



Metropolitan Council

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## H. Rules of Procedure

### H1. [Rule 13.4](#)

Proposed amendment to Rule 13.4 of the Rules of Procedure of the Council.

#### Analysis

This proposed rule amendment would amend Rule 13.4 of the Council Rules of Procedure to remove the prohibition against filing a nonbinding resolution as a late item. Under the current version of the Council Rules of Procedure, nonbinding resolutions submitted after the deadlines set forth in the Rules are not eligible for consideration on an emergency basis. The proposed rule amendment under consideration would remove this provision.

**Sponsors:** Kupin

### H2. [Rule 50.2](#)

Proposed amendment to Rule 50.2 of the Rules of Procedure of the Council.

#### Analysis

This proposed rule amendment would amend Rule 50.2 of the Council Rule of Procedure, which provides the procedures for the consideration of Council nominees to Metropolitan Government boards and commissions. The current version of Rule 50.2 was amended on April 2, 2024 to require Rules Committee consideration of Council nominees to boards and commissions before making a recommendation at the next regular Council meeting *at least two weeks following* the nominee's consideration. In practice, this means that the Rules Committee interviews a nominee at its first meeting and makes a recommendation on the nominee at the following meeting. This is significant because Rule 50.3 provides that candidates for Council elections to boards and commissions who fail to appear before the Rules Committee for consideration are deemed withdrawn.

The proposed rule amendment would add language to clarify that nominees are considered and recommended at two consecutive Rules Committee meetings, with the first meeting consisting of an interview. It would also provide that a nominee may appear for an interview at the second of the scheduled Rules Committee meetings upon a motion of a member of the Rules Committee at the first committee meeting.

**Sponsors:** Kupin

## I. Resolutions on Public Hearing

### 1. [RS2024-792](#)

A resolution approving Amendment Number 3 to a sole source contract between the Metropolitan Government of Nashville and Davidson County and Fusus, LLC. to increase the value, extend the term, and utilize the full scope of work including surveillance technology.

#### Analysis

This resolution approves the third amendment to a sole source contract between the Metropolitan Government and Fusus, LLC to increase the value, extend the term, and utilize the full scope of work under the contract including surveillance technology.

Section 4.12.060 of Metropolitan Code of Laws requires the Metropolitan Council to approve sole source contracts with values of more than \$250,000. The Metropolitan Council did not approve the original agreement with Fusus (contract number 6518701) pursuant to Section 4.12.060 because the contract value was only \$175,000. However, the contract should have been subject to Council approval pursuant to Metropolitan Code of Laws Section 13.08.080.C, which requires contracts for surveillance technology meeting certain conditions to be approved by the Council after a public hearing.

The original contract began on September 15, 2022. RS2023-2380, which sought approval of the first amendment, was withdrawn on August 15, 2023, and the contract was amended administratively to extend the term from 12 months to 24 months. Because the length of the contract remained under 60 months Council approval was not required. RS2024-158, which sought approval of the second amendment, was withdrawn on February 6, 2024, and the contract was amended administratively increasing the contract value by \$74,900 for a total contract value of \$249,900. Because the sole source contract remained under \$250,000 Council approval was not required. The second amendment also limited the scope of work for Year 2 of the contract to temporarily deactivate the private real-time video sharing service and the video live streaming from existing Metro-owned cameras.

The third amendment under consideration in the current resolution would extend the total contract term to 60 months with a contract expiration on September 26, 2027. The amendment would increase the value of the contract by \$525,000 for a total contract value of \$774,900.

The resolution under consideration would also expand the contract usage by authorizing the utilization of the surveillance technology provisions which had previously been limited during Year 2, but only to include:

1. The video integration service from cameras owned by both private and public entities,
  - a. Note that the prior to receiving these videos, the camera owners must agree to provide the access to the video footage for use by the MNPD.
2. The use of the videos, and
3. The storage of the videos.

Because this resolution expressly approves the utilization of surveillance technology, among other things, and pursuant to Metropolitan Code of Laws Section 13.08.080.C, a public hearing was held at the October 15, 2024, Council meeting. The Council voted at the October 15 meeting to hold an additional public hearing on November 19, 2024.

*Fiscal Note: This amendment increases the estimated contract value of the contract 6518701 with Fusus, LLC by \$525,000 for a revised contract amount of \$774,900 to be paid from Fund 10101, Business Unit 31160110. However, actual expenses may be paid from various department's fund and business units when purchased orders are issued.*

**Sponsors:** Porterfield, Evans, Hancock and Webb

**2. [RS2024-862](#)**

A resolution exempting Turkey Icehouse, LLC, located at 800 Meridian 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 Turkey Icehouse, LLC, located at 800 Meridian 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:** Parker

**J. Consent Agenda**

**K. Resolutions**

**3. [RS2024-791](#)**

A resolution accepting a grant from the Nashville Police + Public Safety Alliance to the Metropolitan Government, acting by and through the Metropolitan Nashville Police

Department, to purchase the Zencity Blockwise platform to measure resident safety perceptions and trust in law enforcement through ongoing surveys to guide public safety strategies.

Analysis

This resolution accepts a grant from the Nashville Police + Public Safety Alliance to the Metropolitan Nashville Police Department (“MNPDP”) in an amount not to exceed \$210,129 with no local cash match required. This grant will be used to purchase a license for the Zencity Blockwise platform, which will allow MNPDP to measure resident safety perceptions and trust in law enforcement through an ongoing survey to guide public safety strategies.

