



Metro Council

G. Resolutions on Public Hearing

1. [RS2023-2157](#)

A resolution exempting Estelle, located at 814 Woodland Street from the minimum distance requirements for obtaining a beer permit pursuant to Section 7.08.090.E of the Metropolitan Code.

Analysis

This resolution approves an exemption from the minimum distance requirements for obtaining a beer permit for Estelle, located at 814 Woodland Street.

The Metro Code of Laws prevents a beer permit from being issued to any establishment located within 100 feet of a religious institution, school, park, daycare, or one- or two-family residence. However, several exceptions exist to the distance requirements. For example, facilities within the USD separated from these protected establishments by state or federal four-lane highways are exempt, as are retailer on-sale beer permit holders in MUL districts and events catered by holders of caterers' permits. (See, Code section 7.08.090(A)).

Additionally, the Code provides a mechanism to exempt (a) restaurants or (b) any retail food store from Metro's minimum distance requirements, allowing such facilities to obtain beer permits upon the adoption of a resolution by the Council. (See, Code section 7.08.090(E)). Restaurants are no longer required to have state on-premises liquor consumption licenses in order to obtain such exemption.

A public hearing must be held by the Council prior to voting on resolutions brought under Section 7.08.090(E).

Sponsors: Withers

H. Consent Resolutions and Resolutions

3. [RS2023-2158](#)

A resolution authorizing the issuance of not to exceed one hundred and sixty-three million (\$163,000,000) in aggregate principal amount of interfund tax anticipation notes of the Metropolitan Government of Nashville and Davidson County, Tennessee.

Analysis

This resolution authorizes the issuance of up to \$163,000,000 in interfund tax anticipation notes (“TANs”) by the Metropolitan Government. These TANs would be issued pursuant to Tennessee Code Annotated § 9-21-101, et seq. for the purpose of meeting appropriations made for Fiscal Year 2023 in anticipation of the collection of taxes and revenues.

Money within Metro’s various distinct funds is commingled and Metro has historically addressed temporary cash flow deficits by borrowing funds from the pooled cash account. This has the technical effect of one fund using money from another fund to pay for expenditures (until property tax receipts that fund each account are sufficient for the intended purpose).

In 2018, the Comptroller of the State of Tennessee advised that these transfers should be formalized by issuing interfund tax anticipation notes, as permitted under state law with the prior approval of the Comptroller’s office. The Council authorized TANs for FY20, FY21, FY22, and FY23 in compliance with the Comptroller’s request. The pending resolution would continue this practice in order to formalize Metro’s regular practice of interfund borrowing.

The resolution identifies the following as “lending funds” for purposes of the TANs: Water & Sewerage Services Fund, General Fund Reserve Fund, Solid Waste Operations Fund, and Stormwater Operations Fund.

The Mayor would have the authority to approve the interest rate and maturity date for the notes. Approval of the state director of local finance in the comptroller’s office would be required before such a sale could take place. These notes must be repaid not later than June 30, 2024.

Sponsors: Rhoten and Gamble

4. [RS2023-2159](#)

A resolution increasing the maximum income limit for eligibility in the Property Tax Freeze Program that provides financial assistance to low-income elderly residents of Metropolitan Nashville-Davidson County beginning in Tax Year 2024.

Analysis

This resolution increases the maximum income limit for eligibility in the Property Tax Freeze Program that provides financial assistance to low-income elderly residents of Metropolitan Nashville-Davidson County beginning in tax year 2024.

The Property Tax Freeze Program was established and adopted by Metropolitan Council for Davidson County residents pursuant to state law via Resolution No. RS2007-2080 on July 17, 2007. The maximum income limit for eligibility in the Property Tax Freeze Program for low-income elderly residents was previously increased by the Council, as authorized by state law, pursuant to Resolutions No. RS2009-789 and RS2020-352.

This year, the Tennessee General Assembly enacted SB871/HB366, codified as Public Chapter 271 of the Public Acts of the 113th General Assembly, which amended state law to allow for an increase in the income eligibility for participants in the property tax freeze program

from \$47,750, the current limit, to \$60,000. This resolution increases the maximum income limit for eligibility in the Property Tax Freeze Program in Davidson County to \$60,000.

Sponsors: Parker, Suara, Evans, Toombs, Hurt, Hancock, Styles, Allen, Porterfield, Gamble and Rhoten

5. [RS2023-2160](#)

A resolution appropriating the amount of \$34,850,600.00 from the General Fund Reserve Fund for the purchase of equipment and building repairs for various departments of The Metropolitan Government of Nashville and Davidson County.

Analysis

This resolution appropriates \$34,850,600 from the General Fund Reserve Fund (4% Fund) to 13 departments for various purchases of equipment and building repairs. Section 6.14 of the Metropolitan Charter requires that 4% of all the general fund revenue of the General Services District be set aside each year solely for the purchase of equipment and building repairs.

Ordinance No. O86-1534 and Section 5.04.015.F of the Metro Code require that allocations from the 4% Fund each be supported by information sheets, which are attached to the resolution. The resolution further provides that “the Director of Finance may schedule acquisitions authorized herein to ensure an appropriate balance in the Fund.”

The following departments would receive funding:

- Codes and Building Safety -- \$16,000 for new laptops
- Davidson County Sheriff’s Office -- \$3,000,000 for jail management system technology replacement and miscellaneous repairs and maintenance
- Department of Emergency Communications -- \$30,300 for new laptops, automated call process system, and lamResponding Fire Department Notification System
- Department of Finance -- \$260,000 for Treasury iReceivables Software upgrade and OMB Tech Systems upgrade
- Department of General Services -- \$8,290,000 for fleet - new and replacement vehicles, fleet shop equipment, Knowles Facility major maintenance/repairs, and facilities major repairs and maintenance
- Information Technology Services -- \$7,000,000 for end-of-life hardware and software - servers/storage, Enterprise Data Infrastructure-GIS, Public Safety Radio System Antenna, end-of-life Network equipment - firewall and data security, and Hub Nashville Phase 3
- Justice Integration Services -- \$75,000 for hardware/software licenses for Criminal Court Clerk scanning project CJIS
- Metropolitan Nashville Police Department -- \$3,000,000 for MDCs for patrol car buildouts and law enforcement protective equipment replacement armor and protective gear
- Department of Parks and Recreation -- \$6,150,000 for equipment and supplies for regional/neighborhood community centers, equipment and supplies for Parks administration, PAR area maintenance - equipment and supplies, PAR area maintenance

-- ADA upgrades; Shelby Park Golf Course - tornado repair, and golf/Sportsplex/Wave Country/Parthenon;

- Nashville Department of Transportation -- \$1,029,300 for miscellaneous equipment and repairs and trucks - heavy equipment.
- Nashville Fire Department -- \$4,000,000 for logistics - medical, safety equipment, and supplies and repairs and maintenance of facilities
- Nashville Public Library -- \$1,500,000 for books, periodicals, and library materials
- Sports Authority -- \$500,000 for seat replacements phase 2 and protective netting installment at First Horizon Ballpark

Sponsors: Rhoten and Gamble

6. [RS2023-2161](#)

A resolution appropriating to certain accounts for the benefit of the Administrative Department, Department of General Services, Mediation Services Fund, and Metropolitan Nashville Public Schools in the amount of Eighteen Million, Seven Hundred Seven Thousand, Seven Hundred Dollars (\$18,707,700).

Analysis

This resolution approves supplemental appropriations in a total amount of \$18,707,700 from revenues of various funds for the benefit of various departments.

A total of \$6,374,700 would be appropriated from the GSD General Fund Revenue for the following purposes:

- Administrative Correctional Healthcare -- \$5,574,700
- Administrative Contingency Utility Increase -- \$800,000

A total of \$2,300,000 would be appropriated from Undesignated Fund Balance of the Department of General Services - Office of Fleet Management Fund, for the following purpose:

- General Services - Office of Fleet Management Light Vehicle Repair -- \$500,000
- General Services - Office of Fleet Management Heavy Vehicle Repair --\$1,500,000
- General Services - Office of Fleet Management - Fuel -- \$300,000

A total of \$33,000 would be appropriated from Mediation Services Fund Revenue to Mediation Services Fund -- Contract Services.

