



Metro Council

G. Resolutions on Public Hearing

1. [RS2022-1883](#)

A resolution authorizing the Metropolitan Government to enter into an agreement with private entities to acquire, share, or otherwise use surveillance technology, and install surveillance technology onto or within the public right of way.

Analysis

This resolution authorizes the Metropolitan Government to enter into an agreement with private entities to acquire, share, or otherwise use surveillance technology, specifically license plate scanner technology (“LPR”), and to install surveillance technology onto or within the public right of way.

Section 13.08.080.C of the Metropolitan Code of Laws requires approval by the Metropolitan Council by Resolution adopted after a public hearing prior to installing surveillance technology onto or within the public right of way or entering into an agreement with private entities to acquire, share, or otherwise use surveillance technology. LPR is considered surveillance technology pursuant to the definitions in Section 13.08.080.A.

Pursuant to Section 13.08.080.D, the Council shall grant approval of an action set forth in 13.08.080.C “only upon the determination that the benefits to the citizens and residents of Nashville and Davidson County outweigh the costs; that the proposal will safeguard civil liberties and civil rights; and that, in the judgment of the metropolitan council, no alternative with a lesser economic cost or impact upon civil rights or civil liberties would be as effective.”

This resolution authorizes the Metropolitan Government to enter into an agreement with private entities to acquire, share, or otherwise use surveillance technology for a license plate reader system and to install this technology onto or within the public right-of-way. Attached to the resolution is the Request for Quotation (“RFQ”) for an automated license plate reader/recognition system for the Metropolitan Government. The intent of the RFQ is to enter into agreements with one or more of the top scoring offerors for each proposed solution, such as fixed-LPR, vehicle-based mobile LPR, and trailer-based mobile LPR for use by the Metropolitan Nashville Police Department.

Any use of LPR by any department of the Metropolitan Government is also governed by Section 13.08.080.G. This section contains requirements about the maintenance of an LPR

system, including the purposes for which LPR may be used and the storage and retention of LPR data. In addition, Section 13.08.080.G.14 requires that a department engage in a six-month pilot program prior to the full implementation of that department's LPR system. If this resolution is approved and a purchase agreement is executed, MNPDP will be required to submit a report to the Council on the efficacy of the six-month pilot program and any policies implemented to carry out the use of the LPR system. The use of LPR technology by MNPDP must cease at the end of the six-month period, unless the Council approves the full implementation of the department's use of LPR by resolution.

Sponsors: Rhoten, Syracuse, Pulley, Johnston, Young, Rutherford, Nash, Styles, Hausser, Gamble, Swope, Withers, Druffel, Hagar and Hancock

H. Bills on Public Hearing

5. [BL2022-1471](#)

An ordinance to amend Sections 16.24.030 and 17.04.060 of the Metropolitan Code of Laws to amend the definition of family. (Proposal No. 2022Z-017TX-001).

Analysis

This ordinance amends the definition of "Family" in Titles 16 and 17 of the Metropolitan Code to change the allowance of unrelated persons living together from 3 to the occupancy standards outlined in Subsection 16.24.400.J, Table 16.24.400 of the Metropolitan Code related to overcrowding. Under these standards, the maximum allowed number of unrelated persons who could live together would be based on the square footage of the living room, dining room, kitchen and bedrooms. Each bedroom is required to be a minimum of 70 sq. ft. and each bedroom occupied by more than one person must have 50 sq. ft. per occupant.

Additionally, this ordinance amends the portion of the "Family" definition in Title 17 related to group homes for persons with disabilities to update terminology to modern standards and to align with state law more closely.

This item has been referred to the December 8, 2022, Planning Commission meeting. A substitute is anticipated.

Sponsors: Parker

I. Bills on Third Reading and Public Hearing

45. [BL2022-1532](#)

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 13 and approving the Plan of Services, as more particularly described herein.

Analysis

This ordinance approves the extension of the boundaries of the Urban Services District ("USD")

to include 12 parcels in Council District 13 located on Ortega Road, 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 \$3,800. After that, the annual costs would be an estimated \$2,100. The additional annual revenue estimated to be generated by the additional ad valorem taxes would be \$1,781 per year. A deficit in the first year of approximately \$2,019 would be generated and a deficit of \$319 would be generated in each subsequent year. However, this would bring the end of a cul-de-sac into the USD along with the rest of the street.

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 public hearing is scheduled for the December 6 meeting.

The plan of services has been approved by the Planning Commission.

Sponsors: Bradford

J. Consent Resolutions and Resolutions

46. [RS2022-1827](#)

A resolution approving a term sheet describing the terms and conditions of the agreements and transactions required to finance, construct, and operate a new, enclosed multi-purpose stadium on the East Bank, subject to the subsequent approval of final agreements, and authorizing the Metropolitan Government to pursue other matters related thereto.

Analysis

This resolution approves a term sheet related to the financing, construction, and operation of a new, enclosed multi-purpose stadium on the East Bank. The resolution will approve the term

sheet subject to final approval by the Council of the final financing, development, lease and other agreements described in the term sheet. The resolution also authorizes Metropolitan officers to take the necessary steps to cause the negotiation and preparation of the final agreements. Approval of the resolution will not obligate the Metropolitan Government to undertake any future approvals contemplated in the term sheet.

The term sheet is not a binding obligation on the Metropolitan Government, the Sports Authority, by its terms, and is anticipated as being utilized solely for the purpose of facilitating ongoing discussions for the proposed transaction. It contemplates that if, in connection with the non-binding term sheet, either party expends funds on the stadium project it does so at its own risk. The non-binding term sheet covers a broad set of topics of the stadium project including: designation of parties; description of the project; location of the stadium site; development of the stadium, including procurement procedures and pre-development expenses; funding responsibilities; budget costs; financing contributions; a plan for application of excess revenues; a plan for funding future capital improvements; parking facilities; campus development; status of current stadium during construction; anticipated approval needs.

Designation of the Parties

The expected parties to the various stadium project transactions will be the Sports Authority, the Metropolitan Government, the Club (Tennessee Football, Inc.), and StadiumCo, a to-be-formed entity anticipated to be under common control with the Club. Although not explicitly identified as a party in the term sheet, presumably the State of Tennessee will be a party to some necessary component of the transaction in order to effectuate the use of its contribution to the cost of the stadium project.

