



Metro Council

F. Bills on Public Hearing

5. [BL2020-460](#)

An ordinance amending Metropolitan Code Section 17.32.150 to regulate the orientation of Type II billboards (Proposal No. 2020Z-012TX-001).

This ordinance amends Metro Code of Laws Section 17.32.150 to regulate the orientation of Type II billboards. "Type II" billboards are defined by this section as billboards with a display surface area of more than 75 feet and less than 675 square feet. The existing Subsection B.12 requires Type II billboards to be located only on lots that have frontage on public streets with four or more travel lanes or that are located within 300 feet of a limited access highway. This ordinance would clarify that Type II billboards must be oriented toward public streets with four or more travel lanes or limited access highways.

Sponsors: Withers and Nash

26. [BL2020-491](#)

An ordinance extending the boundaries of the Urban Services District within the jurisdiction of the Metropolitan Government of Nashville and Davidson County to include certain properties located in Council District 3 and approving the Plan of Services, as more particularly described herein.

This ordinance approves the extension of the boundaries of the Urban Services District (USD) to include 1,598 parcels in Council District 3 located between Brick Church Pike and Dickerson Pike, and adopts a plan of services associated with the USD annexation. Section 1.04 of the Metropolitan Charter provides that General Services District (GSD) property may be annexed into the USD, in accordance with state law annexation procedures, whenever such areas come to need urban services. Tennessee Code Annotated § 6-51-102, *et seq.* prescribes the various requirements for implementing annexations, including the adoption of a plan of services. However, § 6-51-123, enacted in 2014, allows any county having a metropolitan form of government to expand the USD using the method applicable at the time the Metro Charter was adopted. State law requires that a plan of services be considered by the Planning Commission and then be adopted by the Council before an ordinance to extend the boundaries of the Urban Services District can be approved on final reading.

These parcels of property already receive additional police protection, fire protection, water, sanitary sewers, storm sewers and street cleaning services at the same level as all other properties within the USD. The only additional services that would be provided through the proposed annexation would be street lighting and refuse collection. These additional services would be required to be provided not later than one year after the ad valorem taxes in the annexed area become due.

According to the plan of services estimation included as part of the ordinance, the first-year costs to provide these additional services are estimated to be \$442,400. After that, the annual costs would be an estimated \$267,000. The additional annual revenue estimated to be generated by the additional ad valorem taxes would be \$275,298 per year. Therefore, although a deficit in the first year of approximately \$167,000 would be generated, a surplus of approximately \$8,200 would be generated in each subsequent year.

State law requires the Council to hold a public hearing of the plan of services and annexation ordinance prior to adoption on third and final reading.

The plan of services has been referred to the planning commission.

Sponsors: Gamble

G. Consent Resolutions and Resolutions

27. [RS2020-609](#)

A resolution accepting a grant from the State of Tennessee, Department of Mental Health and Substance Abuse Services, to The Metropolitan Government of Nashville and Davidson County for the State Trial Courts to provide Tennessee Highway Safety Office Recovery Court Enhancements to existing recovery court programs and services to improve alcohol countermeasures.

This resolution accepts a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the State Trial Courts to provide Tennessee Highway Safety Office Recovery Court Enhancements to existing recovery court programs and services to improve alcohol countermeasures. The awarded grant is in an amount not to exceed \$60,000 with no local cash match required. The term of the grant contract begins on October 1, 2020 and ends September 30, 2021.

Sponsors: Toombs

28. [RS2020-610](#)

A resolution appropriating a total of \$200,000 from the COVID-19 Pandemic Fund No. 30099 to various nonprofit organizations selected to receive Community Partnership Fund grants.

This resolution appropriates \$200,000 in federal CARES Act grant funds to five nonprofit organizations providing services to youth. Resolution No. RS2020-394 allocated \$2,800,000 in CARES Act funds for the support of various nonprofit agencies providing services to members of the community, including \$200,000 to the Juvenile Court for future appropriation to agencies providing services to youth related to COVID-19. The Juvenile Court solicited applications from nonprofit organizations for the use of these funds. This resolution appropriates this \$200,000 as follows, as recommended by the Juvenile Court:

- \$5,000 to Be About Change, for the *Chef to Table* program
- \$5,000 to Epic Girl to mitigate the negative emotional response of the COVID-19 pandemic in adolescent females ages 12-19 who have a history of trauma and Juvenile Court engagement, by providing abuse and exploitation screening, case management, and programming services
- \$76,549.50 to The Find Design, for the provision of the *F.L.Y. Girl* program for mentoring, and mental and behavioral health services to young girls of color who are at risk or are a vulnerable population, experiencing mental health and added stressors due to COVID-19
- \$76,549.50 to Meharry Medical College, RWJF Center for Health Policy, for "Operation Uplift"

COVID relief services in the form of supplies, economic relief, and mental health resources to support the *Choosing How I Need Life (CHILL)* program for youth and families

- \$36,901 to STARS Nashville, for mental health support services to Metro Nashville Public Schools (MNPS) youth experiencing mental health and alcohol and drug use/abuse during the pandemic, including telehealth support case management services for youth attending Recovery Court, a program managed by Juvenile Court

This resolution also authorizes Metro to enter into grant contracts with each of these agencies detailing the terms and conditions under which the grant funds are to be spent, including that all expenditures shall be in accordance with the financial requirements of the federal CARES Act.

Fiscal Note: The Council has appropriated a total of \$93,800,000 thus far through the Committee process. The total unallocated is \$24,822,575. This resolution does not appropriate any new funds from the CARES Act Fund.

Sponsors: Toombs and Welsch

29. [RS2020-611](#)

A resolution accepting the recommendations of the COVID-19 Financial Oversight Committee to amend RS2020-394 to permit Metro Nashville Public Schools (“MNPS”) to use CARES Act funds for student and teacher laptop computers, hotspots, and Pre-K through Grade 12 virtual curriculum for students and school supplies for remote learning.

This resolution amends Resolution No. RS2020-394 to permit MNPS to use a portion of the CARES Act grant funds allocated for laptops and hotspots to be used for other curriculum needs and supplies for remote learning.

