



Metro Council

H. Resolutions on Public Hearing

1. [RS2023-2311](#)

A resolution exempting Sabell's, located at 1301 McGavock Pike 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 Sabell's located at 1301 McGavock Pike.

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: Benedict

2. [RS2023-2312](#)

A resolution exempting Fuego Bites, located at 2521 B Nolensville Pike 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 Fuego Bites located at 2521 B Nolensville Pike.

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: Welsch

I. Consent Resolutions and Resolutions

3. [RS2023-2292](#)

A resolution approving an intergovernmental license agreement between The Metropolitan Government of Nashville and Davidson County and the United States of America, acting by and through the Department of Defense, to enter certain property located at 1414 County Hospital Road owned by The Metropolitan Government, for limited military training purposes. (Proposal No. 2023M-028AG-001)

Analysis

This resolution approves an intergovernmental license agreement between the Metropolitan Government and the United States Department of Defense. Pursuant to this license agreement, the Department of Defense would be able to enter property owned by the Metropolitan Government located at 1414 County Hospital Road for the purpose of conducting military training for Department of Defense personnel.

The license is to remain in effect from September 11 to 12, 2023. The Council Office has been advised that this training will consist of individuals working to locate and disarm inert explosive devices, including their ability to reach target packages, perform hand entry techniques, and "disarm" the fake devices. No guns or live explosives will be used during this training.

Fiscal Note: The Department of Defense will use the Metro owned property at 1414 County Hospital Road to conduct military training for personnel at no cost under this agreement.

Sponsors: Rhoten and Withers

4. [RS2023-2295](#)

A resolution approving a grant contract between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Health, and Why We Can't Wait, Inc., for the provision of violence interruption services.

Analysis

The resolution approves a grant contract between the Metropolitan Board of Health and Why We Can't Wait, Inc., for the provision of violence interruption services.

The Community Safety Partnership Fund Advisory Board has recommended \$750,000 to be distributed to Why We Can't Wait, Inc. to be used to deliver a public health approach to reducing violence crime in Nashville and Davidson County. This grant will be used to provide best practices based violence interruption services in collaboration with the Metro Public Health Department. Why We Can't Wait will use these funds to assist with the Cure Violence Model using the following approaches:

- Detecting and interrupting potentially violent conflicts
- Identifying and helping highest risk individuals
- Community mobilization/change behavior norms
- Continual data collection and modeling

The term of the grant contract begins August 1, 2023 and ends on July 31, 2025. Metro will pay to Why We Can't Wait \$750,000 for the performance of this contract.

Sponsors: Rhoten, Syracuse and Hurt

5. [RS2023-2313](#)

A resolution accepting a grant from the State of Tennessee, Administrative Office of the Courts, to the Metropolitan Government for the provision of interpretation/translation services for court hearings involving individuals with limited English proficiency in the Davidson County Trial Courts.

Analysis

This resolution accepts a grant from the State of Tennessee, Administrative Office of the Courts to the Davidson County Trial Courts in an amount not to exceed \$91,901 with no cash match required. This grant will provide for interpretation/translation service for court hearings for individuals with limited English proficiency in the Davidson County trial courts. The term of the grant begins on August 1, 2023 and ends on June 30, 2024.

Sponsors: Rhoten and Welsch

6. [RS2023-2314](#)

A resolution approving an interlocal agreement between the Emergency Communications District for Nashville and Davidson County and The Metropolitan Government of Nashville and Davidson County for the provision of services and reimbursement of costs pertaining to Enhanced-911 services.

Analysis

This resolution approves an interlocal agreement between the Emergency Communications District of Nashville and Davidson County (“ECD”) and the Metropolitan Government for the provision of services and reimbursement of costs pertaining to Enhanced-911 services.

Pursuant to this agreement, Department of Emergency Communications agrees to operate the Enhanced-911 emergency communications systems and services provided by ECD. Through the Nashville Department of Transportation (“NDOT”), Metro will update the AT&T Master Street Address Guide database and notify AT&T of all changes to existing street names and building numbers in the Metro area. Through the Department of General Services, Metro will also provide vehicles for use by the Department of Emergency Communications. ECD will pay Metro \$4,900 for the services provided by NDOT as well as reimbursement for training, a Department of Emergency Communications back-up facility, telephone services at the back-up facility, and fleet expenses. The term of the agreement begins July 1, 2023 and ends on June 30, 2024. Either party may terminate this agreement at an earlier date upon 30 days written notice.

Fiscal Note: Emergency Communications District will pay Metro \$4,900 for the Enhanced-911 services under this agreement.

Sponsors: Rhoten and Syracuse

7. [RS2023-2315](#)

A Resolution authorizing the Metropolitan Development and Housing Agency to negotiate and enter into a PILOT Agreement and accept payments in lieu of ad valorem taxes with respect to a multi-family housing project located at 910 Robinson Road known as Robinson Road Apartments.

Analysis

This resolution authorizes the Metropolitan Development and Housing Agency (“MDHA”) to enter into an agreement to accept payments in lieu of taxes (“PILOT”) for a multi-family housing project located at 910 Robinson Road known as Robinson Road Apartments. In 2016, Ordinance Nos. BL2015-1281, BL2016-334 and BL2016-435 authorized MDHA to negotiate and accept PILOT payments from operators of low income housing tax credit (“LIHTC”) properties, capped at \$2,500,000 annually. If approved, this PILOT, would be the fortieth such PILOT program overall, and the second for MDHA in 2023. Before this project, the amount of annual funding available for LIHTC projects is \$1,977,049 after taking into account Resolution No. RS2023-1985.

PILOT agreements essentially provide tax abatements for real and/or personal property taxes that would otherwise be owed to the Metropolitan Government. PILOTs were historically used by Metro to provide incentives through the Industrial Development Board to large employers to create job opportunities. But Tenn. Code Ann. § 13-20-104 was amended several years ago to give MDHA the authority to enter PILOTs to create affordable rental housing subject to Council approval.