A total of \$10,000,000 would be appropriated from Metropolitan Nashville Public Schools General Purpose Fund Revenue to Metropolitan Nashville Public Schools -- Transfer.

Sponsors: Rhoten

7. [RS2023-2162](#)

A resolution calling the independent Metropolitan Board of Equalization ("MBOE") into regular session beginning June 1, 2023 and special session beginning June 20, 2023.

Analysis

This is a routine, annual resolution to call the Metropolitan Board of Equalization (“MBOE”) into regular session from June 1, 2023, until June 17, 2023. It would also call the MBOE into special session convening June 20, 2023, to complete any unfinished business regarding appeals on pro-rated assessments. The special session is not to extend beyond May 31, 2024.

The MBOE always meets during the month of June to hear appeals of assessments on real property. Historically, the MBOE has been required to have special sessions to conclude its work due to the large number of appeals. State law authorizes county legislative bodies to fix the number of days the Board of Equalization is to sit in regular session and to call the board into special session to complete any unfinished business. (T.C.A. § 67-1-404).

Sponsors: Rhoten

8. [**RS2023-2163**](#)

A resolution approving the appointment of hearing officers by the independent Metropolitan Board of Equalization (“MBOE”) to conduct preliminary hearings and to make investigations regarding complaints before the Board.

Analysis

This resolution approves the appointment of 26 Davidson County citizens to serve as hearing officers for the Metropolitan Board of Equalization (“MBOE”). The MBOE is authorized under state law to hear appeals of assessments on real property. This will include 20 residential hearing officers and six commercial hearing officers. State law requires that the MBOE members be approved by the county legislative body by resolution. (T.C.A. § 67-5-1406).

Sponsors: Rhoten

9. [**RS2023-2164**](#)

A resolution appropriating a total of \$137,000.00 from a certain account of the Community Safety Fund for a grant to The Contributor, Inc. 441

Analysis

This resolution appropriates \$137,000 from the Community Safety Fund for a grant to The Contributor, Inc. The Mayor’s Office has recommended that \$137,000 of the funds appropriated for community safety grants in the Budget Ordinance (Substitute Ordinance No. BL2022-1248), be distributed to The Contributor, Inc for the provision of Nashville Community Safety programs -- specifically the implementation of a program focusing on the printing and distribution of physical copies along with the creation of a website and the expansion of the “Where to Turn in Nashville” resource guide.

The purpose of this grant contract is to improve access to resources for people experiencing homelessness and poverty, provide accurate and up-to-date information to nonprofits and citizens who want to help, expand the awareness and knowledge of available resources within the community, and promote sustainable and ongoing support for the program beyond the grant period.

The term of the contract begins May 17, 2023, and ends on June 30, 2024.

Sponsors: Rhoten, Syracuse, Suara and Hurt

10. [RS2023-2165](#)

A resolution appropriating a total of \$169,000.00 from a certain account of the Community Safety Fund for grants to various nonprofit organizations for South Nashville Community Safety programs.

Analysis

This resolution appropriates \$169,000 from the Community Safety Fund for grants to four non-profit organizations. The Mayor's Office has recommended a total of \$169,000 of the funds appropriated for community safety grants in the Budget Ordinance (Substitute Ordinance No. BL2022-1248), be distributed to the specific nonprofit organization named below to be used for services pertaining to South Nashville Community Safety programs:

- \$48,000 to F.I.N.D. Design Inc. to provide services pertaining to South Nashville Community Safety Programs;
- \$48,000 to Water Walkers to provide services pertaining to South Nashville Community Safety programs;
- \$25,000 to You Have the Power...Know How to Use It, Inc. to provide services pertaining to South Nashville Community Safety programs; and
- \$48,000 to Youth Encouragement Services, Inc. to provide services pertaining to South Nashville Community Safety Programs.

The resolution also approves grant agreements with each of these organizations detailing the terms and conditions under which the grant funds are to be spent.

Sponsors: Rhoten, Syracuse and Hurt

11. [RS2023-2166](#)

A resolution approving amendment one to a grant from the Tennessee Department of Human Services to the Metropolitan Government, acting by and through the Davidson County Juvenile Court, to establish and enforce federal and state mandated child support program guidelines for children born out of wedlock.

Analysis

This resolution approves the first amendment to a grant from the Tennessee Department of Human Services to the Davidson County Juvenile Court. This grant is used to establish and enforce federal and state mandated child support program guidelines for children born out of wedlock. This amendment increases the grant amount by \$1,054,600, from \$974,868.04 to \$2,029,468.04. It also increases the required cash match by \$41,095.04, from \$502,204.96 to \$543,300. The amendment also extends the end date of the contract from June 30, 2024 to June 30, 2025, upon the execution of up to three renewal periods of 12 months.

Sponsors: Rhoten

12. [RS2023-2167](#)

A resolution approving an Amended Economic Impact Plan for the Madison Station Economic Development Area.

Analysis

This resolution approves an Amended Economic Impact Plan for the Madison Station Economic Development Area.

T.C.A. § 7-53-314 authorizes the Industrial Development Board (the “IDB”) to prepare economic impact plans for approval by the Metropolitan Council. On December 14, 2022, the IDB considered and approved the initial Plan for submission to the Metropolitan Council. The purpose of an economic impact plan is primarily to provide tax increment financing for a designated project to cover costs related to public infrastructure and site development. On January 3, 2023, the Metropolitan Council approved the initial economic impact plan for the Madison Station Economic Development Area pursuant to Resolution No. RS2022-1902, as amended.

This resolution contains the same Economic Impact Plan as amended by the Council and approved on January 3, 2023. The Amended Plan was resubmitted to the IDB, who held a public hearing on the proposal on April 12, 2023, as required by state law. The IDB approved the Amended plan at its April 12, 2023 meeting and has resubmitted the Amended Plan to the mayor and the Council pursuant to Tenn. Code Ann. 7-53-314. This resolution will ratify the actions taken by the Council at its January 3, 2023 meeting.

The Madison Station project is located at 721 Madison Square, Madison, TN 37215. At completion the project area will be a mixed-use development home to residential units, parks, other public spaces, and commercial units. The real property tax increment above the base tax and dedicated tax will be used to pay for the public improvements to the property, such as streets, transit center, pocket parks, greenway, etc. The funds will also be used to pay the costs of preparing the site for construction of the public improvements, such as demolition and grading.

Sponsors: Allen and Rhoten

13. [RS2023-2168](#)

A resolution to approve the First Amendment to a grant contract for constructing affordable housing approved by RS2022-1857 between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and Woodbine Community Organization.

Analysis

This resolution approves the first amendment to a grant contract between the Metropolitan Housing Trust Fund Commission and Woodbine Community Organization, previously approved by Resolution RS2022-1857. The Metropolitan Housing Trust Fund and Woodbine Community organization entered into an agreement for the express purpose of constructing affordable

housing. This amendment adds an address to the description. The original agreement stated that the 60 affordable housing units would be located at 6962 Highway 70 S. This agreement includes 3545 Dickerson Pike as an additional address.

Sponsors: Rhoten and Suara

14. [**RS2023-2169**](#)

A resolution approving a grant from the Nashville Community Engagement Fund of the Community Foundation of Middle Tennessee to the Metropolitan Government, acting by and through the Metropolitan Planning Commission, to provide funding to subsidize The Barnes Fund's efforts to support affordable housing.

Analysis

This resolution approves a grant in an amount not to exceed \$20,000 from the Nashville Community Engagement Fund of the Community Foundation of Middle Tennessee ("Community Foundation") to the Metropolitan Planning Commission. No local cash match is required. This grant will be used to provide funding to subsidize the Barnes Fund's efforts to support affordable housing.