**Sponsors:** Porterfield, Evans and Benton

4. [RS2024-863](#)

A resolution approving amendment one to a grant from the Tennessee Department of Mental Health and Substance Abuse Services, to the Metropolitan Government, acting by and through the Davidson County Juvenile Court, to develop and implement an evidence-based specialized infant and toddler court to serve children zero through thirty-six months.

Analysis

This resolution approves the first amendment to a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the Davidson County Juvenile Court originally approved by Resolution No. RS2022-1664. The original grant was for an amount not to exceed \$500,000. The term of the original grant began on July 1, 2022, and was set to end on December 31, 2024.

The amendment under consideration extends the term of the grant by six months, until June 30, 2025. The grant amount would be increased from \$500,000 to \$600,000. The grant budget attachment would be updated to reflect these changes. In addition, a provision would be added to authorize the State of Tennessee to extend the term of the grant for an additional period not to exceed 12 months under the same terms and conditions, but in no event may the term exceed 60 months.

**Sponsors:** Porterfield, Welsch, Ellis and Kupin

5. [RS2024-864](#)

A resolution authorizing the Metropolitan Department of Finance to enter into memorandums of understanding with certain Metropolitan Government departments and agencies concerning prior appropriations of American Rescue Plan Act funds.

Analysis

This resolution authorizes the Metropolitan Department of Finance to enter into memorandums of understanding with certain Metropolitan Government departments and agencies concerning prior appropriations of American Rescue Plan Act (“ARPA”) funds.

The Metropolitan Government previously received federal Coronavirus State and Local Fiscal

Recovery Funds (“SLFRF”) authorized by ARPA to aid in the response to and impact from the COVID-19 pandemic. The Metropolitan Council established the COVID-19 Financial Oversight Committee to assist in the appropriation of ARPA funds to Metropolitan Government departments and agencies.

The U.S. Department of the Treasury implemented rules that require all ARPA funds to be obligated by December 31, 2024, and that all obligated funds be expended by December 31, 2026. Otherwise, the funds must be returned to the federal government. The U.S. Department of the Treasury has issued recent guidance that, under the SLFRF rules, means that the Metropolitan Council resolutions appropriating ARPA funds to Metropolitan Government departments and agencies that are unspent as of December 31, 2024, would not alone satisfy the requirements to obligate the ARPA funds.

The resolution under consideration approves memorandums of understanding for the purpose of satisfying the requirement to obligate ARPA funds by December 31, 2024.

The memorandums of understanding, attached to the resolution as Exhibits B through U, relate to funding that has previously been approved by the Council. Detailed information about the memorandums of understanding and the corresponding Council legislation can be found listed on Exhibit A to the resolution.

*Fiscal Note: The total ARPA Funds obligated through the interagency agreements with the various Metro departments is \$73,227,879.95. These agreements will satisfy the requirement to obligate the ARPA Funds by December 31, 2024, and must be spent by December 31, 2026.*

**Sponsors:** Porterfield and Johnston

6. [\*\*RS2024-865\*\*](#)

A resolution approving an application for a Coordinated Entry Process grant from the U. S. Department of Housing and Urban Development to the Metropolitan Government, acting by and through the Office of Homeless Services, to support the work of Coordinated Entry through staffing, program evaluation, and community education.

**Analysis**

This resolution approves an application for a Coordinated Entry Process grant from the U.S. Department of Housing and Urban Development and the Office of Homeless Services. The application is for a grant with an award of \$128,000 and a required cash match of \$32,000. If awarded, the grant would be used for the planning, implementation, and improvement of the Coordinated Entry process in Nashville. This includes, but is not limited to, managing the community’s By-Name List, leading weekly Care Coordination meetings for all populations, facilitating and processing real time referrals to housing resources including rapid re-housing and permanent supportive housing, providing training to the community, and reviewing data to regularly evaluate the Coordinated Entry process.

**Sponsors:** Porterfield, Evans, Johnston, Allen and Webb

**7. [RS2024-866](#)**

A resolution approving an application for a Homeless Management Information System grant from the U. S. Department of Housing and Urban Development to the Metropolitan Government, acting by and through the Office of Homeless Services, to pay for the software system vendor, purchase additional user licenses when needed, and continue integrating data from the Nashville Rescue Mission.

**Analysis**

This resolution approves an application for a Homeless Management Information System (“HMIS”) grant from the U.S. Department of Housing and Urban Development to the Office of Homeless Services. If award, the grant amount would be \$141,508 with a required cash match of \$37,000. The grant would be used to pay for the software system vendor, purchase additional user licenses when needed, and continue integrating data from the Nashville Rescue Mission.

An HMIS grant was previously approved earlier this year pursuant to Resolution No. RS2024-622. The grant under consideration would fund a continuation of the project upon expiration of the current funding.

**Sponsors:** Porterfield, Evans, Johnston, Allen, Webb and Kupin

**8. [RS2024-867](#)**

A resolution approving a grant contract between the Metropolitan Government of Nashville and Davidson County, acting by and through the Office of Family Safety, and The Sexual Assault Center and appropriating an additional \$100,000 from the General Fund for the grant.

**Analysis**

This resolution approves a grant contract between the Office of Family Safety and the Sexual Assault Center and appropriates an additional \$100,000 from the General Fund for the grant.

T.C.A. § 7-3-314 provides that metropolitan governments may provide financial assistance to nonprofit organizations. Section 5.04.070 of the Metropolitan Code of Laws provides that the Council may appropriate funds for the financial aid of nonprofit organizations if approved by a resolution receiving 21 affirmative votes.

