



Metro Council

F. Resolutions on Public Hearing

1. [RS2023-2192](#)

A resolution exempting Pelato Restaurant, located at 1300 B 3rd Avenue North 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 Pelato Restaurant located at 1300 B 3rd Avenue North.

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: OConnell

G. Bills on Public Hearing

2. [BL2023-1867](#)

A bill to be entitled: The Budget Ordinance of the Metropolitan Government of Nashville and Davidson County, Tennessee for Fiscal Year 2024

Analysis

This ordinance is the proposed operating budget for the Metropolitan Government for Fiscal Year 2024. The budget filed by the Mayor provides for the following proposed funding:

- General Services District General Fund \$1,490,780,400
- General Services District Schools Fund \$1,205,472,800
- General Services District General Debt Service Fund \$ 327,270,400
- General Services District Schools Debt Service Fund \$ 136,782,600

TOTAL GENERAL SERVICES DISTRICT BUDGET \$3,160,306,200

- Urban Services District General Fund \$ 183,819,600
- Urban Services District General Debt Service Fund \$ 20,189,000

TOTAL URBAN SERVICES DISTRICT BUDGET \$ 204,008,600

TOTAL OPERATING BUDGET \$ 3,364,314,800

The Fiscal Year 2023 budget is \$2,970,260,500. The Mayor's proposed budget represents an overall increase of \$598,062,900 (20.14%).

The Mayor's proposed budget is projected to result in the following fund balance percentages by June 30, 2024:

- General Services District General Fund 20.2%
- General Services District Debt Service Fund 50.0%
- General Services District Schools Operations Fund 22.5%
- Schools Debt Service Fund 57.6%
- Urban Services District General Fund 17.1%
- Urban Services District Debt Service Fund 61.0%

Pursuant to the Fund Balance Policies adopted by the Council in RS2022-1901, appropriations of surplus funds from the unreserved fund balances of the primary budgetary funds are permissible only after meeting levels recommended in the policies during the budget annual review. Any remaining balance may be utilized for one-time expenditures: capital expenditures; debt reduction; and establishment of other reserves to enhance Metro's financial position. The proposed budget includes the following appropriations of fund balance surplus funds:

Barnes Fund Affordable Housing	\$ 6,750,000
Capital Grants for Cultural Support	\$ 2,000,000
Large Vehicle Fleet	\$ 4,957,500
Hospital Authority FY24 Capital Request	\$ 7,344,800
MTA Murfreesboro Pike BRT Construction Planning	\$15,000,000
NDOT Vision Zero	\$12,000,000
NDOT Traffic Calming	\$ 4,000,000
NDOT Sidewalks	\$ 7,500,000

Total **\$59,552,300**

Additionally, an appropriation of MNPS fund balance surplus funds would be made in the amount of \$65,894,800 (see below for details).

Ordinance No. BL2023-1868 would adopt the same rates as the current FY23 property tax rates: GSD is \$2.922 per \$100 of assessed value and USD is \$0.332, giving a combined rate of \$3.254.

Growth is expected to generate new property taxes in the amount of \$46.4 million over the budgeted FY23 revenue. The proposed FY24 budget includes an increase of \$137.2 million in projected local option sales tax revenues. The budget also includes expected revenue increases from grants and other non-tax revenues in the amount of \$56.9 million.

The proposed budget includes \$54.9 million for new pay plan improvements, an increase of \$11.3 million over the FY23 amount. All employees would receive a 4% cost-of-living raise on July 1, 2023. In addition, funding is included for increment increases for all eligible employees and funding for 3% open-range pay increases. The department heads have the discretion to determine the actual raises to be given to each open-range employee.

The Mayor's budget includes a \$2.6 million increase for equipment and building repairs - the General Fund Reserve Fund.

The Barnes Fund for Affordable Housing would receive an additional \$23.2 million as part of the continuing commitment for affordable housing, which is partly funded by the local portion of the hotel/motel taxes generated by short-term rental properties. This amount represents a \$8.2 million increase over the FY23 appropriation.

The largest investment in the Mayor's proposed budget is for Metro Nashville Public Schools. This includes an \$96.47 million increase in the amount of local funding for schools. This would result in a total MNPS operating budget of \$1,205,472,800. This includes employee pay for support staff, steps and 4% COLA for all employees. Additionally, \$65.8 million in schools fund balance surplus is appropriated for a collection of one-time capital expenses and additional reserves:

Alex Green Elementary Addition	\$ 9,480,000
Pre-K Classroom Additions/Renovations	\$25,600,000
Fifth Grade Space Portables/Renovations	\$ 750,000
Districtwide capital improvements	\$18,314,800
Additional Reserve	\$11,750,000
Total	\$65,894,800

The budget includes funding for a number of improvement requests submitted by various departments. This includes a \$10.1 million increase for WeGo, \$15.3 million for Fire and EMS operations, \$29.18 million for the Police Department, \$9.7 million for NDOT, \$7.2 million for the Parks Department. Internal service appropriations will increase by \$2.7 million in the GSD and

\$3.2 million in the USD representing an increase of 63% and 510% respectively over the FY23 budget.

The Hospital Authority would receive a subsidy from the general fund of \$57.8 million, an increase of approximately \$5 million over the FY23 budget. The subsidy includes approximately \$10 million for operations costs related to building lease, parking garage, grant match, and Bordeaux and Knowles pension/healthcare costs.

Section 6.07 of the Charter requires the next order of business following adoption of the operating budget ordinance, to be the adoption of the tax levy ordinance - BL2023-1868.

Per Rules 39 and 41 of the Metro Council Rules of Procedure, the budget ordinance is amendable on third reading. And pursuant to section 6.06 of the Metro Charter, the Council must adopt a substitute operating budget no later than June 30. Otherwise, the budget as originally submitted by the Mayor becomes effective on July 1 by operation of law.

Sponsors: Rhoten and Gamble

3. [BL2023-1880](#)

An ordinance adopting the 2023-2024 through 2028-2029 Capital Improvements Budget for The Metropolitan Government of Nashville and Davidson County as the official Capital Improvements Budget of The Metropolitan Government of Nashville and Davidson County for Fiscal Year 2023-2024.

Analysis

This ordinance adopts the Capital Improvements Budget (CIB) for fiscal year 2023-2024 through 2028-2029. The CIB is a planning document and does not in itself appropriate any money. All capital projects must be provided for in this document before a capital improvement can be approved by the Council, except in the case of a public emergency.

Section 6.13 of the Metropolitan Charter provides: "The mayor shall submit the capital improvements budget to the council not later than May 15th and shall recommend those projects to be undertaken during the ensuing fiscal year and the method of financing them, noting the impact on the debt structure of the Metropolitan Government, and shall include in the appropriate current operating budget any projects to be financed from current revenues for the ensuing fiscal year."

Rule 15 of the Council Rules of Procedure provides that Council members submit CIB requests by October 31 and hold a joint committee meeting to determine CIB priorities prior to submission to the Director of Finance and, further provides, that no CIB requests shall be considered that are not submitted in accordance with the rule. Pursuant to Section 11.504(k) of the Charter, the Metropolitan Planning Commission reviewed capital improvement project requests submitted by Metro departments, boards, commissions and agencies, evaluated the overall needs of the community, and recommended to the Mayor a CIB budget for fiscal year 2023-2024, including a program of proposed expenditures for the ensuing five years.

The Charter requires the Council to adopt the CIB no later than June 15 of each year. Accordingly, the Council will hold an adjourned meeting on June 13, 2023, in order to approve the CIB on third reading prior to this June 15 Charter deadline.

The CIB is amendable on third and final reading. Once adopted, any future amendments to the CIB would need to be approved by the Planning Commission, recommended by the Mayor, and then adopted by resolution of the Council receiving at least 27 affirmative votes.

Sponsors: Rhoten and Withers

H. Consent Resolutions and Resolutions

5. [RS2023-2193](#)

A resolution appropriating a total of \$96,000.00 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 \$96,000 from the Community Safety Fund for grants to two non-profit organizations. The Mayor's Office has recommended a total of \$96,000 of the funds appropriated for community safety grants in the Budget Ordinance (Substitute Ordinance No. BL2022-1248), be distributed to the specific nonprofit organizations named below to be used for services pertaining to South Nashville Community Safety programs:

- \$48,000 to Friends of Mill Ridge Park to provide services pertaining to South Nashville Community Safety Programs
- \$48,000 to Somali Community of Middle Tennessee 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 and Syracuse

6. [RS2023-2194](#)

A resolution authorizing grants not exceeding \$4,531,993.00 from the Barnes Fund for Affordable Housing to certain nonprofit organizations selected for the express purpose of constructing affordable or workforce housing for older adults.