The Council approved and accepted a Coronavirus Relief Fund (CRF) grant from the U.S. Department of the Treasury in an amount not to exceed \$121,122,775 via Resolution No. RS2020-318, as amended. In June 2020, the Council approved Resolution No. RS2020-394 to allocate \$24,000,000 of the CRF funds for MNPS laptops and hotspots. Subsequent to the approval of RS2020-394, the state awarded MNPS grant funding to cover a portion of the cost of the laptops and hotspots, which has freed up funds that can be reallocated for other MNPS COVID-19-related needs. Specifically, MNPS would like to expand the use of funds to include student and teacher laptop computers, hotspots, and Pre-K through Grade 12 virtual curriculum for students and school supplies for remote learning. Any funds that have not been spent by MNPS by December 28, 2020, will be returned to the Metro Finance Department to be used to offset CARES-reimbursable costs incurred by Metro.

This reallocation has been approved by the COVID-19 Financial Oversight Committee.

Fiscal Note: The Council has appropriated a total of \$93,800,000 thus far through the Committee process. The total unallocated is \$24,822,575. This resolution does not appropriate any new funds from the CARES Act Fund.

Sponsors: Toombs, Evans, Johnston, Styles, Welsch and Hancock

30. [RS2020-612](#)

A resolution appropriating a total of \$200,000 from the COVID-19 Pandemic Fund No. 30099 to various nonprofit organizations selected to receive Community Partnership Fund grants.

This resolution appropriates \$200,000 in federal CARES Act grant funds to five nonprofit organizations upon the recommendation of the Metro Office of Family Safety. Resolution No. RS2020-394 allocated \$2,800,000 in CARES Act funds for the support of various nonprofit agencies providing services to members of the

community, including \$200,000 to the Office of Family Safety for future appropriation to agencies providing domestic violence-related services related to COVID-19. The Office of Family Safety solicited applications from nonprofit organizations for the use of these funds. This resolution appropriates this \$200,000 as follows, as recommended by the Office of Family Safety:

- \$20,000 to Nurture the Next, for a public awareness campaign regarding available domestic violence services in Davidson County during the pandemic
- \$40,000 to Tennessee Coalition to End Domestic and Sexual Violence for the provision of direct civil legal representation for high-risk domestic violence survivors
- \$40,000 to The Nashville Children's Alliance to reduce the compounded factors of COVID-19 coupled with trauma, abuse and/or neglect in Davidson County
- \$50,000 to The Mary Parrish Center to provide shelter to domestic violence victims in Davidson County for those impacted by COVID-19
- \$50,000 to AGAPE to assist the Office of Family Safety by working with domestic violence victims in Davidson County by providing shelter, counseling and advocacy to those directly impacted by COVID-19

This resolution also authorizes Metro to enter into grant contracts with each of these agencies detailing the terms and conditions under which the grant funds are to be spent, including that all expenditures shall be in accordance with the financial requirements of the federal CARES Act.

Fiscal Note: The Council has appropriated a total of \$93,800,000 thus far through the Committee process. The total unallocated is \$24,822,575. This resolution does not appropriate any new funds from the CARES Act Fund.

Sponsors: Toombs, Gamble and Welsch

31. [RS2020-613](#)

A resolution appropriating \$5,000,000 from the COVID-19 Pandemic Fund No. 30009 and \$1,500,000 from the General Fund Reserve Fund (4% Fund) for the continued operation of and repairs/equipment for the Bordeaux Long Term Care Facility, and requesting the Metropolitan Purchasing Agent to negotiate an emergency contract for the operation of the Facility from and after January 1, 2021.

This resolution would appropriate \$5,000,000 in CARES Act grant funding and \$1,500,000 from the General Fund Reserve Fund (4% Fund) for the continued operation of, and repairs/equipment for, the Bordeaux Long Term Care facility (BLTC) located at 1414 County Hospital Road.

By way of background, the Council approved Ordinance No. BL2014-688 in 2014 agreeing to lease the property and operations of BLTC to LP North Nashville, LLC, which is a subsidiary of Signature Healthcare, LLC ("Signature"). Pursuant to that agreement, Signature agreed to lease and operate the BLTC while state legislation was sought to approve a split of the skilled nursing bed licenses into two facilities. However, the required state legislation was never approved.

In 2016, pursuant to Ordinance No. BL2016-422, Metro agreed to extend the Signature BLTC operating lease and agreed to provide for a reimbursement of losses incurred by Signature of up to \$3,500,000 per fiscal year. Although the revised lease was set to expire on June 30, 2020, Metro entered into an emergency six month extension to allow time for a request for proposals to be issued for the operation of

the facility, but no RFP responses were submitted. As a result, Metro notified Signature on September 22, 2020 of its election to have Signature discontinue all operations and start winding down the facility's resident care operations by January 2021.

First, this resolution would appropriate \$5,000,000 in federal CARES Act grant funds for the continued operation of BLTC. The Council approved and accepted a Coronavirus Relief Fund (CRF) grant from the U.S. Department of the Treasury in an amount not to exceed \$121,122,775 via Resolution No. RS2020-318, as amended. That resolution requires approval by resolution of a plan for disbursement of CRF grant funds. As a result of this requirement, the budget ordinance for Fiscal Year 2021 (Substitute Ordinance No. BL2020-286) established a COVID-19 Financial oversight Committee ("the Committee"). The Committee includes six members appointed by the Mayor, and three councilmembers appointed by the Vice Mayor. The purpose of the Committee is to "collect, consider, and recommend appropriate uses of all federal and state funds provided to the Metropolitan Government specifically for COVID-19 relief and recovery, including but not limited to, federal CARES Act funds." This \$5,000,000 appropriation has not been considered by the Committee. Section 2 of the resolution designates the appropriation as being part of the plan for disbursement of CRF grant funds required by Resolution No. RS2020-318.

Second, this ordinance appropriates \$1,500,000 from the Metro 4% Fund for building repairs and equipment at BLTC. Section 6.14 of the Metropolitan Charter requires that 4% of all the general fund revenue of the General Services District be set aside each year solely for the purchase of equipment and building repairs. A specific list of equipment/repairs has not been provided to the Council Office.

Finally, this resolution requests the Metro Purchasing Agent to negotiate an emergency contract for the operation of the Facility from and after January 1, 2021.

Fiscal Note: The Council has appropriated a total of \$93,800,000 from the CARES Act Fund, thus far through the Committee process. The total unallocated is \$24,822,575. The appropriation of \$5,000,000 included in this resolution have not received a recommendation from the Committee.

The current 4% Reserve Fund Balance is \$50,926,989. This resolution would appropriate \$1,500,000 from the 4% Reserve Fund for purchase of equipment and building repairs.