Description of the Project

The term sheet contemplates the construction of a new enclosed stadium to replace the existing stadium. According to Exhibit 1, the stadium will seat approximately 60,000 people and will have features and amenities consistent with other new NFL stadiums. It will be located on the land generally bounded by Russell Street, Interstate Drive, South Second Street and Shelby Avenue. Exhibit 3 generally depicts the anticipated location site. The north and south sides of the stadium are designated as the Stadium Village. The Stadium Village will be developed by Metropolitan Government except for installation of on-site utilities which will be funded by StadiumCo. The remaining portion of the site on which the current stadium and related parking lots are located will be considered the Campus. Once the new stadium has been completed, the existing stadium will be demolished, and the property will be graded and prepared for development.

Development of the Stadium

The new stadium will be developed in accordance with a yet to be determined Project Development Agreement, whose parties will be the StadiumCo and the Sports Authority. The development agreement will cover the obligations of the parties with respect to administering and managing the design, development, and construction of the project. It is anticipated that StadiumCo will take on the primary responsibility of the administration and management of the project subject to Sports Authority oversight. StadiumCo will be required to follow applicable

procurement codes set forth in Chapter 4.46 of the Metro Code of Laws in selecting architects, construction managers, other professionals, and in all other aspects of construction and design.

The demolition of the existing stadium, removal of debris, and fill/grading will be included in the budgeted costs. The parties will agree to a base stadium plan that covers the designated set of stadium design and related documents. This plan will guide planning, development and construction milestones and cannot be amended without Sports Authority approval.

Funding Responsibilities

The term sheet anticipates that the total cost of the stadium project will be \$2,100,000,000. The Sports Authority will contribute \$760,000,000 toward the cost of the new stadium. The funding will come from the proceeds of a revenue bond or series of bonds. The State of Tennessee will contribute \$500,000,000 (note the State of Tennessee is not a party to the term sheet) pursuant to an incentive agreement, the details of which are not yet provided. StadiumCo/Club will be responsible for the remaining funding anticipated to be \$840,000,000. StadiumCo/Club will also be responsible for any cost overruns.

The Club intends to waive any claim it has for reimbursement of capital expenses for the existing stadium, approximately \$32,000,000. And, at the time of the issuance of the Sports Authority revenue bonds, StadiumCo (or the Club) will pay off the outstanding stadium bonds, approximately \$30,000,000.

Details of the funding responsibilities will be set forth in a Project Funding Agreement between the Sports Authority and StadiumCo.

Budget Costs

The anticipated total cost of the stadium project is \$2,100,000,000. StadiumCo will be responsible for any cost overruns, except those caused by project scope amendments requested by the Sports Authority. The budgeted cost is intended to include the following:

- cost of the stadium site preparation,
- cost of demolishing the existing stadium,
- cost to remove all debris and levelling of the demolition site,
- costs associated with preserving access to the existing stadium during the construction of the new stadium, and
- third party design and pre-construction costs including project management, cost estimating and similar expenses.

Budgeted costs are not intended to include respective parties' attorney and other consultant fees or expenses incurred prior to execution of agreements.

Financing

The Sports Authority will issue its revenue bonds in the amount of \$760,000,000. While the revenue bonds are not a debt obligation of the Metropolitan Government, the issuance of the

revenue bonds requires Council approval. It is intended that the revenue bonds will be issued on a revenue-only basis - in other words, the revenue bonds will not be backed by other support from the Metropolitan Government like a “non-tax revenue” pledge. This could change based on market conditions at the time of the issuance.

There are five primary sources of payment for the Sports Authority revenue bond debt:

- *stadium sales tax revenues* - state and local sales taxes collected at the stadium are directed to the Sports Authority - authorized by T.C.A. § 67-6-103(d) and § 67-6-712(c), respectively;
- *hotel tax revenues* (subject of pending Council legislation BL2022-1529) - will add 1% to the total hotel occupancy tax collected in the county - authorized by T.C.A. § 67-4-1415;
- *ticket tax revenues* - \$3 per ticket to NFL games at the stadium - this continues the ticket tax rate that is currently assessed for NFL games at the existing stadium -- T.C.A. § 7-3-202(b) authorizes a tax not to exceed 10% of the amount charged to attend an event at a municipal stadium;
- *rent revenues* -- \$3 per ticket sold to non-NFL events; and
- *new sales tax revenues from the yet-to-be designated 130-acre area* - 50% of state and local sales tax collected within the designated area will be directed to the Sports Authority for debt service on the new enclosed stadium - authorized by T.C.A. § 67-6-103(d).

The designation of the 130-acre area will require Council approval and subsequent approval from the State.

StadiumCo will administer the sales of personal seat licenses on behalf of the Sports Authority and these funds will be deemed part of the Sports Authority contribution to the stadium project costs.

StadiumCo may finance its contribution to the project with owner equity, secured loans, NFL financing and/or other loans and contributions. While StadiumCo may secure loans for its contribution it will be prohibited from utilizing the new stadium as security. All StadiumCo financing will be included in the Project Funding Agreement.

Plan for Application of Excess Revenues

On an annual basis, if the designated revenues exceed the amount required for debt service payments they will be distributed, in order, as follows:

1. Any excess of the ticket tax revenues and rent revenues will be placed in a maintenance and repairs fund to be used for non-operating maintenance and non-capital repairs;
2. The lesser of any excess remaining will be available for the use of the Metropolitan Government:
 - a. The total excess amount;
 - b. The 130-acre area sales tax;
 - c. An amount equal to the debt service for stadium related costs such as stadium

- related parking or other stadium related public improvements; or
- d. \$25,000,000;
 3. Any excess of in-stadium sales tax revenues and hotel tax revenues will be placed in a stadium capital expenditure reserve fund to fund capital repairs;
 4. To the extent that there is a remaining excess amount, it will be deposited in a surplus fund to be used for the capital repairs fund, to retire Sports Authority bonds, or used for other lawful purposes of the Sports Authority. It is anticipated that this provision will be more fully detailed in the final agreements.

Plan for Funding Future Capital Improvements

Except for the use of the excess revenue funds for capital repairs, as described above, StadiumCo will be responsible for all capital repairs, replacements, and improvements to the new stadium. StadiumCo will be required to make such improvements to keep the new stadium in a first-class condition compared to other first-class NFL stadiums of a similar age. It is anticipated that the agreements will contain a reasonable standard to give consideration to things such as the remaining life of the stadium, remaining term of the lease, and conditions unique to the area such as climate, local laws and regulations.

With respect to the existing stadium, once the transaction agreements are executed, the Sports Authority will not be obligated to fund any capital improvements to the existing stadium except for those needed for public safety or to maintain the stadium in a condition to play NFL games.

StadiumCo will be required to maintain a capital asset management plan which will guide planning of routine and preventative maintenance, provide a 10-year forward looking summary of annual needs and capital expenditures, and summary of reasonably expected capital needs in 10-year increments for remainder of the lease term.