Analysis

This resolution authorizes grants totaling not to exceed \$4,531,993 from the Barnes Fund for Affordable Housing to two nonprofit organizations for the express purpose of constructing and rehabilitating affordable or workforce housing for older adults.

Tenn. Code Ann. § 7-3-314 authorizes Metro to provide financial assistance to nonprofit organizations. In addition, Section 5.04.070 of the Metro Code of Laws provides that the

Council may appropriate funds for the financial aid of nonprofit organizations by resolution. The resolution would appropriate these funds as follows:

- Woodbine Community Organization - \$1,531,993
- Urban League of Middle Tennessee - \$3,000,000

The grant contracts are attached to the resolution.

Fiscal Note: This appropriation would reduce the balance of the Barnes Fund by \$4,531,993.

Sponsors: Rhoten, Hancock, VanReece, Allen, Suara, Hausser and Welsch

7. **RS2023-2195**

A resolution accepting a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the Metropolitan Government, acting by and through the Davidson County General Sessions Court, to provide the Tennessee Mental Health Court Program (TMHCP) to include intensive court supervision, mental health treatment services, drug testing, and substance abuse treatment services as an alternative to incarceration.

Analysis

This resolution accepts a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the Davidson County General Sessions Court in an amount not to exceed \$300,000 with no cash match required. This grant will provide the Tennessee Mental Health Court Program ("TMHCP") with intensive court supervision, mental health treatment services, drug testing, and substance abuse treatment services as an alternative to incarceration. The term of this grant begins July 1, 2023 and ends on June 30, 2024.

Sponsors: Rhoten, Syracuse, Hurt, Suara and Welsch

8. **RS2023-2196**

A resolution adopting a new pay plan for the general employees of the Metropolitan Government of Nashville and Davidson County, excluding employees of the Board of Health, Board of Education, and the Police and Fire Departments, effective July 1, 2023.

Analysis

This resolution is the pay plan for the general Metropolitan Government employees to take effect July 1, 2023. The primary effect of this resolution would be to continue the pay plan, continue increment pay, provide a 4% cost-of-living-adjustment (COLA), and provide for the possibility of merit pay increases for open range employees. Step increases known as "increments" are pay increases for certain employment classifications on a six month, one year, eighteen month, or two year interval, depending upon the position. In addition to step increases, the equivalent of an additional 3% merit pay increase would be available for open range employees that do not receive increments. The amount of individual raises for open range employees are determined by department heads. The pay plan contemplates that open range employees are to be paid based upon merit, not length of service.

The Civil Service Commission recommended an additional 3% COLA for employees. However, the Director of Finance and Mayor, exercising their authority under Section 12.10 of the Metro Charter, removed the additional COLA.

Per section 12.10 of the Charter, pay plans may not be amended by the Council except by making uniform modifications of all employment grades (because the relationship between pay grades must remain the same under the Charter). The pay plan amendments submitted by this resolution have been approved by the Civil Service Commission, Finance Director, and the Mayor.

This resolution should be deferred to track with the operating budget ordinance, Ordinance No. BL2023-1867.

Sponsors: Rhoten, Benedict and Porterfield

9. **RS2023-2197**

A resolution adopting a new pay plan for employees of the Metropolitan Departments of Police and Fire, effective July 1, 2023.

Analysis

This resolution is the pay plan for the general Metropolitan Government employees to take effect July 1, 2023. The primary effect of this resolution would be to continue the pay plan, continue increment pay, provide a 4% cost-of-living-adjustment (COLA), and provide for the possibility of merit pay increases for open range employees. Step increases known as "increments" are pay increases for certain employment classifications on a six month, one year, eighteen month, or two year interval, depending upon the position. In addition to step increases, the equivalent of an additional 3% merit pay increase would be available for open range employees that do not receive increments. The amount of individual raises for open range employees are determined by department heads. The pay plan contemplates that open range employees are to be paid based upon merit, not length of service.

The Civil Service Commission recommended an additional 3% COLA for employees. However, the Director of Finance and Mayor, exercising their authority under Section 12.10 of the Metro Charter, removed the additional COLA.

Per section 12.10 of the Charter, pay plans may not be amended by the Council except by making uniform modifications of all employment grades (because the relationship between pay grades must remain the same under the Charter). The pay plan amendments submitted by this resolution have been approved by the Civil Service Commission, Finance Director, and the Mayor.

This resolution should be deferred to track with the operating budget ordinance, Ordinance No. BL2023-1867.

Sponsors: Rhoten, Benedict, Syracuse and Hurt

10. [RS2023-2198](#)

A resolution adopting a new pay plan for employees of the Metropolitan Board of Health, effective July 1, 2023.

Analysis

This resolution is the pay plan for the employees of the Board of Health to take effect July 1, 2023. The Health Department has its own pay plan because Section 10.107 of the Metro Charter provides that the Board of Health shall constitute a civil service board with respect to the Health employees. The primary effect of this resolution would be to continue the pay plan, continue increment pay, provide a 4% cost-of-living-adjustment (COLA), and provide for the possibility of merit pay increases for open range employees. Step increases known as "increments" are pay increases for certain employment classifications on a six month, one year, eighteen month, or two year interval, depending upon the position. In addition to step increases, the equivalent of an additional 3% merit pay increase would be available for open range employees (who do not receive increments). The amount of individual raises for open range employees are determined by department heads. The pay plan contemplates that open range employees are to be paid based upon merit, not length of service.

Per section 12.10 of the Metropolitan Charter, pay plans may not be amended by the Council except by making uniform modifications of all employment grades (because the relationship between pay grades must remain the same under the Charter). The pay plan submitted by this resolution has been approved by the Finance Director, the Board of Health, and the Mayor.

Sponsors: Rhoten, Benedict, Syracuse and Hurt

11. [RS2023-2199](#)

A resolution adopting an annual salary increase for general officers and the Sheriff of the Metropolitan Government.

Analysis

This resolution increases the annual salary for general officers and the Sheriff of the Metropolitan Government.

According to Tenn. Code Ann. § 8-24-102, "general officers" include the Davidson County assessor of property, circuit court clerk, clerk and master, county clerk, criminal court clerk, juvenile court clerk, register of deeds, and trustee. The state law also requires that the salary of the sheriff be at least 10% higher than the general officers. The salary set by state law for general officers including assessor of property, clerk and master county clerk, juvenile court clerk, register of deeds, trustee is \$157,052. The salary set by state law for circuit court clerk and criminal court clerk is \$172,757.20 - note that this higher salary reflects that the clerks of court serve more than one clerk. The salary set by state law for sheriff is \$190,032.92.

This resolution increases the salary for all general officers by \$11,143.11 over the minimum salary. The salary for sheriff would be increased by \$12,257.42 over the minimum salary.

Sponsors: Rhoten, Benedict and Hurt

12. [RS2023-2200](#)

A resolution accepting a Historic Preservation Fund - Underrepresented Community grant from the U. S. Department of the Interior, National Park Service, to the Metropolitan Government, acting by and through the Metropolitan Nashville Historical Commission, to develop a countywide historic context for Nashville and Davidson County's 20th Century African American Districts.

Analysis

This resolution accepts a Historic Preservation Fund - Underrepresented Community Grant from the U.S. Department of the Interior, National Park Service to the Metropolitan Nashville Historical Commission in an amount not to exceed \$57,963 with a required cash match of \$4,841. This grant will fund a field survey and completion of historical documentation of Nashville's mid-20th century African American historic districts. The deliverables include documentation for the National Register of Historic Places ("NRHP"), including countywide historical context and preparation of at least one new or amended NRHP nomination related to the historic context. The grant term begins on April 1, 2023, and ends on March 31, 2025.

