,000 in the first year and will increase three percent each year.

The lease begins upon the date of the last signature and will continue for a period of up to five years. The lease will automatically terminate if the construction of the communications facility does not occur prior to the end of the first five-year term. Municipal Communications has the right to extend the term of the lease for up to nine additional and success terms of five years each. The lease may be terminated upon 30 days written notice by MNPS.

Fiscal Note: Metropolitan Nashville School Public Schools ("MNPS") will receive the initial lease fee of \$2,000 monthly from Municipal Communications III, LLC. The lease fee will increase by three percent (3%) each year on the anniversary of the operations commencement date. MNPS will receive a one-time nonrefundable payment of \$5,000 in consideration for the tenant's lease during the development term and to reimburse MNPS for any administrative costs and legal fees incurred in conjunction with the negotiation and preparation of this lease.

**Sponsors:** Vo, Porterfield and Gamble

# 52. **BL2025-782**

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 six o'clock (6:00) a.m. on June 4, 2025, and ending at midnight (12:00) on June 9, 2025, relative to the use of these areas in conjunction with the 2025 CMA Fest and related activities and events.

### Analysis

This ordinance approves a temporary "Special Event Zone" for the downtown area, in conjunction with the 2025 CMA Fest and related activities and events from June 4, 2025, until June 9, 2025. A map of the Special Event Zone areas established under this ordinance is attached to the ordinance. Activity restrictions within the Special Event Zone would begin at 6:00 a.m. on Wednesday, June 4, 2025, and end at midnight on Monday, June 9, 2025. 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 CMA 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 CMA Fest, where it is apparent on its face that the merchandise is not licensed by CMA, would be prohibited.
- No tents or membrane structures of any kind would be permitted, except as authorized by CMA 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 CMA.
- 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 CMA 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 CMA.
- 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 CMA Fest, 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 2025 CMA Fest. However, no additional Metro personnel or overtime would be required just for the enforcement of these restrictions.

**Sponsors:** Kupin

# 53. **BL2025-783**

An ordinance authorizing the renaming of an unimproved portion of Toney Road to "Lillard Lane". (Proposal Number 2025M-002SR-001).

## **Analysis**

This ordinance renames an unimproved portion of Toney Road to "Lillard Lane." This street renaming was requested by the Nashville Department of Transportation and Multimodal Infrastructure.

This proposal has been approved by the Planning Commission. This legislation requires a recommendation from the Emergency Communications District Board and a written report regarding the historical significance of the street name from the Historical Commission prior to approval on second reading. The legislation is scheduled for the April 17 meeting of the Emergency Communications District Board.

This legislation must be deferred for one meeting to obtain the required recommendation from the Emergency Communications District Board and report from the Historical Commission.

**Sponsors:** Toombs, Gamble, Parker, Gadd, Vo and Suara

# 54. BL2025-784

An ordinance authorizing the renaming of a portion of Alley #1892 right-of-way, from Meade Avenue to Alley #1917, to "Frankie Alley". (Proposal Number 2025M-001SR-001).

### <u>Analysis</u>

This ordinance renames a portion of Alley #1892, from Meade Avenue to Alley #1917, to "Frankie Alley." There is a home located on McIver Street that is only accessible by Alley #1892. The United States Postal Service will not deliver mail or packages to this address, as the alley is currently unnamed. This street renaming was requested by Council Member Ginny Welsch.

This proposal has been approved by the Planning Commission. This legislation requires a recommendation from the Emergency Communications District Board and a written report regarding the historical significance of the street name from the Historical Commission prior to approval on second reading. The legislation is scheduled for the April 17 meeting of the Emergency Communications District Board.

This legislation must be deferred for one meeting to obtain the required recommendation from the Emergency Communications District Board and report from the Historical Commission.

**Sponsors**: Welsch, Gamble and Parker

# BL2025-785

**55**.

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer mains, sanitary sewer manholes and easements, for two properties located at 3565 Whites Creek Pike and Knight Drive (unnumbered), also known as Bounty Club Phase 1B (MWS Project No. 23-SL-275 and Proposal No. 2025M-022ES-001).