The operating budget, as approved by Substitute Ordinance No. BL2024-373, appropriated \$75,000 to the Sexual Assault Center for the purpose of a grant. The Office of Family Safety desires to increase this grant by \$100,000, for a total grant of \$175,000. This ordinance would approve the appropriation of \$100,000 for this increased grant total.

Pursuant to the terms of the agreement, the Sexual Assault Center will provide 100 medical legal exams to Davidson County resident victims/survivors of sexual assault at the SAFE Clinic and 500 therapy sessions to Davidson County resident victims/survivors of sexual assault. In addition, the grant will fund the completion and maintenance of a mobile Safe Bar app for bar-goers, distribution of drug detection cards, and other promotional and marketing materials and efforts with the goal of enhancing awareness of the Safe Bar program.

The total grant amount is \$175,000. The term of the grant is 12 months, beginning July 1, 2024, and ending June 30, 2025.

**Sponsors:** Porterfield, Evans, Welsch, Allen, Vo and Ellis

9. [RS2024-868](#)

A resolution approving a sole source contract between the Metropolitan Government of Nashville and Davidson County and Hart Halsey LLC dba Extra Duty Solutions for the Metropolitan Nashville Police Department to utilize overtime and extra duty scheduling software.

Analysis

This resolution approves a sole source contract between the Metropolitan Government and Hart Halsey LLC dba Extra Duty Solutions to provide overtime and extra duty scheduling software for the Metropolitan Nashville Police Department (“MNPDP”).

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

The estimated value of this contract is \$290,000. The term of the contract begins upon approval of all required parties and filing with the Metropolitan Clerk’s Office and extends for a term of 60 months.

According to the sole source justification form, Extra Duty Solutions is a subscription service and is already implemented within MNPDP. This service has the unique capability of providing scheduling solutions that can manage assignments for overtime initiatives, special events, and secondary employment opportunities and allows for different rules to be engaged for each of the three groupings. In addition, this service provides more data fields which will preserve information such as resources used, type of resource, reason for resource need, purpose of the assignment, and allows for the attachment of a plan or instructions for the assignment.

*Fiscal Note: The estimated value of this sole source contract number 6573240 with Hart Halsey, LLC dba Extra Duty Solutions for the extra duty software services is \$290,000 to be paid from Fund 10101, Business Unit 31160110. However, actual expenses may be paid from various department’s fund and business unit when purchase orders are issued.*

**Sponsors:** Evans and Porterfield

10. [RS2024-869](#)

A resolution approving amendment one to a Violent Crime Intervention Fund (VCIF) grant from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs, to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department (MNPDP), to provide support to local law enforcement in developing and



implementing evidence-based strategies to combat violent crime.

Analysis

This resolution approves the first amendment to a Violent Crime Intervention Fund grant from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs (“OCJP”), to the Metropolitan Nashville Police Department, previously approved by Resolution No. RS2023-2268. This grant is utilized for technology upgrades and police support and towards implementing a new Group Violence Intervention Program and strategies that will reduce violent crime.

RS2023-2268 approved a grant in an amount not to exceed \$3,000,000, with \$2,350,000 for capital purchase and \$650,000 for indirect costs. The initial grant term began August 1, 2023, and is set to end on June 30, 2025.

This amendment adds a new section that allows the OCJP to extend the term of the grant for a period not to exceed 365 days under the same terms and conditions, but in no event may the term exceed 60 months. The amendment also amends provisions related to the disbursement reconciliation and close out of the grant, the monitoring of sub-contractors, and the suspension of payment. The grant budget attachment would be replaced to shift unused funding from budget year one to budget year two.

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

11. [RS2024-870](#)

A resolution approving an application for the Edward Byrne Memorial Justice Assistance Grant from the U. S. Department of Justice to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department, for specialized training and equipment to ensure personnel maintain needed certifications for criminal investigation and crime reduction initiatives.

Analysis

This resolution approves an application for the Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice to the Metropolitan Government Police Department. The grant application is for an award of \$494,241 with no required cash match.

The grant application requests funding for travel and lodging to the CALEA Conference, Digital Forensic training, SANS and EnCase Digital Forensics training, International Association of Chiefs of Police, National Association of Extradition Officials, ILEETA Conference, IPTM Motorcycle Instructor Training Course, National Internal Affairs Investigators Association, Police Fleet Expo, Autorotation Emergency Operative Training, MCCA Conference, Alentado Training, and Aldenhorst Canine Training. The application also requests funding for equipment

including night vision goggles to replace existing night vision goggles utilized by SWAT, K-9



and Emergency Contingency Unit, equipment for computer forensics, exercise equipment for Hermitage, West and Midtown Precincts, Solar Panels for access gates, iCIMS software, and ProLaser 4 LIDAR Speed Detection devices. Funding is also requested for stinger spike systems, breaching kits for search warrants, computer monitors, and batteries for portable radios.

The Edward Byrne Memorial Justice Assistance Grant is a routine grant for which MNPDP applies annually.

**Sponsors:** Porterfield and Evans

12. [RS2024-871](#)

A resolution approving an application for the Statewide School Resource Officer (SRO) Program Grant from the Tennessee Department of Safety and Homeland Security to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department, to provide funding for the placement of one full-time School Resource Officer (SRO) in each K-12 public and public charter school.

