



Metropolitan Council

PROPOSED AMENDMENTS PACKET FOR THE COUNCIL MEETING OF TUESDAY, MAY 18, 2021

SUBSTITUTE RESOLUTION NO. RS2021-932

A resolution establishing the certified tax rate in the General Services District, and declaring the amount of the certified rate for the Urban Services District, pursuant to the provision of Tennessee Code Annotated § 67-5-1701, et seq.

WHEREAS, Tennessee Code annotated §67-5-1701, et. seq., requires that the Metropolitan County Council establish a certified tax rate at the conclusion of a county-wide reappraisal program; and,

WHEREAS, Tennessee Code Annotated § 67-5-1701, provides that the certified tax rate will be the rate necessary to produce the same ad valorem revenue for The Metropolitan Government of Nashville and Davidson County as was levied during the previous year exclusive of new construction, improvements and deletions; and,

WHEREAS, pursuant to the provisions of Tennessee Code Annotated § 67-5-1701, the proposed certified tax rate for both the General Services District and the Urban Services District of the Metropolitan Government was submitted to and approved by the Executive Secretary of the State Board of Equalization; and,

WHEREAS, based on those certified tax rates, a rate may be established to apply to the assessed value of the Urban Services District to calculate an amount for the Fire Tax transfer from the General Service District which shall be deposited to the credit of the General Fund of the Urban Services District.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: That the certified tax rate for the General Services District shall be \$2.953 on each \$100 assessed value of all property, real, tangible personal, intangible personal, and mixed.

Section 2: That the certified tax rate for the Urban Services District shall be \$0.335 on each \$100 assessed value of all property, real, tangible personal, intangible personal, and mixed.

Section 3: That the certified tax rate for use in calculation of the amount for the Fire Tax transfer shall be \$0.05 per \$100 of assessed value of the Urban Services District to be deposited to the credit of the General Fund of the Urban Services District.

Section 4: This resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Kyonte Johnson

APPROVED AS TO AVAILABILITY
OF FUNDS:

Member(s) of Council

Kevin Cronley

Director of Finance

APPROVED AS TO FORM AND
LEGALITY:

R. Cooney

Director of Law

Resolution No. _____

A resolution accepting a Victims of Crime Act (VOCA) grant from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs, to the Metropolitan Government, acting by and through the Metropolitan Action Commission, to increase access to services for victims often underserved within the community.

WHEREAS, the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs, has awarded a grant in an amount not to exceed \$40,000.00 with a required cash match of \$10,000.00 to the Metropolitan Government, acting by and through the Metropolitan Action Commission, to increase access to services for victims often underserved within the community; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that this grant be accepted.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the VOCA grant by and between the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs, in an amount not to exceed \$40,000.00 to the Metropolitan Government, acting by and through the Metropolitan Action Commission, to increase access to services for victims often underserved within the community, a copy of which is attached hereto and incorporated herein, is hereby approved.

Section 2. That the amount of this grant is to be appropriated to the Metropolitan Action Commission.

Section 3. That this resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO AVAILABILITY OF FUNDS:

DocuSigned by:

Kevin Crumbo/mfw
Kevin Crumbo, Director
Department of Finance

INTRODUCED BY:

Kyonte Johnson

Member(s) of Council

APPROVED AS TO FORM AND LEGALITY:

DocuSigned by:

Mackin Sullivan
Assistant Metropolitan Attorney

JOHN COOPER
METROPOLITAN MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Cynthia L. Croom, Ed.D.
Executive Director

METROPOLITAN ACTION COMMISSION

800 2nd Avenue North, Nashville, Tennessee 37201
P.O. Box 196300, Nashville, TN 37219-6300
Phone (615) 862-8860 / Fax (615) 862-8881
www.nashville.gov/mac

May 13, 2021

Vice Mayor Jim Shulman
and Members of Metropolitan Council
Metropolitan Council
One Public Square, Suite 204
P. O. Box 196300
Nashville, TN. 37219-6300

Dear Vice Mayor Shulman and Members of Metropolitan Council:

I am writing to respectfully request a late file motion on behalf of the Metropolitan Action Commission to increase the agency's ability to provide services to the vulnerable and disconnected youth ages 16-24 years of age.

