



Metropolitan Council

**PROPOSED AMENDMENTS PACKET
FOR THE COUNCIL MEETING OF
TUESDAY, OCTOBER 15, 2024**

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AMENDMENT NO. ____
TO
RESOLUTION NO. RS2024-746

Madam President –

I hereby move to amend Resolution No. RS2024-746 as follows:

I. By deleting the 5th recital in its entirety and replacing it with the following language:

WHEREAS, Amendment 2 to the grant contracts extends the term of the contracts through February 28, 2025, and appropriates \$22,500 in additional ARP funds to Agape, \$105,000 in additional ARP funds to Sexual Assault Center, and \$104,000 in additional ARP funds to Nashville Children’s Alliance; and,

II. By deleting Section 3 in its entirety and replacing it with the following language:

Section 3. That Amendment 2 to the grant contracts, attached hereto and incorporated herein, extending the term of the contracts through February 28, 2025, and appropriating \$22,500 in additional ARP funds to Agape, ~~\$21,000~~ \$105,000 in additional ARP funds to Sexual Assault Center, and ~~\$20,800~~ \$104,000 in additional ARP funds to Nashville Children’s Alliance, and is hereby approved.

SPONSORED BY:

Courtney Johnston
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-469

An ordinance amending Chapters ~~2.44~~, 2.28; and 2.222 of the Metropolitan Code of Laws pertaining to criminal participation and related actions of employees of the Metropolitan Government.

WHEREAS, officers and emergency service workers who support or affiliate with hate groups and paramilitary gangs undermine the mission of their agency by allying themselves with lawbreakers and by undermining the department's efforts to ensure equitable policing and earn community trust; and

WHEREAS, several hate groups and paramilitary gangs actively seek to enlist current and former police officers and members of the military to benefit from their social credibility and firearms expertise; and

WHEREAS, when police officers join, support, or advocate for hate groups or paramilitary gangs, they raise questions not only about their own fairness, judgment, and commitment to lawful policing, but also impair the credibility and legitimacy of a department that aims to equitably serve all communities within its jurisdiction; and

WHEREAS, unlawful political violence perpetuated by members of such hate groups and militia is the only type of violence and fundamentalism in our nation's history that has been state sanctioned and benefited from deep institutional penetration; and

WHEREAS, the Brennan Center for Justice has documented that since 2000, law enforcement officials with alleged connections to white supremacist groups or far-right militant activities have been exposed throughout the south including Alabama, Florida, Illinois, Louisiana, Oklahoma, Texas, Virginia, West Virginia, and elsewhere; and

WHEREAS, the FBI's 2015 Counterterrorism Policy Directive and Policy Guide warns that "domestic terrorism investigations focused on militia extremists, white supremacist extremists, and sovereign citizen extremists often have identified active links to law enforcement officers."; and

WHEREAS, members of hate groups and paramilitary gangs will utilize the knowledge and expertise gained through trainings and employment within public safety institutions to plan and effectuate attacks; and

WHEREAS, the presence of hate groups and paramilitary gangs within our public safety institutions endangers the entire community and poses a significant national security risk; and

WHEREAS, water cannons and high pressure firehoses were first used for crowd control in the 1930's in Germany and, by the 1960's, were frequently used during Civil Rights protests in the United States; and

WHEREAS, the use of water cannons and high pressure firehouses against protesters and demonstrators is a practice known as "perp washing"; and

WHEREAS, perp washing has a high risk of causing hypothermia, direct trauma from the pressurized water, secondary injury from being knocked down or colliding with object; and

WHEREAS, perp washing has significant practical and human rights concerns including civil rights intimidation, indiscriminate and disproportionate use, and collective punishment; and

WHEREAS, the incitement of unlawful violence degrades the mission of government to function and serve the entirety of the community; and

WHEREAS, MNP, NFD, and Metro agencies have a commitment to ensuring that appropriate policies and procedures are in place to prohibit biased and unlawful behavior that undermine their vital role in serving the community and this ordinance affirms that commitment and bolsters present policies and practices; and

WHEREAS, all Metro agencies have a commitment to ensuring that appropriate policies and procedures are in place to prohibit biased and unlawful behavior that undermine their vital role in serving the community and this ordinance affirms that commitment and bolsters present policies and practices.