Parking Facilities

It is anticipated that the Sports Authority, StadiumCo and the Club will execute a Parking Facilities Agreement with respect to development, use, revenues, operating expenses, and capital expenses for parking facilities. The term sheet indicates that the Authority will be responsible for providing a minimum of 2,000 parking spaces and will be responsible for capital maintenance and repair for the spaces. StadiumCo will receive all revenues from the spaces in connection with their events - revenues in connection with TSU games and CMA Fest will be allocated according to their respective lease terms.

It is anticipated that the Stadium Village area will accommodate parking spaces for the players, VIPs, and others as may be agreed upon in the agreements so long as it doesn't impede on the ability for Metropolitan Government to develop the property.

Campus Development

In anticipation of the Metropolitan Government's development of the Campus outside of the new stadium site, as depicted in Exhibit 3 to the term sheet, including the Stadium Village, the parties will enter a Site Coordination Agreement to address the collaboration needs. Council

approval of the Site Coordination Agreement will likely be required. The development should not interfere with the operation of the new enclosed stadium. Metropolitan Government will be responsible for all design, construction, and infrastructure.

Fiscal Note: The total estimated cost of the Stadium Project is \$2,100,000,000. The contribution towards the costs is \$500,000,000 from the State of Tennessee, \$760,000,000 from the Metropolitan Government of Nashville and Davidson County and \$840,000,000 from Tennessee Football, Inc, d/b/a Tennessee Titans. Metro's contribution to the cost will be from state and local tax collections related to the sales within the existing stadium and new stadium; an additional 1% hotel occupancy tax; ticket tax revenues, rent revenues; state and local tax collections related to the sales within an area of up to 130 acres contiguous to the new stadium to be designated by Metro and approved by the State.

Sponsors: Withers, Rhoten and Hurt

48. [RS2022-1884](#)

A resolution accepting the Edward Byrne Memorial Justice Assistance Grant from the Office of Justice Programs to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department, to support a broad range of activities to prevent and control crime based on state and local needs and conditions.

Analysis

This resolution accepts the Edward Byrne Memorial Justice Assistance Grant from the Office of Justice Programs to the Metropolitan Nashville Police Department. The grant award is \$546,989 with no cash match required. This grant will be used to support a broad range of activities to prevent and control crime based on state and local needs and conditions.

The budget period begins October 1, 2022 and ends September 30, 2025. The budget details for this grant are attached to the resolution. This grant includes funding for travel and lodging to the CALEA Conference, Crimes Against Women Conference, International Association of Chiefs of Police, MCCA Financial Managers Conference, Digital Forensic training, NATIA/Crimes Against Children Conference, SANS and EnCase Digital Forensics training, CVSA Certification Class, Tier One Eagle Tactics K-9 training seminar, Wickerlander-Zulaski Investigative Interview Seminar, Opioid Education/Awareness training for law enforcement, and Handle with Care Conference. Equipment includes night vision goggles, F.A.S.T. digital forensic workstations, genetic video/surveillance (VIC), hard drive, wireless axis surveillance camera, F.A.S.T. forensic laptop, digital voice recorder, nightvision package with binoculars, helmet, and counterweight, 14' utility trailer, projector with stand and speaker, aviation grade fuel trailer, document scanners, rower, treadmill, and elliptical machine. The grant would also fund supplies in the form of a spike system. Included in the total grant amount is \$43,688 for indirect costs.

Sponsors: Rhoten and Syracuse

49. [RS2022-1885](#)

A resolution approving an intergovernmental agreement by and between the Metropolitan

Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Police Department, and the University of Mississippi for extra-duty police services.

Analysis

This resolution approves an intergovernmental agreement between the Metropolitan Nashville Police Department (“MNP”) and the University of Mississippi for extra-duty police officers. All officers would be assigned exclusively through the MNP Secondary Employment Unit.

The term for this contract is October 1, 2022 through June 30, 2023.

State law allows the Metropolitan Government to enter into intergovernmental agreements with other governmental entities with approval of the Council by resolution.

Fiscal Note: The agreement attached to the resolution is the standard form contract for secondary employment of police officers. The rates are designed to cover the additional costs to Metro, making the contract cost-neutral overall.

Sponsors: Rhoten and Syracuse

50. [RS2022-1886](#)

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 334, 336, and 336A Ewing Drive known as Ewing Heights.

Analysis

This resolution authorizes the Metropolitan Development and Housing Agency (“MDHA”) to enter into an agreement to accept payments in lieu of taxes (“PILOT”) for a multi-family housing project located at 334, 336, and 336A Ewing Drive, known as Ewing Heights. 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 thirty seventh such PILOT program overall, and the seventh for MDHA in 2022. Before this project, the amount of annual funding available for LIHTC projects is \$757,112, after accounting for the Clarksville Pike project in RS2022-1644, Dickerson Flats project in RS2022-1645, Stone Bridge Lofts project in RS2022-1666, Margaret Robertson Apartments project in RS2022-1737, HV Land Co project in RS2022-1835, and Flats at Hickory Woods project in RS2022-1836.

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 \$39,660 for individuals and \$58,020 for families of four in 2022. 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, Ewing Heights LP, plans to construct approximately 180 units to be restricted to individuals and families earning at or below 60% AMI. The amount of the PILOT payment to Metro will be \$27,000 in the first year. 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 \$31,534,395.

Fiscal Note: This PILOT request would require the developer to make a first-year payment of \$27,000 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 \$31,534,395. 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 \$3,794,992 would be abated, although Metro would still receive \$309,525 in property taxes from this project, as depicted in the following table:

Real Property Tax (New)

Year	Total Value	Standard Tax	Still Pay	Abatement	Abatement %
1	\$31,534,395	\$126,138	\$27,000	\$383,452	93.4%
2	\$31,534,395	\$126,138	\$27,810	\$382,642	93.2%
3	\$31,534,395	\$126,138	\$28,644	\$381,808	93.0%
4	\$31,534,395	\$126,138	\$29,504	\$380,948	92.8%
5	\$31,534,395	\$126,138	\$30,389	\$380,063	92.6%
6	\$31,534,395	\$126,138	\$31,300	\$379,152	92.4%

7	\$31,534,395	\$126,138	\$32,239	\$378,213	92.1%
8	\$31,534,395	\$126,138	\$33,207	\$377,245	91.9%
9	\$31,534,395	\$126,138	\$34,203	\$376,249	91.7%
10	\$31,534,395	\$126,138	\$35,229	\$375,223	91.4%

Totals \$4,104,517 \$309,525 \$3,794,992 92.5%

After the property tax abatement from this project, \$373,660 would still be available within MDHA's annual cap of \$2.5 million for other PILOT projects in 2022.