The Metropolitan Action Commission currently provides services to vulnerable and disconnected youth ages 16-24 years of age throughout Davidson County through its Opportunity NOW program, which is funded in part by the Victims of Crime Act (VOCA) division of the Tennessee Office of Criminal Justice Programs. While services for vulnerable and disconnected are in place, the level of participation can be markedly improved by concerted outreach efforts. Recognizing this need for outreach, the state VOCA office has provided the Metropolitan Action Commission with a \$50,000 grant (\$40,000 state funding/\$10,000 match funding from Kresge Foundation) for such outreach efforts.

It must be noted that this state contract has a May 20, 2021, start date, however, we did not receive an executable contract until May 5, 2021, which is the purpose for this emergency late file.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,


Cynthia Croom



The community action agency for Nashville and Davidson County

Breaking the cycle of poverty in our community – one child, one person, one family at a time.



GRANT SUMMARY SHEET

Grant	VOCA (Access to Services) 21-21
Department:	METRO ACTION
Grantor:	U.S. DEPARTMENT OF JUSTICE
Pass-Through Grantor (If	STATE OF TN OCJP
Total Award this	\$40,000.00
Cash Match	\$10,000.00
Department	Cynthia Croom, Executive Director 862-8860
Status	NEW

Program Description:

Increasing Access to Services for Victims = the project is to increase the program's ability to provide services to victims; and supplies and equipment that would increase organizational capacity to provide accessible, safe, and effective services to individuals with disabilities and deaf individuals to enhance service delivery for populations traditionally underserved due to geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic population, and populations underserved because of special needs.

Plan for continuation of services upon

MAC plans to continue this program in future years upon approval from grantor.

Grants Tracking Form

Part One

Pre-Application <input type="radio"/>		Application <input type="radio"/>		Award Acceptance <input checked="" type="radio"/>		Contract Amendment <input type="radio"/>	
Department		Dept. No.		Contact		Phone	
METRO ACTION		075		Cynthia Croom, Executive Director		862-8860	
Grant Name:		VOCA (Access to Services) 21-21					
Grantor:		U.S. DEPARTMENT OF JUSTICE				Other:	
Grant Period From:		05/20/21		<small>(applications only)</small> Anticipated Application Date:			
Grant Period To:		09/30/21		<small>(applications only)</small> Application Deadline:			
Funding Type:		FED PASS THRU		Multi-Department Grant		<input type="checkbox"/> If yes, list below.	
Pass-Thru:		STATE OF TN OCJP		Outside Consultant Project:		<input type="checkbox"/>	
Award Type:		COMPETITIVE		Total Award:		\$40,000.00	
Status:		NEW		Metro Cash Match:		\$10,000.00	
Metro Category:		New Initiative		Metro In-Kind Match:		\$0.00	
CFDA #		16.575		Is Council approval required?		<input checked="" type="checkbox"/>	
Project Description:		Applic. Submitted Electronically? <input type="checkbox"/>					
<p>Increasing Access to Services for Victims = the project is to increase the program's ability to provide services to victims; and supplies and equipment that would increase organizational capacirt to provide accessible, safe, and effective services to individuals with disabilities and deaf individuals to enhance service delivery for populations traditionally underserved due to geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic population, and populations underserved because of special needs.</p>							
Plan for continuation of service after expiration of grant/Budgetary Impact:							
MAC plans to continue this program in future years upon approval from grantor.							
How is Match Determined?							
Fixed Amount of \$		or		20.0%		% of Grant	
Explanation for "Other" means of determining match:		Other: <input checked="" type="checkbox"/>					
For this Metro FY, how much of the required local Metro cash match:							
Is already in department budget?				Not yet		Fund 31522	
Is not budgeted?						Business Unit 7531100	
(Indicate Match Amount & Source for Remaining Grant Years in Budget Below)				Proposed Source of Match: General and Local Funds			
Other:							
Number of FTEs the grant will fund:				0.00		Actual number of positions added:	
Departmental Indirect Cost Rate				15.71%		Indirect Cost of Grant to Metro:	
*Indirect Costs allowed? <input checked="" type="radio"/> Yes <input type="radio"/> No				% Allow. 14.00%		Ind. Cost Requested from Grantor:	
						\$5,430.00	
in budget							
*(If "No", please attach documentation from the grantor that indirect costs are not allowable. See Instructions)							
Draw down allowable? <input type="checkbox"/>							
Metro or Community-based Partners:							