Sponsors: Hall

32. [RS2020-614](#)

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 600 Creative Way, known as the Briarville.

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 600 Creative Way. This development will include 184 affordable apartments on 9.22 acres. 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. If approved, this PILOT, would be the twenty-second such PILOT program overall, and the sixth for MDHA in 2020. Before this project, the tax abatements for this year total \$1,971,316, after taking into consideration the property tax increase approved in June 2020.

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 \$34,620 for individuals and \$49,380 for families of four in 2020. 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, The Briarville Apartments LP, plans to construct approximately 184 units to be rented to persons at or below 60% AMI. The amount of the PILOT payment to Metro will be \$22,000 in the first year, and the first year amount of the abatement will be approximately \$435,992. 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 is \$27,125,782.

Fiscal Note: This PILOT request would require the developer to make a first-year payment of \$22,000 in lieu of property taxes, with a 3% annual increase 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 five percent (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 \$27,125,782. 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 \$4,327,712 would be abated, although Metro would still receive \$252,205 in property taxes from this project, as depicted in the following table:

[Pilot Table](#)

<https://www.nashville.gov/Portals/0/SiteContent/Council/docs/analysis/PilotTable.pdf>

After the property tax abatement from this project, \$92,692 would still be available within MDHA's annual cap of \$2.5 million for other PILOT projects in 2020.

Sponsors: VanReece

33. [RS2020-615](#)

A resolution approving an intergovernmental agreement between the Metropolitan Government of Nashville and Davidson County, the Electric Power Board of the Metropolitan Government of Nashville and Davidson County, and the United States Department of Justice, Division of Alcohol, Tobacco and Firearms, for the interoperability of the digital/analog 800 MHz radio communication system.

This resolution approves an agreement that would grant the United States Department of Justice, Division of Alcohol, Tobacco and Firearms (ATF), access to the 800 MHz emergency radio dispatch and response system. The Metropolitan Government and NES jointly own and operate the emergency radio dispatch and radio response system utilizing 800 MHz radio frequencies licensed by the Federal Communications Commission. This system was jointly funded by Metro and NES, with Metro General Services now maintaining the system and NES contributing funds to help pay for its maintenance.

ATF will not be required to pay any user fee or charge of any kind, and will be responsible for the purchase of any new subscriber units for its own use.

The term of the agreement is through May 1, 2030, but may be terminated with 90 days' written notice.

The Council has approved similar agreements with several other governmental and private entities.

Sponsors: Gamble

34. [RS2020-616](#)

A Resolution approving an interlocal agreement between the Emergency Communications District for Nashville and Davidson County (ECD) and The Metropolitan Government of Nashville and Davidson County (Metro) for partial funding of replacement 800MHz Radio Equipment in use by public safety agencies.

This resolution approves an interlocal agreement between Metro and the Emergency Communications District (ECD) for the partial funding of replacement 800MHz emergency radio equipment used by public safety agencies. Pursuant to the agreement, ECD will reimburse Metro \$1,000,000 the first of each year for the next five years starting January 1, 2021. The agreement may be terminated by either party with 90 days' notice.

T.C.A. §12-9-101, *et seq.*, allows municipalities to participate with other local governmental entities through interlocal agreements approved by the local legislative body.

Fiscal Note: Metro's cost of the 800MHZ Radio Equipment replacement is calculated to be over \$5,000,000. Emergency Communications District will reimburse Metro an annual reimbursement of \$1,000,000 for the next five years starting January 1, 2021.

Sponsors: Toombs and Gamble

35. [RS2020-617](#)

A resolution accepting a donation of 3,000 one-gallon Soft Foam Hand Sanitizers from Steel Gorillas to the Metropolitan Government of Nashville and Davidson County, by and through the Office of Emergency Management, for the use and benefit of Metropolitan Government departments.

This resolution accepts the donation of 3,000 one-gallon foam hand sanitizers from Steel Gorillas. The total

value of the donation is \$54,930. Section 5.04.120(B) provides that donations in excess of \$5,000 are to be approved by the Council by resolution.

Sponsors: Toombs, Gamble and Styles

36. [RS2020-618](#)

A resolution accepting an in-kind grant from the Friends of Two Rivers Mansion to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Parks and Recreation Department, to provide signage for Two Rivers Mansion and the 1802 House.

This resolution accepts an in-kind grant from the Friends of Two Rivers Mansion to the Metro Parks and Recreation Department to provide signage for Two Rivers Mansion and the 1802 House. The in-kind grant has an estimated value of \$7,000 and no local cash match is required. This has been approved by the Metro Board of Parks and Recreation.

Sponsors: Syracuse, Toombs and VanReece

37. [RS2020-619](#)

A resolution accepting a grant from the Friends of Warner Parks to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Parks and Recreation, to partially fund the repair of the Warner Parks Nature Center roof and chimney.

This resolution accepts a grant from the Friends of Warner Parks to the Metro Board of Parks and Recreation to partially fund the repair of the Warner Parks Nature Center roof and chimney. The awarded grant is in an amount not to exceed \$150,000 with no local cash match required. This has been approved by the Metro Board of Parks and Recreation.

Sponsors: Henderson, Toombs and VanReece

38. [RS2020-620](#)

A resolution approving an application for a Child and Adult Care Food Program (CACFP) grant from the Tennessee Department of Human Services to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Parks and Recreation Department, to provide nutritious meals and snacks for children attending after school programs in six park locations.

This resolution approves an application for a Child and Adult Care Food Program (CACFP) grant from the Tennessee Department of Human Services to the Metro Parks and Recreation Department. The CACFP grant application is for \$525,660.84 and no local cash match is required. If the grant is awarded, the proceeds would be used to provide nutritious meals and snacks for children attending after school programs in six park locations.

Sponsors: Toombs, VanReece, Welsch and Suara

39. [RS2020-621](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Serita Applewhite against the Metropolitan Government of Nashville and Davidson County in the amount of \$16,500.00, with said amount be paid out of the Self-Insured Liability Fund.

This resolution authorizes the Department of Law to settle the personal injury claim of Serita Applewhite against the Metropolitan Government for the amount of \$16,500. On December 26, 2019, Serita Applewhite was attempting to turn into a parking space at the Riverchase apartments when her vehicle was struck by a Metro police car attempting to pass her. Ms. Applewhite was treated for neck and back pain, incurring medical costs totaling \$8,051.43.