MDHA developed their PILOT program to provide additional financial incentives to developers

considering construction or rehabilitation of affordable housing units through a federally funded LIHTC program. Subsidized LIHTC developments serve those at or below 60% of the average median income (“AMI”) for the Nashville area, which translates to an income cap of \$41,940 for individuals and \$59,880 for families of four in 2023. Once negotiated by MDHA, each PILOT agreement must be approved by the Council by resolution.

The maximum term for the PILOT payments under this program is 10 years. The PILOT agreement would only be available for additional tax liability over and above the pre-development assessed value of the property. The program is available for both existing and new developments, based on financial need. The PILOT lease is to be terminated if the property sits vacant for two years.

MDHA is required by state law to file an annual report with the Council, Assessor of Property, and State Board of Equalization identifying the values of the properties subject to PILOTs, the date and term for each PILOT, the amount of PILOT payments made, and a calculation of the taxes that would otherwise be owed.

The owner of the property, Robinson Apartments, LP plans to construct approximately 39 units to be restricted to individuals and families earning at or below 60% AMI, utilizing income averaging. The amount of the PILOT payment to Metro will be \$6,250 in the first tax year after completion. The owner will be required to pay a monitoring and reporting fee to MDHA not to exceed 5% of the in lieu of tax payment. The estimated project valuation is \$3,280,833.

Fiscal Note: This PILOT request would require the developer to make a first-year payment of \$6,250 in lieu of property taxes, with a 3% annual increase starting at Year 3 through the remainder of the 10-year period.

In addition to the PILOT payments, the developer would be required to pay a monitoring and reporting fee to MDHA. This fee would be set by MDHA not to exceed five percent (5%) of the amount of the PILOT payment due each year.

The final assessed value of this project will not be known until completion. However, the value of the project when completed is estimated to be \$3,280,833. For purposes of this analysis, this number will be used as a reasonable estimate of the final project value.

Over the 10-year life of this PILOT agreement, a total of \$313,719 would be abated, although Metro would still receive \$69,745 in property taxes from this project, as depicted in the following table:

Real Property Tax (New)

Year	Total Value	Standard Tax	Still Pay	Abatement	Abatement %
1	\$3,280,833	\$38,346	\$6,250	\$32,096	83.7%
2	\$3,280,833	\$38,346	\$6,250	\$32,096	83.7%
3	\$3,280,833	\$38,346	\$6,438	\$31,908	83.2%
4	\$3,280,833	\$38,346	\$6,631	\$31,715	82.7%
5	\$3,280,833	\$38,346	\$6,830	\$31,516	82.2%

6	\$3,280,833	\$38,346	\$7,034	\$31,312	81.7%
7	\$3,280,833	\$38,346	\$7,245	\$31,101	81.1%
8	\$3,280,833	\$38,346	\$7,463	\$30,833	80.5%
9	\$3,280,833	\$38,346	\$7,687	\$30,659	80.0%
10	\$3,280,833	\$38,346	\$7,917	\$30,429	79.4%

Totals \$383,464 \$69,745 \$313,719 81.8%

After the property tax abatement from this project, \$1,944,953 would still be available within MDHA's annual cap of \$2.5 million for other PILOT projects in 2023.

Sponsors: Hagar and Rhoten

8. [RS2023-2316](#)

A resolution authorizing a grant not exceeding \$2,000,000.00 from the Barnes Fund for Affordable Housing to Living Development Concepts, Inc., for the express purpose of constructing and rehabilitating affordable housing.

Analysis

This resolution authorizes a grant not exceeding \$2,000,000 to Living Development Concepts, Inc. for the purpose of adding 116 affordable housing units located on Sawyer Brown Road.

On January 16, 2023, the Metropolitan Housing Trust Fund Commission issued a request for applications to qualified nonprofit organizations to participate in the nonprofit housing development grant program. 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.

Per state law and section 5.04.070 of the Metro Code, adoption of this resolution requires 21 affirmative votes.

Fiscal Note: This appropriation would reduce the balance of the Barnes Fund by \$2,000,000.

Sponsors: Rhoten and Allen

9. [RS2023-2317](#)

A resolution to appropriate grant funds from The Kresge Foundation to the Metropolitan Government, acting by and through the Metropolitan Action Commission, for general operating support.

Analysis

This resolution accepts a grant from The Kresge Foundation to the Metropolitan Action Commission in an amount not to exceed \$500,000 with no cash match required. This grant will provide for support of the Metropolitan Action Commission Next Gen initiatives. The grant term begins on July 1, 2023 and ends on June 30, 2025.

Sponsors: Rhoten and Druffel

10. [**RS2023-2318**](#)

A resolution accepting an in-kind grant from the Friends of Warner Parks to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to provide funding for the next phase of improvements in Warner Parks.

Analysis

This resolution accepts an in-kind grant from the Friends of Warner Parks to the Metropolitan Board of Parks and Recreation in an estimated value not to exceed \$1,027,489 with no cash match required. This grant will provide for the next phase of improvements in the Warner Parks, including the BIRD Program, SWEAT program costs, Urban Nature, volunteer program, nature center operations and support, invasive plant removal, memorial benches and gardens, miscellaneous park improvements, mounted police equipment, and tree plantings. All projects will be paid for directly by Friends of Warner Parks. This was approved by the Board of Parks and Recreation at its June 6, 2023 meeting.

Sponsors: Henderson, Rhoten, Hurt and Welsch

11. [**RS2023-2319**](#)

A resolution accepting an in-kind grant from Creative Parks Nashville to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to provide equipment for the support and expansion of the Music and Visual Arts programs at the Centennial Performing Arts Center and Metro Parks Community Centers.