**Analysis**

This resolution approves an application for the Statewide School Resource Officer (“SRO”) Program grant from the Tennessee Department of Safety and Homeland Security to Metropolitan Nashville Police Department with a grant award not to exceed \$75,000 per year, per SRO, and per School with no cash match required. If awarded, the grant award would be \$3,900,000 with no cash match required. It would be used to fund School Resource Officers in all Nashville public elementary, middle, and high schools and public charter schools.

Tennessee Code Annotated § 10-7-504(p) makes the information submitted by the Metropolitan Nashville Police Department on the application, including the required memorandum of understanding described in the application, confidential and not subject to release or distribution to the public. For this reason, a blank copy of the application is attached to the resolution for reference. Council Members may view the completed application as part of their official duties upon request but may not share the completed application with the public.

Last year, the Council approved the acceptance of a Statewide SRO Program grant pursuant to Resolution No. RS2023-16 in an amount not to exceed \$3,375,000.

**Sponsors:** Porterfield, Evans and Johnston

13. [RS2024-872](#)

A resolution to amend Ordinance No. BL2024-202 to authorize The Metropolitan Government of Nashville and Davidson County to modify the linear feet of sanitary sewer mains and quantity of sewer manholes to be abandoned and accepted, to accept additional sanitary sewer main and to update Map and Parcel information for now three properties located at 101 Berry Street and 660 B and 661 B Joseph Street, also known as River Chase Apartments, Revision 1, (MWS Project Nos. 23-WL-73 and 23-SL-163 and Proposal No. 2023M-196ES-002).

**Analysis**

Ordinance No. BL2024-202 was approved by the Metropolitan Council on March 7, 2024. The ordinance authorized the abandonment of approximately 530 linear feet of existing six-inch water main approximately 293 linear feet of existing 12-inch sanitary sewer main, one fire hydrant assembly, two sanitary sewer manholes and easements, and the acceptance of approximately 532 linear feet of new eight-inch water main (DIP), approximately 264 linear feet of new 12-inch sanitary sewer main (PVC), three fire hydrant assemblies, four sanitary sewer manholes and easements, for two properties located at 651 and 660 Joseph Avenue, also known as River Chase Apartments. BL2024-202 provides that amendments to the legislation may be approved by resolution.

The proposed resolution would amend BL2024-202 to accept approximately 177 linear feet of new 12-inch sanitary sewer main (DIP). The abandonment of approximately 39 linear feet of existing 12-inch sanitary sewer main and one sanitary sewer manhole, and the previously approved acceptance of approximately 109 linear feet of new 12-inch sanitary sewer main and one new sanitary sewer manhole, are no longer needed. The resolution would also reduce the acceptance of approximately 109 linear feet of new eight-inch sanitary sewer main (PVC) by four feet to approximately 104 linear feet of new eight-inch sanitary sewer main (PVC). In addition, the two properties located at 651 and 660 Joseph Avenue are now three properties located at 101 Berry Street and 660 B and 661 B Joseph Street.

These changes have been approved by the Planning Commission.

**Sponsors:** Parker and Gamble

## **N. Bills on Second Reading**

### **30. [BL2024-596](#)**

An ordinance approving a license agreement with AllTrack, relating to the use of musical compositions in the AllTrack repertory at Metropolitan Government facilities.

#### **Analysis**

This ordinance approves a license agreement between AllTrack Performing Rights LLC (“AllTrack”) and the Metropolitan Government for the use of musical compositions in the AllTrack repertory. AllTrack would grant the Metropolitan Government a non-exclusive license to allow certain musical compositions to be publicly performed at Metropolitan Government facilities.

The agreement term would begin on December 1, 2024, and end on November 30, 2025. After the first year, the term of the agreement would automatically renew on an annual basis. Either party may terminate the agreement no later than 30 days before the agreement term expires.

The annual license fee is determined based on the population size of Nashville and Davidson County. The Metropolitan Government would pay a \$5,797 license fee for the first year of the agreement.

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

*Fiscal Note: Metro would pay AllTrack Performing Rights LLC an annual license fee of \$5,797 for the right to publicly perform certain musical compositions in the AllTrack repertory at Metro facilities.*

**Sponsors:** Porterfield and Vo

**31. [BL2024-597](#)**

An ordinance approving Amendment Number 2 to the contract between the Metropolitan Government of Nashville and Davidson County (“Metro”) and Securus Technologies, LLC. (“Securus”), to extend the term of the contract.

**Analysis**

This ordinance approves the second amendment of a contract between the Metropolitan Government (“Metro”) and Securus Technologies, LLC (“Securus”) for the provision of inmate phone, communication systems, and related services. The term of this contract, number 6461966, began on November 20, 2019, and was previously extended to end on October 31, 2024.

The contract was previously amended to allow Securus to provide comprehensive video visitation monitoring services and modify the pricing of the agreement.

The proposed amendment extends the contract term to May 1, 2025, which is more than 60 months after the term began. Section 4.12.160 of the Metropolitan Code of Laws limits the term of contracts for supplies to 60 months, unless otherwise authorized by the Metropolitan Council.

The proposed amendment also adds a clause allowing Metro to continue to designate certain numbers for individuals such as attorneys or clergy members as “private” and prevent them from being recorded by Securus. Additional language would be added to ensure that a Federal Communications Commission order regulating fees, maximum calling rates, and services offered by service providers would be implemented by contract amendment if the order takes full or partial effect. The amendment also adds language required by Tenn. Code Ann. § 12-4-119 prohibiting the contractor from engaging in a boycott of Israel for the duration of the contract.