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

~~Section 1. Chapter 2.44 of the Metropolitan Code of Laws is hereby amended as follows:~~

~~2.44.105 – Prohibition against criminal participation.~~

~~A. Purpose. The purpose of this section is to provide for the prohibition of knowing participation in criminal hate groups and paramilitary gangs, because such participation betrays public trust, degrades institutional cohesion, and frustrates the fundamental function and purpose of law enforcement and of service to the whole of Nashville and Davidson County.~~

~~B. Definitions. For the purposes of this section the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.~~

~~“MNP” means the Metropolitan Nashville Police Department.~~

~~“Hate Group” means any person or group that incites or provides material support for criminal acts or criminal conspiracies that promote violence toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals.~~

~~“Paramilitary Gang” means person or group that advocates the overthrow of the U.S. Government or any state, municipality, tribal, or other government by force or violence or any unlawful means including as defined under Tennessee Code Annotated § 39-17-314.~~

~~C. Prohibitions. No person employed by MNPD shall knowingly participate in activities of a Hate Group or Paramilitary Gang. This provision shall not be construed as prohibiting the officers from engaging in political activity pursuant to Tenn. Code Ann. § 38-8-310.~~

~~D. Policies and Procedures. MNPD shall adopt policies to enforce this section to include, but not limited to, policies and procedures for investigating allegations of prohibited participation, mandatory reporting of employees known to be partaking in prohibited participation.~~

Section ~~2~~ 1. Chapter 2.28 of the Metropolitan Code of Laws is hereby amended as follows:

2.28.025- ~~Prohibition against criminal participation and p~~ Prohibited practices

A. Purpose. The purpose of this section is to provide for the prohibition of ~~knowing participation in criminal hate groups and paramilitary gangs~~ the practice of perp washing, because such ~~participation~~ practice betrays public trust, degrades institutional cohesion, and frustrates the fundamental function and purpose of service to the whole of Nashville and Davidson County.

B. Definitions. For the purposes of this section the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.

“NFD” means the Nashville Fire Department including the Division of Emergency Ambulance and Rescue Service.

~~“Hate Group” means any person or group that incites or provides material supports for criminal acts or criminal conspiracies that promote violence toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals.~~

~~“Paramilitary Gang” means person or group that advocates the overthrow of the U.S. Government or any state, municipality, tribal, or other government by force or violence or any unlawful means including as defined under Tennessee Code Annotated § 39-17-314.~~

“Perp Washing” means the use of high-pressured water cannons of fire houses as an anti-personnel and crowd control tactic.

~~C. Prohibitions. No person employed by NFD shall knowingly participate in activities of a Hate Group or Paramilitary Gang. This provision shall not be construed as prohibiting the officers from engaging in political activity pursuant to Tenn. Code Ann. § 38-8-310.~~

~~D. Policies and Procedures. NFD shall adopt policies to enforce this section to include, but not limited to, policies and procedures for investigating allegations of prohibited participation, mandatory reporting of employees known to be partaking in prohibited participation.~~

~~€~~ C. Prohibited Practices. No NFD personnel may engage in the practice of Perp Washing.

Section 2. Section 2.222.010 of the Metropolitan Code of Laws is hereby amended by adding the following definitions:

(11) "Hate Group" means any person or group that advocates, incites, or provides material supports for criminal acts or criminal conspiracies or that promote violence, hatred, or discrimination toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals.

(12) "Paramilitary Gang" means person or group that advocates the overthrow of the U.S. Government or any state, municipality, tribal, or other government by force or violence or any unlawful means including as defined under Tennessee Code Annotated § 39-17-314.

Section 3. ~~Chapter~~ Section 2.222.020 of the Metropolitan Code of Laws is hereby amended by adding the following new subsections:

~~2.222.020—Standards of conduct.~~

~~(t) No person employed by the Metropolitan Government s~~ Shall not knowingly participate in or incite violence or threaten to commit crimes of violence or participate in a group that incites violence or threatens to commit crimes of violence.

(u) Shall not knowingly participate in activities of a Hate Group or Paramilitary Gang as defined by this Chapter.

Section ~~5~~4. If any section or provision of this ordinance is found to be invalid, unconstitutional, or unenforceable, that finding shall not affect or undermine the validity of any other section, subsection, or provision of this ordinance.

Section ~~6~~5. This ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Jeff Preptit
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-469

An ordinance amending Chapters ~~2.44, 2.28; and~~ 2.222 of the Metropolitan Code of Laws pertaining to criminal participation and related actions of employees of the Metropolitan Government.