# <u>Analysis</u>

This ordinance accepts approximately 300 linear feet of new eight-inch sanitary sewer main (DIP), approximately 221 linear feet of new eight-inch sanitary sewer main (PVC), two new sanitary sewer manholes and any associated easements for two properties located on 3565 White Creek Pike and Knight Drive (unnumbered), also known as Bounty Club Phase 1B.

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

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

**Sponsors:** Kimbrough, Gamble and Parker

# 56. BL2025-786

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main, sanitary sewer manholes and easements, for property located at 2807 Grandview Avenue, also known as Padel Haus, (MWS Project No. 24-SL-289 and Proposal No. 2025M-021ES-001).

### **Analysis**

This ordinance abandons approximately 223 linear feet of existing eight-inch sanitary sewer main, two sanitary sewer manholes and any associated easements for property located on 2807 Grandview Avenue, also known as Padel Haus.

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

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

**Sponsors**: Gamble and Parker

# N. Bills on Third Reading

## 80. BL2025-772

An ordinance approving a lease agreement between the Metropolitan Government of Nashville and Davidson County, by and through the Auditorium Commission, and the Musicians Hall of Fame and Museum, a Tennessee non-profit corporation.

## <u>Analysis</u>

This ordinance approves a lease agreement between the Metropolitan Auditorium Commission and the Musicians Hall of Fame and Museum ("MHOF"). The MHOF has leased space at Municipal Auditorium since at least 2010.

The term of the lease would be 60 months, with three options to extend the lease term by five years each. The total lease term could not exceed 20 years. The lease consists of the entire circular area of approximately 80,000 square feet of the basement level of the Auditorium. In addition, it includes the courtyard area, additional areas, and 12 parking spaces. The MHOF will pay \$75,000 per lease year as a base rent, paid in 12 monthly installments. Eight percent

of each admission ticket sold and eight percent of the venue fee per private event, up to a total annual cap of \$150,000 each year would be provided to Municipal Auditorium. The base rent and the additional cap will each increase by two percent each lease year.

The Auditorium Commission is responsible for the replacement of the Auditorium's roof and structural repairs, including structural and mechanical needs, for the entire Auditorium, including the double set of glass doors at the entrance of the premises, the outside garage doors at the ramp, and the stairs/ramp at the entrance to the premises, ordinary wear and tear excluded. The MHOF must notify the Auditorium Commission of the need for any work. The MHOF would be responsible for any repairs, replacement, or maintenance necessitated by the MHOF's negligent or improper use of the premises, as determined by the Auditorium Commission. Alterations to the building required by applicable law because of the MHOF's use of the premises are the responsibility of the MHOF. The Auditorium Commission would provide all utilities for the premises. The MHOF would be responsible for telephone, internet, and cable services.

Future amendments to this lease may be approved by resolution.

The Auditorium Commission voted to recommend this lease to the Council for approval on March 3, 2025.

Fiscal Note: The base rental rate for the approximately 80,000 square feet of the Auditorium is \$75,000/month. In addition, eight percent (8%) of each admission ticket sold that are not refunded minus taxes and credit card commissions, and eight percent (8%) the venue fee per private event paid that are not refunded up to five hundred dollars (\$500) maximum per paid event. The annual cap of the combined admission and event fees is \$150,000. The base rent and annual cap will increase by two percent (2%) annually after the first lease year.

**Sponsors:** Kupin, Porterfield, Welsch, Toombs, Benton, Styles, Vo and Gadd

## 81. BL2025-773

An ordinance approving an agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Parks and Recreation ("Parks"), and Belmont University to allow occupational therapy students the opportunity to participate in experiential learning.

#### Analysis

This ordinance approves an agreement between the Metropolitan Department of Parks and Recreation ("Parks") and Belmont University to allow occupational therapy students the opportunity to participate in experiential learning. The students will work in a supervised recreation program for individuals with intellectual and developmental disabilities that has been operated by Parks for over 40 years.

This agreement is effective upon execution by all parties and approval by the Metropolitan Council and is valid for 60 months. The agreement may be terminated by either party upon 30 days written notice.