*Fiscal Note: There is no cost to Metro for the performance of this agreement. Securus Technologies, LLC will charge inmates and family of inmates the rates for the communication services.*

**Sponsors:** Porterfield and Evans

**32. [BL2024-599](#)**

An ordinance approving a greenway conservation easement between the Metropolitan Government of Nashville and Davidson County, through the Metropolitan Board of Parks and

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Recreation, and Keith A. Monson and Clove Warren Monson for greenway improvements at 135 Kingston Street (Parcel No. 07103011500) (Proposal No. 2024M-040AG-001).

Analysis

This ordinance accepts a greenway conservation easement for property located at 135 Kingston Street, owned by Keith A. Monson and Clove Warren Monson. The easement contains approximately 0.25 acres.

Pursuant to Tennessee Code Annotated section 66-9-305 and Metropolitan Charter section 2.01, the Metropolitan Government may accept donations of property interests for the purpose of establishing greenways and providing the public with recreational opportunities in natural areas.

This ordinance has been approved by the Planning Commission. There is no cost to Metro to acquire the easement.

*Fiscal Note: There is no cost to Metro to acquire this conservation easement.*

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

**33. [BL2024-600](#)**

An ordinance approving a greenway conservation easement between the Metropolitan Government of Nashville and Davidson County, through the Metropolitan Board of Parks and Recreation, and Oldham PropCo, LLC for greenway improvements at 304 Oldham Street (Parcel No. 08211015000) (Proposal No. 2024M-038AG-001).

Analysis

This ordinance accepts a greenway conservation easement for property located at 304 Oldham Street, owned by Oldham PropCo, LLC. The easement contains approximately 0.1554 acres.

Pursuant to Tennessee Code Annotated section 66-9-305 and Metropolitan Charter section 2.01, the Metropolitan Government may accept donations of property interests for the purpose of establishing greenways and providing the public with recreational opportunities in natural areas.

This ordinance has been approved by the Planning Commission. There is no cost to Metro to acquire the easement.

*Fiscal Note: There is no cost to Metro to acquire this conservation easement.*

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

**34. [BL2024-601](#)**

An ordinance approving a greenway conservation easement between the Metropolitan Government of Nashville and Davidson County, through the Metropolitan Board of Parks and Recreation, and Elizabeth Homes Owners Association for greenway improvements at 1813 Elizabeth Road (Parcel No. 069160S90000CO) (Proposal No. 2024M-039AG-001).

Analysis

This ordinance accepts a greenway conservation easement for property located at 1813 Elizabeth Road, owned by Elizabeth Homes Owners Association. The easement contains approximately 0.04 acres.

Pursuant to Tennessee Code Annotated section 66-9-305 and Metropolitan Charter section 2.01, the Metropolitan Government may accept donations of property interests for the purpose of establishing greenways and providing the public with recreational opportunities in natural areas.

This ordinance has been approved by the Planning Commission. There is no cost to Metro to acquire the easement.

*Fiscal Note: There is no cost to Metro to acquire this conservation easement.*

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

**35. [BL2024-602](#)**

An ordinance approving a greenway conservation easement between the Metropolitan Government of Nashville and Davidson County, through the Metropolitan Board of Parks and Recreation, and 1811 Elizabeth Road Owners Association for greenway improvements at 1811 Elizabeth Road (Parcel No. 069160R90000CO) (Proposal No. 2024M-041AG-001).

Analysis

This ordinance accepts a greenway conservation easement for property located at 1811 Elizabeth Road, owned by 1811 Elizabeth Road Owners Association. The easement contains approximately 0.04 acres.

Pursuant to Tennessee Code Annotated section 66-9-305 and Metropolitan Charter section 2.01, the Metropolitan Government may accept donations of property interests for the purpose of establishing greenways and providing the public with recreational opportunities in natural areas.

This ordinance has been approved by the Planning Commission. There is no cost to Metro to acquire the easement.

*Fiscal Note: There is no cost to Metro to acquire this conservation easement.*

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

**36. [BL2024-603](#)**

An ordinance authorizing the granting of permanent easements, temporary construction easements, and access easements to Piedmont Natural Gas Co. on certain properties owned by the Metropolitan Government located at 1591, 1595 and 1599 Emerald Drive (Proposal No. 2024M-109ES-001).

Analysis

This ordinance authorizes the granting of permanent and temporary construction easements and access easements to Piedmont Natural Gas Co. on property owned by the Metropolitan Government at 1591, 1595, and 1599 Emerald Drive.

Piedmont requested these easements for the purposes of constructing, installing, maintaining, operating, repairing, altering, replacing, removing, relocating, inspecting, upgrading, and protecting one or more pipelines. Piedmont completed the work that necessitated the easements several years ago, but the associated documents appear to have been inadvertently misplaced. Piedmont has agreed to pay fair market value, as determined at the time of construction, as compensation for these easements.

*Fiscal Note: Piedmont Natural Gas Co. will pay \$16,560 to Metro for the use of the easements at 1591 Emerald Drive, \$1,375 for the use of the easements at 1595 Emerald Drive, and \$1,875 for the use of the easements at 1599 Emerald Drive, for a total of \$19,810.*

**Sponsors:** Porterfield, Gamble and Parker

**37. [BL2024-604](#)**

An ordinance authorizing the granting of permanent and temporary construction easements to Piedmont Natural Gas Co. on certain property owned by the Metropolitan Government located at 0 West Hamilton Avenue (Parcel No. 07000003600) (Proposal No. 2024M-042AG-001).