Part Two

Grant Budget										
Budget Year	Metro Fiscal Year	Federal Grantor	State Grantor	Other Grantor	Local Match Cash	Match Source (Fund, BU)	Local Match In-Kind	Total Grant Each Year	Indirect Cost to Metro	Ind. Cost Neg. from Grantor
Yr 1	FY 21	\$10,000.00			\$2,500.00	31522, 75311000		\$12,500.00	\$1,963.75	\$1,357.00
Yr 2	FY 22	\$30,000.00			\$7,500.00	31522, 75311000		\$37,500.00	\$5,891.25	\$4,073.00
Yr 3										
Yr 4										
Yr 5										
Total		\$40,000.00	\$0.00	\$0.00	\$10,000.00		\$0.00	\$50,000.00	\$7,855.00	\$5,430.00
Date Awarded:				04/29/21	Tot. Awarded	\$40,000.00	Contract#:	N/A		
(or) Date Denied:					Reason:					
(or) Date Withdrawn:					Reason:					

Contact: trinity.weathersby@nashville.gov
vaughn.wilson@nashville.gov

Rev. 5/13/13
5237

GCP Rec'd
05/03/21

GCP Approved
05/03/21

VW

 GOVERNMENTAL GRANT CONTRACT (cost reimbursement grant contract with a federal or Tennessee local governmental entity or their agents and instrumentalities)					
Begin Date 5/20/2021		End Date 9/30/2021		Agency Tracking # -	Edison ID
Grantee Legal Entity Name Metropolitan Government of Nashville and Davidson County					Edison Vendor ID 4
Subrecipient or Contractor <input checked="" type="checkbox"/> Subrecipient <input type="checkbox"/> Contractor		CFDA #16.575 Grantee's fiscal year end June 30			
Service Caption (one line only) VOCA, Access to Services					
Funding —					
FY	State	Federal	Interdepartmental	Other	TOTAL Grant Contract Amount
2021		\$40,000.00			\$40,000.00
TOTAL:		\$40,000.00			\$40,000.00
Grantee Selection Process Summary					
<input checked="" type="checkbox"/> Competitive Selection		The Competitive Selection process utilized was as per the DGA.			
<input type="checkbox"/> Non-competitive Selection					
Budget Officer Confirmation: There is a balance in the appropriation from which obligations hereunder are required to be paid that is not already encumbered to pay other obligations.				<i>CPO USE - GG</i>	
Speed Chart (optional) FA00002890		Account Code (optional) County - 71301000			

ORDINANCE NO. BL2021-_____

An ordinance adopting the 2021-2022 through 2026-2027 Capital Improvements Budget for The Metropolitan Government of Nashville and Davidson County as the official Capital Improvements Budget of The Metropolitan Government of Nashville and Davidson County for Fiscal Year 2021-2022.