Analysis

This resolution accepts an in-kind grant from the Creative Parks Nashville to the Metropolitan Board of Parks and Recreation with an estimated value of \$12,500 with no cash match required. This in-kind grant will provide equipment for support and expansion of the Music and Visual Arts programs at Centennial Performing Arts Center and Metro Parks Community Centers, including \$4,000 for portable, electric keyboards and \$8,500 for a clay mixer. All equipment will be paid for directly by Creative Parks Nashville. This was approved by the Board of Parks and Recreation at its June 6, 2023 meeting.

Sponsors: Rhoten, Hurt and Welsch

12. [**RS2023-2320**](#)

A resolution accepting an in-kind grant from the Nashville Food Project to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, for a series of infrastructure projects at Mill Ridge Park including a pole barn, apiary installation, water catchment station, community garden plots, and other site improvements.

Analysis

This resolution accepts an in-kind grant from the Nashville Food Project to the Metropolitan Board of Parks and Recreation with an estimated value of \$60,000 with no cash match required. This in-kind grant will provide for a pole barn, apiary, water catchment station,

community garden plots and other site improvements at Mill Ridge Park. This was approved by the Board of Parks and Recreation at its June 6, 2023 meeting.

Sponsors: Rhoten, Hurt, Welsch, Allen and Lee

13. [RS2023-2321](#)

A resolution accepting an in-kind grant from Vanderbilt University to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to replace the current video board at the Centennial Sportsplex.

Analysis

This resolution accepts an in-kind grant from the Vanderbilt University to the Metropolitan Board of Parks and Recreation with an estimated value of \$152,596 with no cash match required. This in-kind grant will provide for the replacement of the videoboard at the Centennial Sportsplex. This was approved by the Board of parks and Recreation at its June 6, 2023 meeting.

Sponsors: Taylor, Rhoten and Hurt

14. [RS2023-2322](#)

A resolution approving an intergovernmental agreement by and between the Metropolitan Government and the Electric Power Board of the Metropolitan Government of Nashville and Davidson County relating to the installation, maintenance, and operation of streetlights on public rights of way and the conversion of streetlights to use LED fixtures.

Analysis

This resolution approves an intergovernmental agreement between the Metropolitan Government and the Electric Power Board of the Metropolitan Government (“NES”) relating to the installation, maintenance, and operation of streetlights on public rights-of-way and the conversion of streetlights to use LED fixtures.

Pursuant to the terms of this agreement, NES may purchase all urban services district and general services district luminaires. During the term of the agreement, NES will furnish, install, erect, and maintain the streetlight facilities owned by NES and supply sufficient energy for the streetlight facilities. NES will finance the installation of new streetlight facilities up to \$250,000 each year.

NES will retrofit all streetlights it owns with LED fixtures pursuant to the terms of this agreement.

The initial term of this contract is 10 years, with two optional renewals of five years each based upon the mutual consent of the parties. Either party may terminate the agreement upon written notice 12 months prior to the expiration of any term.

Fiscal Note: Nashville Department of Transportation will be billed monthly for the operation and maintenance of the streetlight facilities in accordance to the July 2023 Outdoor Lighting

Rate-Schedule LS. The monthly bill will include the service charge of \$2.50 each per lighting system, energy charge is \$0.08952/kWh for the summer period, \$0.08621/kWh for the winter period, \$0.08413/kWh for the transition period and one-twelfth of the annual facility charge based on 13% of the installed cost.

Sponsors: Allen, OConnell, Rhoten, Pulley, Syracuse, Benedict and Bradford

15. [RS2023-2323](#)

A resolution classifying public roads in Davidson County, Tennessee

Analysis

This resolution is an annual housekeeping matter required by state law to formally classify all public roads in Davidson County.

By adoption of this resolution, roads and alleys listed on the Official Street and Alley Acceptance and Maintenance Maps, as approved by Ordinance No. BL2023-1692 under proposal number 2023M-001OT-001 and supplemented by the public county road list attached to the resolution, would officially be classified as public roads.

Sponsors: Pulley

16. [RS2023-2324](#)

A resolution accepting donations totaling \$1,074,000 from property owners and developers as contributions towards construction of multimodal transportation improvements in the Wedgewood-Houston and Chestnut Hill neighborhoods.

Analysis

This resolution accepts donations totaling \$1,074,000 from property owners and developers to Nashville Department of Transportation and Multimodal Infrastructure (NDOT) for the construction of multimodal transportation improvements in the Wedgewood-Houston and Chestnut Hill neighborhoods.

The sources of the donations and amounts are as follows:

- WEHO QOZ 2, LLC - \$125,000
- Chestnut Street Properties - \$35,000
- HCD Wedgewood 525 Hagan, LLC - \$100,000
- HCD Wedgewood 1234 Martin, LLC - \$30,000
- 625 Hamilton LP - \$50,000
- Weho QOZ1, LLC - \$34,000
- AJ Capital Partners - \$700,000

Sponsors: Sledge, Rhoten, Pulley and Welsch

17. [RS2023-2325](#)

A resolution approving a License and Maintenance Agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan

Department of Water and Sewerage Services, and the Nashville Downtown Partnership, for the installation and maintenance of storm drain filters in the downtown area.

Analysis

This resolution approves a license and maintenance agreement between the Metropolitan Department of Water and Sewerage Services (“MWS”) and the Nashville Downtown Partnership (“NDP”) for the installation and maintenance of storm drain filters in the downtown area.

Pursuant to the terms of the agreement, NDP agrees to contract for the installation of 35 filters. NDP will inspect, clean, and maintain the storm drain filters in accordance with the Storm Drain Maintenance Procedure. NDP will also be responsible for the repair and replacement of the filters.

MWS will approve the design and location of the filters and will inspect the filters and notify NDP of any maintenance or repair issues.

The term of the agreement is one year with automatic renewals for terms of one year each. MWS has the right to immediately terminate the agreement if NDP fails to properly perform its obligations, or may terminate at any time upon 30 days written notice.