Sponsors: Rhoten, Withers and Suara

15. [**RS2023-2170**](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of John Foy against the Metropolitan Government of Nashville and Davidson County in the amount of \$23,016.50, and that said amount be paid out of the Self-Insured Liability Fund.

Analysis

On August 5, 2020, a Nashville Fire Department ("NFD") firefighter was driving Engine 17 to the station at 3911 West End Avenue after responding to an emergency call. Construction on Harding Pike closed two lanes and shifted eastbound traffic into the center turn lane near the intersection of Harding Pike and Ridgefield Way. John Foy was in a parked dump truck near the edge of the work zone adjacent to the center turn lane. As the firefighter attempted to maneuver Engine 17 through the narrow lane of travel, the mirrors of Engine 17 collided with the dump truck. Because of this, Engine 17's right blind spot mirror and the left side view mirror of the dump truck cracked. Mr. Foy's employer declined to file a claim for property damage related to the mirror of the dump truck.

Mr. Foy sought treatment at the emergency room on the day of the accident complaining of muffled hearing and ringing in his ears. He underwent examination and a CT of his head. He was ultimately diagnosed with hearing loss due to head trauma. He was later diagnosed with tinnitus, dizziness, headaches, and unspecified sensorineural hearing loss in his left hear. Mr. Foy's medical expenses totaled \$10,828.67.

The Department of Law recommends settlement of Mr. Foy's personal injury claim for \$23,016.50.

Fiscal Note: This \$20,016.50 settlement would be the 31st payment from the Self-Insured Liability Fund in FY23 for a cumulative total of \$1,125,471. The fund balance would be \$18,819,747 after these payments.

Sponsors: Rhoten

16. [**RS2023-2171**](#)

A resolution accepting 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 accepts an Emergency Management Performance Grant (EMPG) from the Tennessee Emergency Management Agency to the Office of Emergency Management to subsidize the Emergency Management Program. The grant award is not to exceed \$208,478.37 with a required local cash match of \$208,478.37. The term of this grant agreement begins October 1, 2021 and ends September 30, 2023. The application for this grant was previously approved by Resolution No. RS2021-1299.

Sponsors: Rhoten, Syracuse and Suara

17. [**RS2023-2172**](#)

A resolution approving a Letter of Acceptance for 2023 Urban Area Security Initiative Grant Funds by the Metropolitan Government, acting by and through the Office of Emergency Management, to the Tennessee Emergency Management Agency for Homeland Security District 5.

Analysis

This resolution approves a letter of acceptance for the 2023 Urban Area Security Initiative Grant Funds from the Office of Emergency Management to the Tennessee Emergency Management Agency for Homeland Security District 5 in an amount not to exceed \$740,450 with no cash match required. This grant will assist high threat, high density Urban Area efforts to build, sustain, and deliver the capabilities necessary to prevent, prepare for, protect against, and respond to acts of terrorism. The term of the grant period begins on September 1, 2023 and ends on August 31, 2026.

Sponsors: Rhoten and Syracuse

18. [**RS2023-2173**](#)

A resolution approving a Letter of Acceptance for 2023 Homeland Security Grant Funds by the Metropolitan Government, acting by and through the Office of Emergency Management, to the Tennessee Emergency Management Agency for Homeland Security District 5.

Analysis

This resolution approves a letter of acceptance for the 2023 Homeland Security Grant Funds

from the Office of Emergency Management to the Tennessee Emergency Management Agency for Homeland Security District 5 in amount not to exceed \$288,441 with no cash match required. This grant will support state, local and tribal efforts to prevent terrorism and other catastrophic events and to prepare the nation for the threats and hazards that pose the greatest risk to the security of the United States. This grant will support the core capabilities across the five mission areas of Prevention, Protection, Mitigation, Response and Recovery. The term of the grant period begins on September 1, 2023 and ends on August 31, 2026.

Sponsors: Rhoten and Syracuse

19. [RS2023-2174](#)

A resolution approving a contract by and between the Metropolitan Government, acting by and through the Metropolitan Board of Health, and the Tennessee Department of Health to identify Arboviruses and assist in the prevention and control of Vector-Borne Diseases in Tennessee.

Analysis

This resolution approves a contract between the Metropolitan Board of Health and the Tennessee Department of Health to identify Arboviruses and assist in the prevention and control of Vector-Borne Diseases in Tennessee. Pursuant to the agreement, Metro will pay \$2,200 to the Tennessee Department of health to test an average of 802 mosquito pools during the term. The term of the contract begins July 1, 2023 and extends for a period of 12 months. The contract may be extended up to four times for periods not to exceed 12 months each.

Fiscal Note: Metropolitan Board of Health will pay the State of Tennessee Department of Health \$2,200 for the state's capacity to provide Arbovirus Testing of Mosquito Samples and \$8.85 per mosquito pool submitted. The total estimated cost of testing the mosquito pool is \$7,097.70 based an average of 802 mosquito pools the State would test during the terms of this agreement. The Metropolitan Board of Health's maximum liability over the term of the contract is \$10,000.

Sponsors: Rhoten and Syracuse

20. [RS2023-2175](#)

A resolution approving amendments one and two to a grant from the U.S. Department of Health and Human Services to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide for the prevention, surveillance, diagnosis, and treatment of HIV/AIDS and to administer a Minority AIDS Initiative program.

Analysis

This resolution approves the first and second amendments to a grant from the U.S. Department of Health and Human Services to the Metropolitan Board of Health, previously approved by Resolution No. RS2023-2050. Amendment one corrects the end date of the grant from February 28, 2024 to February 29, 2024. Amendment two obligates partial funding for the next grant cycle of \$3,854,666 to the previous grant award of \$811,526 for a new grant total of \$4,666,192. This grant is used to provide for the prevention, surveillance, diagnosis, and

treatment of HIV/AIDS and to administer a Minority AIDS Initiative program.

Sponsors: Rhoten, Syracuse and Suara

21. [RS2023-2176](#)

A resolution approving amendment seven to a grant from the U. S. Environmental Protection Agency to the Metropolitan Government, acting by and through the Metropolitan Board of Health, for the ongoing collection of data on ambient air concentrations for fine particulate matter in Nashville, Tennessee.

Analysis

This resolution approves the seventh amendment to a grant from the U.S. Environmental Protection Agency to the Metropolitan Board of Health for the ongoing collection of data on ambient air concentrations for fine particulate matter in Nashville, Tennessee. This grant was originally approved by Resolution No. RS2020-187 and subsequently amended by Resolutions No. RS2021-721, RS2021-1046, RS2022-1432, RS2022-1743, and RS2023-1992. The end date of the grant is September 30, 2023.

This amendment increases the grant amount by \$200,000, from \$1,410,942 to \$1,610,942. No other changes would be made to the grant agreement.

Sponsors: Rhoten, Syracuse and Hancock

22. [RS2023-2177](#)

A resolution appropriating a total of \$51,437.95 to increase the individual grant amounts from the Nashville Public Library to various non-profit organizations for the provision of educational, career, and cultural field trips and enrichment opportunities through the Library's Nashville After Zone Alliance out-of-school time coordinating system.

Analysis

This resolution appropriates \$51,437.95 from the Nashville Public Library to increase grants awarded to 12 nonprofit organizations for the provision of educational, career, and cultural field trips and enrichment opportunities through the Library's Nashville After Zone Alliance out-of-school time coordinating system. On June 21, 2022, the Council adopted Resolution No. RS2022-1593, which appropriated a total of \$2,544,580.22 to 17 nonprofit organizations. This resolution will amend 12 of those grant awards to appropriate additional funding as follows:

- \$5,000 to Aspiring Youth Enrichment Services;
- \$4,948 to Backfield in Motion;
- \$4,800 to Bethlehem Centers of Nashville;
- \$2,400 to Church on the Rock;
- \$5,000 to DYMON in the Rough;
- \$4,720 to Edgehill Neighborhood Partnership;
- \$2,155 to Global Outreach Developments International;
- \$5,000 to Martha O-Bryan Center;
- \$4,940 to Nashville International Center for Empowerment;

- \$2,482 to Nations Ministry Center;
- \$4,992.95 to Why We Can't Wait, Inc.;
- \$5,000 to YMCA of Middle Tennessee.