WHEREAS, Section 6.13 of the Charter of The Metropolitan Government of Nashville and Davidson County provides for the preparation and establishment of a capital improvements budget for the Metropolitan Government including a program of proposed capital expenditures for the ensuing fiscal year and the next five fiscal years thereafter; and,

WHEREAS, the various departments, boards, commissions and agencies of the Metropolitan Government have submitted their capital improvement project requests; and,

WHEREAS, the Metropolitan Planning Commission, in accordance with Section 11.504(k) of the Metropolitan Charter, has reviewed the capital improvement project requests and, upon evaluating the overall needs of the community, has recommended to the Mayor a Capital Improvements Budget for fiscal year 2021-2022 including a program of proposed expenditures for the ensuing five (5) years; and,

WHEREAS, the Mayor and the Director of Finance have reviewed the capital improvement project requests and recommended program of proposed expenditures and have established a priority of undertaking and financing the capital improvement projects; and,

WHEREAS, it is determined that this Capital Improvements Budget and Program represents an appropriate evaluation of the needs of The Metropolitan Government of Nashville and Davidson County and a systematic and orderly framework within which to provide for them; and,

WHEREAS, these findings and recommendations have been bound into a report entitled, "2021-2022 through 2026-2027 Capital Improvements Budget"; and,

WHEREAS, two (2) copies of said report are on file in the office of the Metropolitan Clerk.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the recommended program contained in the 2021-2022 through 2026-2027 Capital Improvements Budget is hereby adopted as the official Capital Improvements Budget of The Metropolitan Government of Nashville and Davidson County for fiscal year 2021-2022.

Section 2. That there shall be no authorization for expenditure of funds for the construction of any building, structure, work, or improvement, unless such project is included in and in conformance with the adopted 2021-2022 through 2026-2027 Capital Improvements Budget, except to meet a public emergency threatening the lives, health, or property of the inhabitants, when passed by two-thirds vote of the membership of Council.

Section 3. That no fund shall be encumbered nor expended for a capital improvements project unless such project is included in and in conformance with the adopted 2021-2022 through 2026-2027 Capital Improvements Budget.

Section 4. That this Capital Improvements Budget may be amended by resolution at any time during the year to add a capital improvements project to the 2021-2022 through 2026-2027 Capital Improvements Budget, when adopted by two-thirds vote of the membership of the Council.

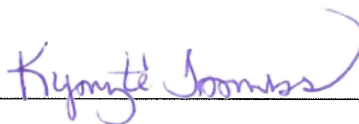
Section 5. That this ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it, but that the Capital Improvements Budget and Program of The Metropolitan Government of Nashville and Davidson County for fiscal year 2021-2022 shall not take effect until July 1, 2021.

APPROVED AS TO FINANCIAL
MATTERS:

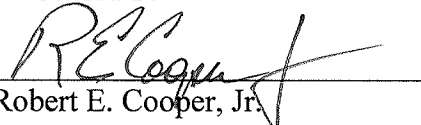


Kevin Crumbo
Director of Finance

INTRODUCED BY:



APPROVED AS TO FORM AND
LEGALITY:

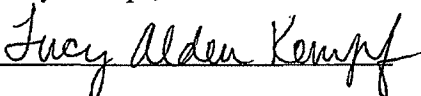


Robert E. Cooper, Jr.
Director of Law

Member(s) of Council

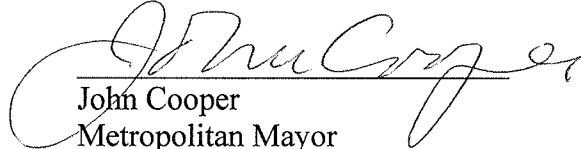
RECOMMENDED FOR ADOPTION:

Lucy Kempf, Executive Director



Metropolitan Planning Commission

RECOMMENDED FOR ADOPTION:



John Cooper
Metropolitan Mayor

SUBSTITUTE ORDINANCE NO. BL2021-693

An ordinance establishing a Special Solid Waste and Recycling Commission to review and identify solutions for the near-term and long-term disposal of Nashville's solid waste.