Fiscal Note: There will be no cost to Metro for the performance of this agreement. Nashville Downtown Partnership will pay for the installation of 35 storm drain fillers including cleaning and maintenance.

Sponsors: Rhoten and Pulley

18. [RS2023-2326](#)

A resolution approving amendment 1 to a contract between The Metropolitan Government of Nashville and Davidson County and Waste Management, Inc. of Tennessee, for the provision of solid waste collection and collection of carts.

Analysis

This resolution approves the first amendment to a contract between the Metropolitan Government and Waste Management, Inc. of Tennessee (“WM”) for the provision of solid waste collection and collection of carts.

The Council previous approved a contract between Metro and WM pursuant to Resolution No. RS2022-1540 for the provision of solid waste collection and collection of carts. The original contract provided for one per week waste collection for four Metro trash routes per day for a total of 20 routes per week, serving approximately 14,100 customers per week. The original estimated contract value was \$7,500,000.

This resolution approves an amendment to increase the contract value by \$32,500,000, from \$7,500,000 to \$40,000,000. This reflects an additional 50 routes that are being permanently

moved to be serviced by WM. A total of 70 routes will be serviced weekly by WM.

Fiscal Note: This amendment will increase the estimated contract life value by \$32,500,000, from \$7,500,000 to \$40,000,00 to be paid from Fund 65803100, Business Unit 30501.

Sponsors: Rhoten and Pulley

K. Bills on Second Reading

42. [BL2023-1882](#)

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 recommended to be selected from the following categories:

- Non-profit community groups advocating biking and walking;
- Students or faculty members from a local university;
- Local organizations that represents disabled persons;
- Transportation planning, policy, or design professionals;
- Senior citizen advocacy organizations such as AARP or Fifty-Forward;
- Local bicycle clubs;
- Walking, running, or hiking clubs;
- Urban planning or multi-modal transportation support organizations;
- Parks or greenways friends groups; and
- Individuals 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 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.
 - Promotion of the integration of bicycling, shared mobility devices, and walking in the metropolitan government's planning process and implementation of community plans, including feedback on specific plan zoning requests as they relate to walking and biking.
 - Coordinate with the Vision Zero Advisory Committee, Traffic and Parking Commission, and other relevant committees, including appointing a member to serve as liaison to these bodies.
 - 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.

Fiscal Note: The thirteen voting members of the Bicycle and Pedestrian Advisory Commission will serve without receiving compensation from Metro.

Sponsors: OConnell, Welsch, Allen, Benedict, Mendes, Sledge, Evans, Hancock and Parker

43. [BL2023-1884](#)

An ordinance codifying an updated version of BL2019-78, providing that non-owner-occupied short term rental properties be located at a minimum distance from churches, schools, daycares and parks, which ordinance was approved during a Council session in which the section of the Metropolitan Code to be amended by that ordinance was simultaneously moved to another title in the Code, rendering BL2019-78 un-codifiable.

Analysis

This ordinance re-codifies the provisions of Ordinance No. BL2019-78 into Section 6.28.030 of the Metropolitan Code. BL2019-78 restricts non-owner-occupied short term rental properties from being located within one hundred feet of churches, schools, parks, playgrounds, and daycare centers and was approved by Council on July 8, 2020. However, at that same meeting, the Council also approved BL2020-187, which relocated most short term rental property regulations from Title 17 to Title 6, resulting in BL2019-78 not being codified.

The ordinance under consideration adds the provisions of BL2019-78 into Title 6 of the Metropolitan Code.

Sponsors: Sledge, Benedict and Welsch

44. [BL2023-1894](#)

An ordinance approving and authorizing the Director of Public Property Administration, or his designee, to accept a donation of real property consisting of 5.08 acres located at 0 Carothers Road (Parcel No. 18800003400) for the site of a new fire station (Proposal No. 2023M-004PR-001).

Analysis

This ordinance accepts the donation of real property located at 0 Carothers Road. Arden Village Apartments, LLC, owns these 5.08 acres and proposes to donate the property to the Metropolitan Government for the benefit of the Nashville Fire Department to be used as a new fire station.

Fiscal Note: The assessed value of parcel 18800003400, located at 0 Carothers Road, is

\$243,091 with a land area of 129.26 acres according to the Property Appraiser's office website. Metro would only be receiving 5.08 acres of this property.

Sponsors: Lee, Rhoten, Withers and Syracuse

47. [BL2023-1992](#)

An ordinance amending Section 2.24.230 of the Metropolitan Code pertaining to community meetings

Analysis

This ordinance amends Section 2.24.230 of the Metropolitan Code of Laws pertaining to community meetings held prior to the lease of property owned by the Metropolitan Government.

Section 2.24.230 of the Metropolitan Code of Laws places certain conditions on the lease of property owned by the Metropolitan Government where the appraised value is greater than one million dollars to a private entity for a lease term of more than five years. This Section requires a publicly noticed community meeting to be held prior to the Council consideration approving the lease.

Section 2.24.230.A.3 of the existing ordinance requires that a Councilmember in whose district the property is located to coordinate the scheduling of the community meeting.

The ordinance under consideration would add a new Subsection A.4. This new subsection would provide for the following alternative to the district councilmember scheduled community meeting requirement:

1. If a metro department, board, agency or commission has held a public hearing with public comment (presumably on the topic of the lease); and
2. If the district councilmember is unable or unwilling to coordinate the scheduling of a community meeting in accordance with Subsection A.3. on a date that will permit three readings of an ordinance seeking approval of the lease prior to the expiration of a Council term; then
3. The Council may set a public hearing with a 2/3rds affirmative vote of those present and voting in lieu of the community meeting.

Notice of the public hearing must be posted to Nashville.gov and must be advertised daily on the Metro Nashville Network. Written notice of the public hearing must be mailed to all property owners within 1,000 feet of the property at least 10 days prior to the public hearing.