The resolution also authorizes Metro to amend the grant agreements with each of these organizations.

Fiscal Note: This would be paid from Fund 10101, Business Unit #39104121, Nashville Public Library's operating budget.

Sponsors: Rhoten, Hurt and Suara

23. [RS2023-2178](#)

A resolution appropriating a total of \$40,247 from the Nashville Public Library to various non-profit organizations for the provision of educational, career, and cultural field trips and enrichment opportunities for the month of June 2023 through the Library's Nashville After Zone Alliance out-of-school time coordinating system.

Analysis

This resolution appropriates \$40,247 from the Nashville Public Library to 10 nonprofit organizations for the provision of educational, career, and cultural field trips and enrichment opportunities for the month of June 2023 through the Library's Nashville After Zone Alliance out-of-school time coordinating system. The nonprofits are as follows:

- \$3,000.00 to Cottage Grove Urban Ministries;
- \$3,270.00 to Humble Beginnings;
- \$3,900.00 to Junior Achievement of Middle Tennessee;
- \$4,700.00 to Nashville Peacemakers;
- \$2,130.00 to Pass the Beauty Inc;
- \$5,000.00 to Rocketown of Middle Tennessee;
- \$4,847.00 to Royal Table Inc;
- \$3,500.00 to Team CJ Colas Uterine Cancer Foundation;
- \$5,000.00 to The F.I.N.D. Design;
- \$4,900.00 to Youth Empowerment Through Arts and Humanities

The resolution also authorizes Metro to enter into grant agreements with each of these organizations detailing the terms and conditions under which the grant funds are to be spent.

Fiscal Note: This would be paid from Fund 10101, Business Unit #39104121, Nashville Public Library's operating budget.

Sponsors: Rhoten, Hurt and Suara

24. [RS2023-2179](#)

A resolution approving amendment one to a grant from the Tennessee State Library and Archives, to the Metropolitan Government, acting by and through the Nashville Public Library,

to target library materials to persons having difficulty using a library, provide special services to children and young people, and promote general education support services.

Analysis

This resolution approves the first amendment to a grant from the Tennessee State Library and Archives to the Nashville Public Library, originally approved by Resolution No. RS2022-1625. The amendment increases the grant amount by \$350,829, from \$430,500 to \$781,329. The end date of the grant would also be extended to June 20, 2023. Grant attachments would be replaced to reflect these changes. This grant is used to target library materials to persons having difficulty using a library, provide special services to children and young people, and promote general education support services.

Sponsors: Rhoten, Hurt and Suara

25. [RS2023-2180](#)

A resolution approving amendment one to a grant from the Nashville Public Library Foundation to the Metropolitan Government, acting by and through the Nashville Public Library, to fund education and literacy programs to provide literacy initiatives that emphasize the importance of developing literacy skills by educating teachers, children, and parents.

Analysis

This resolution approves the first amendment to a grant from the Nashville Public Library Foundation to the Nashville Public Library, originally approved by Resolution No. RS2022-1718. This amendment increases the grant amount by \$21,200, from \$421,400 to \$442,600. The grant period ends on June 30, 2023. These additional funds are for a grant funded position to operate a new Limitless Libraries Book Mobile. This grant is used to fund education and literacy programs to provide literacy initiatives that emphasize the importance of developing literacy skills by educating teachers, children, and parents.

Sponsors: Rhoten, Hurt and Suara

26. [RS2023-2181](#)

A resolution authorizing CTH Nashville, LLC dba City Tap House Nashville to construct and install an aerial encroachment at 205 Demonbreun (Proposal No.2022M-32EN-001).

Analysis

This resolution authorizes CTH Nashville, LLC, dba City Tap House Nashville, to construct, install, and maintain an aerial encroachment at 205 Demonbreun. The encroachment comprises one double-faced, illuminated projecting sign encroaching the public right-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachment. Prior to receiving a permit, the applicant must file a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk and the Nashville Department of Transportation and Multimodal Infrastructure naming the Metropolitan Government as an insured party.

Sponsors: Withers and Pulley

27. [RS2023-2182](#)

A resolution authorizing Cannery Owner, LLC; Cannery Investment I LLC to construct and install an aerial encroachment at 521A 8th Avenue South (Proposal No.2023M-007EN-001).

Analysis

This resolution authorizes Cannery Owner, LLC and Cannery Investment I LLC to construct, install, and maintain an aerial encroachment at 521A 8th Avenue South. The encroachment comprises exterior renovations to portions of existing and replacement egress door outward swing, stairs and ramps on 1 Cannery Lot, and existing shared loading dock and a portion of dock on 1 Cannery Lot encroaching the public right-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachment. Prior to receiving a permit, the applicant must file a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk and the Nashville Department of Transportation and Multimodal Infrastructure naming the Metropolitan Government as an insured party.

Sponsors: Withers and Pulley

28. [RS2023-2183](#)

A resolution approving an application for a Tire Environmental Act Program (TEAP) grant from the Tennessee Department of Environment & Conservation to the Metropolitan Government, acting by and through the Nashville Department of Transportation & Multimodal Infrastructure (NDOT), for NDOT's project, Let's Gain Traction with Vision Zero, which seeks to repurpose tires collected from neighborhood cleanups, illegal dumping, and convenience centers to transform this waste into bike lane barriers that provide safe multimodal options for cyclists.

Analysis

This resolution approves an application for a Tire Environmental Act Program (TEAP) grant from the Tennessee Department of Environment Conservation to the Nashville Department of Transportation & Multimodal Infrastructure ("NDOT"). The application is for a grant award of \$143,246 with a required match of \$51,663. If the grant is awarded, the proceeds of the grant will be used towards NDOT's tire recycling program Let's Gain Traction with Vision Zero.

Sponsors: Rhoten and Pulley

29. [RS2023-2184](#)

A resolution accepting a donation from 19th Church Street, LLC in the amount of \$214,000 as a contribution towards infrastructure improvements at the intersection of 19th Avenue and Church Street.

Analysis

This resolution accepts a donation from 19th Church Street, LLC in the amount of \$214,000 as a contribution toward infrastructure improvements at the intersection of 19th Avenue and Church Street. 19th Church Street, LLC is developing a project at 1815 Church Street and has agreed to donate 50% of the projected cost of the intersection traffic signal costs at the

intersection of 19th Avenue and Church Street.

Fiscal Note: Metro will receive a donation from 19th Church Street, LLC in the amount of \$214,000 contribution towards infrastructure improvements at the intersection of 19th Avenue and Church Street.

Sponsors: Taylor, Rhoten and Pulley

30. [RS2023-2185](#)

A resolution accepting a grant from the State of Tennessee, Department of Environment and Conservation to the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services Stormwater NPDES Office, to construct stormwater swales and stormwater detention basin features at the Metro Nashville Police Impound Lot.

Analysis

This resolution accepts a grant from the Tennessee Department of Environment and Conservation to the Metropolitan Department of Water and Sewerage Services Stormwater NPDES Office to construct stormwater swales and stormwater detention basin features at the Metro Nashville Police Impound Lot. The grant award is not to exceed \$500,000 with a required match of \$150,000. The term of this grant agreement begins March 1, 2023 and ends on September 30, 2025.

Sponsors: Rhoten and Pulley

31. [RS2023-2186](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the Metropolitan Government of Nashville and Davidson County's property damage claim against T Com, LLC in the amount of \$84,535.00, and that said amount be paid to the General Fund.

Analysis

On March 17, 2016, T Com, LLC, was excavating within the public right-of-way at 4 Music Square East and Division Street to prepare for Google Fiber installation. A T Com employee was operating a boring machine when it hit and damaged an underground 8-inch water main owned by the Metropolitan Government and the surrounding road.