WHEREAS, ~~officers and emergency service workers~~ employees of the Metropolitan Government who support or affiliate with hate groups and paramilitary gangs undermine the mission of their agency by allying themselves with lawbreakers and by undermining the any department's efforts to ensure equitable policing and earn community trust; and

WHEREAS, several hate groups and paramilitary gangs actively seek to enlist current and former police officers and members of the military to benefit from their social credibility and firearms expertise; and

WHEREAS, when police officers join, support, or advocate for hate groups or paramilitary gangs, they raise questions not only about their own fairness, judgment, and commitment to lawful policing, but also impair the credibility and legitimacy of a department that aims to equitably serve all communities within its jurisdiction; and

WHEREAS, unlawful political violence perpetuated by members of such hate groups and militia is the only type of violence and fundamentalism in our nation's history that has been state sanctioned and benefited from deep institutional penetration; and

WHEREAS, the Brennan Center for Justice has documented that since 2000, law enforcement officials with alleged connections to white supremacist groups or far-right militant activities have been exposed throughout the south including Alabama, Florida, Illinois, Louisiana, Oklahoma, Texas, Virginia, West Virginia, and elsewhere; and

WHEREAS, the FBI's 2015 Counterterrorism Policy Directive and Policy Guide warns that "domestic terrorism investigations focused on militia extremists, white supremacist extremists, and sovereign citizen extremists often have identified active links to law enforcement officers."; and

WHEREAS, members of hate groups and paramilitary gangs will utilize the knowledge and expertise gained through trainings and employment within public safety institutions to plan and effectuate attacks; and

WHEREAS, the presence of hate groups and paramilitary gangs within our public safety institutions endangers the entire community and poses a significant national security risk; and

WHEREAS, water cannons and high pressure firehoses were first used for crowd control in the 1930's in Germany and, by the 1960's, were frequently used during Civil Rights protests in the United States; and

~~WHEREAS, the use of water cannons and high pressure firehouses against protesters and demonstrators is a practice known as "perp washing"; and~~

~~WHEREAS, perp washing has a high risk of causing hypothermia, direct trauma from the pressurized water, secondary injury from being knocked down or colliding with object; and~~

~~WHEREAS, perp washing has significant practical and human rights concerns including civil rights intimidation, indiscriminate and disproportionate use, and collective punishment; and~~

~~WHEREAS, the incitement of unlawful violence degrades the mission of government to function and serve the entirety of the community; and~~

~~WHEREAS, MNP, NFD, and Metro agencies have a commitment to ensuring that appropriate policies and procedures are in place to prohibit biased and unlawful behavior that undermine their vital role in serving the community and this ordinance affirms that commitment and bolsters present policies and practices; and~~

WHEREAS, all Metro agencies have a commitment to ensuring that appropriate policies and procedures are in place to prohibit biased and unlawful behavior that undermine their vital role in serving the community and this ordinance affirms that commitment and bolsters present policies and practices.

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

~~Section 1. Chapter 2.44 of the Metropolitan Code of Laws is hereby amended as follows:~~

~~2.44.105 – Prohibition against criminal participation.~~

~~A. Purpose. The purpose of this section is to provide for the prohibition of knowing participation in criminal hate groups and paramilitary gangs, because such participation betrays public trust, degrades institutional cohesion, and frustrates the fundamental function and purpose of law enforcement and of service to the whole of Nashville and Davidson County.~~

~~B. Definitions. For the purposes of this section the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.~~

~~“MNP” means the Metropolitan Nashville Police Department.~~

~~“Hate Group” means any person or group that incites or provides material support for criminal acts or criminal conspiracies that promote violence toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals.~~

~~“Paramilitary Gang” means person or group that advocates the overthrow of the U.S. Government or any state, municipality, tribal, or other government by force or violence or any unlawful means including as defined under Tennessee Code Annotated § 39-17-314.~~

~~C. Prohibitions. No person employed by MNPD shall knowingly participate in activities of a Hate Group or Paramilitary Gang. This provision shall not be construed as prohibiting the officers from engaging in political activity pursuant to Tenn. Code Ann. § 38-8-310.~~

~~D. Policies and Procedures. MNPD shall adopt policies to enforce this section to include, but not limited to, policies and procedures for investigating allegations of prohibited participation, mandatory reporting of employees known to be partaking in prohibited participation.~~

~~Section 2. Chapter 2.28 of the Metropolitan Code of Laws is hereby amended as follows:~~

~~2.28.025— Prohibition against criminal participation and prohibited practices~~

~~A. Purpose. The purpose of this section is to provide for the prohibition of knowing participation in criminal hate groups and paramilitary gangs the practice of perp washing, because such participation practice betrays public trust, degrades institutional cohesion, and frustrates the fundamental function and purpose of service to the whole of Nashville and Davidson County.~~

~~B. Definitions. For the purposes of this section the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.~~

~~“NFD” means the Nashville Fire Department including the Division of Emergency Ambulance and Rescue Service.~~

~~“Hate Group” means any person or group that incites or provides material supports for criminal acts or criminal conspiracies that promote violence toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals.~~

~~“Paramilitary Gang” means person or group that advocates the overthrow of the U.S. Government or any state, municipality, tribal, or other government by force or violence or any unlawful means including as defined under Tennessee Code Annotated § 39-17-314.~~