Sponsors: Toombs and Rhoten

51. [RS2022-1887](#)

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 616 North Dupont Avenue known as Birchstone Village.

Analysis

This resolution authorizes the Metropolitan Development and Housing Agency (“MDHA”) to enter into an agreement to accept payments in lieu of taxes (“PILOT”) for a multi-family housing project located at 616 North Dupont Avenue, known as Birchstone Village. 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 thirty-eight such PILOT program overall, and the eight for MDHA in 2022. Before this project, the amount of annual funding available for LIHTC projects is \$373,660 after accounting for the Clarksville Pike project in RS2022-1644, Dickerson Flats project in RS2022-1645, Stone Bridge Lofts project in RS2022-1666, Margaret Robertson Apartments project in RS2022-1737, HV Land Co project in RS2022-1835, Flats at Hickory Woods project in RS2022-1836, and Ewing Heights project in RS2022-1886.

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 \$39,660 for individuals and \$58,020 for families of four in 2022. 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, Birchstone Village, LP, plans to construct approximately 228 units to be restricted to individuals and families earning at or below 60% AMI. The amount of the PILOT payment to Metro will be \$53,407 in the first year. 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 \$32,376,663.

Fiscal Note: This PILOT request would require the developer to make a first-year payment of \$53,407 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 \$32,376,663. 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 \$3,601,896 would be abated, although Metro would still receive \$612,250 in property taxes from this project, as depicted in the following table:

Real Property Tax (New)

Year	Total Value	Standard Tax	Still Pay	Abatement	Abatement %
1	\$32,376,663	\$421,415	\$53,407	\$368,008	87.3%
2	\$32,376,663	\$421,415	\$55,009	\$366,406	86.9%
3	\$32,376,663	\$421,415	\$56,659	\$364,756	86.6%
4	\$32,376,663	\$421,415	\$58,359	\$363,056	86.2%
5	\$32,376,663	\$421,415	\$60,110	\$361,305	85.7%
6	\$32,376,663	\$421,415	\$61,913	\$359,502	85.3%
7	\$32,376,663	\$421,415	\$63,771	\$357,644	84.9%
8	\$32,376,663	\$421,415	\$65,684	\$355,731	84.4%
9	\$32,376,663	\$421,415	\$67,654	\$353,761	83.9%
10	\$32,376,663	\$421,415	\$69,684	\$351,731	83.5%
Totals		\$4,214,146	\$612,250	\$3,601,896	85.5%

After the property tax abatement from this project, \$5,652 would still be available within MDHA's annual cap of \$2.5 million for other PILOT projects in 2022.

Sponsors: Hancock and Rhoten

52. [RS2022-1888](#)

A resolution appropriating a total of \$200,000 from the Office of Family Safety to various nonprofit organizations selected to receive Community Partnership Fund grants.

Analysis

This resolution appropriates \$200,000 from the Office of Family Safety to various nonprofit organizations selected to receive Community Partnership Fund grants. The Office of Family Safety accepted applications from nonprofit organizations and recommended the distribution of funds to these organizations. The Mayor has accepted these recommendations.

Funds will be distributed as follows:

- \$50,000 to the Mary Parish Center to provide transitional and permanent housing and support services to survivors of interpersonal violence;
- \$30,000 to Nurture the Next to implement an outreach program for victims of interpersonal violence to encourage them to seek help through Nashville's Family Safety Centers;
- \$15,000 to The Tennessee Coalition Against Domestic and Sexual Violence to increase the safety of immigrant victims of domestic violence, sexual assault, stalking, and trafficking in Davidson County through the provision of free direct legal representation;
- \$15,000 to Family and Children's Services to provide crisis services to victims of interpersonal violence via the Crisis Contact Center with 24/7/365 access to highly trained crisis intervention specialists;
- \$40,000 to AGAPE/Morning Star to assist victims of domestic violence seeking services at the Family Safety Center with applying for Orders of Protection and Safety Planning;
- \$50,000 to The Nashville Children's Alliance to reduce the trauma for children and families who have experienced child abuse or neglect.

This resolution authorizes the Metropolitan Government to enter into grant contracts with these nonprofit organizations for the amounts and purposes provided above.

Sponsors: Rhoten, Syracuse and Suara

53. [RS2022-1889](#)

A resolution approving a grant contract between the Metropolitan Government, acting by and through the Metropolitan Board of Health, and the Mental Health Cooperative to provide outreach, assessment, and linkage to care for individuals identified by the Nashville Fire Department EMS as part of the High Impact Area (HIA) Opioid Overdose Response Program.

Analysis

This resolution approves a grant contract between the Metropolitan Board of Health ("Health")

and the Mental Health Cooperative (“MHC”) to provide outreach, assessment, and linkage to care for individuals identified by the Nashville Fire Department EMS as part of the High Impact Area (“HIA”) Opioid Overdose Response Program. The grant from Health to MHC would be in an amount not to exceed \$177,400.

Pursuant to the grant contract, MHC will maintain two staff members to provide outreach, assessment, and linkage to care for individuals identified by the Nashville Fire Department EMS as part of the HIA Opioid Overdose Response Program. MHC will manage and oversee staff, provide transportation for clients to initial substance abuse treatment programs, and collect data on the effectiveness of their services.

The term of the grant is 12 months, beginning September 1, 2022 and ending on August 31, 2023.

Sponsors: Rhoten, Syracuse, Evans and Suara

54. [RS2022-1890](#)

A resolution approving an application for an Emergency Management Performance Grant (EMPG) from the Tennessee Emergency Management Agency, to the Metropolitan Government, acting by and through the Office of Emergency Management, to subsidize the Emergency Management Program.

Analysis

This resolution approves an application for an Emergency Management Performance Grant from the Tennessee Emergency Management Agency to the Office of Emergency Management. If the application is approved, the grant award is \$189,525.79 with a required local cash match of \$189,525.79. This grant would be used to subsidize the Emergency Management Program for Fiscal Year 2023.

Sponsors: Rhoten and Syracuse

55. [RS2022-1891](#)

A resolution approving an application for the DWR-ARP Non Collaborative Grants State Water Infrastructure Program Grant from the Tennessee Department of Environment and Conservation to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Water and Sewerage Services Department, to modernize and upgrade the Dry Creek Water Reclamation Facility.