The ordinance would further provide that a public hearing held prior to the effective date of this ordinance would be deemed to satisfy the community meeting requirements of Section 2.24.230 if conducted in accordance with the ordinance and prior to third reading of an ordinance seeking approval of the lease.

There are two ordinances pending before the Council seeking approval of a property lease

implicated by this ordinance: Ordinance No. BL2023-1883 and BL2023-1995. Both pending ordinances are on first reading and have previously been automatically deferred pursuant to Rule 21. Both ordinances will continue to be automatically deferred until the requirements of Section 2.23.230, either as currently codified or as finally amended, are met.

Sponsors: Young

48. [BL2023-1993](#)

An ordinance amending Chapter 10.20 Waste Management and Title 16 Buildings and Construction, of the Metropolitan Code of Law, to add the requirement that construction and demolition materials be diverted from landfills.

Analysis

This ordinance amends various provisions of the Metropolitan Code to require that construction and demolition materials be diverted from landfills.

This ordinance adds a new Section 10.20.600 to the Metropolitan Code of Laws, which requires that construction and demolition materials be recycled or reused on or off site for beneficial reuse. Building permit types that fall within the following project scopes must comply with the new regulations:

1. Commercial construction permits of \$500,000 or greater construction cost, as entered by Metro Codes; and
2. Residential multifamily construction permits of five units or greater and \$500,000 or greater construction cost, as entered by Metro Codes; and
3. Commercial demolition permits of \$50,000 or greater demolition cost, as entered by Metro Codes.

Construction debris would be required to be diverted for beneficial reuse under the following schedule:

1. Effective July 1, 2024, readily recyclable cardboard per §10.20.095, metal (ferrous and non-ferrous), clean concrete, and concrete masonry units,
2. Effective July 1, 2025, readily recyclable unpainted and untreated wood, asphalt shingles, and masonry.
3. Effective July 1, 2026, readily recyclable new construction gypsum scrap and carpet.

Demolition debris would be required to be diverted for beneficial reuse under the following schedule:

1. Effective July 1, 2024, readily recyclable metal (ferrous and non-ferrous), clean concrete, and concrete masonry units.
2. Effective July 1, 2025, readily recyclable carpet, asphalt shingles, and masonry.

Alternatives for compliance would include clean fill sites, receiving and recycling centers, beneficial reuse on a construction or demolition project site, donation of materials for reuse, and beneficial reuse of material as soil amendment. The diversion requirements would not apply to hazardous wastes like asbestos or lead-based constituents, or in disaster emergency situations. A construction and demolition waste management plan must be submitted to,

reviewed by, and approved by MWS prior to the issuance of a building permit. Violations of these provisions would be \$50 per violation, with each violation constituting a separate offense.

This ordinance also adds a new Section 10.20.605, which authorizes the MWS director to establish criteria for identifying qualified receiving and recycling facilities that meet construction and demolition materials requirements. The facility must comply with federal, state, and local laws and regulations, weigh construction and demolition materials received, authorize a right of entry and inspection by MWS, and agree to the average diversion rate calculation and validation requirements set by this ordinance.

A qualified receiving and recycling facility must meet the following average diversion rate:

1. Starting July 1, 2025, a qualified receiving and recycling facility that accepts mixed construction and demolition debris must have at least a 40% average diversion rate. Up to 5% of this average diversion rate may include alternative daily cover application.
2. Starting July 1, 2025, a qualified receiving and recycling facility that accepts source separated construction and demolition debris must have at least an 85% average diversion rate without use of alternative daily cover application.
3. Starting July 1, 2027, a qualified receiving and recycling facility that accepts mixed construction and demolition debris must have at least a 50% average diversion rate without use of alternative daily cover application.
4. Starting July 1, 2027, a qualified receiving and recycling facility that accepts source separated construction and demolition debris must have at least a 90% average diversion rate without use of alternative daily cover application.
5. Starting July 1, 2029, a qualified receiving and recycling facility that accepts mixed construction and demolition debris must have at least a 60% average diversion rate without use of alternative daily cover application.

The ordinance further adds requirements for average diversion rate calculations and validation for qualified receiving and recycling facilities, set forth in a new Section 10.20.610. The average diversion rate would be calculated by the tons of materials reclaimed divided by the tons of materials processed and multiplied by 100. The rate would be calculated both with and without daily cover and other landfill application. The rate cannot be validated by an employee, owner, or agent of the qualified receiving and recycling facility.

MWS would be authorized to suspend a qualified receiving and recycling facility's registration if it fails to comply with Sections 10.20.605 or 10.20.610.

Metro convenience centers and recycling centers would not be allowed to be used for recycling or disposal of commercially generated construction and demolition waste.

Owners or contractors of any premises that collect construction and demolition waste would be required to collect inert material on site separate from putrescible wastes, including municipal solid waste.

A new section 10.20.640 would be added to the code to require the Metropolitan Government

to comply with the new Sections 10.20.600 and 10.20.605 and to integrate sustainable materials management for construction and demolition material into the design, construction, and demolition of Metropolitan Government facilities.

Section 16.64.010 would be added to require building permit and demolition permit applicants to acknowledge the need for compliance with Section 10.20.600 before a building permit, demolition permit, or use and occupancy permit is issued.

Fiscal Note: The penalty will be \$50 per violation under this ordinance, with each and every violation constituting a separate and distinct offense.

Sponsors: Allen, Rhoten, Pulley and Bradford

49. [BL2023-2004](#)

An ordinance to amend Title 2 of the Metropolitan Code of Laws to create a Sustainability Advisory Committee to guide Nashville and Davidson County's efforts to increase sustainability and resilience and further community livability and economic competitiveness.

Analysis

This ordinance establishes the Nashville Sustainability Advisory Committee. The Committee would guide Metro's efforts to reduce greenhouse gas emissions and detrimental environmental impacts, and increase economic competitiveness, sustainability, and resilience.