Sponsors: Rhoten, Withers, Syracuse, Hancock, Hurt, Suara and Welsch

13. [RS2023-2201](#)

A Resolution approving the activities and improvements eligible for tax increment financing in the Metropolitan Development and Housing Agency Redevelopment Districts.

Analysis

This resolution approves the activities and improvements eligible for tax increment financing in the Metropolitan Development and Housing Agency ("MDHA") Redevelopment Districts.

MDHA oversees 11 Redevelopment Districts in Nashville. Nine Redevelopment Plans have remaining bond capacity, as follows:

- Arts Center -- \$8,594,000
- Bordeaux -- \$15,000,000
- Cayce Place -- \$30,000,000
- Central State -- \$7,500,000
- East Bank -- \$17,991,000
- Jefferson Street -- \$14,014,000
- Phillips Jackson -- \$6,819,000
- Rutledge Hill -- \$2,648,000
- Skyline -- \$4,858,000

Section 5.05.060 of the Metropolitan Code of Laws directs MDHA to make periodic assessments of the activities and improvements eligible for tax increment financing under each Redevelopment Plan. MDHA held ten meetings and conducted five surveys for each district and also conducted a separate survey for the greater community in the first two quarters of

2022 to gather resident and owner input for priorities in the Redevelopment Districts.

This resolution provides that MDHA has complete an assessment of the activities and improvements for tax increment financing in accordance with Section 5.06.060 of the Metropolitan Code. The priorities in all Redevelopment Districts are for affordable housing related infrastructure, transit, greenways, pedestrian-ways, infrastructure, and historic preservation.

Pursuant to Section 5.06.060, for an assessment to be complete, the Council must agree on the activities and improvements that are eligible for tax increment financing under the plan. The Council may indicate agreement by the passage of a resolution approved by 21 votes.

Sponsors: Mendes, Rhoten, Withers and Allen

14. [RS2023-2202](#)

A resolution approving amendment one to a grant from the Tennessee Emergency Management Agency to the Metropolitan Government, acting by and through the Department of Finance, to provide for reimbursement of COVID related eligible expenses pursuant to Presidential Disaster Declaration number FEMA-4514-DR-TN.

Analysis

This resolution approves amendment one to a grant from the Tennessee Emergency Management Agency to the Department of Finance. The original agreement was approved by Resolution No. RS2021-1202. The grant is used to provide for reimbursement of COVID related eligible expenses pursuant to Presidential Disaster Declaration number FEMA-4514-DR-TN.

The amendment increases the amount of the grant by \$18,700,238.44, from \$14,944,140.20 to \$33,644,378.64. There is no change to the term of the grant.

Sponsors: Rhoten

15. [RS2023-2203](#)

A resolution approving an agreement between the Tennessee Wildlife Resources Agency ("TWRA") and the Metropolitan Government of Nashville and Davidson County, by and through the Metropolitan Nashville Police Department ("MNP"), to issue Boating Law Enforcement Commissions to selected members of the MNP.

Analysis

This resolution approves an agreement between the Tennessee Wildlife Resources Agency ("TWRA") and the Metropolitan Nashville Police Department ("MNP") to issue boating law enforcement commissions to selected members of the MNP.

Pursuant to the agreement, certain officers of the MNP will be authorized to enforce the provisions of Chapter 9 of Title 69 of the Tennessee Code, often called the Boating Safety Act of 1965. MNP agrees to utilize the policies of the TWRA related to issuing of citations and

accident investigations and reporting. MNPD certifies that officers commissioned under the agreement meet all qualifications, standards, and guidelines required by law.

Sponsors: Syracuse and Hancock

16. [RS2023-2204](#)

A resolution accepting a grant from the Tennessee Department of Finance and Administration to the Metropolitan Government, acting by and through the Office of Family Safety, to fund staffing positions to help manage the multi-disciplinary needs of its clients.

Analysis

This resolution accepts a grant from the Tennessee Department of Finance and Administration to the Office of Family Safety in amount not to exceed \$386,875 with no cash match required. This grant will provide funding for five advocate positions to help manage the multi-disciplinary needs of its clients at Jean Crowe Advocacy Center and the Family Safety Center. The term of the grant begins July 1, 2023 and ends on June 30, 2024.

Sponsors: Rhoten, Syracuse, Hurt and Suara

17. [RS2023-2205](#)

A resolution accepting a STOP, Fatality Review grant from the Tennessee Department of Finance and Administration to the Metropolitan Government, acting by and through the Office of Family Safety, to promote a coordinated, multi-disciplinary approach to improving the criminal justice system's response to sexual assault, domestic violence, dating violence, and stalking crimes.

Analysis

This resolution accepts a STOP, Fatality Review grant from the Tennessee Department of Finance and Administration to the Office of Family Safety in an amount not to exceed \$300,000 with no cash match required. This grant will provide for funding five advocates at the Jean Crowe Advocacy Center and the Family Safety Center to promote a coordinated, multi-disciplinary approach to improving the criminal justice system's response to sexual assault, domestic violence, dating violence and stalking crimes. The term of the grant begins on July 1, 2023, and ends on June 30, 2026.

Sponsors: Rhoten, Syracuse, Suara and Welsch

18. [RS2023-2206](#)

A resolution approving the grant contract issued and entered into, by and between the Metropolitan Government of Nashville and Davidson County ("Metropolitan Government"), and Planned Parenthood of Tennessee and Northern Mississippi ("Recipient"), for funds appropriated pursuant to Substitute Resolution RS2022-1734 appropriating a total of \$500,000 from the Metropolitan Government to Recipient.

Analysis

This resolution approves a grant contract to Planned Parenthood of Tennessee and Northern Mississippi in an amount of \$500,000. The Council previously appropriated funding for this

purpose pursuant to Substitute Resolution RS2022-1734. This grant will be used by Planned Parenthood of Tennessee and Northern Mississippi to provide comprehensive sexual health education in Nashville and Davidson County and distribute safer sex supply kits, family planning counseling, birth control counseling, and birth control products. The grant term begins June 6, 2023 and ends on June 30, 2023.

Sponsors: Porterfield, Rhoten, Syracuse, Hurt and Welsch

19. [RS2023-2207](#)

A resolution accepting a grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to implement and coordinate activities and services related to HIV prevention, testing, diagnosis, treatment, and surveillance

Analysis

This resolution accepts a grant from the Tennessee Department of Health to the Metropolitan Board of Health in an amount not to exceed \$320,427 with no cash match required. This grant will be used to provide funds to implement and coordinate activities and services related to HIV/AIDS/STD prevention, testing, diagnosis and treatment, and surveillance including the provision of medical support services in accordance with HIV biomedical prevention standards consistent with the CDC HIV PrEP Clinical Practice Guidelines. The term of this grant begins January 1, 2023, and ends on May 31, 2023.

Sponsors: Rhoten, Syracuse and Welsch

20. [RS2023-2208](#)

A resolution accepting a grant from the Friends of Metro Animal Care and Control to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide funding for emergency medical care for shelter animals.

Analysis

This resolution accepts a grant from the Friends of Metro Animal Care and Control to the Metropolitan Board of Health in an amount not to exceed \$10,000 with no cash match required. This grant will be used to provide for emergency medical care for shelter animals.

Sponsors: Rhoten, Syracuse, Hancock and Bradford

21. [RS2023-2209](#)

A resolution accepting the Healthy Start Initiative - Eliminating Racial/Ethnic Disparities 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 a variety of services in reducing infant mortality for pregnant and parenting women.

Analysis

This resolution accepts the Healthy Start Initiative - Eliminating Racial/Ethnic Disparities Grant from the U.S. Department of Health and Human Services to the Metropolitan Board of Health in an amount not to exceed \$1,144,121 with no cash match required. This grant will be used to

provide a variety of services to reduce infant mortality for pregnant and parenting women. The term of this grant begins on April 1, 2023, and ends March 31, 2024.

Sponsors: Rhoten, Syracuse, Hurt, Suara and Welsch

22. [RS2023-2210](#)

A resolution accepting a grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide breast and cervical cancer screening and diagnostic services to eligible individuals.

Analysis

This resolution accepts a grant from the Tennessee Department of Health to the Metropolitan Board of Health in an amount not to exceed \$333,100 with no cash match required. This grant will be used to provide breast and cervical cancer screening and diagnostic services including increasing access to needed services including wellness exams, screenings, follow-ups, and referrals by providing client/patient navigation services that help clients overcome barriers and improve health literacy. The term of this grant begins July 1, 2023, and ends on June 30, 2024.