Analysis

This ordinance authorizes the granting of permanent and temporary construction easements to Piedmont Natural Gas Co. on property owned by the Metropolitan Government at 0 West Hamilton Avenue.

Piedmont will use these easements for the purposes of constructing, installing, and maintaining a new natural gas line and above ground improvements and upgrading and improving service to the area. Piedmont has agreed to pay fair market value as compensation for these easements.

*Fiscal Note: Piedmont Natural Gas Co. will pay \$1,005 to Metro for the use of these easements.*

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

**38. [BL2024-605](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to acquire permanent and temporary easements through negotiation, condemnation, and acceptance, for the Jewel Street Stormwater Improvement Project for two properties located at 1705 Jewel Street and 920 Cherokee Avenue, (Project No. 24-SWC-117 and Proposal No. 2024M-120ES-001).

Analysis

This ordinance authorizes the negotiation, condemnation, and acceptance of permanent and temporary easements for two properties located at 1705 Jewel Street and 920 Cherokee Avenue for the Jewel Street Stormwater Improvement Project.

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

**Sponsors:** Parker and Gamble

**39. [BL2024-606](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon easement rights located at 701 7th Avenue South, formerly a portion of Alley No. 160 (Proposal No. 2024M-123ES-001).

Analysis

This ordinance abandons easement rights retained by Council Bill No. O70-1093 for existing utilities at 701 7th Avenue South, formerly a portion of Alley No. 160. The abandonment was requested by the owner, MTP-Paseo Phase III Land, LLC.

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

**Sponsors:** Kupin, Gamble and Parker

**40. [BL2024-607](#)**

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 3051 Stokers Lane, also known as Stokers Village Phase 1 (MWS Project Nos. 22-WL-55 and 22-SL-117 and Proposal No. 2024M-119ES-001).

Analysis

This ordinance accepts approximately 1,395 linear feet of new eight-inch water main (DIP), approximately 369 linear feet of new eight-inch sanitary sewer main (DIP), approximately 969 linear feet of new eight-inch sanitary sewer mains (PVC), two fire hydrant assemblies, ten sanitary sewer manholes and any associated easements, for property located at 3051 Stokers Lane, also known as Stokers Village Phase 1.

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

**Sponsors:** Toombs, Gamble and Parker

**O. Bills on Third Reading**

**65. [BL2024-582](#)**



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An ordinance modifying the structure of various boards and commissions to enhance operations and comply with provisions of the Metropolitan Charter.

### Analysis

This ordinance makes various amendments to the Metropolitan Code of Laws regarding the structure of various boards and commissions.

Chapter 2.64 of the Metropolitan Code of Laws would be amended to add a new section, first, regarding the commencement of a term and, second, regarding attendance requirements for board and commission members. After December 1, 2024, a term would be deemed to have begun the day after the term of the member who occupied the seat previously ended, provided that the appointment is not filling the remainder of an unexpired term. The change will avoid the current problem where terms that were originally staggered become merged such that the terms of an entire board or commission could conclude on the same date.

Secondly, if, over the course of one-year, a member of a board or commission is absent for two-thirds of meetings of the full body for which a quorum is required, the member shall be considered to have excessive absences. Once the excessive absences are verified by the Metropolitan Clerk, the chair, vice chair, or executive director of the board or commission would notify the chair of the Metropolitan Council's Rules, Confirmations, and Public Elections Committee and the Metropolitan Council Office. The chair of the Rules, Confirmations, and Public Election Committee must then introduce legislation to consider the removal of the board or commission member pursuant to Section 11.109 of the Metropolitan Charter. This provision would not apply to an ex-officio member.

The ordinance would make a housekeeping change to clarify that the Nashville Sustainability Advisory Committee is housed in Chapter 2.155 of the Metropolitan Code, consistent with the version of the Metropolitan Code of Laws published by Municode.

Provisions for the Homelessness Planning Council, Metropolitan Housing Trust Fund Commission, Greenway and Open Space Commission, Nashville Sustainability Advisory Committee, Metropolitan Safety Advisory Board, and Short Term Rental Appeals Board would be amended to state that the members of the Metropolitan Council serving on each board or commission serve in a non-voting capacity. In addition, clarification would be made that the Council Member's term does not extend beyond the term in which they were elected. Resolution No. RS2021-966 would also be amended to state that members of the Metropolitan Council who serve on the COVID-19 Financial Oversight Committee serve as non-voting members.

The ordinance would also formally dissolve the following committees whose legislatively assigned work has been completed:

- Tax Increment Financing Study and Formulating Committee established by Ordinance No. BL2018-1315;
- Special Solid Waste and Recycling Commission established by Ordinance No. BL2021-693; and

- Tax Incentive and Abatement Study and Formulating Committee established by Ordinance No. BL2022-1415.

**Sponsors:** Sepulveda

**66. [BL2024-583](#)**

An ordinance amending Title 7 of the Metropolitan Code of Laws to update requirements for certificates of compliance issued by the Mayor's Office for retail package stores, to align with applicable state statutes.

**Analysis**

This ordinance updates Title 7 of the Metropolitan Code of Laws regarding certificates of compliance issued by the Mayor's Office for retail package stores.

Tennessee state law regulates retail package stores throughout the state. The Tennessee Alcoholic Beverage Commission ("TABC") requires a retail package store to obtain a certificate of compliance from the local government where the store is located in order to apply for a retail package store license from the TABC. The TABC has rules and policies that provide guidance to local governments regarding the issuance of certificates of compliance and those rules have recently changed.