Future amendments to this ordinance may be approved by resolution.

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

**Sponsors:** Porterfield, Welsch, Toombs, Benton, Vo, Ellis and Gadd

### 82. BL2025-774

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon easement rights for seven properties located along Convent Place, formerly an unnumbered alley between Convent Place and Calhoun Avenue (Proposal No. 2025M-016ES-001).

### **Analysis**

This ordinance abandons easement rights retained by Council Bill No. O84-326 for existing utilities, at 0, 2036, 2038, 2040, 2042, 2044, and 2046 Convent Place, formerly an unnumbered alley between Convent Place and Calhoun Avenue.

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

**Sponsors:** Cash, Gamble and Parker

## 83. BL2025-775

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main, sanitary sewer manhole and easement, and to accept new public sanitary sewer mains, sanitary sewer manholes and easements, for property located at Riverside Drive (unnumbered), also known as Riverside Residential (MWS Project No. 24-SL-45 and Proposal No. 2025M-011ES-001).

#### Analysis

This ordinance abandons approximately 244 linear feet of existing eight-inch sanitary sewer main, one sanitary sewer manhole and any associated easements and accepts approximately 430 linear feet of new eight-inch sanitary sewer main (PVC), approximately 526 linear feet of new eight-inch sewer main (DIP), four new sanitary sewer manholes and any associated easements for property located at Riverside Drive (unnumbered), also known as Riverside Residential.

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

# 84. BL2025-776

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 Katonka Drive (unnumbered), also known as Evergreen Hills Phase 3 (MWS Project Nos. 24-WL-59 and 24-SL-208 and Proposal No. 2025M-017ES-001).

### Analysis

This ordinance accepts approximately 123 linear feet of new four-inch water main (DIP), approximately 2,014 linear feet of new eight-inch water main (DIP), approximately 1,515 linear feet of new eight-inch sanitary sewer main (PVC), approximately 122 linear feet of new eight-inch sanitary sewer main (DIP), four fire hydrant assemblies, 13 sanitary sewer manholes and easements for property located at Katonka Drive (unnumbered), also known as Evergreen Hills Phase 3.

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

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

**Sponsors**: Gamble and Parker

# 85. **BL2025-777**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water mains, fire hydrant assemblies and easements, for property located at 4320 Harding Pike, also known as Hill Center Belle Meade Access Improvement (MWS Project No. 24-WL-67 and Proposal No. 2025M-008ES-001).

### Analysis

This ordinance accepts approximately 33 linear feet of new six-inch water main (DIP), approximately 419 linear feet of new 10-inch water main (DIP), two fire hydrant assemblies and easements for property located at 4320 Harding Pike, also known as Hill Center Belle Meade Access Improvement.

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

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

**Sponsors:** Gadd, Gamble and Parker

## 86. BL2025-778

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer mains, sanitary sewer manholes and easements, for three properties located at 6214, 6218 and 6222 Harding Pike, also known as Brook Hollow (MWS Project No. 24-SL-170 and Proposal No. 2025M-010ES-001).

## <u>Analysis</u>

This ordinance accepts approximately 327 linear feet of new eight-inch sanitary sewer main (PVC), two sanitary sewer manholes and easements for three properties located at 6214, 6218, and 6222 Harding Pike, also known as Brook Hollow.

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

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

**Sponsors:** Druffel, Gamble and Parker

# 87. BL2025-779

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main, sanitary sewer manhole and easements, and to accept new public sanitary sewer mains, sanitary sewer manholes and easements, for property located at 1300 Hunters Lane (MWS Project No. 24-SL-72 and Proposal No. 2025M-018ES-001).

## **Analysis**

This ordinance abandons approximately 70 linear feet of existing eight-inch sanitary sewer main (PVC), one sanitary sewer manhole and easements, and accepts approximately 896 linear feet of new eight-inch sanitary sewer main (PVC), approximately 1,486 linear feet of new eight-inch sanitary sewer main (DIP), 17 sanitary sewer manholes and easements for property located at 1300 Hunters Lane.

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

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

**Sponsors:** Gamble and Parker