The Committee would be composed of 15 members appointed by the Mayor and confirmed by the Council. Members would serve for a term of two years without compensation. All members must be residents of Davidson County. Three members would be representatives of environmental, sustainability, and resilience interests from the private, for-profit sector, three would be representatives of environmental, sustainability, and resilience interests from the non-profit community, at least one member would be a representative of higher education, at least two would be representatives from the metropolitan council, at least one will be a representative of the mayor, and at least two will be representatives of the general public.

The following individuals or their designees would be invited to attend the Committee meetings: the director of general services, the director of water services, a member of the waste services team, the director of parks and recreation, the director of the Nashville department of transportation and multimodal infrastructure, the executive director of the metropolitan transit authority, the executive director of planning, the director of the office of emergency services, the director of social services, the director of schools, the executive director of the Metropolitan Development and Housing Authority, and the chief executive officer of Nashville Electric Service.

The Committee would be able to utilize the office and clerical staff of the mayor.

The Committee would meet at least quarterly but could meet more frequently if determined necessary.

Sponsors: Allen and Bradford

50. [BL2023-2005](#)

An ordinance to amend Chapter 3.52 of the Metropolitan Code of Laws to require that employees of the Metropolitan Government receive annual salary increases that reflect a cost-of-living adjustment consistent with the Consumer Price Index for All Urban Consumers.

Analysis

This ordinance amends Chapter 3.52 of the Metropolitan Code of Laws to require employees of the Metropolitan Government receive annual salary increases that reflect a cost-of-living wage adjustment consistent with the Consumer Price Index for All Urban Consumers (“CPI-U”).

The ordinance would require that the pay plan for employees of the Metropolitan Government adopted by Council include a wage adjustment that reflects the amount of positive inflation equal to or greater than the average CPI-U for the prior year. If the CPI-U is negative, no wage reduction would be required.

Sponsors: Johnston

51. [BL2023-2006](#)

An ordinance to designate the Department of Codes Administration (Codes) and the Department of Transportation and Multi-modal Infrastructure (NDOT) to meet the definition of “Police Department,” as authorized in Tennessee Code Section 55-16-103(6), and as used in that part, and to amend section 6.80.540 of the Metropolitan Code of Laws, for the limited purpose of allowing Codes and NDOT to also authorize the removal of abandoned vehicles by towing or transportation by emergency wrecker licensees, in emergency circumstances, as defined in Chapter 6.80, Article V, of the Metropolitan Code.

Analysis

This ordinance designates the Department of Codes and the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) to meet the definition of “Police Department” related to unclaimed and abandoned vehicles.

State law authorizes metropolitan forms of government with populations over 400,000 to designate any department, board or commission to perform the duties of a police department related to unclaimed and abandoned vehicles. T.C.A. § 55-16-103. Pursuant to the state law, the police department is authorized to remove, preserve, and store motor vehicles that have been abandoned, immobile, or unattended, among other authorizations. T.C.A. § 55-16-104.

Currently, Section 6.80.540 of the Metropolitan Code of Law only authorizes police officers and state highway patrolmen to order an emergency wrecker licensee to engage in an emergency transport or towing of a vehicle in an emergency situation as defined in that chapter.

The ordinance under consideration would authorize Codes and NDOT to instruct emergency wrecker licensees to tow or transport an abandoned vehicle in an emergency situation to enable the vehicle to be removed from the public right-of-way.

Sponsors: Parker, Pulley, Bradford and Welsch

52. [BL2023-2007](#)

An ordinance amending section 7.08.090 of the Metropolitan Code of Laws regarding location restrictions pertaining to beer permits.

Analysis

This ordinance amends Section 7.08.090 of the Metropolitan Code of Laws regarding location restrictions pertaining to beer permits.

Under current law, no beer permit may be issued to an applicant whose location is less than one hundred feet from a place of worship, a school or its playground, a park, a licensed day care center or nursery school or their playgrounds, or a dwelling for one or two families. There are several exceptions to this minimum distance requirement, including any location in the DTC or CF zone districts, establishments in the urban services district selling beer for on-premises consumption only who are separated by a federal highway of no less than four lanes from the locations listed above, retailers in a metropolitan area, and catered events by the holder of a valid caterer's permit.

This ordinance would add an exception for any retailer special events permit wherein the footprint of the event is less than one hundred feet from a place of worship, a school or its playground, a park, a licensed day care center or nursery school or their playgrounds, or a dwelling for one or two families, provided that the metropolitan beer permit board grants an exemption after consideration of rules promulgated by the board.

Sponsors: Johnston

53. [BL2023-2008](#)

An ordinance to amend Section 7.16.030 of the Metropolitan Code of Laws to exempt a retail location near a secondary tourist development zone from the arterial-boulevard requirement.

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 three 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; (2) an artisan distillery, as defined in Section 17.04.060 of the Metropolitan Code; and (3) the proposed location is 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

The ordinance under consideration would add a fourth exception to the arterial-boulevard requirements. This exception would apply to a retail location with a gas station and convenience store co-located on the same parcel as a separate business, on a commercial property that consists of approximately 1.66 acres located on a collector-avenue no more than 640 feet from the nearest arterial boulevard and secondary tourist development zone boundary and located adjacent to right-of-way for Briley Parkway.

Sponsors: Syracuse

54. [BL2023-2009](#)

An ordinance amending the Metropolitan Code of Laws, sections 16.08.014 and 16.08.016, in order to bring it into compliance with a new state law regarding maximum standards for energy conservation in one and two-family construction projects.

Analysis

This ordinance amends Sections 16.08.014 and 16.08.016 of the Metropolitan Code of Laws to bring Metro into compliance with a new state law regarding maximum standards for energy conservation in one and two-family construction projects.