Sponsors: Rhoten, Syracuse, Hurt, Henderson, Suara and Welsch

23. [RS2023-2211](#)

A resolution approving amendments one and two to a COVID-19 Health Disparities Among Populations grant from the Centers for Disease Control and Prevention to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to address COVID-19 related health disparities and expand capacity and services to prevent and control infection or transmission among underserved populations.

Analysis

This resolution approves amendment one and two to a grant from the Centers for Disease Control and Prevention to the Metropolitan Board of Health. The grant, originally approved pursuant to Resolution No. RS2021-1045, is used to address COVID-19 related health disparities and expand capacity and services to prevent and control infection or transmission among underserved populations. This includes implementation of a collaborative, multilevel, culturally informed approach to expand access to COVID-19 testing and vaccine administration and to reduce disparities among Nashville's underserved African American, Hispanic, immigrant, and refugee communities.

Amendment one changes the Project Director/Principal Investigator from Brad Thompson to Erika Leslie, M.D. Amendment two changes the Authorized Official from Tina Lester to Melva Black M.D., and extends the terms of the agreement from May 31, 2023, to May 31, 2024. There are no changes to the grant award amount.

Sponsors: Rhoten, Syracuse, Hurt and Welsch

24. [RS2023-2212](#)

A resolution approving amendment four 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 of 2.5 for fine particulate matter (PM) in Nashville, Tennessee.

Analysis

This resolution approves the fourth amendment to a grant from U.S. Environmental Protection Agency (“EPA”) to the Metropolitan Board of Health for the ongoing collection of data on ambient air concentrations of 2.5 for fine particulate matter in Nashville. The original agreement was approved by Resolution No. RS2020-681, amended by Resolutions No. RS2021-996, RS2022-1530, and RS2022-1652. This is a routine grant and the Metro Health Department is responsible for air quality monitoring in Nashville and Davidson County on behalf of the EPA. The term of the grant began April 1, 2020.

The amendment increases the amount of the grant by \$130,000, from \$390,000 to \$520,000. The end date of the grant is March 31, 2024 and will not be amended.

Sponsors: Rhoten, Syracuse, Hancock, Hurt and Welsch

25. [RS2023-2213](#)

A resolution appropriating a total of \$6,817,680 from Metropolitan Social Services to various nonprofit organizations for the provision of services to those experiencing homelessness and to maintain housing opportunities.

Analysis

This resolution appropriates \$6,817,680 from Metropolitan Social Services to five non-profit organizations for the provision of services to those experiencing homelessness and to maintain housing opportunities. The appropriations are as follows:

- \$900,000 to Park Center, Inc. to provide SSI/SDI eligibility assessments and/or initial SSI/SDI application assistance
- \$143,629 to Colby’s Army, Inc. to provide peer supportive services with a trained peer passport specialist to those experiencing homelessness and to those who have recently been housed
- \$2,499,051 to Step Up on Second Street, Inc. to provide an array of services and support to members in housing stability
- \$3,000,000 to Mending Hearts, Inc. to provide, identify, engage, and support adults within a housing first model in accessing and engaging with the recovery and support services needed to successfully maintain housing and transition to health and wellness
- \$275,000 to Room in the Inn, Inc. to provide nutritious meals for newly housed individuals residing in Interim Housing, while scaling up to 75 meals per day

The resolution also approves the execution of grant contracts with each of the nonprofit organizations listed above. The grant contracts are attached to the resolution.

Sponsors: Rhoten, Hausser and Welsch

26. [RS2023-2214](#)

A resolution supporting a permanent public art lighting installation in North Nashville and

approving an application for a license agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) and the State of Tennessee (“the State”), acting by and through the Tennessee Department of Transportation (“TDOT”), relating to the use of certain space on Arthur Avenue under the I-40/I-65 bridge for the permanent public art lighting installation (“the Project”).

Analysis

This resolution supports a permanent public art lighting installation in North Nashville and also approves an application for a license agreement between the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) and the Tennessee Department of Transportation (“TDOT”) related to the use of certain space on Arthur Avenue under the I-40/I-65 bridge for the permanent public art lighting installation.

This art installation was previously accepted by the Council pursuant to Resolution No. RS2021-1177, which accepted a grant not to exceed \$75,000 for the public art lighting installation.

Sponsors: Taylor, Rhoten, Pulley and Hurt

27. [RS2023-2215](#)

A resolution approving an intergovernmental license agreement entered into by and between the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”), and the State of Tennessee, acting by and through its Commissioner of Transportation (“the State”), granting NDOT permission to use a portion of the sound wall along I-40 on Carroll Street from Charles E. Davis Boulevard to 1st Avenue to install, operate, and maintain transportation artwork on the Carroll Street-facing side of the existing sound wall along I-40.

Analysis

This resolution approves an intergovernmental license agreement between the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) and the Tennessee Commissioner of Transportation granting NDOT permission to use a portion of the sound wall along I-40 on Carroll Street from Charles E. Davis Boulevard to 1st Avenue to install, operate, and maintain transportation artwork.

The initial plans for this artwork and the application for the license agreement were previously approved by Council pursuant to Resolution No. RS2022-1629. This artwork project, entitled “Athens of the South”, will be installed on the soundwall.

The license will be given from the State to NDOT at no cost. The license is for a ten-year term and is renewable.

Sponsors: Rhoten, Pulley and Hurt

28. [RS2023-2216](#)

A resolution accepting a donation from Metrocenter North Owner, LLC in the amount of

\$55,800 as a contribution towards infrastructure improvements in the vicinity of 550 Great Circle Road.

Analysis

This resolution accepts a donation from Metrocenter North Owner, LLC to the Nashville Department of Transportation in the amount of \$55,800. Metrocenter North Owner, LLC plans to develop a parcel of property at 550 Great Circle Road in Nashville. This donation will be used towards the estimated cost of infrastructure improvements in the vicinity of 550 Great Circle Road.

Sponsors: Rhoten and Pulley

29. [**RS2023-2217**](#)

A resolution authorizing First Watch Restaurants, Inc. to construct, install, and maintain an aerial encroachment at 211 Commerce Street (Proposal No. 2023M-003EN-001).

Analysis

This resolution authorizes First Watch Restaurants, Inc., to construct, install, and maintain an aerial encroachment at 211 Commerce Street. The encroachment comprises two flip-up windows, encroaching upon the space above the public sidewalk on 3rd Avenue North and the public right-of-way on property located at 211 Commerce Street. 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

30. [**RS2023-2218**](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Robert Newsome against the Metropolitan Government of Nashville and Davidson County in the amount of \$14,000.00, with said amount to be paid from the Self-Insured Liability Fund.

Analysis

On October 16, 2020, Robert Newsome was riding in a car driven by his wife. Mr. Newsome was being dropped off at the Cumberland View Apartments, located at the corner of 25th Avenue and Dowlan Street, where he was employed as a maintenance work and grounds keeper. At the same time, an NDOT employee stopped at that location to use the restroom. As the NDOT employee was attempting to back up his vehicle, he struck the rear of the Newsomes' vehicle. Mr. Newsome was exiting the vehicle when the collision occurred and was caught between the open car door and the NDOT vehicle.

Mr. Newsome sought treatment for left leg pain and swelling. He was prescribed a course of physical therapy and attended over 25 visits in a two-month period. Mr. Newsome incurred

\$9,118 in medical expenses.

The Department of Law recommends settlement of Mr. Newsome's personal injury claim for \$14,000.

Disciplinary action taken against the NDOT employee involved consisted of a verbal reprimand.

Fiscal Note: This \$14,000 settlement, along with the settlements per Resolution Nos. RS2023-2228, RS2023-2229, RS2023-2230, and RS2023-2231 would be the 32nd, 33rd, 34th, 35th and 36th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$1,406,499. The fund balance would be \$18,224,942 after these payments.

Sponsors: Rhoten

31. [RS2023-2219](#)

A resolution approving an option agreement between the Metropolitan Government of Nashville and Davidson County and Friends of Warner Parks, Inc., authorizing the purchase of certain property owned by Friends of Warner Parks, Inc. (Parcel No. 143000029) (Proposal No. 2023M-017AG-001).