~~“Perp Washing” means the use of high pressured water cannons of fire houses as an anti-personnel and crowd control tactic.~~

~~C. Prohibitions. No person employed by NFD shall knowingly participate in activities of a Hate Group or Paramilitary Gang. This provision shall not be construed as prohibiting the officers from engaging in political activity pursuant to Tenn. Code Ann. § 38-8-310.~~

~~D. Policies and Procedures. NFD shall adopt policies to enforce this section to include, but not limited to, policies and procedures for investigating allegations of prohibited participation, mandatory reporting of employees known to be partaking in prohibited participation.~~

~~E. Prohibited Practices. No NFD personnel may engage in the practice of Perp Washing.~~

Section 1. Section 2.222.010 of the Metropolitan Code of Laws is hereby amended by adding the following definitions:

(11) "Hate Group" means any person or group that advocates, incites, or provides material supports for criminal acts or criminal conspiracies or that promote violence, hatred, or discrimination toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals.

(12) "Paramilitary Gang" means person or group that advocates the overthrow of the U.S. Government or any state, municipality, tribal, or other government by force or violence or any unlawful means including as defined under Tennessee Code Annotated § 39-17-314.

~~Section 32. Chapter Section 2.222.020~~ of the Metropolitan Code of Laws is hereby amended by adding the following new subsections:

~~2.222.020—Standards of conduct.~~

~~(t) No person employed by the Metropolitan Government s~~ Shall not knowingly participate in or incite violence or threaten to commit crimes of violence or participate in the criminal activities of a group that incites violence or threatens to commit crimes of violence.

(u) Shall not knowingly participate in criminal activities of a Hate Group or Paramilitary Gang as defined by this Chapter.

(v) Shall not discriminate on the basis of race, color, religion, sex, or national origin, as set forth in the Civil Rights Act of 1964.

~~Section 5-3.~~ If any section or provision of this ordinance is found to be invalid, unconstitutional, or unenforceable, that finding shall not affect or undermine the validity of any other section, subsection, or provision of this ordinance.

~~Section 6-4.~~ This ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Jordan Huffman
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-469

An ordinance amending ~~Chapters 2.44, 2.28; and 2.222~~ Title 2 of the Metropolitan Code of Laws pertaining to criminal participation and related actions of employees of the Metropolitan Government.

WHEREAS, ~~officers and emergency service workers~~ Metropolitan employees who support or affiliate with hate groups and ~~paramilitary insurgent~~ gangs undermine the mission of their agency by allying themselves with lawbreakers and by undermining the ~~department's~~ Metropolitan Government efforts to ensure equitable ~~policing~~ treatment of residents and earn community trust; and

WHEREAS, several hate groups and ~~paramilitary insurgent~~ gangs actively seek to enlist current and former ~~police officers and members of the military~~ Metro employees to benefit from their social credibility and ~~firearms~~ expertise; and

WHEREAS, when ~~police officers~~ Metro employees join, support, or advocate for hate groups or ~~paramilitary insurgent~~ gangs, they raise questions not only about their own fairness, judgment, and commitment to lawful policing, but also impair the credibility and legitimacy of a ~~department~~ government that aims to equitably serve all communities within its jurisdiction; and

WHEREAS, unlawful political violence perpetuated by members of such hate groups and ~~militia~~ insurgents is the only type of violence and fundamentalism in our nation's history that has been state sanctioned and benefited from deep institutional penetration; and

WHEREAS, the Brennan Center for Justice has documented that since 2000, law enforcement officials with alleged connections to white supremacist groups or far-right militant activities have been exposed throughout the south including Alabama, Florida, Illinois, Louisiana, Oklahoma, Texas, Virginia, West Virginia, and elsewhere; and

WHEREAS, the FBI's 2015 Counterterrorism Policy Directive and Policy Guide warns that "domestic terrorism investigations focused on militia extremists, white supremacist extremists, and sovereign citizen extremists often have identified active links to law enforcement officers."; and

WHEREAS, members of hate groups and ~~paramilitary insurgent~~ gangs will utilize the knowledge and expertise gained through trainings and employment within public safety institutions to plan and effectuate attacks; and

WHEREAS, the presence of hate groups and ~~paramilitary insurgent~~ gangs within our public safety institutions endangers the entire community and poses a significant national security risk; and

WHEREAS, ~~water cannons and high pressure firehoses were first used for crowd control in the 1930's in Germany and, by the 1960's, were frequently used during Civil Rights protests in the United States;~~ and

~~WHEREAS, the use of water cannons and high pressure firehouses against protesters and demonstrators is a practice known as “perp washing”; and~~