2023 Tennessee Public Acts, Chapter 312, effective July 1, 2023, which provides that jurisdictions that exempt themselves from the state building construction safety standards must adopt the International Energy Conservation Code for one and two-family construction and may not apply it in a manner that is more stringent than the state minimum standard. Metro has exempted itself from the state building construction safety standards and has adopted the 2018 International Energy Conservation Code - however, it was amended so that it does not apply to one and two-family construction but only commercial structures. Metro currently enforces only the 2018 International Residential Code regarding energy conservation in one and two-family construction, which Code duplicates the 2018 Energy Conservation Code standards. The State of Tennessee has adopted the 2018 International Energy Conservation Code with amendments that are listed in state regulations.

This ordinance amends the Metro Code of Laws to bring it into compliance with 2023 Tennessee Public Acts, Chapter 312.

Sponsors: Parker

55. [BL2023-2011](#)

An ordinance approving a lease agreement between the Metropolitan Government of Nashville and Davidson County and Donelson Corporate Centre, L.P. for office space at 3055 Lebanon Road, Nashville, Tennessee (Proposal No. 2023M-022AG-001).

Analysis

This ordinance approves a lease agreement between the Metropolitan Government and Donelson Corporate Centre, L.P. (“the Landlord”), for use for office space located at 3055 Lebanon Road.

The Metropolitan Government has determined that office space at 3055 Lebanon Road is needed to provide office space for the Department of Social Services. Per the lease agreement, Metro would lease 29,956 square feet of space. The lease would begin upon the Landlord’s completion of improvements, which is anticipated to December 1, 2023, and continue for 121 months.

The rent for months two through thirteen will be \$26.50 per square foot, with an annual increase of 2.5%. The monthly rent for the term of the lease is as follows:

- Month 1: \$0.00
- Months 2-13: \$66,152.83
- Months 14-25: \$67,806.83
- Months 26-37: \$69,501.82
- Months 38-49: \$71,239.37
- Months 50-61: \$73,020.35
- Months 62-73: \$74,845.86
- Months 74-85: \$76,717.01
- Months 86-97: \$78,634.93
- Months 98-109: \$80,600.80
- Months 110-121: \$82,615.82

Metro shall have the option to renew this lease for a single, five-year term. Starting in the second year of the contract, Metro is responsible for a portion of operating expenses, including utilities and insurance, based on the expenses on the property when compared to the previous year’s operating expenses.

Fiscal Note: The base rental price is \$26.50/square foot or \$66,152.83 per month for the square footage of 29,956, the net rentable area, beginning the second month of Year 1 and will increase by 2.5% annually thereafter. Donelson Corporate Centre, L.P. will pay for the operating expenses or all operating costs for the building during the first calendar year of the lease and Metro will pay the tenant’s percentage share of the operating expenses after the first calendar year. The percentage share is calculated by the total number of square feet of net rentable area divided by 95% of the total square footage for all net rentable area in the building or total square footage of all net rentable area in the building leased by Metro.

Sponsors: Rhoten and Withers

56. [BL2023-2012](#)

An ordinance approving three agreements relating to the acquisition of a parcel of property

and improvements located at 607 Bass Street. (Proposal No. 2023M-030AG-001).

Analysis

This legislation approves three agreements tied to approximately 2.36 acres of land at 607 Bass Street that was part of the grounds of the original Fort Negley.

The first agreement is an Option Agreement for American Battlefield Trust, a Virginia non-stock corporation, to purchase the land from the current owner Robert F. Green for \$9,250,000. The Metropolitan Government is not a formal party to this Option Agreement. However, as conditions to closing, the American Battlefield Trust will assign the Option Agreement to the Metropolitan Government, a conservation easement to a qualified conservation easement holder shall be conveyed or executed upon closing, and grants shall be approved and received by Robert F. Green from the American Battlefield Protection Program in the amount of \$3,250,000, the State of Tennessee in the amount of \$3,000,000, and the Metropolitan Board of Parks and Recreation in the amount of \$3,000,000. The grants total \$9,250,000 and will be used to fund the acquisition of the property. The property sale would close on or before April 1, 2024. The appraised value of the property exceeds the purchase price stated in the Option Agreement.

The second agreement is an Assignment Agreement transferring the same parcel of property to the Metropolitan Government. Per the agreement, Metro would pay between \$3,000,000 and \$9,250,000 as its share of the purchase price, and American Battlefield Trust would work with Friends of Fort Negley Park to pursue grant funding to reduce Metro's share of the purchase price. When combined, Metro's share of the purchase price and any grant funding would equal the property purchase price plus reasonable and customary closing costs and title insurance. Metro would also agree to convey a conservation easement as may be required by grant funding. This assignment would take effect the day before the purchase contemplated in the Option Agreement would occur.

The third agreement is a lease agreement between the Metropolitan Government and the current property owner Robert F. Green. The lease would allow the current property owner to occupy the land for three years to wrap up any business on the land. The tenant would pay \$1 in annual rent and be responsible for insurance, maintenance, taxes, and utility costs on the property. The tenant would vacate the property at the end of the three-year term.

Fiscal Note: American Battlefield Trust will assign and Metro will assume responsibility of the acquisition and preservation of a parcel of property adjacent to Fort Negley Park for the purchase agreement price of \$9,250,000. The purchase agreement listed three parcels that will be acquired. The estimated appraised value according to the Assessor of Property website of these three parcels are as follows: Parcel 105-02-0-257.00 appraised value \$480,200 for 0.490 acres; Parcel 105-02-0-433.00 appraised value \$1,802,100 for 1.240 acres; and Parcel 105-02-0-432.00 appraised value \$225,000 for 0.170 acres. The conditions to close the purchase of the property include an approval and receipt of three grants, an American Battlefield Protection Program grant totaling not less than \$3,250,000, a grant from the State of Tennessee totaling not less than \$3,000,000, and a grant from Nashville Board of Parks and

Recreation totaling not less than \$3,000,000. In addition to the closing costs, a reimbursement of \$51,970 for a roof replacement will be made to the seller, Robert F. Green. According to the lease agreement, Robert F. Green will lease the property from Metro in amount of \$1.00 per year and will be responsible for leasehold property tax, property insurance, maintenance, and utility charges.