Analysis

This resolution approves an application from the Metropolitan Nashville Water and Sewerage Services Department to the Tennessee Department of Environment and Conservation for the DWR-ARP Non Collaborative Grants State Water Infrastructure Program grant. If the application is approved, the grant would be \$63,418,244.83 with a required local cash match of \$15,854,562 plus a capital budget allocation of \$85,223,193.17. The grant would be used to modernize and upgrade the Dry Creek Water Reclamation Facility, including the construction of a new headworks, new biosolids facility, other residual management improvements, odor control improvements, and electrical improvements. The current facility is over 50 years in age

and the modernization efforts are projected to increase capacity for these areas to handle flow for 20 years.

Sponsors: Rhoten and Syracuse

L. Bills on Second Reading

110. [BL2022-1528](#)

An Ordinance amending Title 2, Title 6, and Title 7 of the Metropolitan Code of Laws to amend the membership of various boards and commissions.

Analysis

This ordinance changes the composition of 11 Metropolitan boards and commissions. The following boards and commissions would be amended: the Board of Property Standards and Appeals, Metropolitan Transportation Licensing Commission, Auditorium Commission, Historical Commission, Human Relations Commission, Housing Trust Fund Commission, Board of Ethical Conduct, CATV Special Committee, Short Term Rental Appeals Board, Beer Permit Board, and Stormwater Management Committee.

The *Board of Property Standards* is currently comprised of seven members appointed by the mayor and confirmed by a majority vote of the whole membership of the council. This legislation would reduce the mayoral appointees to five and have two members be elected by a majority vote of the whole membership of the council. The mayor's appointments are selected from specific categories. The two members elected by the council would be appointed at large.

The *Metropolitan Transportation Licensing Commission* is currently comprised of nine members appointed by the mayor and confirmed by a majority vote of the whole membership of the metropolitan council. This legislation would reduce the mayor's appointments to five and have four members elected by a majority vote of the whole membership of the council.

The *Metropolitan Auditorium Commission* is currently comprised of seven members appointed by the mayor and confirmed by a majority vote of the whole council. This legislation would reduce the mayor's appointments to four members and have three members elected by a majority vote of the whole membership of the council.

The *Historical Commission* is currently comprised of fifteen members appointed by the mayor and confirmed by a majority vote of the whole council. This legislation would reduce the mayor's appointments to ten members and have five members elected by a majority vote of the whole membership of the council.

The *Human Relations Commission* is currently comprised of seventeen members appointed by the mayor and confirmed by a majority vote of the whole council. This legislation would reduce the mayor's appointments to ten members and have seven members elected by a majority vote of the whole membership of the council.

The *Metropolitan Housing Trust Fund Commission* is currently comprised of seven members.

One member is designated by the Metropolitan Development and Housing Agency and one member is a councilmember designated by the vice mayor for a term of two years. Five members are appointed by the mayor and approved by the council. This legislation would reduce the mayor's appointments to two members and have two members elected by a majority vote of the whole membership of the council.

The *Board of Ethical Conduct* currently has five members. The president pro tem of the council is an ex officio, non-voting member of the board. One member of the board is selected by each of the following organizations: League of Women Voters of Nashville, Nashville Area Central Labor Council, Napier-Looby Bar Association, Nashville Area Chamber of Commerce, Nashville Bar Association. This legislation increases the membership to seven members. Of these two additional members, one will be selected by the National Association for the Advancement of Colored People Nashville Branch and one will be selected by the Tennessee Immigrant & Refugee Rights Coalition. The quorum requirement for the board to conduct business would be increased from four to six.

The *CATV Special Committee* is currently comprised of seven members who are appointed by the mayor. This legislation would reduce the mayor's appointments to four members who will be confirmed by a majority vote of the whole membership of the council and have three members elected by a majority vote of the whole membership of the council. Of the members to be elected by the Council, one is to be a representative of a union representing the telecommunications industry.

The *Short Term Rental Appeals Board* is currently comprised of seven members. One member is a member of council, selected by the body from its membership. The six remaining members are appointed by the mayor and confirmed by a majority vote of the whole council. This legislation would reduce the mayor's appointments to three members and have three members elected by a majority vote of the whole membership of the council.

The *Metropolitan Beer Permit Board* is currently comprised of seven members appointed by the mayor and approved by the council. This legislation would reduce the mayor's appointments to four members and have three members elected by a majority vote of the whole membership of the council.

The *Stormwater Management Committee* is currently comprised of seven members appointed by the mayor and confirmed by a majority vote of the whole council. Four members must be registered professional engineers in the State of Tennessee with expertise in civil engineering, hydraulics, hydrology, and/or environmental sciences and three members are lay members from the community at large. This legislation would reduce the mayor's appointments to the four members who are registered professional engineers. The three lay members would be elected by a majority vote of the whole membership of the council.

This ordinance states that, when an existing mayoral appointment is transferred to a new appointing authority (such as the council), the new appointing authority will fill all vacancies after the effective date of this ordinance until each board and commission is appointed as

described in this ordinance.

A version of this ordinance showing the changes from the existing Metropolitan Code provisions is available from the Council Office upon request.

Sponsors: Sepulveda, Toombs, Styles, Suara, Lee, Porterfield, Hurt, Sledge, Cash, Evans, Welsch, Taylor, Bradford and Benedict

111. [BL2022-1529](#)

An ordinance amending Chapter 5.12 of the Metropolitan Code of Laws pursuant to Tenn. Code Ann. § 67-4-1415 by increasing the hotel occupancy privilege tax in the amount of one percent and directing the proceeds be used for the construction of and future capital improvements to a new enclosed stadium, and debt service related thereto.

Analysis

This ordinance authorizes the increase of the hotel occupancy privilege tax levy by 1% in Davidson County in accordance with Tenn. Code Ann. § 67-4-1415.

Currently, sections 5.12.020 and 15.12.060 of the Metropolitan Code of Laws levy a hotel occupancy privilege tax in the amount of six percent of the consideration charged by hotel operators for occupation of hotel rooms within Davidson County. These provisions also direct the use of the proceeds from this hotel occupancy privilege tax. Sections 5.12.120 and 5.12.130 of the Metropolitan Code of Laws levy an additional hotel occupancy privilege tax in the amount of \$2.50 upon the occupancy of each hotel room within Davidson County and direct the use of the proceeds. Tenn. Code Ann. § 67-4-1415, recently enacted by the Tennessee General Assembly, authorizes a local government to levy an additional privilege tax of one percent of the consideration charged by hotel operators, with the proceeds to be used (“Sports Authority”) for “the payment of debt service for the construction of an enclosed stadium with at least fifty thousand (50,000) seats and for future capital improvements to the enclosed stadium”.