The Metropolitan Government spent \$67,487 to repair and road surface. T Com has agreed to reimburse the Metropolitan Government for the cost of repairs, plus 6.75% interest over a period of 1,365 days. The resulting interest totals \$17,035.

The Department of Law recommends settlement of the Metropolitan Government's property damage claim for \$84,535.

Fiscal Note: Metro would receive \$84,535 settlement from T Com, LLC, to be paid to the General Fund.

Sponsors: Rhoten

J. Bills on Second Reading**50. [BL2023-1857](#)**

An ordinance to amend Section 10.68.020 of the Metropolitan Code of Laws relative to fireworks.

Analysis

This ordinance amends Section 10.68.020 of the Metropolitan Code of Laws relative to fireworks.

Under current Metro law, no person, firm, partnership, or corporation is authorized to sell, use, or explode any fireworks in Davidson County without a permit.

This ordinance would allow a person to use or explode fireworks if the following conditions are met:

- The firework is classified as 1.4G fireworks and contain proper labeling.
- The fireworks are used or exploded on July 3, 4, or 5 between the hours of noon and 11 p.m.
- All persons using fireworks:
 - Have not used the firework within 600 feet of any place of worship, hospital, public school, or park; or within two hundred feet (200') of gas station; or thrown any fireworks from a motor vehicle or into a motor vehicle or near any person or group of persons;
 - Have attained the minimum age of 16, unless accompanied by a person who has attained the minimum age of 18;
 - Make reasonable efforts to contain the fireworks and debris on the users' property;
 - Collect and properly dispose of any debris from the fireworks;
 - If not the owner of the property where fireworks are used, has obtained the permission of the property owner for using, exploding, igniting, or discharging the fireworks and the owner is present during the use of the fireworks.

Sponsors: Rosenberg

51. [BL2023-1859](#)

An ordinance approving a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Board of Education and Nashville Classical Charter School (Proposal No. 2023M-013AG-001).

Analysis

This ordinance approves a lease agreement between the Metropolitan Board of Education ("MNPS") and Nashville Classical Charter School for use of property at 2000 Greenwood Avenue as a charter school. The property includes approximately 59,561 square feet of the building.

The term of the lease begins July 1, 2023 and ends June 30, 2033. Upon termination of the lease, the property will revert to MNPS. For the first year, the lease payment will be \$46,457.58 per month, which represents a rate of \$9.36 per square foot. The lease includes the cost of grounds maintenance, preventative maintenance, and refuse removal provided by MNPS's contracted providers, as well as major building systems components and capital repairs. The lease payment will increase by 4% each year throughout the term of the lease. The monthly rental payments for Year 2 through Year 9 will be as follows:

- Year 2 -- \$9.73/SF or \$48,294.04/month
- Year 3 -- \$10.12/SF or \$50,229.78 per month
- Year 4 -- \$10.53/SF or \$52,264.78 per month
- Year 5 -- \$10.95/SF or \$54,349.41 per month
- Year 6 -- \$11.39/SF or \$56,533.32 per month
- Year 7 -- \$11.84/SF or \$58,766.85 per month
- Year 8 -- \$12.32/SF or \$61,149.29 per month
- Year 9 -- \$12.81/SF or \$63,581.37 per month

MNPS is responsible for the major building system components and their capital repairs. This includes the building's roof, foundation, structural members of exterior walls, HVAC system components, and more. MNPS is also responsible for the refuse collection and ground maintenance, the cost of which is included in the lease payment. Nashville Classical Charter School is responsible for custodial services, utilities, routine maintenance of the premises, ADA compliance, and building, fire, and zoning codes and regulations. Nashville Classical Charter School must maintain commercial general liability insurance of not less than \$1,000,000 per occurrence.

Nashville Classical Charter School will be entitled to a credit of fifty percent (50%) of the base building lease rent for tenant Capital improvement expenditures made by Nashville Classical Charter School. In Year 1, the monthly rental payments after the credit may not be less than \$5.00/SF. The minimum lease amounts for the subsequent years are as follows:

- Year 2 -- \$5.20/SF
- Year 3 -- \$5.41/SF
- Year 4 -- \$5.62/SF
- Year 5 -- \$5.85/SF
- Year 6 -- \$6.08/SF
- Year 7 -- \$6.33/SF
- Year 8 -- \$6.58/SF
- Year 9 -- \$6.84/SF

Fiscal Note: The basic lease per square foot price is \$9.36/square foot or \$46,457.58 per month for the approximate square footage of 59,561 during Year 1. The basic lease per square foot includes the cost of grounds maintenance preventive maintenance, refuse removal, major building systems components and capital repairs. The lease rate will increase by 4% each year beginning in Year 2 and throughout the term of the lease. Metro would provide fifty (50%) rent

credit of the base building rent for Capital improvements made by Nashville Classical Charter School. The rent credit would cease when the accumulated total of the capital expenditures is met.

Sponsors: Withers and Rhoten

52. [BL2023-1860](#)

An ordinance approving a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Board of Education and Nashville Prep (Proposal No. 2021-014PR-001).

Analysis

This ordinance approves a lease agreement between the Metropolitan Board of Education (“MNPS”) and Nashville Prep for use of property at 1300 56th Avenue North as a charter school. The property includes approximately 42,211 square feet of the building.

The term of the lease begins July 1, 2023 and ends June 30, 2031. Upon termination of the lease, the property will revert to MNPS. For the first year, the lease payment will be \$18,643.19 per month, which represents a rate of \$5.30 per square foot. The lease includes the cost of grounds maintenance, preventative maintenance, and refuse removal provided by MNPS’s contracted providers, as well as major building systems components and capital repairs. The lease payment will increase by 3% each year throughout the term of the lease. The monthly rental payments for Year 2 through Year 8 will be as follows:

- Year 2 -- \$19,206.01 per month
- Year 3 -- \$19,768.82 per month
- Year 4 -- \$20,366.81 per month
- Year 5 -- \$20,999.97 per month
- Year 6 -- \$21,597.96 per month
- Year 7 -- \$22,266.30 per month
- Year 8 -- \$22,934.64 per month

MNPS is responsible for the major building system components and their capital repairs. This includes the building’s roof, foundation, structural members of exterior walls, HVAC system components, and more. MNPS is also responsible for the refuse collection and ground maintenance, the cost of which is included in the lease payment. Nashville Prep is responsible for custodial services, utilities, routine maintenance of the premises, ADA compliance, and building, fire, and zoning codes and regulations. Nashville Prep must maintain commercial general liability insurance of not less than \$1,000,000 per occurrence.

Fiscal Note: The basic lease per square foot price is \$5.30/square foot or \$18,643.19 per month for the approximate square footage of 42,211 during Year 1. The basic lease per square foot includes the cost of grounds maintenance preventive maintenance, refuse removal, major building systems components and capital repairs. The lease rate will increase by 3% each year beginning in Year 2 and throughout the term of the lease.

Sponsors: Roberts, Rhoten and Withers

53. [BL2023-1861](#)

An ordinance approving an agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Parks and Recreation (“Parks”), and Tennessee Football, Inc. to allow Tennessee Football, Inc. to establish a program campaign to support efforts to make improvements to the Looby Community Center.

Analysis

This ordinance approves an agreement between the Metropolitan Department of Parks and Recreation and Tennessee Football, Inc. (“Titans”) to allow the Titans. to establish a program campaign to support efforts to make improvements to the Looby Community Center.

Pursuant to the terms of the agreement, the Titans commit to establishing a campaign to support efforts to make capital improvements to the Looby Community Center facility, strengthening the organization’s relationship with Metro and the Parks and Recreation Department, working with Metro to address the following needs relative to the physical space and premises of the Looby Community Center: updates to the current kitchen and cooking space areas, upgrade Wi-Fi services and/or computer lab access, enhancement to the current game room furnishings and décor, and installation of an area of the facility for the purpose of providing improvement to the facility. The Titans also commit to working with Metro to explore the creation of high-level storytelling content to promote the partnership and its impact on members of underserved communities.