The TABC Rules and Regulations Section 0100-03-.09 previously required that notice of retail liquor license applications be published in a local newspaper, however, this requirement has been removed. In addition, Tennessee Code Annotated Section 57-3-208 was amended to allow certificates of compliance to remain valid unless there is a change in ownership or location.

The ordinance under consideration rewrites Metropolitan Code of Laws Section 7.16.090 regarding the publication of notice of an application for a certificate of compliance in accordance with the changes to the TABC Rules and Regulations. Provisions regarding the advertisement of the application in a newspaper of general circulation would be removed. The section would keep requirements regarding the form and content of the application, including that the application must be written upon forms prepared and approved by the mayor. The ordinance would clarify that the name and address of all individuals with an ownership interest in the applicant entity must be provided, along with the existing requirements for the location of the proposed business, nature and character of the business to be carried on, and, if a partnership, the names of the partners and any additional information required by the mayor.

In addition, the ordinance under consideration would amend Metropolitan Code of Laws Section 7.16.160. This provision currently states that a certificate of compliance is valid for two years from the date of issuance. The revised language would provide that a certificate of compliance remains valid unless there is a change of ownership consistent with the recently amended state law. Metropolitan Code of Laws Section 7.16.170 would also be amended to remove a reference to the period for which a license is valid.

**Sponsors:** Hill

**67. [BL2024-584](#)**

An ordinance establishing a program for the purpose of providing assistance to low-income elderly residents of the Metropolitan Government for Fiscal Year 2025.

Analysis

This ordinance establishes the property tax relief program for low-income elderly residents of the Metropolitan Government for Fiscal Year 2024-2025. This is essentially an extension of an existing tax relief program that has been in existence for many years and is renewed annually.

Tennessee Code Annotated § 5-9-112 authorizes county legislative bodies to appropriate funds for the purpose of providing assistance to low-income elderly residents in the county on an annual basis, based on the particular needs of eligible recipients. The county legislative body is also authorized to develop guidelines for eligibility. Additionally, Tennessee Code Annotated § 67-5-702 provides that the general funds of the state shall be paid to certain low-income taxpayers 65 years of age or older in order to pay or reimburse such taxpayers for all or part of their local property taxes. For many years, Metro has provided a double match of the state funds for the program. \$6,847,000 has been included in the proposed FY25 operating budget in the Property Tax Relief Program Account.

This ordinance directs the Metropolitan Trustee to disburse funds to eligible taxpayers and further authorizes the Trustee to establish rules and procedures for implementation of the program. All persons who qualify for the state property tax relief program and whose income does not exceed a state-mandated cap of \$36,370 annually will qualify for this program. Because this budgetary appropriation is non-recurring, this program would expire June 30, 2025.

Note that this program, which provides funds to low-income elderly residents, is separate from the Property Tax Freeze Program. The income eligibility for the Property Tax Freeze Program was increased last term pursuant to state law and by adoption of RS2023-2159 but does not impact the Property Tax Relief Program that is the subject of this ordinance.

*Fiscal Note: The FY25 operating budget includes \$6,847,000, an increase of \$660,000 from the appropriation for this program in FY24, for the property tax relief program for the elderly.*

**Sponsors:** Porterfield, Hancock, Welsch, Allen, Ewing, Suara, Bradford, Gadd, Ellis, Spain and Vo

**68. [BL2024-585](#)**

An ordinance approving the sale of approximately 0.04 acres of remnant property located west of First Avenue North, east of Second Avenue North, and north of Van Buren Street. (Proposal No. 2024M-037AG-001).

Analysis

This ordinance approves the sale of approximately 0.04 acres of remnant property owned by the Metropolitan Government to Byline Property Owner, LLC for \$59,000. This property is

located west of First Avenue North, east of Second Avenue North, and north of Van Buren Street. The remnant property has no real commercial value to the Metropolitan Government and could burden the Metropolitan Government with maintenance obligations.

This ordinance would approve the purchase agreement for the sale of this property and authorize the Director of Public Property or his designee to execute a quitclaim deed approved by the Department of Law and other documents needed to carry out the conveyance.

*Fiscal Note: Metro would receive the appraised value of \$59,000 for the sale of the 0.04 acres of remnant property located west of First Avenue North, east of Second Avenue North, and north of Van Buren Street.*

**Sponsors:** Kupin, Porterfield and Gamble

**69. [BL2024-586](#)**

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 the National Endowment for the Humanities, the Tennessee Historic Preservation Society, Vanderbilt University, and Middle Tennessee State University regarding the descendant-led excavation at Fort Negley Park.

**Analysis**

This ordinance approves an agreement between the Metropolitan Department of Parks and Recreation and the National Endowment for the Humanities, the Tennessee Historic Preservation Society, Vanderbilt University, and Middle Tennessee State University regarding the descendant-led excavation at Fort Negley Park.

The agreement would allow for the excavation of a Reconstruction-era home and two public spaces in the Bass Street Community area of site of Fort Negley and St. Could Hill. The excavation would take place at 609 Bass Street, which is owned by the Metropolitan Government as part of Fort Negley Park.

The National Endowment for the Humanities plans to fund the excavation through an Archaeological and Ethnographic Field Research Grant. Vanderbilt University will oversee the project as part of the Fort Negley Descendants Project, an oral history project focused on Nashville’s Black Civil War history. Middle Tennessee State University will perform the excavation work.

Future amendments to the agreement may be approved by a resolution receiving 21 affirmative votes.