The privilege tax authorized by this ordinance will expire on January 1, 2024 unless the Sports Authority has issued revenue bonds as contemplated by the Term Sheet, which is the subject of Resolution No. RS2022-1827. This ordinance would take effect on February 1, 2023.

Sponsors: Withers, Rhoten and Hurt

112. [BL2022-1530](#)

An ordinance to amend Chapter 13.20 of the Metropolitan Code of Laws to restrict obstructions within the public way or public right-of-way.

Analysis

This ordinance amends Chapter 13.20 of the Metropolitan Code of Laws to restrict obstructions and excavations which close or occupy any portion of the public right-of-way or public way.

Chapter 13.20 of the Metropolitan Code of Laws governs excavations and obstructions in, on,

over or under any street, road, alley, sidewalk or other public way. This includes a permitting system to allow individuals excavate in or obstruct these public ways.

This ordinance amends Section 13.20.030 of the Metropolitan Code to prohibit permits affecting multimodal pathway travel within the public way or public right-of-way to be issued for any construction activities or special events for 7 days or more. Currently, there is no time limitation for these permits.

Section 13.20.030.E currently provides that the fee to place a trailer or dumpster in the public right of way is ten dollars per day, with a \$2,000 cap per year, per location. This ordinance removes the \$2,000 cap, but keeps the fee at ten dollars per day.

Section 13.20.030.G, which governs permits for the temporary closure of a Metropolitan Government right-of-way, would also be amended. The current fee of \$55 for a closure of a right-of-way of five or less days would be amended to allow for a closure of six or fewer days at the same rate. Closures of five or more days are currently charged at ten dollars per day, which would be amended to apply to closures of seven or more days.

Section 13.20.095, governing signage for commence and completion dates for excavation and obstruction projects, would be amended to require the sign include the name, address, and telephone number for a contact person for the project. The format, quantity, location, and size of the signs are to be as specified by the director of the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”).

In addition, this ordinance adds a new Section 13.20.160 entitled “Policy Compliance and Exceptions” to the Chapter. This requires those seeking to engage in any excavation, obstruction, or closure of the right-of-way must satisfy certain conditions, which include providing ADA compliant alternative pathways, submit an application for exception and construction package to NDOT if the excavation or obstruction is anticipated to last more than 7 days, pay the temporary closure fee, obtain the necessary approvals and permits, and demonstrate the overriding public interest will be promoted by allowing the applicant to engage in activities in excess of those permitted under Chapter 13.20. Notice of an application of an exception must be given to those persons who may be adversely affected by such exception and to the district councilmember. Exceptions shall be granted by notice to the applicant containing any necessary conditions.

Additional housekeeping changes would be made to this Chapter, including a clarification in Section 13.20.120 that any interferences with warning lights required by Chapter 13.20 will be assessed as a civil penalty punishable at the rate of \$50 per day and language clarifications in Section 13.20.140.B.

Sponsors: Cash, Mendes, Bradford, Benedict and Allen

113. [BL2022-1533](#)

An ordinance accepting an easement on certain property located at 7034 Charlotte Pike (Parcel No. 10200008600) owned by Lowes Home Centers, LLC (Proposal No.

2022M-036AG-001).

Analysis

This ordinance accepts an easement on property located at 7034 Charlotte Pike owned by Lowes Home Centers, LLC. The Metropolitan Government proposes to install and maintain an 8-foot chain link fence on this easement.

Future amendments to this legislation may be approved by a resolution receiving at least 21 affirmative votes. This ordinance has been approved by the Planning Commission.

Sponsors: Rosenberg, Rhoten, Withers, Pulley and Hausser

114. [BL2022-1571](#)

An Ordinance to amend Title 8 of the Metropolitan Code of Laws relative to animals.

Analysis

This ordinance amends Title 8 of the Metropolitan Code of Laws relative to animals to rewrite the existing Animal Code.

Many existing regulations in Title 8 would be reorganized, combined, and reworded, but largely retained in the ordinance, such as regulations on animals running at large, animals creating a nuisance, guard dogs, restrictions on owning wild or exotic animals, and restrictions related to rabies.

There would also be new definitions such as “Community cat” and “Community cat caregiver”. Many definitions would be edited, and new definitions of existing words would be added to provide greater clarity throughout Title 8.

One large change from the current Title 8 is a restructuring of Chapter 8.08, which currently regulates what is termed “Vicious Dogs”. This ordinance would create a new, two-tiered designation of “Dangerous Dogs” that defines level one and level two dangerous dogs and the restrictions for these dogs.

A level one dangerous dog is one that has attacked a person or domestic animal on the property of its owner on two or more occasions in 24 months; engaged in any behavior when unprovoked and off the property of its owner that would have required a person to take a defensive action to prevent harm to any person or domestic animal within a 24 month period; or, when unprovoked while off the property of its owner, has bitten a person or domestic animal causing a minor injury. General sessions court is authorized to declare a dog a level one dangerous dog and impose certain restrictions, such as requiring the dog to be confined indoors or behind a fence, be spayed or neutered, be microchipped, have the owner and dog attend obedience training, among other restrictions.

A level two dangerous dog is one that has attacked a person or domestic animal on the property of its owner three or more occasions during a 24 month period; on two or more

occasions, engaged in any behavior when unprovoked and off the property of its owner that would have required a person to take a defensive action to prevent severe injury or death or a person or domestic animal within a 24 month period; when unprovoked, bitten a person or domestic animal causing a severe injury; has been declared a level one dangerous dog but not kept in compliance with a restriction imposed by the general sessions court; or has been kept, trained, or used in violation of T.C.A. § 39-14-203, which governs animal fighting. General sessions court is authorized to declare a dog a level two dangerous dog and impose certain restrictions, including requiring that the dog be kept in a securely enclosed and locked enclosure; the posting of signage warning of a dangerous dog; the attendance of a class designed to manage problem behavior; or the maintenance of liability insurance for claims arising from the conduct of the dog.

There are procedures that would reduce the designation of a dangerous dog from a level two to a level one dangerous dog, and from a level one dangerous dog to a removal of the designation.

Section 8.12.010, which currently regulates “Keeping of animals that disturb the peace”, would be changed to “Animals creating a nuisance”. The ordinance broadens the existing section to include animals that run at large, in addition to animals that create excessive noise, to be included in the definition of animals that can be declared to be a public nuisance.

A new subsection would be added to Section 8.20.100 to regulate the types of fences to be used for livestock and prevent tethering of livestock, except for horses when the owner is present.