WHEREAS, on February 2, 2021, the Metropolitan Council adopted Resolution No. RS2021-751 approving an amendment to and extension of the Metropolitan Government's contract (the "Contract") with BFI Waste Services, LLC, currently operating as Republic Services, Inc. ("Republic") for operation of a solid waste transfer station and for the disposal of solid waste; and

WHEREAS, the Contract, which has been extended through Fiscal Year 2027, requires Republic to operate a waste transfer station for all of the solid waste collected by Metro Public Works and its collection contractors, which is then trucked to the Republic-owned Middle Point landfill in Rutherford County; and

WHEREAS, the Middle Point landfill in Rutherford County is currently nearing capacity; and

WHEREAS, while the current contract with Republic requires them to dispose of Metro's solid waste through 2027 at a location outside of Davidson County, Metro will soon need to develop a long-term solution to our future solid waste disposal needs; and

WHEREAS, the Metropolitan Nashville and Davidson Solid Waste Master Plan, entitled "Achieving Zero Waste", has been completed, providing a thorough recitation of potential solid waste programs and proposals for achieving zero waste generation, more robust recycling, and a greater diversion of materials from landfills; and

WHEREAS, it is fitting and proper that the Metropolitan Council now turn toward implementing the recommendations of the Solid Waste Master Plan through carefully constructed legislation and policy enactments; and

WHEREAS, it is further fitting and proper that a Special Solid Waste and Recycling Commission comprised of elected officials, ~~former elected officials, and advisors~~ private citizens, staff members of Metropolitan Government departments, and others with expertise in solid waste be established to identify solutions for the near-term and long-term disposal of solid waste and to otherwise effectuate the Solid Waste Master Plan.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. There is hereby established a Special Solid Waste and Recycling Commission ("the Commission"). The Commission shall be comprised of ~~eleven~~ twelve (12) members, nominated by the Mayor and ~~To the extent the below persons are willing to serve, then such persons shall automatically be included as members of the Commission. If any of the below persons are not willing to serve, then the Mayor shall appoint the necessary members to reach a total of eleven Commission members, who shall be confirmed by a majority of the whole membership of the Metropolitan Council. The composition of the Commission shall be as follows:~~

~~Former Governor and Mayor Phil Bredesen
Former Mayor Bill Purcell
Former Mayor Karl Dean~~

~~Former Mayor David Briley
Former Mayor Megan Barry
Former Vice Mayor Howard Gentry
Mayor John Cooper
Vice Mayor Jim Shulman
Councilmember Jonathan Hall
Former Chief Operating Officer and Director of Finance Rich Riebeling
Special Advisor Bernice Winfrey~~

One (1) member of the Mayor's Sustainability Advisory Committee;
One (1) member of the 2019 Davidson County Solid Waste Regional Board;
Two (2) members of the Metropolitan Council recommended by the Vice Mayor, at least one (1) of whom shall be a member of the Public Works Committee;
One (1) member of the Solid Waste Master Plan task force;
One (1) member of the Urban Green Lab and/or Natural Resources Defense Council;
One (1) representative of the solid waste / trash collection industry in Davidson County;
One (1) representative of the commercial building and development profession in Davidson County;
One (1) representative of higher education possessing credentials in sustainability, solid waste, or waste-related technology;
One (1) member with credentials in professional finance; and
Two (2) staff members from the solid waste division of the Metro Public Works Department or Metro Water Services.

Section 2. The purpose of the Commission is to identify solutions and make recommendations regarding the disposal of Nashville's solid waste ~~over the next 75 years~~ within the near-term as well as the long-term. As part of its work, the Commission should interview representatives from ~~Republic and Red River Service Corporation~~ local waste collection and recycling providers, as well as consultants and former elected officials from ~~New York, New Jersey, and California states, municipalities, and jurisdictions that have successfully enacted effective solid waste policies and legislation~~. The Commission is to explore various tools and options, including but not limited to: fees for waste generators and haulers, fines for commercial establishments who do not meet a certain recycling threshold, incentives for recycling, composting, minimizing solid waste generation, and maximizing the diversion of materials from landfills, and anticipated ~~property tax revenues~~ funding mechanisms that will be needed for long-term solid waste disposal.