The Titans also agree, in partnership with Metro Parks, to offer Girls Flag Football to the North Nashville community and to partner with Metro to promote and implement the program at the Looby Community Center. The Titans will also continue to identify additional opportunities to engage with Metro for the benefit of the Looby Community Center and residents through good will and services.

The term of this agreement expires on December 31, 2027.

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

Fiscal Note: The cost of the improvements that will be supported by this campaign has not yet been determined but may exceed \$500,000 according to Department of Parks and Recreation.

Sponsors: Toombs, Rhoten, Hurt and Suara

54. [BL2023-1862](#)

An ordinance readopting the Code of The Metropolitan Government of Nashville and Davidson County, Tennessee, prepared by Municipal Code Corporation including supplemental and replacement pages thereof, containing certain ordinances of a general and permanent nature enacted on or before December 22, 2022.

Analysis

This ordinance is a routine readoption of the Metro Code to include all ordinances enacted on or before December 22, 2022.

Sponsors: Murphy

55. [BL2023-1863](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer mains, sanitary sewer manholes, and easements for five properties located on Split Log Road and Benington Place in Williamson County, also known as Taube Subdivision (MWS Project No. 22-SL-76 and Proposal No. 2023M-054ES-001).

Analysis

This ordinance accepts approximately 7,114 linear feet of new eight-inch sanitary sewer main (PVC), approximately 1,942 linear feet of new eight-inch sanitary sewer main (DIP), 48 sanitary sewer manholes and easements for five properties located on Split Log Road and Benington Place in Williamson County, also known as the Taube Subdivision.

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: Withers and Pulley

56. [BL2023-1864](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer mains, sanitary sewer manholes and easements, for property located at 9928 Maupin Road in Williamson County, also known as Maupin Subdivision (MWS Project No. 22-SL-113 and Proposal No. 2023M-053ES-001).

Analysis

This ordinance accepts approximately 3,400 linear feet of new eight-inch sanitary sewer main (PVC), approximately 1,219 linear feet of new eight inch-sanitary sewer main (DIP), 20 sanitary sewer manholes and easements for property located at 9928 Maupin Road in Williamson County, also known as Maupin Subdivision.

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: Withers and Pulley

57. [BL2023-1865](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and sanitary sewer manholes, for property located at 2108 12th Avenue South, also known as Alley 951 Sewer Extension (MWS Project No. 22-SL-167 and Proposal No. 2023M-056ES-001).

Analysis

This ordinance accepts approximately 265 linear feet of new eight-inch sanitary sewer main (DIP) and two sanitary sewer manholes, for property located at 2108 12th Avenue South, also known as Alley 951 Sewer Extension.

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

K. Bills on Third Reading

58. [BL2022-1471](#)

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

Analysis

This ordinance, as substituted and amended, amends the definition of “Family” in Titles 16 and 17 of the Metropolitan Code to change the allowance of unrelated persons living together from three to four persons and provide that this group can include a combination of related and unrelated persons.

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. The ordinance also adds a definition of “dwelling unit” to clarify that it is a single unit for use by one family.

This has been approved with a substitute by the Planning Commission.

Sponsors: Parker and Welsh

59. [BL2023-1688](#)

An ordinance to amend Chapters 8.04 and 8.08 relative to the regulation of animals.

Analysis

This ordinance, as substituted and amended, amends Chapters 8.04 and 8.08 of the Metropolitan Code of Laws relative to the regulation of animals.

Chapter 8.04 of the Metropolitan Code of Laws currently regulates dogs. The ordinance under consideration would expand the application of this section to all animals, but most of the regulations would apply only to dogs and cats. The ordinance would update the existing definitions of “At large”, “Dog”, and “Owner” and add new definitions for “Animal care and control division”, “Cat”, “Community cat”, “Community cat caregiver”, “Compendium/Rabies Compendium”, “Livestock”, “Person”, “Pet”, and “Quarantine”. In addition, the ordinance under consideration provides clarification to existing provisions related to rabies vaccination requirements, confinement of animals suspected of having rabies, licenses for dogs and cats, and animals running at large. The Board of Health would be given the discretion to set the fees for pet licenses and impoundment and boarding of animals. In addition, the existing provisions regulating guard dogs would be moved from Metro Code of Laws Section 8.08.020 to 8.04.110. The existing provisions would largely be kept the same but would require the owner to keep records of any training completed by the guard dog.

The current Chapter 8.08 of the Metropolitan Code of Laws regulates vicious dogs. The ordinance under consideration adds definitions for terms used in the existing Metro Code for “Secure enclosure” and “Physical device or structure”. The existing definition of “Vicious dog” would be amended to include a dog which seriously injures or kills a person or animal without provocation. The existing definition of “Guard dog” would be amended to remove unnecessary language.

The ordinance further updates Chapters 8.04 and 8.08 to reflect the current terms used by the Department of Health, referring to the Animal Care and Control Division and the Director of Health (instead of Chief Medical Director), and provide clarification of and housekeeping edits to existing provisions.

A substitute added at the May 2, 2023 Council meeting made various changes, including adding modified escalating penalties for animals running at large, adding language about violations and civil penalties for Chapter 8.04, and making various clarifications throughout the ordinance. An amendment added provisions making it a violation for an animal to damage public or private property while running at large.

Sponsors: Bradford and Styles

60. [BL2023-1691](#)

An Ordinance amending Section 17.12.030 of the Metropolitan Code, Zoning Regulations regarding street setbacks and building orientation for residential corner lots (Proposal No. 2023Z-002TX-001).

Analysis

This ordinance, as amended, amends Section 17.12.030 of the Metropolitan Code of Laws related to the setbacks for corner lots.

Current law allows corner lots that have a rear setback oriented towards the rear setback of a neighboring lot and corner lots created by plat prior to the effective date of the existing

ordinance to reduce the required street setback shown in Table 17.12.030A of the Metropolitan Code by 50% on the secondary street frontage. The ordinance under consideration would require that corner lots in the R20, RS20, R30, RS30, R40, RS40, R80, and RS80 zoning districts provide the full required street setbacks of Table 17.12.030.A on both street frontages. Detached two family residential uses within these same identified zoning districts would be required to provide the full required contextual street setback for both streets.

In addition, current law requires the front façades of principal structures on corner lots that have unequal lot lines abutting streets to be oriented towards the shorter lot line, except when the longer lot line of a lot zoned for office, mixed-use, commercial, or industrial use is located along an arterial street as shown on the adopted major street plan; the proposed structure will contain multiple businesses with outside entrances; or the predominant character or pattern of adjoining development is or will be oriented to the street on which the longer lot line is located as determined by the Zoning Administrator. The ordinance under consideration allows for the orientation of the front façade of a principal structure on a residential corner lot that has unequal lot lines abutting streets to orient towards the longer lot line if the previous principal structure on the lot was oriented towards the longer lot line.

This proposal is scheduled for the April 27, 2023 Planning Commission meeting.

Sponsors: Johnston and Henderson

61. [BL2023-1793](#)

An ordinance approving a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Board of Education and East End Prep (Proposal No. 2023M-003AG-001).

Analysis

This ordinance approves a lease agreement between the Metropolitan Board of Education and East End Prep for use of property at 1460 McGavock Pike as a charter school. The property includes approximately 91,970 square feet of the building.