Sponsors: Styles and Gamble

115. [BL2022-1572](#)

An ordinance amending Section 12.12.190 of the Metropolitan Code of Laws relative to traffic calming projects.

Analysis

This ordinance codifies the existing traffic calming program maintained by the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) and provides additional regulations for privately funded traffic calming projects.

The ordinance under consideration codifies this existing program. This requires that the program allow for neighborhood organizations to submit applications for traffic calming projects in residential neighborhoods. Selections for traffic calming projects based upon the applications submitted to NDOT must occur at least once per year or as funding allows. Applications will be reviewed by NDOT pursuant to criteria established by NDOT.

In addition, the ordinance provides that NDOT may authorize private construction of a traffic calming project by a neighborhood organization provided that:

- Private funding for the traffic calming project has been secured by the neighborhood

organization;

- A letter of intent is sent to NDOT;
- The street where the traffic calming project is proposed is under Metro's jurisdiction, is a local street, is not an arterial or collector street, as designated by the major and collector street plan, and the infrastructure will not negatively impact parallel streets;
- The applicant provides to NDOT a traffic study, a local map, a design plan, a preliminary support petition, the applicant contacts affected homeowners, and certain information related to the installment of the infrastructure;
- After this information is provided, NDOT will conduct an online ballot process, requiring at least 66% of responding homeowners on the affected street to vote in favor of the project;
- After the installment of the traffic calming project, NDOT will assume maintenance and replacement responsibilities once the infrastructure passes inspection.

This ordinance further allows for NDOT to authorize the private construction or funding under the following conditions:

- The private construction must be required by NDOT as part of an on-site or off-site traffic calming improvement as part of permitting for a project under existing entitlements; a traffic study recommends the traffic calming improvements as part of a rezoning or lot subdivision; NDOT recommends the traffic calming improvements to the Planning Commission for lot subdivisions; or NDOT recommends the traffic calming improvements to the Planning Commission or the Council as part of a zone change or PUD revision approval;
- NDOT will verify that the street where the traffic calming project is proposed is under Metro's jurisdiction, is a local street, is not an arterial or collector street, as designated by the major and collector street plan unless authorized by NDOT's chief traffic engineer, and the infrastructure will not negatively impact parallel streets;
- The application must provide to NDOT a local map, a design plan, and certain information related to the installment of the infrastructure;
- Once the proposed project has been approved by NDOT engineers, the applicant may apply for a right-of-way permit to install the traffic calming infrastructure;
- After the installment of the traffic calming project, NDOT will assume maintenance and replacement responsibilities one the infrastructure passes inspection.

This ordinance also requires an annual report from NDOT to the Council regarding the traffic calming project applications received.

Sponsors: Young and Bradford

116. [BL2022-1573](#)

An ordinance approving an agreement between the Metropolitan Government and MarketStreet Management, LLC concerning the construction of public infrastructure improvements on the Fairgrounds campus.

Analysis

This ordinance approves a participation agreement between the Metropolitan Government and MarketStreet Management, LLC (“MSM”), related to the construction of public infrastructure improvements on the Fairgrounds campus.

The improvements to be constructed as part of this participation agreement are noted on the concept plan, attached as Exhibit A to the agreement. This includes improvements within Fair Plaza and Speedway Alley. Pursuant to the agreement, MSM will engage an architect or engineer as well as a qualified contractor to complete the work related to certain improvements on the Fairgrounds campus. MSM agrees to complete the infrastructure work within 24 months. Upon completion of the infrastructure, and upon approval by Metro, MSM will convey ownership of the infrastructure to Metro at no cost. Metro will then be responsible for the ongoing maintenance and operation of Fair Plaza and Speedway Alley.

Fiscal Note: Metro will pay to MarketStreet Management, LLC the actual costs of the infrastructure work in an amount not to exceed \$8,975,000 for the complete design and construction of the improvements on the Fairgrounds campus under this agreement.

Sponsors: Sledge, Rhoten, Hurt and Pulley

117. [BL2022-1574](#)

An Ordinance providing the honorary street name designation of “Valor Memorial Lane” for a portion of McCrory Lane.

Analysis

This ordinance adds the honorary street name designation of “Valor Memorial Lane” for a portion of McCrory Lane between Newsome Station Road and U.S. Highway 70. This is the portion of McCrory Lane that leads to the Middle Tennessee State Veterans Cemetery at 7931 McCrory Lane.

Section 13.08.025 of the Metro Code provides a procedure for the designation of honorary street signs whereby the Council, by ordinance, can authorize and direct the Nashville Department of Transportation and Multimodal Infrastructure to install two honorary street signs per street - at each end of a street - beneath the official street name sign for any street identified on the official Street and Alley Centerline Layer map. No honorary street sign can be installed honoring a living person; and each member of Council can sponsor only one such ordinance each calendar year. This ordinance does not officially re-name the designated street. Therefore, there would be no change of official address for properties along this portion of McCrory Lane.

Sponsors: Rosenberg

118. [BL2022-1575](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer main and sanitary sewer manhole, for property located at 211 Walton Lane, (MWS Project No. 22-SL-026 and Proposal No. 2022M-155ES-001).

Analysis

This ordinance accepts approximately 141 linear feet of new eight-inch sanitary sewer main (PVC) and one sanitary sewer manhole for property located at 211 Walton Lane.

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 Water Services.

Sponsors: VanReece, Withers and Pulley

119. [BL2022-1576](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water mains, and to accept new water main and sanitary sewer manhole, for property located at 223 Oceola Avenue, also known as Chelsea at Oceola (MWS Project Nos. 22-WL-08 and 22-SL-171 and Proposal No. 2022M-157ES-001).

Analysis

This ordinance abandons approximately 180 linear feet of existing four-inch water main and approximately 188 linear feet of existing two-inch water main and accepts approximately 374 linear feet of new eight-inch water main (DIP) and one sanitary sewer manhole for property located at 223 Oceola Avenue, also known as Chelsea at Oceola.

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 Water Services.

Sponsors: Roberts, Withers and Pulley

120. [BL2022-1577](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new water main, for property located at 101 Factory Street, (MWS Project No. 22-WL-74 and Proposal No. 2022M-158ES-001).

Analysis

This ordinance accepts approximately 26 linear feet of new eight-inch water main (DIP) for property located at 101 Factory Street.

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 Water Services.

Sponsors: Sledge, Withers and Pulley

M. Bills on Third Reading

125. [BL2022-1534](#)

An ordinance approving and authorizing the Director of Public Property Administration, to accept a donation of real property consisting of approximately 9.53 acres located at 1209 Tulip Grove Road (Parcel No. 08600034800), 1213 Tulip Grove Road (Parcel No. 08600032700), and 0 Tulip Grove Road (Parcel No. 08600011300) for use as a proposed school site (Proposal No. 2022M-037AG-001).