~~WHEREAS, perp washing has a high risk of causing hypothermia, direct trauma from the pressurized water, secondary injury from being knocked down or colliding with object; and~~

~~WHEREAS, perp washing has significant practical and human rights concerns including civil rights intimidation, indiscriminate and disproportionate use, and collective punishment; and~~

~~WHEREAS, the incitement of unlawful violence degrades the mission of government to function and serve the entirety of the community; and~~

~~WHEREAS, MNP, NFD, and Metro agencies have a commitment to ensuring that appropriate policies and procedures are in place to prohibit biased and unlawful behavior that undermine their vital role in serving the community and this ordinance affirms that commitment and bolsters present policies and practices.~~

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

~~Section 1. Chapter 2.44 of the Metropolitan Code of Laws is hereby amended as follows:~~

~~2.44.105— Prohibition against criminal participation.~~

~~A. Purpose. The purpose of this section is to provide for the prohibition of knowing participation in criminal hate groups and paramilitary gangs, because such participation betrays public trust, degrades institutional cohesion, and frustrates the fundamental function and purpose of law enforcement and of service to the whole of Nashville and Davidson County.~~

~~B. Definitions. For the purposes of this section the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.~~

~~“MNP” means the Metropolitan Nashville Police Department.~~

~~“Hate Group” means any person or group that incites or provides material supports for criminal acts or criminal conspiracies that promote violence toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals.~~

~~“ParamilitaryGang” means person or group that advocates the overthrow of the U.S. Government or any state, municipality, tribal, or other government by force or violence or any unlawful means including as defined under Tennessee Code Annotated § 39-17-314.~~

~~C. Prohibitions. No person employed by MNP shall knowingly participate in activities of a Hate Group or Paramilitary Gang. This provision shall not be construed as prohibiting the officers from engaging in political activity pursuant to Tenn. Code Ann. § 38-8-310.~~

~~D. Policies and Procedures. MNPD shall adopt policies to enforce this section to include, but not limited to, policies and procedures for investigating allegations of prohibited participation, mandatory reporting of employees known to be partaking in prohibited participation.~~

~~Section 2. Chapter 2.28 of the Metropolitan Code of Laws is hereby amended as follows:~~

~~2.28.025 – Prohibition against criminal participation and prohibited practices~~

~~A. Purpose. The purpose of this section is to provide for the prohibition of knowing participation in criminal hate groups and paramilitary gangs, because such participation betrays public trust, degrades institutional cohesion, and frustrates the fundamental function and purpose of service to the whole of Nashville and Davidson County.~~

~~B. Definitions. For the purposes of this section the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.~~

~~“NFD” means the Nashville Fire Department including the Division of Emergency Ambulance and Rescue Service.~~

~~“Hate Group” means any person or group that incites or provides material supports for criminal acts or criminal conspiracies that promote violence toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals.~~

~~“Paramilitary Gang” means person or group that advocates the overthrow of the U.S. Government or any state, municipality, tribal, or other government by force or violence or any unlawful means including as defined under Tennessee Code Annotated § 39-17-314.~~

~~“Perp Washing” means the use of high pressured water cannons of fire houses as an anti-personnel and crowd control tactic.~~

~~C. Prohibitions. No person employed by NFD shall knowingly participate in activities of a Hate Group or Paramilitary Gang. This provision shall not be construed as prohibiting the officers from engaging in political activity pursuant to Tenn. Code Ann. § 38-8-310.~~

~~D. Policies and Procedures. NFD shall adopt policies to enforce this section to include, but not limited to, policies and procedures for investigating allegations of prohibited participation, mandatory reporting of employees known to be partaking in prohibited participation.~~

~~E. Prohibited Practices. No NFD personnel may engage in the practice of Perp Washing.~~

~~Section 3. Chapter 2.222 of the Metropolitan Code of Laws is hereby amended by adding the following section:~~

~~2.222.020 – Standards of conduct.~~

~~(t) No person employed by the Metropolitan Government shall incite violence or threaten to commit crimes of violence or participate in a group that incites violence or threatens to commit crimes of violence.~~

Section 1. That Title 2 of the Metropolitan Code of Laws is amended by creating a new Chapter 2.234 as follows:

2.234 -- Prohibition against criminal participation by employees.

2.234.010 – Prohibition against criminal participation.

A. Purpose. The purpose of this section is to provide for the prohibition of knowing participation in criminal hate groups and insurgent gangs, because such participation betrays public trust, degrades institutional cohesion, and frustrates the fundamental function and purpose of law enforcement and of service to the whole of Nashville and Davidson County.

B. Definitions. For the purposes of this section the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.

“Hate Group” means any person or group that incites or provides material supports for criminal acts or criminal conspiracies that promote violence toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals.