The term of the lease begins July 1, 2022 and ends June 30, 2031. Upon termination of the lease, the property will revert to MNPS. For the first year, the lease payment will be \$39,853.37 per month, which represents a rate of \$5.20 per square foot. The lease includes the cost of grounds maintenance, preventative maintenance, and refuse removal provided by MNPS's contracted providers, as well as major building systems components and capital repairs. The lease payment will increase from \$5.20 per square foot in Year 1 to \$5.41 per square foot in Year 2, and then increase by 4% each year throughout the term of the lease. The monthly rental payments for Year 2 through Year 9 will be as follows:

- Year 2 -- \$41,447.81 per month
- Year 3 -- \$43,105.73 per month
- Year 4 -- \$44,829.95 per month
- Year 5 -- \$46,623.15 per month
- Year 6 -- \$48,488.08 per month

- Year 7 -- \$50,427.60 per month
- Year 8 -- \$52,444.71 per month
- Year 9 -- \$54,542.49 per month

MNPS is responsible for the major building system components and their capital repairs. This includes the building's roof, foundation, structural members of exterior walls, HVAC system components, and more. MNPS is also responsible for the refuse collection and ground maintenance, the cost of which is included in the lease payment. East End Prep is responsible for custodial services, utilities, routine maintenance of the premises, ADA compliance, and building, fire, and zoning codes and regulations. East End Prep must maintain commercial general liability insurance of not less than \$1,000,000 per occurrence.

Fiscal Note: The basic lease per square foot price is \$5.20/square foot or \$39,853.37 per month for the approximate square footage of 91,970 during Year 1. The basic lease per square foot includes the cost of grounds maintenance preventive maintenance, refuse removal, major building systems components and capital repairs. The lease rate will increase by 4% each year beginning in Year 2 and throughout the term of the lease.

Sponsors: Benedict, Rhoten, Suara and Withers

62. [BL2023-1803](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water mains, to relocate an existing public fire hydrant assembly, and to accept new public water main, for two properties located at 2600 Jess Neely Drive and 2555 West End Avenue, also known as Vanderbilt University Basketball Facility (MWS Project No. 22-WL-108 and Proposal No. 2023M-035ES-001).

Analysis

This ordinance, as substituted, abandons approximately 90 linear feet of existing six-inch water main (DIP), approximately 326 linear feet of existing 16-inch water main (DIP), and relocates one existing fire hydrant assembly, and accepts approximately 296 linear feet of new 16-inch water main (DIP) for two properties located at 2600 Jess Neely Drive and 2555 West End Avenue, also known as Vanderbilt University Basketball Facility.

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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Cash, Withers and Pulley

87. [BL2023-1839](#)

An ordinance codifying a residential landlord's duty to register with the Metropolitan Department of Codes Administration pursuant to Tennessee Code Annotated Section 66-28-107, and authorizing the Department of Codes Administration to process and collect registration fees, impose and collect fines for noncompliance, and establish an administrative

process for appeals of any such fines.

Analysis

This resolution codifies a residential landlord's duty to register with the Metropolitan Government pursuant to state law.

Tennessee Code Annotated Section 66-28-107 provides that in counties with a metropolitan form of government and a population in excess of 500,000, each landlord of one or more dwelling units is required to register with the local department responsible for enforcing building codes - which is the Metropolitan Department of Codes Administration ("Codes") for the Metropolitan Government. The statute further authorizes the Department of Codes to collect a registration fee of \$10. Pursuant to the state law, landlords who fail to register are subject to a fine of \$50 per week.

Codes has been enforcing these provisions pursuant to state law. This ordinance simply mirrors the state law requirements in the Metropolitan Code of Laws to publicize and better enforce these provisions.

Fiscal Note: Metro receives a \$10 fee upon registration and annually from landlords for each dwelling unit owned, leased, or subleased to cover administration cost. The landlord is charged \$50 fine per week until compliance for failure to update the information with the Codes Department within 30 days of a change.

Sponsors: Rhoten, Welsch, Styles and Benedict

88. [BL2023-1840](#)

An ordinance approving a lease agreement between the Metropolitan Government of Nashville and Davidson County and Little Big Properties, LLC for use of office space located at 150 2nd Avenue North, Nashville, Tennessee (Proposal No. 2023M-011AG-001).

Analysis

This ordinance approves a lease agreement between the Metropolitan Government and Little Big Properties, LLC ("the Landlord") for the use of office space located at 150 2nd Avenue North.

The Metropolitan Government has determined that office space at 150 2nd Avenue North is necessary to provide office space for the Public Defender of Nashville and Davidson County. Pursuant to the lease agreement, Metro will rent Suites 200, 300, and 400, comprising approximately 54,483 square feet of space in the building. The lease will begin upon the Landlord's completion of improvements for Suites 300 and 400, anticipated to be November 1, 2023 but no later than January 1, 2024. Suite 200 will be available no later than September 1, 2024. In the event that Suite 200 is delivered later than Suites 300 and 400, the rent will be reduced proportionately.

The rent in the first year will be \$36.00 per square foot, paid monthly, with an increase of 2.5%

each year. The monthly rent for each year is as follows:

- Months 1-12 -- \$163,449
- Months 13-24 -- \$167,535.23
- Months 25-36 -- \$171,712.26
- Months 37-48 -- \$176,025.49
- Months 49-60 -- \$180,429.54
- Months 61-72 -- \$184,924.38
- Months 73-84 -- \$189,555.44
- Months 85-96 -- \$194,277.30
- Months 97-108 -- \$199,135.37
- Months 109-120 -- \$204,129.64

If the rent is extended for an additional five-year period, the monthly rent during the first extension will begin at \$46.31 per square foot, with an increase of 3% each year, as follows:

- Extension Months 1-12 -- \$210,258.98
- Extension Months 13-24 -- \$216,569.93
- Extension Months 25-36 -- \$223,062.48
- Extension Months 37-48 -- \$229,736.65
- Extension Months 49-60 -- \$236,637.83

Rent during the second additional five-year period will be based upon the market rates for comparable buildings in downtown Nashville.

Metro is responsible for taxes, insurance, and utilities. Metro's share of property operating costs will be 62.87%. Metro will have an allowance of \$1,500,000 from the Landlord for improvements. The Landlord is responsible for the maintenance of the common areas of the building as well as janitorial, cleaning, and pest control services. The Landlord is also responsible for keeping and maintaining the premises, common areas, heating, ventilation and air conditioning equipment, plumbing systems, lighting, electrical systems, roof and structural systems in good repair and working order.

The term of the lease is 120 months, beginning on the delivery of Suites 300 and 400. Metro has the option to renew the lease for up to two additional five-year periods.

Sponsors: OConnell, Rhoten and Withers

89. [BL2023-1841](#)

An ordinance authorizing Vortex, LLC c/o AJ Capital Partners to install, construct and maintain aerial and underground encroachments in the right of way located at 200 Broadway. (Proposal No. 2022M-033EN-001)

Analysis

This resolution authorizes Vortex, LLC c/o AJ Capital Partners to install and maintain aerial and underground encroachments at 200 Broadway. The encroachment will consist of a marquee

sign, a blade sign, an NES transformer vault, a grease interceptor, and a six-inch domestic water meter encroaching the right-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachments and is required to post a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This ordinance has been approved by the Planning Commission.

Sponsors: OConnell, Withers and Pulley

90. [BL2023-1842](#)

An ordinance authorizing Starwood Capital Group Holdings, L.P. to install, construct and maintain aerial and underground encroachments in the right of way located at 710 Demonbreun Street. (Proposal No. 2022M-030EN-001)

Analysis

This resolution authorizes Starwood Capital Group Holdings, L.P. to install and maintain aerial and underground encroachments at 710 Demonbreun Street. The encroachment will consist of a sign, lights, and a channel drain along 7th Avenue encroaching the right-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachments and is required to post a certificate of public liability insurance in the amount of \$4,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This ordinance has been approved by the Planning Commission.

Sponsors: OConnell, Withers and Pulley

91. [BL2023-1843](#)

An ordinance providing the honorary street name designation of "Rev. J. H. Johnson Way" for a portion of 4th Avenue North.

Analysis

This ordinance adds the honorary street name designation of "Rev. J. H. Johnson Way" for a portion of 4th Avenue North between Buchanan Street and Garfield Street.