Analysis

This resolution approves an option to purchase the property located at 0 Highway 100 (Parcel No. 143000029) for use as part of the public park system. This property is currently owned by Friends of Warner Parks, Inc. and consists of a total of 4.6 acres.

The fair market value of this property has been determined to be \$150,000. The acquisition of these properties has been approved by the Board of Parks and Recreation and the Planning Commission.

Fiscal Note: Metro Parks Department will pay Friends of Warner Parks, Inc in the amount of \$150,000, for the 4.6 acres on Highway 100. According to the Property Appraiser's website, the appraised value for Parcel Number 143000029 is \$149,000.

Sponsors: Henderson, Rhoten, Withers, Hurt and Porterfield

32. [RS2023-2220](#)

A resolution accepting a Project Safe Neighborhood (PSN) grant from the Tennessee Department of Finance and Administration to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department, to reduce gun related violence in Nashville by using data and network analysis, funding additional staff overtime, and purchasing added forensic equipment.

Analysis

This resolution accepts a Project Safe Neighborhood ("PSN") grant from the Tennessee Department of Finance and Administration to the Metropolitan Nashville Police Department. This grant is an amount not to exceed \$167,335.00 with no cash match required. The funding will be used to reduce gun-related violence in Nashville by using data and network analysis, funding additional staff overtime, and purchasing added forensic equipment. The term of this

grant begins on July 1, 2023 and ends after 15 months.

Sponsors: Rhoten, Syracuse and Hurt

33. [RS2023-2221](#)

A resolution accepting a Victim of Crime Act (VOCA) grant from the Tennessee Department of Finance and Administration, to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department, to fund additional staffing, enhance services, and serve more victims of crime.

Analysis

This resolution accepts a Victim of Crime Act (“VOCA”) grant from the Tennessee Department of Finance and Administration to the Metropolitan Nashville Police Department in amount not to exceed \$474,455 with no cash match required. This grant will provide for one Police Counselor II, one Advocate Specialist, four Outreach Advocates, supplies, and travel. The term of the grant begins on July 1, 2023 and ends on June 30, 2024.

Sponsors: Rhoten, Syracuse, Hurt, Suara and Welsch

34. [RS2023-2222](#)

A resolution approving an application for a Community Policing Development - Officer Recruitment grant from the U. S. Department of Justice to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department, to increase the number of qualified applicants and retain current officers by creating a positive work environment that supports diversity and inclusivity.

Analysis

This resolution approves an application for a Community Policing Development - Officer Recruitment grant from the U.S. Department of Justice to the Metropolitan Nashville Police Department. If the grant is awarded, the award would be \$175,000.00 with no required cash match required. The proceeds of this grant would be used to retain current officers and increase the number of qualified applicants by creating a positive work environment that supports diversity and inclusivity.

Sponsors: Rhoten, Syracuse, Hancock and Hurt

35. [RS2023-2223](#)

A resolution amending Ordinance No. BL2021-694, as substituted, to extend the completion date the Metropolitan Department of Water and Sewerage Services has to prepare a Stormwater Masterplan to July 1, 2028.

Analysis

This resolution amends Ordinance No. BL2021-694 to extend the completion date that the Metropolitan Department of Water and Sewerage Services has to prepare a Stormwater Master Plan.

Ordinance No. BL2021-694, approved by the Council on June 1, 2021, required a report

identifying upgrades needed to conform to Manual Standards, along with the estimated cost of such upgrades, to be provided to the Council by July 1, 2023. The ordinance provides that the completion date may be extended to December 31, 2023, by a resolution of the Council. If the completion date is extended, MWS must provide an interim update to the Council by July 1, 2023.

This resolution seeks to amend BL2021-694 to extend the completion date beyond December 31, 2023, to July 1, 2028. An extension beyond December 31, 2023 is not contemplated by BL2021-694. Additionally, this resolution provides that MWS will provide annual updates to the Council by July 1 of each year.

Sponsors: Pulley and Syracuse

36. [RS2023-2224](#)

A resolution approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and Camden Development, Inc., to provide stormwater infrastructure improvements through funding the design and construction of an improved stormwater system (MWS Project No. 2022059224 and Proposal No. 2023M-014AG-001).

Analysis

This resolution approves a participation agreement between the Metropolitan Department of Water and Sewerage Services (“MWS”) and Camden Development, Inc.

The Council passed Ordinance No. BL2022-1214 on May 17, 2022, which authorizes MWS to enter into participation agreements with developers for infrastructure projects via resolutions. This is codified at Metropolitan Code of Laws Section 15.36.130.

Pursuant to the terms of this participation agreement, Camden Development, Inc. has agreed to provide on-site stormwater control measures and to provide MWS the amount of \$500,000 to fund the design and construction of the current and new stormwater infrastructure, according to the terms of the Nations Area Stormwater Improvement Project Participation Agreement - Camden Nations.

Fiscal Note: The Department of Water and Sewerage Services will receive \$500,000 from Camden Development, Inc. to fund the design and construction of the current and new stormwater systems in the Richland Creek Basin.

Sponsors: Roberts, Rhoten, Withers and Pulley

37. [RS2023-2225](#)

A resolution to amend Ordinance No. BL2022-1418 to authorize The Metropolitan Government of Nashville and Davidson County to accept additional sanitary sewer manhole, to modify sanitary sewer main and associated easements, for three properties located at 2135 and 2141 Waterside Drive and 2200 Bowline Avenue, also known as The Landings at River North (MWS Project Nos. 20-WL-23 and 20-SL-41, and Proposal Nos. 2022M-110ES-001 and 2023M-063ES-001).

Analysis

Ordinance No. BL2022-1418, approved by the Council on October 5, 2022, authorized the acceptance of approximately 1,078 linear feet of new eight-inch water main (DIP), approximately 375 linear feet of new 10-inch sanitary sewer main (DIP), approximately 554 linear feet of new 10-inch sanitary sewer main (PVC), one fire hydrant assembly, six sanitary sewer manholes and easements, and the relocation of one fire hydrant assembly, for three properties located at 2135 and 2141 Waterside Drive and 2200 Bowline Avenue, also known as The Landings at River North.

This resolution amends BL2022-1418 to accept 258 linear feet of new eight-inch sanitary sewer main (PVC), one additional sanitary sewer manhole and easements. It has been determined that previously approved acceptance of approximately 270 linear feet of 10-inch sanitary sewer main (PVC) is no longer needed to construct this project.

This has been approved by the Planning Commission.

Sponsors: Parker, Withers and Pulley

38. [RS2023-2226](#)

A resolution to amend Ordinance No. BL2022-1079 to authorize The Metropolitan Government of Nashville and Davidson County to accept additional public sanitary sewer main and sanitary sewer manhole, for property located at 3631 Pin Hook Road, also known as Hobson Park (MWS Project Nos. 20-WL-143 and 20-SL-295 and Proposal Nos. 2022M-003ES-001 and 2023M-070ES-001).

Analysis

Ordinance No. BL2022-1079, approved by the Council on February 16, 2022, authorized the acceptance of approximately 3,375 linear feet of new eight-inch water main (DIP), approximately five linear feet of 12-inch water main (DIP), approximately 3,758 linear feet of eight-inch sanitary sewer main (PVD), approximately 322 linear feet of eight-inch sanitary sewer main (DIP), six fire hydrant assemblies, and 29 sanitary sewer manholes and easements, for property located at 3631 Pin Hook Road, also known as Hobson Park.

This resolution amends BL2022-1418 to accept an additional approximately 64 linear feet of new eight-inch sanitary sewer main (PVC) and one additional sanitary sewer manhole.

This has been approved by the Planning Commission.

Sponsors: Withers and Pulley

39. [RS2023-2227](#)

A resolution to amend Ordinance No. BL2022-1095 to authorize The Metropolitan Government of Nashville and Davidson County to abandon existing public water main, to modify the acceptance of public water and sanitary sewer mains and easements, and to update Map and Parcel information, for now one property located at 725 Tulip Grove Road, also known as Tulip Springs Townhomes (MWS Project Nos. 21-WL-37 and 21-SL-85 and

Proposal Nos. 2022M-008ES-001 and 2023M-059ES-001).