“Insurgent Gang” means person or group that advocates the overthrow of the U.S. Government or any state, municipality, tribal, or other government by force or violence or any unlawful means including as defined under Tennessee Code Annotated § 39-17-314.

C. Prohibitions. No person employed by the metropolitan government shall knowingly participate in activities of a Hate Group or Insurgent Gang.

D. Policies and Procedures. The metropolitan government shall adopt policies to enforce this section to include, but not limited to, policies and procedures for investigating allegations of prohibited participation, mandatory reporting of employees known to be partaking in prohibited participation.

Section 5 2. If any section or provision of this ordinance is found to be invalid, unconstitutional, or unenforceable, that finding shall not affect or undermine the validity of any other section, subsection, or provision of this ordinance.

Section 6 3. This ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Tonya Hancock
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2024-469

Madam President,

I move to amend Ordinance No. BL2024-469, as substituted, as follows:

1. Insert the following recitals after the eighth recital:

WHEREAS, the Civil Service Rules of the Metropolitan Government state in Section 6.1 that “it shall be the duty of each employee to maintain high standards of cooperation, efficiency, and economy in his work” and Section 6.7 of the manual includes among its grounds for disciplinary action dishonesty; immoral conduct; the use or threat of violence or intimidation when directed toward another person; discrimination on the unlawful basis of race, sex, color, age, religion, national origin, handicap or lawful political or employee group affiliation; and any failure of good behavior which reflects discredit upon himself, the department, and/or the Metropolitan Government; and

WHEREAS, the Metro Police Department Manual in Section 4.50 -- Harassment and Discrimination states that “the Metropolitan Nashville Police Department will not tolerate, condone, or allow harassment or discrimination by employees or of employees.” And “A violation of this order can lead to discipline, up to and including termination. Repeated violations, even if ‘minor’, will result in greater levels of discipline as appropriate;” and

WHEREAS, it is vital for the public to have trust in the employees of Metropolitan Government, especially those involved in public safety, and that trust can be further built through acknowledgement and codification of anti-discrimination policies that already exist in all departments; and

2. Section 1 shall be amended by amending Section 2.44.105 D as follows:

D. Policies and Procedures. MNPD shall review its existing discrimination policy and, if provisions are not already included, adopt policies to enforce this section to include, but not be limited to, policies and procedures for investigating allegations of prohibited association participation, and mandatory reporting of employees known to be partaking in prohibited participation.

3. Section 2 shall be amended by amending Section 2.28.025 D as follows:

D. Policies and Procedures. NFD shall review its existing discrimination policy and, if provisions are not already included, adopt policies to enforce this section to include, but not be limited to, policies and procedures for investigating allegations of prohibited association participation, and mandatory reporting of employees known to be partaking in prohibited participation.

4. Section 3 shall be amended by amending Section 2.222.020 as follows:

2.222.020 - Standards of conduct.

(t) No person employed by the Metropolitan Government shall incite violence or threaten to commit crimes of violence or knowingly participate in a group that incites violence or threatens to commit crimes of violence.

SPONSORED BY:

Burkley Allen
Member of Council

AMENDMENT NO. 1
TO
ORDINANCE NO. BL2024-478

Madam President,

I move to amend Ordinance No. BL2024-478 as follows:

I. By amending Section 6 as follows:

Section 6. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by adding the following sentence to the end of Subsection A.5.k:

If the zoning administrator determines that there has been a change in ownership ~~as set forth under State law~~, the permit will no longer be valid, and the new property owner must apply for a permit under the regulations in effect at the time the new application is received.

II. By amending Section 9 as follows:

Section 9. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by adding the following sentence to the end of Subsection B.5.k:

If the zoning administrator determines that there has been a change in ownership ~~as set forth under State law~~, the permit will no longer be valid, and the new property owner must apply for a permit under the regulations in effect at the time the new application is received.

SPONSORED BY:

Burkley Allen
Member of Council

AMENDMENT NO. 2
TO
ORDINANCE NO. BL2024-478

Madam President –

I hereby move to amend Ordinance No. BL2024-478 by amending Section 3 as follows:

Section 3. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by deleting Subsection A.3.b.iv. in its entirety and replacing it with the following:

iv. For owners applying for an owner-occupied permit, ~~five~~ four documents giving proof of owner-occupation shall be provided. Each document must be current and show the owner's name and address matching that of the property to be utilized for short term rental. Two documents are required from Group A and ~~three~~ two documents are required from Group B:

(1) Group A acceptable documentation includes: (a) Tennessee Driver's license; (b) other valid State of Tennessee identification card; (c) Davidson County voter registration card; (d) Internal Revenue Service tax reporting form, such as a W-2 or 1099; (e) Current Motor Vehicle Registration or Title.