**Sponsors:** Vo, Porterfield, Welsch, Allen and Gadd

**70. [BL2024-587](#)**

An ordinance providing the honorary street name designation of “Jerry Austin Way” for a portion of Valeria Street.

Analysis

This ordinance adds the honorary street name designation of "Jerry Austin Way" for a portion of Valeria Street between Sterling Boone Drive and Peachtree 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 Valeria Street.

**Sponsors:** Welsch

**71. [BL2024-588](#)**

An ordinance to amend Ordinance No. BL2024-439 to authorize The Metropolitan Government of Nashville and Davidson County to accept additional public water and sanitary sewer mains, public sanitary sewer manholes and easements, to modify the previous acceptance of water main, and to update Map and Parcel information, for two properties located at 1000 Century Farms Circle and Century Farms Circle (unnumbered), also known as Century Farms J Road, Revision 1, (MWS Project Nos. 22-WL-46 and 22-SL-107 and Proposal No. 2024M-075ES-002).

Analysis

This ordinance amends Ordinance No. BL2024-439, which was approved by the Metropolitan Council on July 16, 2024. The legislation authorized the acceptance of approximately 1,635 linear feet of new eight-inch water main (DIP), approximately 630 linear feet of new 12-inch water main (DIP), approximately 1,247 linear feet of new eight-inch sanitary sewer main (PVC), three fire hydrant assemblies, 12 sanitary sewer manholes and easements, for two properties located at Century Farms Circle (unnumbered) and William Turner Parkway (unnumbered), also known as Century Farms J Road.

The ordinance under consideration authorizes the further acceptance of approximately 540 linear feet of new eight-inch water main (DIP), an additional approximately 94 linear feet of new eight-inch sanitary sewer main (PVC), one additional new sanitary sewer manhole, and easements, for two properties located now at 1000 Century Farms Circle and Century Farms Circle (unnumbered), also known as Century Farms J Road, Revision 1. The ordinance also removed the previously approved acceptance of approximately 630 linear feet of new 12-inch water main (DIP) and easements. The previously approved property at William Turner Parkway (unnumbered) is no longer required for the project.

These changes have been approved by the Planning Commission. Future amendments to this

ordinance may be approved by resolution.

**Sponsors:** Styles, Gamble and Parker

**72. [BL2024-589](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main, new sanitary sewer manhole and easement, for two properties located at 2310 B and 2314 B 18th Avenue North, also known as 2312 18th Avenue North Sewer Extension (MWS Project No. 23-SL-281 and Proposal No. 2024M-111ES-001).

**Analysis**

This ordinance accepts approximately 169 linear feet of new eight-inch sanitary main (PVC), one new sanitary sewer manhole and easements for two properties located at 2310 B 18th Avenue North and 2314 B 18th Avenue North, also known as the 2318 18th Avenue North Sewer Extension.

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

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

**Sponsors:** Toombs, Gamble and Parker

**73. [BL2024-590](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for two properties located at Brick Church Pike (unnumbered) and Brick Church Park Drive (unnumbered), also known as Sherwood Homes at Park Preserve (MWS Project Nos. 24-WL-16 and 24-SL-39 and Proposal No. 2024M-115ES-001).

**Analysis**

This ordinance accepts approximately 277 linear feet of new four-inch water main (DIP), approximately 824 linear feet of new eight-inch water main (DIP), approximately 711 linear feet of new eight-inch sanitary sewer main (PVC), approximately 204 linear feet of new eight-inch sanitary sewer main (DIP), three fire hydrant assemblies, six sanitary sewer manholes and easements for two properties located at Brick Church Pike (unnumbered) and Brick Church Park Drive (unnumbered), also known as Sherwood Homes at Park Preserve.

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

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

**Sponsors:** Toombs, Gamble and Parker

**74. [BL2024-591](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main, fire hydrant assemblies and easements, and to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at 201 Shelby Avenue, also known as the New Nissan Stadium (MWS Project Nos. 24-WL-08 and 24-SL-13 and Proposal No. 2024M-114ES-001).

**Analysis**

This ordinance abandons approximately 1,753 linear feet of existing six-inch water main (DIP), three fire hydrant assemblies and easements, and accepts approximately 4,826 linear feet of new 12-inch water main (DIP), approximately 856 linear feet of new 15-inch sanitary sewer main (PVC), approximately 663 linear feet of new 18-inch sanitary sewer main (PVC), approximately 53 linear feet of new 24-inch sanitary sewer main (DIP), 10 fire hydrant assemblies, 15 sanitary sewer manholes and easements for property located at 201 Shelby Avenue, also known as the New Nissan Stadium.

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:** Kupin, Gamble and Parker

**75. [BL2024-592](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water mains, fire hydrant assemblies and easements, and to accept new public water mains, fire hydrant assemblies and easements, for property located at 1 Terminal Drive, also known as BNA - HCA and SFA Hangars (MWS Project No. 24-WL-32 and Proposal No. 2024M-117ES-001).

**Analysis**

This ordinance abandons approximately 325 linear feet of existing eight-inch water main (DIP), approximately 259 linear feet of existing 12-inch water main (DIP), two fire hydrant assemblies and easements, and accepts approximately 40 linear feet of new six-inch water main (DIP), approximately 269 linear feet of new eight-inch water main (DIP), approximately 349 linear feet of new 12-inch water main (DIP), two fire hydrant assemblies and easements for property located at 1 Terminal Drive, also known as BNA - HCA and SFA Hangars.

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:** Bradford, Gamble and Parker