The Department of Law recommends settling the claim for the amount of the medical costs plus \$8,444.57 for pain and suffering. Metro has already paid \$2,281.29 for damage to Ms. Applewhite's van.

The police officer involved in this accident received disciplinary action consisting of a two day suspension.

Fiscal Note: This \$16,500 settlement, along with the settlement per Resolution No. RS2020-624, would be the 15th and 16th payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,042,369. The fund balance would be \$2,416,025 after these payments.

Sponsors: Toombs

40. [RS2020-622](#)

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

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

Sponsors: Johnston

41. [RS2020-623](#)

A resolution authorizing Black Rabbit, LLC to construct and install an aerial encroachment at 218 3rd Ave N. (Proposal No.2020M-033EN-001).

This resolution authorizes Black Rabbit, LLC to install and maintain an aerial encroachment at 218 3rd Avenue North. The aerial encroachment will consist of a hanging projection sign and an awning over the sidewalk. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the signs, and is required to post a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan clerk naming the Metropolitan Government as an insured party.

This resolution has been approved by the Planning Commission.

Sponsors: O'Connell, Murphy and Nash

42. [RS2020-624](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of the Sherwood Green Homeowners Association against the Metropolitan Government of Nashville and Davidson County in the amount of \$20,283.46, with said amount to be paid out of the Self-Insured Liability Fund.

The resolution authorizes the Department of Law to settle the property damage claim of the Sherwood Green Homeowners Association against the Metropolitan Government for the amount of \$20,283.46 to be paid out of the self-insured liability fund. In February 2020, a Metro Water Services truck caused damage to a driveway, walkway, and lawn area. The truck needed to access a portion of the HOA property to resolve a sewer overflow. Subsequently in April 2020, another Metro Water Services truck unavoidably caused further damage when accessing the property again.

The Department of Law recommends settling the claim for the total amount of the costs to repair the damage caused by Metro.

Fiscal Note: This \$20,283.46 settlement, along with the settlement per Resolution No. RS2020-621, would be the 15th and 16th payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,042,369. The fund balance would be \$2,416,025 after these payments.

Sponsors: Toombs

43. [RS2020-625](#)

A resolution approving a contract between the Metropolitan Government of Nashville and Davidson County and Southern Sales Co, a Division of Tencarva Machinery, to provide various products, parts, and equipment for specific brands of water products for the Metropolitan Government of Nashville and Davidson County.

This resolution approves a sole source contract with Southern Sales Co, a division of Tencarva Machinery, to provide products, parts, and equipment for specific brands of products used in water treatment. 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.

This resolution approves a five year contract with Nashville-based Southern Sales Co. The total value of the contract is estimated to be \$20,000,000. Metro Water Services (MWS) will use this contract to purchase products and equipment through Southern Services from other vendors, and at a discount for certain products. This contract will provide products and parts for a variety of equipment used by MWS within its system. Parts are not interchangeable and no other products or parts are compatible with existing equipment. Southern Company is the only authorized representative for these product lines for this region

Fiscal Note: The total value over the life of this contract is \$20,000,000. This would be paid from the Water and Sewerage Operating Fund #67331, Business Unit #65558020.

Sponsors: Toombs and Nash

44. [RS2020-626](#)

A resolution approving amendment one to an agreement between the United States Department of the Army and the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, for the Sevenmile Creek Flood Risk Management Project in Davidson County, Tennessee. (MWS Project No. 19-SWC-214)

This resolution approves an amendment to an agreement between the United States Department of the Army (Army) and the Metropolitan Department of Water and Sewerage Services for the Sevenmile Creek Flood Risk Management Project (Project). Under the original agreement approved in 2019 by RS2019-1593, the Project was to consist of two parts: construction of a dry dam south of the entrance to the Ellington Agricultural Center and the buyout of 45 flood-prone properties in the Sevenmile Creek watershed. Metro was required to pay a minimum of 35% of construction costs allocated by the Government to structural flood risk management, and 35% of construction costs allocated by the Army to nonstructural flood risk management.

This resolution approves an amendment to the agreement to replace the structural dam construction component with the purchase of 11 additional flood-prone properties, and to add provisions to allow the Army to reimburse Metro for eligible costs it incurs for providing real property interests, placement area

improvements, and relocations prior to the final accounting.

Fiscal Note: Metro and the Army would jointly fund the cost of the project. Construction costs are projected to be \$16,589,200. The Army would pay \$10,783,000 of this amount, with Metro paying the remaining \$5,806,200. This would come from Water and Sewer Services Fund No. 67411 (W&S GSD StormwaterS/F FY18BCap).

Metro's projected costs allocated to non-structural flood risk management for creditable real property interests, relocations, and placement area improvements are \$13,079,600 and creditable in-kind contributions are projected to be \$793,400. The projected eligible cost for reimbursement to Metro is \$7,551,100. Costs for betterments are projected to be \$1,000,000.

Sponsors: Toombs and Nash

I. Bills on Second Reading

77. [BL2019-79](#)

An ordinance to amend Section 17.16.250 of the Metropolitan Code regarding advertisement and occupancy of a Short Term Rental Property - Owner-Occupied (Proposal No. 2020Z-002TX-001).

This ordinance implements certain requirements for a Short Term Rental Property - Owner Occupied.

This ordinance prohibits an owner-occupied STRP from advertising the availability of all bedrooms within the unit for rent, except for a two-family residential unit under common ownership with a two-family unit on the same lot, which is permitted in accordance with MCL 17.16.250.E.1.f. Also, this ordinance would make clear that an owner must reside onsite at an owner-occupied STRP at all times the property is being used as an STRP. Further, the owner could not be absent from the dwelling unit for longer than 15 consecutive hours within any 24 hour period while the property is being used as an STRP.

A proposed substitute has been submitted by the Planning Department. It would remove the prohibition against the owner being absent from the property for more than 15 consecutive hours within any 24 hour period. It would further exempt legally permitted detached accessory dwelling units and legally permitted accessory apartments from the prohibition and change the language to prohibit advertising the availability of an owner-occupied STRP to "entire/whole home", instead of the current language regarding advertising the availability of all bedrooms. It would also relocate the provisions from Title 17 to Title 6, consistent with Substitute Ordinance No. BL2020-187, as amended, which moved the STRP regulations to Title 6.

This ordinance has been approved by the planning commission.