Section 3. The Commission shall be staffed by the Metropolitan Department of Public Works or any successor agency responsible for solid waste collection. The Commission shall submit its written findings and any recommendations for further action to the Metropolitan Council within ~~one year~~ six (6) months from the date of the first meeting of the Commission. Should the Commission determine that additional time is required prior to submission of its Report and Recommendations, an extension of the six (6) month deadline may be effectuated by resolution approved by a majority of the Council. The Commission shall terminate upon its submission of the Report and Recommendations to the Council.

Section 4. This ordinance shall take effect from and after its, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Jonathan Hall

Burkley Allen

Russ Bradford
Members of Council

SUBSTITUTE ORDINANCE NO. BL2021-694

An ordinance requiring the Metropolitan Department of Water and Sewerage Services to review all existing culverts, inlets, storm drains, and ditches within the T2- Rural Neighborhood Policy and T3- Suburban Neighborhood Policy to be upgraded, retro-fitted and/or constructed to for compliance with current Storm Water Management Manual Standards and to provide a report to the Metropolitan Council by January 1, 2023 by December 31, 2026.

WHEREAS, the Metropolitan Nashville - Davidson County Stormwater Management Manual, as currently applied, was adopted in February of 2016; and

WHEREAS, Chapter 6 of the Metropolitan Nashville - Davidson County Stormwater Management Manual, labeled "Technical Guidelines and Criteria", provides current dimension specifications and other regulatory provisions for stormwater infrastructure, including culverts, inlets and storm drains; and

WHEREAS, stormwater infrastructure in many rural and suburban neighborhood portions of the General Services District -- most notably those areas within the T2- Rural Neighborhood Policy and T3- Suburban Neighborhood Policy -- has failed to keep pace with competing demands of development and stormwater management; and

WHEREAS, while capital budget funding must be allocated across multiple competing priorities, the stormwater infrastructure needs of Nashville's rural and suburban areas have been neglected for decades and must be rectified.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. ~~On or before December 31, 2026, The Metropolitan Department of Water and Sewerage Services shall review all existing culverts, inlets, storm drains, and ditches within the T2- Rural Neighborhood Policy and T3- Suburban Neighborhood Policy for compliance with the current Storm Water Management Manual Standards, as adopted February 2016. A report identifying upgrades needed to conform to these standards and the cost of such upgrades shall be provided to the Metropolitan Council by January 1, 2023 shall be upgraded, retro-fitted, and/or constructed to the specifications and standards set forth within the current Storm Water Management Manual Standards, as adopted February 2016.~~

Section 2. Be it further enacted, that this ordinance take effect immediately after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Jennifer Gamble
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2021-718

Mr. President –

I hereby move to amend Ordinance No. BL2021-718 as follows:

I. By amending Section 2, proposed Metro Code of Laws Section 2.76.020 as follows:

2.76.020 – Appointment and qualifications of members and term of office

A. The board shall consist of ~~seven~~ nine members who shall have been residents of Nashville and Davidson County for not less than one year. The mayor shall appoint, reappoint, or replace members of the ~~seven~~ nine-member board, subject to confirmation by a majority vote of the Metropolitan Council. The board shall be composed of the following:

1. One ~~registered~~ licensed Metropolitan/State gas/mechanical contractor
2. One union, licensed Metropolitan/State gas/mechanical contractor
- ~~23.~~ One ~~registered~~ licensed Metropolitan/State plumbing contractors
4. One union, licensed Metropolitan/State plumbing contractor
- ~~35.~~ One registered Metropolitan/State electrical contractor
6. One union, registered Metropolitan/State electrical contractor
47. One mechanical engineer registered with the State of Tennessee
- ~~58.~~ One electrical engineer registered with the State of Tennessee
69. One member from the public at large as representative of the mayor

B. Of the ~~seven~~ nine members first appointed, ~~three~~ four shall serve for a term of two years, ~~two~~ three for a term of three years, and two for a term of four years. Thereafter, each member shall be appointed for a term of four years and shall serve until a successor is appointed, except that no member shall serve for more than two consecutive full terms.