Section 13.08.025 of the Metro Code provides a procedure for the designation of honorary street signs whereby the Council, by ordinance, can authorize and direct the Nashville Department of Transportation and Multimodal Infrastructure to install two honorary street signs per street - at each end of a street - beneath the official street name sign for any street identified on the official Street and Alley Centerline Layer map. No honorary street sign can be installed honoring a living person; and each member of Council can sponsor only one such ordinance each calendar year. This ordinance does not officially re-name the designated street. Therefore, there would be no change of official address for properties along this portion of 4th Avenue North.

Sponsors: Hurt and OConnell

92. [BL2023-1844](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main, and to accept new public water main, for six properties located on University Avenue (MWS Project No. 22-WL-135 and Proposal No. 2023M-032ES-001).

Analysis

This ordinance abandons approximately 272 linear feet of existing 2.25-inch water main and accepts approximately 283 linear feet of new six-inch water main (DIP), for six properties located on University Avenue.

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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Pulley

93. [BL2023-1845](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new sanitary sewer main in addition to sanitary sewer manholes and easements for three properties located at 2130 Hobson Pike, 1273 Maritime Prt and Maritime Prt (unnumbered), also known as Hobson Flats (MWS Project No. 22-SL-208 and Proposal No. 2023M-040ES-001).

Analysis

This ordinance accepts approximately 174 linear feet of new eight-inch sanitary sewer main (PVC), in addition to two sanitary sewer manholes and easements, for three properties located at 2130 Hobson Pike, 1273 Maritime Prt and Maritime Prt (unnumbered), also known as Hobson Flats.

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: Withers and Pulley

94. [BL2023-1846](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer mains and easements, and to accept new water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for two properties located at 4154 Murfreesboro Pike and Maxwell Road (unnumbered), also known

as Oliveri Phase 1 (MWS Project Nos. 22-WL-75 and 22-SL-158 and Proposal No. 2023M-042ES-001).

Analysis

This ordinance abandons approximately 191 linear feet of existing eight-inch sanitary sewer main (PVC), approximately 40 linear feet of 15-inch sanitary sewer main (PVC) and easements, and accepts approximately 1,262 linear feet of new eight-inch water main (DIP), approximately 517 linear feet of new eight-inch sanitary sewer main (PVC), three fire hydrant assemblies, two sanitary sewer manholes and easements for two properties located at 4154 Murfreesboro Pike and Maxwell Road (unnumbered), also known as Oliveri Phase 1.

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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Pulley

95. [BL2023-1847](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing water main and easements, for two properties located at 333 B Douglas Avenue and 1310 B Lischey Avenue, also known as Starlet East Condominiums (MWS Project No. 22-WL-134 and Proposal No. 2023M-044ES-001).

Analysis

This ordinance abandons approximately 248 linear feet of existing two-inch water main and easements, for two properties located at 333 B Douglas Avenue and 1310 B Lischey Avenue, also known as Starlet East Condominiums.

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. Abandoned easements have no market value according to the Department of Water Services.

Sponsors: Pulley and Withers

96. [BL2023-1848](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation of an existing public fire hydrant assembly and a new public sanitary sewer manhole, for property located at 210 2nd Avenue North, also known as 2nd Avenue Streetscape Improvements - North Block (MWS Project Nos. 22-WL-142 and 22-SL-293 and Proposal No. 2023M-039ES-001).

Analysis

This ordinance accepts the relocation of one existing fire hydrant assembly and one new sanitary sewer manhole, for property located at 210 2nd Avenue North, also known as 2nd Avenue Streetscape Improvements - North Block.

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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: OConnell, Withers and Pulley

97. [BL2023-1849](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer mains, sanitary sewer force mains, sanitary sewer manholes and easements, for five properties located on East Hill Drive and Twin Hills Drive, also known as Riverview at Cumberland Hills (MWS Project No. 17-SL-246 and Proposal No. 2023M-046ES-001).

Analysis

This ordinance accepts approximately 1,088 linear feet of new eight-inch sanitary sewer main (PVC), approximately 424 linear feet of new eight-inch sanitary sewer main (DIP), approximately 765 linear feet of new two-inch sanitary sewer force main (PVC), approximately 201 linear feet of new 1.5-inch sanitary sewer force main (PVC), 15 sanitary sewer manholes and easements for five properties located on East Hill Drive and Twin Hills Drive, also known as Riverview at Cumberland Hills.

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: Withers, Pulley and Young

98. [BL2023-1850](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept public sanitary sewer main and sanitary sewer manhole, and to rehabilitate existing public sanitary sewer manholes, for two properties located on 820 and 828 Youngs Lane, also known as Cumberland View Villas development (MWS Project No. 22-SL-175 and Proposal No. 2023M-043ES-001).

Analysis

This ordinance accepts approximately 23 linear feet of new 12-inch (PVC) sanitary sewer main and one sanitary sewer manhole, and authorizes the rehabilitation (epoxy coating) of three existing sanitary sewer manholes for two properties located at 820 and 828 Youngs Lane, also

known as Cumberland View Villas.

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: Toombs, Withers and Pulley

99. [BL2023-1851](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main, and to accept new public sanitary sewer main and sanitary sewer manhole, for property located at 315 B Douglas Avenue (MWS Project No. 22-SL-212 and Proposal No. 2023M-037ES-001).

Analysis

This ordinance abandons approximately 47 linear feet of existing eight-inch sanitary sewer main (VCP) and accepts approximately 47 linear feet of new eight-inch sanitary sewer main (PVC) and one sanitary sewer manhole for property located at 315 B Douglas Avenue.

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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Pulley

100. [BL2023-1852](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assembly, sanitary sewer manholes and easements, for property located at Cane Ridge Road (unnumbered), also known as Cane Ridge Farms Phase 3 Section 3 (MWS Project Nos. 21-WL-119 and 21-SL-280 and Proposal No. 2023M-045ES-001).

Analysis

This ordinance accepts approximately 320 linear feet of new eight-inch water main (DIP), approximately 250 linear feet of new eight-inch sanitary sewer main (PVC), one fire hydrant assembly, two sanitary sewer manholes and easements for property located at Cane Ridge Road (unnumbered), also known as Cane Ridge Farms Phase 3 Section 3.

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: Withers, Pulley and Styles

101. [BL2023-1853](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation of a public fire hydrant assembly, for property located at 625 West Trinity Lane (MWS Project Nos. 22-WL-126 and Proposal No. 2023M-050ES-001).

Analysis

This ordinance accepts the relocation of a public fire hydrant assembly, for property located at 625 West Trinity 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Toombs, Withers and Pulley

102. [BL2023-1854](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation of a public fire hydrant assembly, for property located at 1404 Clinton Street, also known as Nelson's Greenbrier Distillery (MWS Project No. 23-WL-09 and Proposal No. 2023M-047ES-001).

Analysis

This ordinance accepts the relocation of a public fire hydrant assembly, for property located at 1404 Clinton Street, also known as Nelson's Greenbrier Distillery.

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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: OConnell, Withers and Pulley

103. [BL2023-1855](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for seven properties located on Glenclyff Road, also known as Noble Place Townhomes (MWS Project Nos. 22-WL-31 and 22-SL-74 and Proposal No. 2023M-051ES-001).

Analysis

This ordinance accepts approximately 2,261 linear feet of new eight-inch water main (DIP), approximately 1,876 linear feet of new eight-inch sanitary sewer main (PVC), four fire hydrant assemblies, 13 sanitary sewer manholes and easements, for seven properties located on Glenclyff Road, also known as Noble Place Townhomes.

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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Welsch, Withers and Pulley

104. [BL2023-1856](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to construct public sanitary sewer mains and sanitary sewer manholes, and to acquire permanent and temporary easements through negotiations and acceptance needed for 15 properties located on Fain Street and J C Napier Street (Project No. 22-SG-239 and Proposal No. 2023M-038ES-001).

Analysis

This ordinance constructs approximately 290 linear feet of new eight-inch sanitary sewer main (PVC) and four sanitary sewer manholes, and to acquire permanent and temporary easements through negotiations and acceptance needed for 15 properties located on Fain Street and J C Napier 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: OConnell, Withers and Pulley