Analysis

This resolution amends Ordinance No. BL2022-1095 to abandon existing public water main, modify the acceptance of public water and sanitary sewer mains and easements, and update Map and Parcel information for what is now one property located at 725 Tulip Grove Road, also known as Tulip Springs Townhomes.

Ordinance No. BL2022-1095 accepted approximately 1,357 linear feet of new eight inch water main (DIP), approximately 1,289 linear feet of new eight inch sanitary sewer main (PVC and DIP), three fire hydrant assemblies, nine sanitary sewer manholes and easements, for two properties located at 725 Tulip Grove Road and 4811 Leesa Ann Lane. BL2022-1095 provided that amendments to the ordinance may be approved by resolution.

This amendment authorizes the abandonment of 591 linear feet of eight-inch water main (DIP) and the acceptance of an additional approximately 110 linear feet of new eight-inch water main (DIP) and easement. The acceptance of approximately 46 linear feet of new eight-inch sanitary sewer main (DIP) is no longer needed to complete this project. In addition, this amendment will update the address to reflect that 725 Tulip Grove Road and 4811 Leesa Ann Lane are now known as 725 Tulip Grove Road.

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

Sponsors: Hagar, Withers and Pulley

40. [RS2023-2228](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Laura Beth Boles against the Metropolitan Government of Nashville and Davidson County in the amount of \$21,850.00, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On March 11, 2023, during construction improvements to the 8th Avenue Reservoir, large quantities of water were released causing flooding in the crawl space of 834A Argyle Avenue, owned by Laura Beth Boles. The flooding caused damage to the property's landscaping, artificial turf, and shared driveway. Ms. Boles' expenses to repair the property damage totaled \$21,850.00.

The Department of Law recommends settlement of Ms. Boles' property damage claim in the amount of \$21,850.00.

Fiscal Note: This \$21,850 settlement, along with the settlements per Resolution Nos. RS2023-2218, RS2023-2229, RS2023-2230, and RS2023-2231 would be the 32nd, 33rd, 34th, 35th and 36th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of

\$1,406,499. The fund balance would be \$18,224,942 after these payments.

Sponsors: Rhoten

41. [RS2023-2229](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Christian Bennerman against the Metropolitan Government of Nashville and Davidson County in the amount of \$54,178.00, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

In October 2022, Christian Bennerman requested that the water be turned off at his rental property located at 942 33rd Avenue North. Metro Water Services did not properly ensure that the water service had been completely turned off resulting in a water leak through a cracked faucet handle. When Mr. Bennerman entered the house in March of 2023, he found major water damage throughout the house, including damage to the window seals, drywall, flooring, trim, doors, stair rails, bathrooms, hall, and bedrooms. The remediation expenses totaled \$54,178.00.

The Department of Law recommends settlement of Mr. Bennerman's property damage claim in the amount of \$54,178.

Disciplinary action against the Metro employee involved consisted of coaching and counseling.

Fiscal Note: This \$54,178 settlement, along with the settlements per Resolution Nos. RS2023-2218, RS2023-2228, RS2023-2230 and RS2023-2231 would be the 32nd, 33rd, 34th, 35th and 36th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$1,406,499. The fund balance would be \$18,224,942 after these payments.

Sponsors: Rhoten

42. [RS2023-2230](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Mitchell Barsotti against the Metropolitan Government of Nashville and Davidson County in the amount of \$170,000.00, and that said amount be paid from the Self-Insured Liability Fund.

Analysis

On August 6, 2022, a Metro Water Services ("MWS") employee was driving a Metro vehicle when he attempted to go through a red traffic signal at the intersection of Old Hickory Boulevard and Stone Brook Drive. Mitchell Barsotti driving his vehicle in the left turn lane on Stone Brook Drive proceeding to turn left onto Old Hickory Boulevard through a green traffic signal when he was struck by the MWS vehicle. Mr. Barsotti's vehicle was deemed a total loss and a property damage claim has previously been paid to his insurance company.

Mr. Barsotti received treatment for a minor head injury, neck strain, and an elbow contusion.

He followed up with his primary care physician and orthopedist where he was diagnosed with an acute partial tear of the distal triceps tendon and a spinal disc bulge. Mr. Barsotti underwent surgery and physical therapy. He was released from care in February 2022. Mr. Barsotti's medical expenses totaled \$56,382.63.

The Department of Law recommends settlement of Mr. Barsotti's personal injury claim for \$170,000.00.

Disciplinary action against the MWS employee involved consisted of a verbal reprimand.

Fiscal Note: This \$170,000 settlement, along with the settlements per Resolution Nos. RS2023-2218, RS2023-2228, RS2023-2229 and RS2023-2231 would be the 32nd, 33rd, 34th, 35th and 36th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$1,406,499. The fund balance would be \$18,224,942 after these payments.

Sponsors: Rhoten

43. [RS2023-2231](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Josmar Jordan against the Metropolitan Government of Nashville and Davidson County in the amount of \$21,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On May 21, 2022, Josmar Jordan was driving northbound on Spence Lane. A Metro Water Services ("MWS") employee was driving southbound on Spence Lane in a Metro-owned dump truck. As both vehicles approached a curve in the roadway, Mr. Jordan's vehicle crossed into the MWS employee's lane of travel. The police report indicated that Mr. Jordan failed to keep his vehicle in the proper lane, however, the Metro employee involved failed to provide a statement and did not complete the accident form for MWS.

Mr. Jordan was transported by ambulance to the hospital. He had significant blood loss, oral and facial lacerations, a severed bottom lip, fractures of his left femur and ribs, and contusions. Multiple x-rays were taken and CT scans were performed of his head, spine, and chest. Mr. Jordan underwent surgery for his lip and fractured femur. Mr. Jordan's total medical bills were \$168,255.62.

The Metro dump truck received damage totaling \$30,433.02. Mr. Jordan's vehicle was deemed a total loss.

The Metropolitan Department of Law recommend settlement of Mr. Jordan's personal injury claim for \$21,000.

Fiscal Note: This \$21,000 settlement, along with the settlements per Resolution Nos. RS2023-2218, RS2023-2228, RS2023-2229 and RS2023-2230 would be the 32nd, 33rd, 34th, 35th and 36th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of

\$1,406,499. The fund balance would be \$18,224,942 after these payments.

Sponsors: Rhoten

J. Bills on Second Reading

155. [BL2021-920](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main and easements, and to accept new sanitary sewer mains, sanitary sewer manholes and easements, for three properties located at 5540 Oakmont Circle and 262 and 264 White Bridge Pike, (MWS Project No. 20-SL-317 and Proposal No. 2021M-071ES-001).

Analysis

This ordinance abandons approximately 225 linear feet of existing eight inch sanitary sewer main (LINED) and easements, and accepts approximately 188 linear feet of new eight inch sanitary sewer main (PVC), approximately 101 linear feet of new eight inch sanitary sewer main (DIP), four sanitary sewer manholes and easements, for three properties located at 5540 Oakmont Circle and 262 and 264 White Bridge Pike. Future amendments to this ordinance may be made by resolution. This has been approved by the Planning Commission.

Because this ordinance has been deferred for more than 90 days, it will be deferred for one meeting pursuant to Council Rule 43.

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: Murphy and Nash

156. [BL2022-1449](#)

An ordinance creating Chapter 2.153 of the Metropolitan Code of Laws establishing a Bicycle and Pedestrian Advisory Commission.

Analysis

This ordinance creates a Bicycle and Pedestrian Advisory Commission, who will advise the mayor, council, and relevant Metropolitan departments and provide written formal recommendations when necessary. This will be a thirteen-member commission. Eleven members will be appointed by the mayor, one member will be appointed by the vice mayor, and one member will be elected by the council. All appointments must be confirmed by a majority of the membership to which the council is entitled. All members serve without compensation. The membership of the commission must reflect the diversity of the citizens of Nashville and Davidson County. The mayor will select the chair from the voting membership of the committee and the chair will serve for one year.