Analysis

This ordinance accepts the donation of real property located at 1209 Tulip Grove Road, 1213 Tulip Grove Road, and 0 Tulip Grove Road. Meritage Homes of Tennessee, Inc. owns these 9.53 acres and proposes to donate the property to the Metropolitan Government for the benefit of Metropolitan Nashville Public Schools. The Metropolitan Nashville Board of Education recommends acceptance of this donation. This has been approved by the Planning Commission.

Fiscal Note: The total land area for the three parcels is 21.69 acres and the total appraised value for the three parcels is \$1,489,100 according to the Property Assessor's website.

Sponsors: Evans, Rhoten, Suara, Withers and Cash

126. [BL2022-1535](#)

An ordinance authorizing the Director of Public Property, or his designee, to transfer to the State of Tennessee, via the attached quitclaim deed, any remaining fee interest the Metropolitan Government of Nashville and Davidson County may have in a portion of the right of way of Broadway Avenue (Highway 70) in front of Union Station. (Proposal No. 2022M-044AG-001)

Analysis

This ordinance, as amended, authorizes the Director of Public Property to transfer to the State of Tennessee via quitclaim deed any remaining fee interest the Metropolitan Government may have in a portion of right-of-way of Broadway Avenue (Highway 70) in front of Union Station.

Broadway is a state right-of-way and the Metropolitan Government will retain an easement for right-of-way. There is no need to keep any fee interest in the property for Metropolitan Government purposes. Future amendments to this legislation may be approved by resolution.

An amendment added at the November 15 Council meeting provides that the easements will be retained by the Metropolitan Governments and any construction above or under existing utilities would require the approval of the Director of the Metropolitan Department of Water and Sewerage Services, together with approval of any other pertinent departments or governmental agencies. The amendment further replaced the quitclaim deed attachment.

Sponsors: Rhoten, Withers and Pulley

127. [BL2022-1536](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to remove existing sanitary sewer main, to abandon existing sanitary sewer main, sanitary sewer manholes and easements, and to accept new sanitary sewer and water mains, sanitary sewer manholes and easements, for five properties located on Lebanon Pike, also known as Lebanon Pike Apartments (MWS Project Nos. 22-SL-82 and 22-WL-93 and Proposal No. 2022M-150ES-001).

Analysis

This ordinance removes approximately 19 linear feet of existing eight-inch sanitary sewer main, abandons approximately 664 linear feet of existing eight-inch sanitary sewer main, four sanitary sewer manholes and easements, and accepts approximately 338 linear feet of new eight-inch sanitary sewer main (PVC), approximately 399 linear feet of new eight-inch sanitary sewer main (DIP), approximately 20 linear feet of new eight-inch water main (DIP), eight sanitary sewer manholes and easements for five properties located on Lebanon Pike, also known as Lebanon Pike Apartments.

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

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

Sponsors: Withers and Pulley

128. [BL2022-1537](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main, sanitary sewer manholes and easements, and to accept new sanitary sewer main, sanitary sewer manholes and easements, for property located 1007 Thompson Place (MWS Project No. 21-SL-232 and Proposal No. 2022M-146ES-001).

Analysis

This ordinance abandons approximately 100 linear feet of six-inch sanitary sewer main, three sanitary sewer manholes and easements, and accepts approximately 100 linear feet of eight-inch sanitary sewer main (PVC), three sanitary sewer manholes and easements for property located at 1007 Thompson Place.

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

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

Sponsors: Bradford, Withers and Pulley

129. [BL2022-1538](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer manhole, for property located at Pennock Avenue (unnumbered) (MWS Project No. 18-SL-70 and Proposal No. 2022M-149ES-001).

Analysis

This ordinance accepts one sanitary sewer manhole for property located on Pennock Avenue (unnumbered).

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

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

Sponsors: Parker, Withers and Pulley

130. [BL2022-1539](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing water and sanitary sewer mains, sanitary sewer manhole and easements, to replace an existing sanitary sewer manhole, and to accept new water and sanitary sewer mains, fire hydrant assembly, sanitary sewer manholes and easements, for two properties located at 601 Crutcher Street and 730 Lenore Street, also known as Cayce Utilities Phase 1B (MWS Project Nos. 22-WL-29 and 22-SL-70 and Proposal No. 2022M-144ES-001).

Analysis

This ordinance abandons approximately 1,340 linear feet of existing six inch water main, approximately 429 linear feet of existing eight inch water main, approximately 401 linear feet of existing eight inch sanitary sewer main, one sanitary sewer manhole and easements, replaces one sanitary sewer manhole, and accepts approximately 1,660 linear feet of new eight-inch water main (DIP), approximately 404 linear feet of new eight-inch sanitary sewer main (PVC), one fire hydrant assembly, two sanitary sewer manholes and easements, for two properties located at 601 Crutcher Street and 730 Lenore Street, also known as Cayce Utilities Phase 1B.

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

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

Sponsors: Withers and Pulley

131. [BL2022-1540](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public fire hydrant assembly, for property located at 200 Broadway (MWS Project

No. 22-WL-51 and Proposal No. 2022M-143ES-001).

Analysis

This ordinance accepts one fire hydrant assembly for property located at 200 Broadway.

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

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

Sponsors: Withers and Pulley

132. [BL2022-1541](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer main, sanitary sewer manholes, fire hydrant assembly and easements, for property located at 4119 Murfreesboro Pike, also known as Freedom Storage (MWS Project Nos. 22-SL-119 and 22-WL-20 and Proposal No. 2022M-142ES-001).

Analysis

This ordinance accepts approximately 1,011 linear feet of new eight-inch sanitary sewer main (PVC), seven sanitary sewer manholes, one fire hydrant assembly and easements for property located at 4119 Murfreesboro Pike, also known as Freedom Storage.

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

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

Sponsors: Lee, Withers and Pulley

133. [BL2022-1542](#)

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 fire hydrant assembly, for property located 1217 Phillips Street, also known as Clark UMC Residential (MWS Project No. 22-WL-60 and Proposal No. 2022M-147ES-001).

Analysis

This ordinance abandons approximately 633 linear feet of existing two-inch water main (CIP), and accepts approximately 633 linear feet of new eight-inch water main (DIP) and one fire hydrant assembly for property located at 1217 Phillips Street, also known as Clark UMC Residential.

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

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

Sponsors: Withers and Pulley