(2) Group B items include (a) current automobile insurance, (b) current life insurance, ~~or~~ (c) current homeowners' insurance policy. (Wallet Cards not accepted); ~~(b-d)~~ paycheck/check stub, ~~(e-e)~~ a bank statement ~~(d-f)~~ current employer verification of residential address or a letter from the employer on company letterhead with original signature, excluding applicants that are self employed (If the employer does not have letterhead, the signature of the employer must be notarized.).

SPONSORED BY:

Rollin Horton
Member of Council

AMENDMENT NO. 1
TO
ORDINANCE NO. BL2024-548

Madam President –

I hereby move to amend Substitute Ordinance No. BL2024-548 as follows:

I. By amending Section 3 as follows:

Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum of 277 multi-family residential units and a maximum of 6,000 square feet of ground-floor non-residential use. Ground-floor non-residential uses shall be limited to those permitted in MUG zoning, excluding alternative financial services, beer and cigarette market, flea market, distributive business/wholesale, and warehouse uses which shall be prohibited. Short term rental property, owner occupied and short term rental property, not owner occupied uses shall be prohibited in the entire development.

II. By deleting Section 4 in its entirety and substituting with the following new Section 4 modified as shown below:

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. Additional parking garage screening shall be modified to feature similar architectural cladding to the southern and western facades for final site plan approval, provided that such screening shall not necessitate the mechanical ventilation of the parking garage. Such screening shall be designed in a manner to reduce the emission of light from vehicle headlights. Elevations to be reviewed and approved by Planning staff.
2. The eastern façade elevations shall be modified to feature similar architectural cladding to the southern and western facades for final site plan approval. Elevations to be reviewed and approved by Planning Staff.
3. The following design standards shall be added to the plan: Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. The proposed dog run shall be relocated from being along the greenway to an alternative location.
7. All parking spaces adjacent to the Music City Bikeway shall be back in parking only.
8. The developer shall paint bicycle shared lane markings along the existing Music City Bikeway route from White Bridge Pike to the greenway.
9. The developer shall construct a greenway access path along the northern property line, including the installation of a greenway trailhead sign, and enter into a maintenance agreement with Metro Parks for that access path.
10. The developer shall install a traffic signal at the intersection of White Bridge Pike and Lions Head Village Access Drive. As part of the installation of the traffic signal, the developer shall work with NDOT and contribute up to \$25,000 to complete a signal optimization study for White Bridge Pike from Harding Pike to Charlotte Pike.

12. The developer shall work with WeGo Public Transit to improve the existing bus stops at White Bridge Pike and Post Road at the developer's expense. Such improvements shall include a sheltered waiting area.
13. The developer shall create a project website that will post key project updates and a contact person available to community members during construction.
14. Prior to the issuance of a grading permit, the developer shall prepare a construction parking plan to be shared with the district council member and adjacent property owners and posted to the development website. Such a plan shall include an off-site parking area for construction workers to be used until the onsite parking garage can be utilized.
15. Construction vehicles shall be prohibited from using Post Place to access the construction site.
16. The developer shall comply with all requirements of Section 9.30.010 of the Metropolitan Code, provided that the restrictions of this section shall be extended from 7:00 p.m. to 7:30 a.m. and noise levels cannot exceed 70 dB until that time.
17. Access to the existing greenway shall be maintained throughout construction. When construction activities require the temporary closure of the greenway entrance the developer will provide a detour and will provide reasonable notice of said detour with onsite signage and an update to the project website.

SPONSORED BY:

Brenda Gadd
Member of Council

AMENDMENT NO. 2
TO
ORDINANCE NO. BL2024-548

Madam President –

I hereby move to amend Substitute Ordinance No. BL2024-548 as follows:

III. By amending Section 3 as follows:

Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum of 277 multi-family residential units and a maximum of 6,000 square feet of ground-floor non-residential use. Ground-floor non-residential uses shall be limited to those permitted in MUG zoning, excluding alternative financial services, beer and cigarette market, flea market, distributive business/wholesale, and warehouse uses which shall be prohibited. Short term rental property, owner occupied and short term rental property, not owner occupied uses shall be prohibited in the entire development.