The eleven members appointed by the mayor would be selected from the following categories:

- One member from a non-profit community group advocating biking and walking;

- One member who is a student or faculty member from a local university;
- One member from a local organization that represents disabled persons;
- One member who is a transportation planning, policy, or design professional;
- One member from either AARP, Fifty-Forward, or other senior citizen advocacy organization;
- One member of a local bicycle club;
- One member of a walking, running, or hiking club;
- One member from an urban planning or multi-modal transportation support organization;
- One member from a parks or greenways friends group; and
- Two members who are interested in biking and walking.

In addition to the thirteen voting members, the mayor, the director of the metro health department, the director of the parks department, the director of the department of transportation and multimodal infrastructure, the chief of the metropolitan police department, the superintendent of metro public schools, the director of the metro planning department, and the director of WeGo would serve as ex officio members. Ex officio members have no vote and do not count toward quorum.

Members of the committee will serve staggered four-year terms. A position on the committee will be deemed vacant based upon failure to attend two consecutive meetings.

The duties and purpose of the Bicycle and Pedestrian Advisory Commission is to advise the mayor, council, and relevant departments and to provide formal recommendations related to the following:

- Promotion of bicycling and walking to the mayor, council, and departments.
- Promotion of the WalknBike Strategic Plan, the Vision Zero Plan and bicycle, greenway and pedestrian infrastructure projects to the mayor and council.
- Promotion of the integration of bicycling, shared mobility devices, and walking in the metropolitan government's planning, design, and development of transportation facilities including bikeways and greenways.
- Working with local businesses, governmental agencies, and community organizations to encourage bicycling and walking and promote community investment in bicycle racks, signage, markings and other facilities and programs.
- Working with the metropolitan government, board of education, and community groups to foster programs to educate all age groups on safe bicycling and walking skills.
- Developing and distributing informational, educational, and promotional materials for bicyclists, pedestrians, and motorists.
- Providing guidance and serving as a resource to the department of transportation and multimodal infrastructure, department of parks and recreation and the planning department in developing long-range plans to encourage increased micromobility, bicycling, and walking.
- Build a more inclusive bicycling community by representing the needs of the diverse

population of bicyclists in the city.

- Provide guidance to the mayor, council, and departments on the implementation of bike share systems and shared micromobility programs.

The commission will hold regular monthly meetings and meet no less than ten times per year. Special meetings can be called by the chair. Meetings must be publicly noticed at least two weeks in advance and all relevant documents must be made available on Nashville.gov.

The commission will report quarterly to the council's Transportation and Infrastructure Committee and the Public Facilities, Arts, and Culture Committee, as needed and requested. The report may be by writing or by appearance. The commission will also submit an annual report to the council and mayor on the activities of the commission during that year, including a report on improvements and remaining needs in the bicycling and walking infrastructure. The commission will also hear from members of the public at called meetings to the extent possible.

Departments will work cooperatively with the commission in meeting these requirements and provide assistance as required. The Department of Transportation and Multimodal Infrastructure will provide day to day staffing and assistance to the commission as it may require.

Because this ordinance has been deferred for more than 90 days, it will be deferred for one meeting pursuant to Council Rule 43.

Sponsors: OConnell, Parker, Benedict, Allen, Porterfield, Cash, Welsch, Styles and Hancock

157. [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

158. [BL2023-1868](#)

An ordinance establishing the tax levy in the General Services District for the fiscal year 2023-2024, and declaring the amount required for the annual operating budget of the Urban Services District, pursuant to section 6.07 of the Metropolitan Charter.

Analysis

This ordinance approves the property tax levy for FY24. Section 6.07 of the Metropolitan Charter provides that the Council's next order of business upon adopting the annual operating budget is to adopt a tax levy that fully funds that budget. The property tax rate proposed by the Mayor is identical to the FY23 property tax rate. The property tax rate will remain \$2.992 in the General Services District and will remain \$0.332 in the Urban Services District. This tax levy rate is projected to be sufficient to fully fund the Mayor's proposed FY24 operating budget.

The tax levy is amendable on third reading. Following the adoption of the tax levy ordinance the Urban Council must meet to approve a separate resolution to approve the property tax rate as proposed for the Urban Services District.

Sponsors: Rhoten and Gamble

159. [BL2023-1869](#)

An ordinance to amend Title 6, Chapter 77, Article I of the Metropolitan Code of Laws, regarding renewal of Entertainment Transportation certificates of public necessity and convenience and Entertainment Transportation vehicle permits.

Analysis

This ordinance amends Chapter 6.77 of the Metropolitan Code of Laws ("MCL") regarding the renewal of permits for entertainment transportation vehicles.

This ordinance would amend MCL Section 6.77.030 to require that, prior to issuing any new certificates of public convenience and necessity, renewing any previously issued certificates, or adding any additional permitted vehicles to an existing certificate holder's permitted fleet, the Metropolitan Transportation Licensing Commission ("MTLC") must determine what number of entertainment transportation vehicle service providers and vehicles are required by the public

convenience and necessity, in the metropolitan government area.

The ordinance would also amend MCL Section 6.77.060 regarding the annual renewal of certificates to clarify that, in addition to the applicant meeting all applicable standards for renewal, a certificate may not be renewed if the MTLC has determined that the number of entertainment transportation vehicles exceeds the public need pursuant to MCL Section 6.77.030. If the MTLC determines that the number of entertainment transportation vehicles already in operation exceeds the public need and is adding to traffic congestion, the MTLC would be required to determine the lower number of vehicles that would meet the public need. Notice would be provided to all renewing and new applicants that it may not be possible to renew all certificates and or vehicle permits from the preceding year. If any existing permits are not renewed due to the reduction of the number of permits, non-renewed permitted vehicles may continue operating for 100 days from the date of non-renewal.

MCL Section 6.77.090 would be amended to remove language about not renewing a certificate.

Sponsors: Pulley and Young

160. [BL2023-1870](#)

An ordinance to amend Title 7 of the Metropolitan Code of Laws, the Alcoholic Beverage Regulations of the Metropolitan Government of Nashville and Davidson County, exempting from the arterial-boulevard requirement, a retail location near Charlotte Park, all of which is described herein.

Analysis

This ordinance amends Section 7.16.030 of the Metropolitan Code of Laws regarding where a retail liquor store may be located. Current Metro law authorizes liquor to be sold at retail locations, provided the following criteria are met: (1) the proposed location is within the Urban Services District, (2) the proposed location is on, or has its principal access to, an existing arterial-boulevard as shown on the major street plan as adopted by the metropolitan planning commission; and (3) the proposed location is within major commercial concentrations having a land area of ten or more contiguous commercially developed acres.

For the second criteria, there are currently two exceptions to the requirement that the location be on an arterial-boulevard: (1) retail locations with an entertainment event center adjoining as a separate business on a commercial property that consists of 2.24 acres within a strip shopping center as of 2018, located 750 feet from the nearest existing arterial boulevard and located on collector-avenues or local streets no more than 3,960 feet (3/4 of a mile) in length that intersect, at two or more locations, the same existing arterial boulevard and (2) an artisan distillery, as defined in Section 17.04.060 of the Metropolitan Code.

The ordinance under consideration would add another exception to the arterial-boulevard requirement. This exemption would apply to a retail location on a commercial property that consists of approximately four acres within a Master Condominium Property established by Declaration recorded in 2021, located on a collector-avenue or local street no more than 3,960

feet from the nearest existing arterial boulevard and located within 200 yards of Charlotte Park.

Sponsors: Roberts

161. [BL2023-1871](#)

An ordinance amending sections 15.32.210 and 15.44.070 of the Metropolitan Code of Laws to modify the Metropolitan Department of Water and Sewerage Services' reporting requirements.

Analysis

This ordinance amends the Metropolitan Department of Water and Sewerage Services' ("MWS") reporting requirements. Under current Metro law, MWS is required to submit an annual written report to the Metropolitan Council regarding the financial performance of water division and the director must personally appear during the regularly scheduled budget hearing each year. This ordinance will require MWS to maintain financial policies and the financial policies must be included in the annual written report. The report must also include MWS's performance as measured against its policy targets. These new requirements will apply to both the water division and the sewerage division of MWS.

Sponsors: Rhoten and Pulley

162. [BL2023-1872](#)

An ordinance adopting the revised Debt Management Policy for The Metropolitan Government of Nashville and Davidson County.

Analysis

This ordinance will adopt a revised Debt Management Policy for the Metropolitan Government.