Sponsors: O'Connell

78. [Substitute](#)

[BL2020-197](#)
An ordinance declaring a 120-day moratorium upon the issuance of building and grading permits for multi-family developments on property within portions of the Antioch area of Nashville & Davidson County.

This ordinance declares a 120-day moratorium upon the issuance of building and grading permits for multi-family developments on property within portions of the Antioch area of Nashville and Davidson County.

The moratorium on building and grading permits is to allow the Planning Department to conduct a study of the Antioch area to determine whether existing and planned infrastructure and public facilities are sufficient to meet the projected density resulting from multi-family development. This study is to include an assessment of the capacity to deliver public services to the area, including but not limited to, public safety facilities, roadways, sidewalks, stormwater, and school capacity. It will also make recommendations to the Council regarding modifications to the community plans and policies to address any deficiencies noted and any necessary zoning changes.

This ordinance does not yet identify the specific areas where the moratorium would be imposed.

The planning commission is scheduled to consider this proposal at its November meeting. This ordinance would thus need to be advertised for a public hearing subsequent to November if it is to proceed.

Sponsors: Vercher

79. **BL2020-300**
~~An ordinance~~ **(as amended)** amending Chapter 9.30 of the Metropolitan Code to restrict construction noise between the hours of 7:00 p.m. and 7:00 a.m.

This ordinance, as amended, amends Chapter 9.30 of the Metro Code to restrict construction noise in residential areas. Currently, Section 9.30.010 of the Metro Code prohibits noise related to construction located within or adjoining a residential zone district between the hours of 9:00pm and 6:00am. Such noise cannot measure in excess of 70 decibels. This ordinance would limit construction noise between 7:00pm and 7:00am.

The amendment modifies the exemptions to the construction noise provision. It adds “cable, telecom, fiber optic” to the list of utility work that is exempted from this provision. It further provides that when the forecasted temperatures is above 90 degrees Fahrenheit, the noise restrictions referenced above are in effect during the hours of 9:00pm and 6:00am.

Sponsors: Benedict, Bradford, Henderson, Hausser, Suara and Taylor

80. **BL2020-454**
~~An ordinance~~ **(as amended)** amending Title 2 of the Metropolitan Code of Laws to prohibit bullying in all Metropolitan Government services, activities, programs, and facilities.

This ordinance, as amended, amends the Metropolitan Code of Laws to prohibit bullying in all Metro Government services, activities, programs, and facilities. Bullying, including cyberbullying, would be prohibited by any person, volunteers, or staff. Retaliation against a person who reports bullying would also be prohibited. All Metro agencies and departments that provide services, activities, programs, and facilities to the public would be required to establish a clear policy for reporting, addressing, and preventing bullying. The policy must include a requirement for annual training for all staff on the policy and bullying prevention practices.

An amendment added at the October 20, 2020 meeting clarifies that this ordinance is meant to supplement, not replace, the existing workplace conduct policy for Metro employees.

This ordinance would not apply to Metro Nashville Public Schools, which is already required to adopt a policy prohibiting harassment, intimidation, bullying, and cyber-bullying under state law.

Sponsors: VanReece, Bradford, Withers, Young, Benedict, Vercher, Suara, Hurt, Hancock, Gamble, Taylor and Toombs

81. [BL2020-456](#)

An ordinance amending Chapter 11.22 of the Metropolitan Code to require landlords to provide notice to tenants prior to termination of tenancy and non-renewal of a lease.

This ordinance amends Chapter 11.22 of the Metro Code to require landlords to provide notice to tenants prior to termination of tenancy and nonrenewal of a lease. This ordinance mirrors two of the protections of the state law under the Uniform Residential Landlord Tenant Act. First, it provides that a week-to-week tenancy can be terminated upon ten days written notice. Second, it provides that a month-to-month tenancy can be terminated upon 30 days written notice. Both of these are taken from state law (Tenn. Code Ann. § 66-28-512).

This ordinance further provides that, in the absence of a written rental agreement that requires 60 days or more written notice of intent not to renew a lease, a landlord would be required to provide at least 90 days notice prior to the end of the lease of an intention not to renew a lease. It would apply to leases of one year or greater.

This ordinance would apply to all residential landlord-tenant relationships, even if ownership is transferred. A violation of these provisions would result in a fifty dollar fine per rental unit.

The Council Office would note that, while state law provides the time period that must be followed to terminate a week-to-week and month-to-month tenancy, it does not explicitly authorize local governments to collect a fifty dollar fine in connection with a violation of these provisions.

Sponsors: Allen, Toombs, Bradford and Taylor

82. [BL2020-463](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by renaming a portion of Sharpe Ave between McFerrin Ave and CSX Railroad to "West Sharpe Ave." (Proposal Number 2020M-003SR-001).

This ordinance amends the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by renaming a portion of Sharpe Ave. between McFerrin Ave. westward to the CSX railroad as "West Sharpe Ave." There are currently two disconnected sections of roadway named Sharpe Avenue that could cause confusion for emergency services.

This ordinance has been approved by the ECD Board and the Planning Commission. The required report from the Historical Commission is available as an attachment to this ordinance.

Sponsors: Parker, Murphy, Nash and O'Connell

83. [BL2020-469](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept public sanitary sewer mains, sewer manholes and easements, for three properties located on Clovercroft Road in Williamson County, also known as Twin Valley Farms (MWS Project No. 20-SL-141 and Proposal No. 2020M-072ES-001).

This ordinance authorizes the acceptance of approximately 138 linear feet of new eight inch sanitary sewer main (DIP), approximately 252 linear feet of new eight inch sanitary sewer main (PVC), two sanitary sewer manholes and easements, for three unnumbered properties located on Clovercroft Road in Williamson County, also known as Twin Valley Farm. Future amendments to this legislation may be approved by resolution.

This ordinance has been approved by the planning commission.

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

Sponsors: Murphy and Nash

84. [BL2020-492](#)

An ordinance to amend Section 12.36.110 of the Metropolitan Code pertaining to weight restrictions on certain roads.