II. By amending Section 2, proposed Metro Code of Laws Section 2.76.060, Subsection C, as follows:

C. Written notice, setting forth the time and place of an examination or hearing, shall be given to each applicant or petitioner not less than ten days prior to such examination or hearing, except that the board, at its discretion, may limit such time to not ~~more~~ less than 48 hours, as set forth in subsection C of section 16.16.720, subsection C of section 6.52.120, and subsection D of section 6.20.120.

III. By amending Section 2, proposed Metro Code of Laws Section 2.76.070 as follows:

2.76.070 – Quorum

The attendance of ~~four~~five members of the board shall be required to constitute a quorum for the purpose of transacting business. In the event that only five members are present, ~~the~~ concurring vote of at least a ~~majority~~ four of those members present at the meeting shall be necessary to modify an order of the director of codes administration or in varying the application of any provisions of this chapter and chapters 16.16, 6.52, 16.12, 6.20, and 16.20 or in the approval of any new material or method of construction or in the event the board is required to revoke or suspend any certificate or approval issued by the board. On all other matters requiring action by the board, affirmative votes of the majority present, but not less than four affirmative votes, shall be required.

SPONSORED BY:

Kathleen Murphy
Member of Council

SUBSTITUTE ORDINANCE NO. BL2021-720

An ordinance to amend Section 16.24.330 of the Metropolitan Code to require homeowners association signs.

WHEREAS, many subdivisions in Nashville are governed by a homeowners association that enforces restrictive covenants pertaining to properties within the subdivision; and

WHEREAS, prospective homebuyers and renters looking at homes in the subdivision may not know at the time that the property is governed by a homeowners association; and

WHEREAS, it is in the best interest of prospective and existing residents that signs be erected at the entrances of the subdivision informing the public that the property is governed by a homeowners association.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 16.24.330 of the Metropolitan Code is hereby amended by adding the following new subsection S.:

S. Homeowners association signs.

1. Informational signs shall be erected at ~~each public~~ the primary vehicular entrance to a subdivision governed by a homeowners association. Such signs measuring not less than eighteen inches in height and twelve inches in width shall be permanently placed in the ground at all points of vehicular ingress to the subdivision, provided that such signs shall be installed on homeowners association common area or other private property, and not within the public right-of-way. Such signs shall be constructed of wood or metal.

2. Each sign shall clearly state that the subdivision is under the control of a homeowners association and whether the properties are bound by restrictive covenants.

3. For subdivisions that are fully constructed at the time this subsection is approved, it shall be the responsibility of the homeowners association to furnish and install such signs. For subdivisions currently under construction, and for subdivisions constructed after the effective date of this subsection, it shall be the responsibility of the subdivision developer to furnish and install such signs.

4. Violations of this subsection shall be punishable by a fifty dollar fine.

5. The provisions and requirements of this subsection shall not apply to horizontal property regimes established under Tennessee Code Annotated Sections 66-27-101, et seq.

Section 2. The provisions of this ordinance shall become enforceable 90 days after the enactment of the ordinance. The failure of a homeowners association to install the sign required by this ordinance shall be punishable by a fifty dollar fine after the 90 day delayed enforceability period.

Section 3. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Joy Styles
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2021-727

Mr. President –

I hereby move to amend Ordinance No. BL2021-727 as follows:

- I. By amending the first recital by replacing “0 American Avenue” with “0 American Road”.
- II. By amending Section 1 by replacing “0 American Avenue” with “0 American Road”.

SPONSORED BY:

Mary Carolyn Roberts
Member of Council