State law requires Metro to adopt a debt management policy consistent with provisions set forth in the model policy developed by the TN State Funding Board. Metro first adopted its debt management policy in RS2011-94, which was revised by adoption of BL2017-949.

The debt management policy provides the guidelines to manage the various debt programs operated by Metro - general obligation debt and revenue debt. The policy applies to all debt issued by Metro with the exception of debt issued on behalf of NES. The Sports Authority and the Convention Center Authority are authorized to issue their own debt and will have authority specific debt management policies. Metro's debt management policy will also not apply to its instrumentalities (IDB and HEFB) which will adopt their own policies.

The revised policy adds three new sections: Bond Rating Agency Strategy, Reporting Schedule, and a Glossary; and two new subsections: Legal Requirements Regarding the Authorization, Use and Administration of Debt and a section on Security and Source of Payment for Debt. Sections that are now covered in the State's Debt Manual were removed: Selection of an Underwriting Team, Credit Quality, and Debt Administration.

The policy now addresses governmental financing programs like WIFIA. The professional

service category of Disclosure Counsel is added. Under the debt refinancing section, the targeted debt services savings was reduced to align with market conditions.

Sponsors: Rhoten and Gamble

163. [BL2023-1873](#)

An ordinance creating the positions of Accounts Payable Specialist 1, Accounts Payable Specialist 2, Accounts Payable Specialist 3, Attorney 1, Attorney 2, Attorney 3, Attorney 4, Behavioral Health Services Coordinator, Collections Specialist 1, Collections Specialist 2, Collections Specialist 3, Collections Specialist 4, Crime Lab DNA Technical Lead, Crime Lab Forensic Scientist 4, Data Compliance Technician, Extension Deputy Director, Homeless Services Director, Industrial Maintenance Manager, Payroll Analyst 1, Payroll Analyst 2, Payroll Specialist 1, Payroll Specialist 2, Skilled Craft Leader, and Transportation Administrator.

Analysis

This ordinance creates 24 new positions within the Metropolitan Government. Section 12.10 of the Metropolitan Charter provides that newly created positions within the Metropolitan Government must be approved by ordinance.

The Civil Service Commission, upon the recommendation of the Director of Human Resources and with the agreement of the Mayor, has approved the creation of the following new positions:

- Accounts Payable Specialist 1,
- Accounts Payable Specialist 2,
- Accounts Payable Specialist 3,
- Attorney 1,
- Attorney 2,
- Attorney 3,
- Attorney 4,
- Behavioral Health Services Coordinator,
- Collections Specialist 1,
- Collections Specialist 2,
- Collections Specialist 3,
- Collections Specialist 4,
- Crime Lab DNA Technical Lead,
- Crime Lab Forensic Scientist 4,
- Data Compliance Technician,
- Extension Deputy Director,
- Homeless Services Director,
- Industrial Maintenance Manager,
- Payroll Analyst 1,
- Payroll Analyst 2,
- Payroll Specialist 1,
- Payroll Specialist 2,

- Skilled Craft Leader, and
- Transportation Administrator

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

Sponsors: Rhoten

164. [BL2023-1874](#)

An ordinance approving a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County by and through the Metropolitan Board of Education and the State of Tennessee, on behalf of Nashville State Community College.

Analysis

This ordinance approves a lease agreement between the Metropolitan Board of Education (“MNPS”) and Nashville State Community College. Pursuant to the terms of the lease, MNPS will lease 400 square feet of furnished office space at 120 White Bridge Pike. This includes the right to use all common areas of the building and use of up to three parking spaces. MNPS will use this leased area exclusively for the Gear Up program. The Gear Up program is a federally funded college access grant program authorized by federal law. The purpose of the Gear Up program is to increase the number of low-income and first-generation students who are prepared to enroll in and succeed in college.

The term of the lease begins on April 30, 2023 and ends December 31, 2026. If the Gear Up program is terminated before the end of the lease term, the lease will automatically expire 90 days after the termination or end of the “Gear Up” program. There is no cost to Metro for the lease of this space. However, the value of the rental has been determined to be \$19,445 for the first year and \$14,445 for each subsequent year and is considered part of the State of Tennessee’s match under the Gear Up program.

Sponsors: Murphy and Rhoten

165. [BL2023-1875](#)

An ordinance approving an agreement between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Police Department, and LEAD Cameron to further youth outreach through activities with the Nashville Police Activities League.

Analysis

This ordinance approves an agreement between the Metropolitan Nashville Police Department (“MNPd”) and LEAD Cameron to further youth outreach through activities with the Nashville Police Activities League (“Nashville PAL”).

This agreement outlines the coordination of youth outreach and support between MNPd and LEAD Cameron. The program is intended to foster relationships with youth, community stakeholders, police, first responders, and appropriate resources with the goal of mentoring youth to reduce youth victimization and violence; promote youth education to reduce dropout

rates and increase student engagement; provide alternate and additional resources for LEAD Cameron to assist with intervention where students are deemed to need additional support where appropriate; and to create programs for youth to promote an active and healthy lifestyle.

MNPD will provide employees and volunteers to chaperone with coaching Nashville PAL athletes; encourage youth involvement in programs and activities; and aid with programs beneficial to both parties. LEAD Cameron will maintain a functioning portion of their facility for use by the Nashville PAL program; allow access to their facility by Nashville PAL employees and volunteers; and allow storage of equipment within the space provided.

The term of this agreement begins upon approval by the parties and the Metropolitan Council and will extend for 60 months. Either party may terminate the agreement by providing at least 30 days prior written notice.

A facility event space rental agreement between LEAD Public Schools and MNPD is also attached to the agreement. There is no cost for MNPD's use of this space.

Sponsors: Rhoten and Syracuse

166. [BL2023-1876](#)

An ordinance authorizing the acquisition of certain right of way easements and property rights by negotiation or condemnation for use in public projects of the Metropolitan Government, initially for purposes of the Nashville Department of Transportation and Multimodal Infrastructure Project Number 2022-R-2, 2926 Melvin Road Culvert Replacement Project, (Proposal No. 2022M-179ES-001).

Analysis

This ordinance authorizes the Director of Public Property Administration to acquire by negotiation or condemnation right-of-way easements and property rights for use by the Nashville Department of Transportation and Multimodal Infrastructure for the 2926 Melvin Road Culvert Replacement.

Future amendments to this legislation shall be approved by resolution.

Sponsors: Evans, Rhoten, Withers and Pulley

167. [BL2023-1877](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer easement rights, for property located at 1340 Plum Street (Proposal No. 2023M-048ES-001).

Analysis

This ordinance abandons an existing 20-foot sanitary sewer easement for property located at 1340 Plum Street.

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

Sponsors: Young, Withers and Pulley

168. [BL2023-1878](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water main and fire hydrant assembly, for two properties located at 5770 and 5772 Old Hickory Boulevard, also known as Oslo Hermitage (MWS Project Nos. 23-WL-13 and Proposal No. 2023M-057ES-001).

Analysis

This ordinance accepts approximately 260 linear feet of new eight-inch water main (DIP) and one fire hydrant assembly for properties located at 5770 and 5772 Old Hickory Boulevard.

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: Evans, Withers and Pulley

169. [BL2023-1881](#)

An ordinance authorizing Cannery Owner, LLC; Cannery Owner Investment I LLC to install, construct and maintain encroachments in the right of way located at 521A 8th Avenue South and 1 Cannery Row. (Proposal No. 2023M-007EN-001).

Analysis

This ordinance authorizes Cannery Owner, LLC; Cannery Investment I LLC to install, construct, and maintain encroachments in the right-of-way located at 521A 8th Avenue South and 1 Cannery Row. 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

K. Bills on Third Reading

173. [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, Rhoten and Vercher

174. [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, Withers, Allen and Vercher

175. [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, as amended, 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.

An amendment to the ordinance, added at the May 16, 2023 meeting, condition’s the Council’s approvement of the agreement upon amendments to the agreement to clarify that the campaign will “financially” support efforts to make capital improvements to the Looby

Community Center. In addition, the agreement would be amended to clarify and broaden the types of improvements that may occur.

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, Suara and Welsch

176. [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 re-adoption of the Metro Code to include all ordinances enacted on or before December 22, 2022.

Sponsors: Murphy

177. [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

178. [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

179. [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