This ordinance amends Section 12.36.110 of the Metro Code to prohibit vehicles with a gross weight in excess of 31,500 pounds from being operated on McCrory Lane, Poplar Creek Road, and Old Harding Pike between Highway 70S and Highway 100 except for occasional deliveries and pickups. Section 12.36.110, Load Restrictions, generally provides that vehicles cannot exceed the weight limits for the streets described in Schedule IX on file with Department of Public Works when signs have been erected providing notice of the restriction. However, there is currently a specific weight limitation for Hutton Drive and Woodycrest Avenue in the Donelson area prohibiting the operation of vehicles in excess of 5,800 pounds. This ordinance creates a new 31,500 pound weight limitation for vehicles operated on for parts of McCrory Lane, Poplar Creek Road, and Old Harding Pike in the Bellevue area except for the occasional delivery and pickup of materials and merchandise at residences and businesses, and for the occasional delivery of building materials for buildings under construction for which a building permit has been obtained.

This ordinance has been referred to the Traffic and Parking Commission.

Sponsors: Rosenberg

85. [BL2020-493](#)

An ordinance to amend Section 12.40.190 of the Metropolitan Code of Laws relative to night parking restrictions.

This ordinance reduces the length of recreational vehicles that can be lawfully parked on the street at night. Section 12.40.190 of the Metro Code prohibits a school bus, a recreational vehicle with a length in excess of 24 feet (whether a standalone RV or connected to another vehicle), or a dump truck of more than 54,000 pounds of gross weight from being parked on any of the streets or alleys within the jurisdiction of the Metropolitan Government during the hours between sunset and sunrise. This ordinance reduces the maximum length of the recreational vehicle from 24 feet to 20 feet as it relates to the nighttime parking restriction.

Sponsors: Sledge, Cash, Allen and Taylor

86. [BL2020-494](#)

An ordinance to amend Section 13.08.080 of the Metropolitan Code relative to the use of license plate scanners by law enforcement for the prosecution of reckless drivers.

This ordinance amends Section 13.08.080 of the Metropolitan Code to create an exception from the

prohibition on license plate readers. The Code currently prohibits the operation of license plate scanners installed onto or within the public right-of-way except for use in conjunction with a vehicle emissions sensor as part of an emissions inspection program authorized under local, state or federal law.

This ordinance would create another exception from the license plate scanner ban to allow the use of such scanners by law enforcement for the purpose of enforcing state and local laws pertaining to reckless driving, especially for the prosecution of persons engaged in illegal drag racing activity at speeds in excess of 70 miles per hour and at mass gatherings within the right-of-way or when intersections are unlawfully shut down to accommodate drag racing activity. To the fullest extent permitted by state law, license plate data could only be retained while a prosecution is pending.

Sponsors: Styles

87. [BL2020-495](#)

An ordinance readopting the Code of The Metropolitan Government of Nashville and Davidson County, Tennessee, prepared by Municipal Code Corporation including supplemental and replacement pages thereof, containing certain ordinances of a general and permanent nature enacted on or before June 10, 2020.

This ordinance readopts the Metro Code to include ordinances enacted on or before June 10, 2020.

Sponsors: Johnston

88. [BL2020-496](#)

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 sanitary sewer main, sanitary sewer manholes and easements, for property located at Garfield Street (unnumbered), also known as 808 Gateway Germantown development (MWS Project No. 16-SL-88 and Proposal No. 2020M-076ES-001).

This ordinance abandons approximately 216 linear feet of existing 10 inch sanitary sewer main, one sanitary sewer manhole and easements, and accepts approximately 619 linear feet of new 10 inch sanitary sewer main, three sanitary sewer manholes and easements, for property located at Garfield Street (unnumbered), also known as 808 Gateway Germantown.

Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

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

Sponsors: O'Connell, Murphy and Nash

89. [BL2020-497](#)

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 11 Burton Hills Boulevard, also known as The Blakeford (MWS Project 20-WL-48 and Proposal No. 2020M-077ES-001).

This ordinance accepts approximately 64 linear feet of new six inch water main (DIP), approximately 12 linear feet of new eight inch water main (DIP), two fire hydrant assemblies and easements, for property

located at 11 Burton Hills Boulevard, also known as The Blakeford.

Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

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

Sponsors: Pulley, Murphy and Nash

90. [BL2020-498](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main, and to accept new public water main, and a fire hydrant assembly, for property located at 920 Division Street, (MWS Project No. 20-WL-19 and Proposal No. 2020M-078ES-001).

This ordinance abandons approximately 214 linear feet of existing six inch water main, and accepts approximately 205 linear feet of new eight inch water main and one fire hydrant assembly for property located at 920 Division Street.

Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

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

Sponsors: O'Connell, Murphy and Nash

91. [BL2020-499](#)

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 on Old Hickory Boulevard at Legacy Drive, also known as Old Hickory Crossing Phase 1 (MWS Project numbers 18-WL-117 and 18-SL-148 and Proposal No. 2020M-079ES-001).

This ordinance accepts approximately 2,012 linear feet of new eight inch water main, approximately 1,292 linear feet of new eight inch sanitary sewer main, approximately 889 linear feet of new eight inch sanitary sewer main, four fire hydrant assemblies, 15 sanitary sewer manholes, and associated easements for two properties located on Old Hickory Boulevard at Legacy Drive, also known as Old Hickory Crossing Phase 1.

Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

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

Sponsors: Rutherford, Murphy and Nash

92. [BL2020-500](#)

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 on Old Hickory Boulevard at Legacy Drive, also known as Old Hickory Crossing Phase 2 (MWS Project Nos. 20-WL-106 and 20-SL-212 and Proposal No. 2020M-080ES-001).

This ordinance accepts approximately 1,247 linear feet of new eight inch water main, approximately 242 linear feet of new six inch water main, approximately 1,032 linear feet of new eight inch sanitary sewer main, three fire hydrant assemblies, seven sanitary sewer manholes, and associated easements for properties located at Old Hickory Boulevard at Legacy Drive, also known as Old Hickory Crossing Phase 2.

Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

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

Sponsors: Rutherford, Murphy and Nash

93. [BL2020-501](#)

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 on Old Hickory Boulevard at Legacy Drive, also known as Old Hickory Crossing Phase 3, (MWS Project numbers 20-WL-107 and 20-SL-213 and Proposal No. 2020M-081ES-001).

This ordinance accepts approximately 1,375 linear feet of new eight inch water main, approximately 361 linear feet of new four inch water main, approximately 1,661 linear feet of new eight inch sanitary sewer, four fire hydrant assemblies, eight sanitary sewer manholes, and associated easements for two properties located on Old Hickory Boulevard at Legacy Drive, also known as Old Hickory Crossing Phase 3.

Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

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

Sponsors: Rutherford, Murphy and Nash

J. Bills on Third Reading

94. [Substitute](#)

[BL2020-224](#) amending Chapter 11.22 of the Metropolitan Code to require landlords to provide notice to tenants prior to a sale of the property.

This ordinance, as substituted and amended, amends Chapter 11.22 of the Metropolitan Code to require landlords to provide notice to tenants prior to the sale of the leased property. The ordinance would create a

new requirement that landlords provide a minimum of 30 days' written notice to tenants prior to listing the property. The landlord would also be required to notify tenants within five days of a binding sale agreement of the closing date and the anticipated date by which a tenant would need to vacate, if applicable, which would be no less than 30 days from the date of notice of the closing date.

Pursuant to the amendment, this provision would not apply when a written rental agreement addresses the required notice to the tenant prior to the sale of the leased premises. The provision would become effective April 1, 2021.

This is similar to Bill No. BL2020-149, adopted at the April 21 meeting, which requires landlords to provide at least 90 days' written notice to tenants before increasing the tenant's rent.

Sponsors: Taylor, Hausser, Suara, Toombs and Bradford

95. [BL2020-424](#)

An ordinance amending Chapter 15.64 of the Metropolitan Code to require additional public notice regarding applications for Stormwater Management Committee variances.

This ordinance requires public notice regarding applications for Stormwater Management Committee (SWMC) variances. The application would be required to give 10 days' notice to property owners within one thousand feet of the subject property before the SWMC could take an action on the variance request. The application would be responsible for the costs associated with preparation and mailing of the notice. The application would also be required to post public notice signs on the subject property no less than 10 days prior to the SWMC meeting. The signs would be posted along each 300 feet of public street frontage.

This provision would become effective January 1, 2021.

Sponsors: Murphy, Sledge, O'Connell and Nash

96. [BL2020-425](#)

An ordinance to amend Chapter 16.24 of the Metropolitan Code to restrict the amount of fill material that can be placed upon property in close proximity to a river.

This ordinance amends Section 16.24.330 of the Metro Code to restrict the amount of fill material that can be placed upon a property near a river. No owner or occupant of a property could cause or allow more than 200 cubic yards of fill material per day to be placed upon a property if the property abuts a river or is within 500 feet of a river unless (a) the property is classified and permitted by the Tennessee Department of Environment and Conservation as a landfill; or (b) the Metropolitan Council approves fill in excess of 200 cubic yards upon adoption of a resolution. Before the Council could approve the excess fill material, a determination would need to be made that the fill material will not pose a significant threat to water quality or aquatic life.

Sponsors: Rosenberg

97. [BL2020-450](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by changing the name of 5th Avenue N., and Opry Place to "Rep. John Lewis Way N." and by changing the name of 5th Avenue S. to "Rep. John Lewis Way S." (Proposal No. 2020M-004SR-001).

This ordinance, as amended, amends the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by changing the name of 5th Avenue N., and Opry Place to "Rep. John Lewis Way N." and by changing the name of 5th Avenue S. to "Rep. John Lewis Way S." Representative John Lewis died on July 17, 2020 after battling cancer. He began

his lifelong civil rights work while attending the American Baptist Theological Seminary and later at Fisk University in Nashville. He was a leader in the historic lunch counter sit-ins on 5th Avenue that led to Nashville becoming the first Southern city to begin the desegregation of public places. As a student, Congressman Lewis attended nonviolence workshops held at Clark Memorial United Methodist Church by the Rev. James Lawson and Rev. Kelly Miller Smith. In 1961, Lewis was one of the 13 original "Freedom Riders." He went on to serve as an Atlanta city councilman and as a member of the U.S. House of Representatives beginning in 1986.

In honor of Representative Lewis, this ordinance would make the following street name changes:

- By renaming 5th Ave. N. from Commerce St. to Jefferson St. as "Rep. John Lewis Way N.";
- By renaming Opry Place from Broadway to Commerce St. as "Rep. John Lewis Way N."; and
- By renaming 5th Ave. S. from Broadway to Oak Street as "Rep. John Lewis Way S."

Although this ordinance originally would have renamed the section of 5th Ave. N. through Germantown and Salemtown, it was amended on first reading to remove that portion given the impact upon a large number of residents.

This ordinance has been approved by the ECD Board and the Planning Commission. The required report from the Historical Commission is available as an attachment to the ordinance.

This ordinance would be effective January 1, 2021.

Sponsors: Suara, O'Connell, Pulley, Toombs, Vercher, Sepulveda, Gamble, Porterfield, Styles, Hurt, Lee, Taylor, VanReece, Bradford, Benedict, Nash, Allen and Welsch

98. [BL2020-455](#)

An ordinance amending Chapter 7.08 of the Metropolitan Code to create a new type of permit for curbside / delivery.

This ordinance amends Section 7.08.030 of the Metro Code to create a new type of beer permit for curbside / delivery. In response to the COVID-19 pandemic, the Metro Beer Permit Board ("Beer Board") created an emergency regulation that allowed for curbside / delivery of beer of not more than 8% alcohol by volume. The Beer Board has requested that the new type of permit be permanently adopted by the Council.

This ordinance adds a new subsection to Section 7.08.030 to establish a retailer's curbside / delivery permit. This permit would apply when beer sold is not to be consumed by the purchaser upon or near the premises of such seller and the purchaser has the option to take possession of the beer curbside or have the beer delivered to a location other than the retailer's premises. Retailers holding curbside / delivery permits would be required to maintain records of all off-premises sales and deliveries in accordance with T.C.A. § 57-6-103(a). The ordinance also grants the Beer Board the authority to revoke or suspend a curbside / delivery permit or impose a civil penalty on any beer retailer who fails to remit timely any wholesale taxes.

Sponsors: Syracuse, Bradford, Benedict and Hausser

99. [BL2020-458](#)

An ordinance amending Title 16 of the Metropolitan Code of Laws to adopt updated building codes.

This ordinance adopts a more recent edition of several standard building and fire codes. Copies of the new editions of the standard codes are on file with the Codes Department. Metro is required by state law to keep our codes current within seven years of the latest published edition of the model codes. Metro is currently operating under the 2012 edition of the fire, life safety, building, residential, gas/mechanical, and plumbing codes, and the 2008 version of the energy code. The various building and fire codes are typically adopted at the same time to avoid conflicts between the codes. The Codes Department has notified the various construction trade associations of Metro's intention to adopt the 2018 codes. The adoption of the 2018 codes has been discussed at multiple stakeholder meetings over the last two years.