IV. By deleting Section 4 in its entirety and substituting with the following new Section 4 modified as shown below:

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. Additional parking garage screening shall be modified to feature similar architectural cladding to the southern and western facades for final site plan approval, provided that such screening shall not necessitate the mechanical ventilation of the parking garage. Such screening shall be designed in a manner to reduce the emission of light from vehicle headlights. Elevations to be reviewed and approved by Planning staff.
2. The eastern façade elevations shall be modified to feature similar architectural cladding to the southern and western facades for final site plan approval. Elevations to be reviewed and approved by Planning Staff.
3. The following design standards shall be added to the plan: Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Comply with all conditions and requirements of Metro reviewing agencies.
6. The proposed dog run shall be relocated from being along the greenway to an alternative location.
7. All parking spaces adjacent to the Music City Bikeway shall be back in parking only.
8. The developer shall paint bicycle shared lane markings along the existing Music City Bikeway route from White Bridge Pike to the greenway.
9. The developer shall construct a greenway access path along the northern property line, including the installation of a greenway trailhead sign, and enter into a maintenance agreement with Metro Parks for that access path.
10. The developer shall install a traffic signal at the intersection of White Bridge Pike and Lions Head Village Access Drive. As part of the installation of the traffic signal, the developer shall work with NDOT and contribute up to \$25,000 to complete a signal optimization study for White Bridge Pike from Harding Pike to Charlotte Pike.
12. The developer shall work with WeGo Public Transit to improve the existing bus stops at White Bridge Pike and Post Road, and White Bridge Pike and the Nashville State

- Community College access drive at the developer's expense. Such improvements shall include a sheltered waiting area.
13. The developer shall create a project website that will post key project updates and a contact person available to community members during construction.
 14. Prior to the issuance of a grading permit, the developer shall prepare a construction parking plan to be shared with the district council member and adjacent property owners and posted to the development website. Such a plan shall include an off-site parking area for construction workers to be used until the onsite parking garage can be utilized.
 15. Construction vehicles shall be prohibited from using Post Place to access the construction site.
 16. The developer shall comply with all requirements of Section 9.30.010 of the Metropolitan Code, provided that the restrictions of this section shall be extended from 7:00 p.m. to 7:30 a.m. and noise levels cannot exceed 70 dB until that time.
 17. Access to the existing greenway shall be maintained throughout construction. When construction activities require the temporary closure of the greenway entrance the developer will provide a detour and will provide reasonable notice of said detour with onsite signage and an update to the project website.

SPONSORED BY:

Brenda Gadd
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2024-554

Madam President –

I hereby move to amend Ordinance No. BL2024-554 by amending Section 2 as follows:

Section 2. The Special Event Zone defined in Section 1 hereof shall have a duration beginning at nine o'clock (9:00) p.m. on ~~Saturday~~ Monday, December 30, 2024, and ending at 6 o'clock (6:00) a.m. on ~~Monday~~ Wednesday, January 1, 2025.

SPONSORED BY:

Jacob Kupin
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-555

An ordinance authorizing the abandonment of Edenwold Road Connector and other remnant rights-of-way. (Proposal Number 2024M-003006AB-001).

WHEREAS, Metro Water Services (“Applicant”) has requested that Edenwold Road Connector, Third Street, Cumberland Boulevard, and an Unnumbered Alley be abandoned; and,

WHEREAS, all the abutting property owners have consented to the abandonment; and,

WHEREAS, the rights-of way proposed for abandonment is of no further use for Metropolitan Government of Nashville and Davidson County purposes.

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

Section 1. That abandonment of Edenwold Road Connector right-of-way, from southwest corner of parcel 03410010800 to the southeast corner of same parcel, as depicted on the maps attached to this ordinance, is hereby approved.

Section 2. That abandonment of Third Street right-of-way, from Edenwold Road to Cumberland Boulevard, as depicted on the maps attached to this ordinance, is hereby approved.

Section 3. That abandonment of Cumberland Boulevard right-of-way, from Third Street to dead end, as depicted on the maps attached to this ordinance, is hereby approved.

Section 4. That abandonment of an Unnumbered Alley right-of-way, from Third Street to dead end, as depicted on the maps attached to this ordinance, is hereby approved.

Section 5. That utility easements are herein retained by the Metropolitan Government of Nashville and Davidson County, its agents, servants, and/or contractors and utility companies operating under franchise(s) from the Metropolitan Government for the right to enter, construct, operate, maintain, repair, rebuild, enlarge, and patrol its now existing or future utilities, including drainage facilities, together with their appurtenances, and to do any and all things necessary and incidental thereto.

Section 6. In the event there is proposed any construction over, above, or under said existing utilities, that said construction shall have the approval of the Director of Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) and/or the Director of Water and Sewerage Services, together with the approval of any other pertinent departments of the Metropolitan Government or other governmental agency, including the Nashville Electric Service.

Section 7. That the Director of NDOT be and hereby is authorized and directed, upon the enactment and approval of this ordinance, to cause said change to be made on the Geographic Information Systems (GIS) Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 8. Amendments to this legislation may be approved by resolution.

Section 9. This ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Jennifer Webb
Member of Council