Nashville's building code standards are based upon the International Building Code (IBC), the International Residential Code (IRC), and the International Energy Conservation Code (IECC), each of which are updated on a periodic basis. Although these model codes have been upgraded several times in the past decade, the Council Office has been advised that Nashville's residential building code still adheres to certain 2009 standards, specifically as it relates to insulation requirements. The current ordinance proposes adoption of the 2018 editions of the IBC, IRC, and IECC, which are estimated to require 30% less energy use compared to 2009 standards. An analysis prepared by Pacific Northwest National Laboratory on behalf of the U.S. Department of Energy indicates that upgrading Nashville's current residential energy code to the 2018 IECC standards will provide a net life-cycle cost benefit of \$8,034 per single-family dwelling unit.

Metro typically also adopts some amendments to the standard codes that are local in nature, which are included as part of this ordinance. The local amendments are basically in keeping with prior code adoptions to make the code consistent with state law and Metro's appeal processes.

Sponsors: Sledge, Cash, Withers, O'Connell, Murphy, Welsch, Allen, Parker, Benedict, Hancock, Taylor, Henderson, Porterfield, Evans and Suara

100. [BL2020-459](#)

An ordinance to amend Section 16.28.190 of the Metropolitan Code of Laws to require notice to the district councilmember of applications for a demolition permit for historic structures.

This ordinance amends Section 16.28.190 of the Metropolitan Code to require the Codes Department to provide notice to district councilmembers regarding applications for permits to demolish historic structures. The ordinance would require notice by email to the district councilmember representing the district in which the historic structure is located within two business days after the application for the demolition permit has been filed.

Sponsors: Vercher, Styles, Hancock, Benedict, Bradford and Taylor

101. [BL2020-461](#)

An ordinance creating the positions of Chief Diversity Equity and Inclusion Officer and Workforce Diversity Manager.

This ordinance creates the new positions of Chief Diversity Equity and Inclusion Officer and Workforce Diversity Manager within the Metropolitan Government. Section 12.10 of the Metropolitan Charter provides that newly created positions within the Metropolitan Government must be approved by ordinance. The Civil Service Commission, upon the recommendation of the Director of Human Resources, has created these two positions, which were funded in the Fiscal Year 2021 substitute budget ordinance approved by the

Council. A job description for each is attached to the ordinance.

Although the Director of Finance recently implemented a hiring freeze for Metro, these positions are expressly exempt from the hiring freeze.

Sponsors: Toombs, Rutherford, Vercher, VanReece, Bradford, Hancock, Styles, Gamble, Suara, Allen, Welsch, Benedict and Taylor

102. [BL2020-462](#)

An ordinance approving a second amendment to an agreement between the Metropolitan Government and Plaza 2750, LLC concerning the acquisition of real property for use as the site for a new public library and acquisition and construction of related infrastructure and landscaping improvements in Donelson.

This ordinance approves a second amendment to an agreement between the Metropolitan Government and Plaza 2750, LLC, (Plaza) concerning the acquisition of real property for use as the site of a new public library in Donelson. The original agreement was approved by BL2018-1161 and amended by BL2018-1378. This amendment adds landscaping work to the public infrastructure work to be completed by Plaza.

Sponsors: Syracuse, VanReece and Nash

103. [BL2020-464](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by changing the name of 10th Circle N from Rosa L Parks Blvd to Dr Martin L King Jr Blvd to "Rev Kelly M Smith Circle" (Proposal No. 2020M-005SR-001).

This ordinance, as amended, amends the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by renaming a portion of 10th Circle N between Rosa L. Parks Blvd and Dr. Martin L King Jr. Blvd to "Rev Kelly M Smith Way." Rev. Kelly Miller Smith was a clergyman and civil rights activist in Nashville. Rev. Smith served as pastor of First Baptist Church, Capitol Hill, from 1951 until his death in 1984. He also served as president of the Nashville chapter of the NAACP, and as Assistant Dean of Vanderbilt University's Divinity School from 1969 until his death.

This ordinance has been approved by the ECD Board and the Planning Commission. The required report from the Historical Commission is available as an attachment to this ordinance.

Sponsors: Hurt, O'Connell, Nash and Allen

104. [BL2020-465](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning an unimproved, Unnumbered Alley right-of-way and easement from 14th Avenue North to Alley #540. (Proposal Number 2020M-009AB-001).

This ordinance abandons an unimproved, unnumbered alley from 14th Ave N to Alley #540, between Buchanan Street and Clay Street. This abandonment has been requested by Centric Architecture, applicant. Metro Public Works has determined there is no future need for this alley for Metro purposes. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission and the Traffic and Parking Commission.

Sponsors: Taylor, Murphy, Nash and O'Connell

105. [BL2020-466](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to negotiate and accept permanent and temporary easements for the Granny Wright Lane Stormwater Improvement Project for two properties located at 2335 and 2337 Granny Wright Lane, (Project No. 20-SWC-64 and Proposal No. 2020M-075ES-001).

This ordinance authorizes the acquisition of permanent and temporary easements for the Granny Wright Lane Stormwater Improvement Project for two properties located at 2335 and 2337 Granny Wright Lane. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

Sponsors: Lee, Murphy and Nash

106. [BL2020-467](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to negotiate and accept permanent and temporary easements for the Kipling Drive Stormwater Improvement Project for 13 properties located along Goodbar Drive, Aladdin Drive, and Kipling Drive, (Project No.20-SWC-326 and Proposal No. 2020M-074ES-001).

This ordinance authorizes the acquisition of permanent and temporary easements for the Kipling Drive Stormwater Improvement Project for 13 properties located along Goodbar Drive, Aladdin Drive, and Kipling Drive. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

Sponsors: Bradford, Murphy and Nash

107. [BL2020-468](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer main, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at 110 Tune Airport Drive (MWS Project Nos. 20-WL-63 and 20-SL-161 and Proposal No. 2020M-073ES-001).

This ordinance authorizes the acceptance of approximately 1,340 linear feet of new eight inch water main, 714 linear feet of new eight inch sanitary sewer main, 312 linear feet of new eight inch sanitary sewer main, four fire hydrant assemblies, five sanitary sewer manholes, and easements for property located at 110 Tune Airport Drive. Future amendments to this legislation may be approved by resolution.

This ordinance has been approved by the planning commission.

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

Sponsors: Roberts, Murphy and Nash