Sponsors: Sledge, Rhoten, Withers and Hurt

57. [BL2023-2013](#)

An ordinance approving and authorizing the Director of Public Property Administration, to accept a donation of real property consisting of approximately .53 acres located at 7166 Highway 100 (Parcel No. 14300001800), to increase park land for Edwin Warner Park (Proposal No. 2023M-009PR-001).

Analysis

This ordinance accepts the donation of real property located at 7166 Highway 100. Friends of the Warner Parks, Inc. owns this .53 acre property and proposes to donate it to the Metropolitan Government for the benefit of the Board of Parks and Recreation to increase park land for Edwin Warner Park.

The Board of Parks and Recreation recommends acceptance of this donation of property.

Fiscal Note: The estimated appraised value of the real property is \$97,200 according to the Assessor of Property website.

Sponsors: Henderson, Rhoten, Withers and Hurt

58. [BL2023-2014](#)

An ordinance approving and authorizing the Director of Public Property Administration, to accept a donation of real property consisting of approximately 7.81 acres located at 7156 Highway 100 (Parcel No. 14300001500), to increase park land for Edwin Warner Park (Proposal No. 2023M-008PR-001).

Analysis

This ordinance accepts the donation of real property located at 7156 Highway 100. Friends of the Warner Parks, Inc. owns this 7.81 acre property and proposes to donate it to the Metropolitan Government for the benefit of the Board of Parks and Recreation to increase park land for Edwin Warner Park.

The Board of Parks and Recreation recommends acceptance of this donation of property.

Fiscal Note: The estimated appraised value of the real property is \$511,700 according to the Assessor of Property website.

Sponsors: Henderson, Rhoten, Withers and Hurt

59. [BL2023-2015](#)

An ordinance approving and authorizing the Director of Public Property Administration, to accept a donation of real property consisting of approximately 13.18 acres located at 6949 Highway 70 S (Parcel No. 14300001100), to increase park land for conservation of open space and local flora and fauna (Proposal No. 2023M-010PR-001).

Analysis

This ordinance accepts the donation of real property located at 6949 Highway 70 S. Wilson Pike, LLC owns this 13.18 acre property and proposes to donate it to the Metropolitan Government for the benefit of the Board of Parks and Recreation to increase park land for conservation of open space and local flora and fauna.

The Board of Parks and Recreation recommends acceptance of this donation of property.

Fiscal Note: The estimated appraised value of the 14.30 acres real property is \$345,200 according to the Assessor of Property website but only 13.18 acres are donated.

Sponsors: Henderson, Rhoten, Withers, Hurt and Allen

60. [BL2023-2016](#)

An ordinance to approve the First Amendment to an agreement between The Metropolitan Government of Nashville and Davidson County and Nashville Steam Preservation Society for the lease and restoration of Steam Locomotive Number 576.

Analysis

This ordinance approves the first amendment to a lease agreement between the Metropolitan Government and the Nashville Steam Preservation Society regarding Steam Locomotive Number 576, which previously resided in Centennial Park. The original agreement, as approved by BL2016-332, allowed the Nashville Steam Preservation Society to restore the locomotive, make it operational, and allow it to be used on an existing rail line.

The amendment under consideration provides the Nashville Steam Preservation Society an additional four years to complete its restoration work with the possibility of an additional extension. If the restoration is not completed by then, the locomotive shall be returned to Centennial Park or an alternative location as requested by Metro in the same or better condition than it was found at the start of the lease.

At or before the termination of the amended lease, the Nashville Steam Preservation Society may renew the lease for an additional 13-year period, contingent on the approval of the Board of Parks and Recreation, Mayor, and Metro Council.

Fiscal Note: This amendment will not change the annual rental rate and the contingency amount.

Sponsors: Rhoten, Hurt and Welsch

61. [BL2023-2017](#)

An ordinance approving an agreement between the Metropolitan Government and Tennessee Golf Foundation concerning the renovation of two golf courses in Shelby Park.

Analysis

This participation agreement between the Metropolitan Government and the Tennessee Golf Foundation would provide for the renovation of the Shelby Golf Course and Vinny Links, both located at Shelby Park. Per the agreement, Metro would pay \$2,000,000 to the Tennessee Golf Foundation to design and improve the courses, which includes rebuilding the greens, installing new irrigation systems around the greens, constructing or repairing all cart paths, and upgrading a water pump that supplies water from the Cumberland River. Metro is not responsible for cost overruns, though the government may later decide to increase its contribution to the project. All work shall be completed by November 30, 2024, subject to reasonable extensions by the parties.

The participation also provides that the Metropolitan Government, through the Department of Parks and Recreation, will form a standing advisory committee of 10 members to advise on the operating and capital needs of Metro golf courses and recommend improvements on those facilities. The Tennessee Golf Foundation shall appoint three of its members, and the committee shall meet quarterly.

Fiscal Note: Metropolitan Department of Parks and Recreation would pay Tennessee Golf Foundation a total of \$2,000,000 to design and construct the renovations of two Shelby Park golf courses, Shelby and Vinny Links, as outlined in the general scope of work attached as Exhibit 1 of the agreement.

Sponsors: Withers, Rhoten and Hurt

62. [BL2023-2018](#)

An ordinance authorizing 1010 Church Owner, LLC to install, construct and maintain aerial and underground encroachments in the right of way located 1010 Church Street. (Proposal No. 2022M-019EN-001)

Analysis

This resolution authorizes 1010 Church Owner, LLC to install, construct and maintain aerial and underground encroachments at 1010 Church Street. 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: Withers and Pulley

63. [BL2023-2019](#)

An ordinance authorizing Parke West Investment Partners, LLC, to install, construct and maintain underground encroachments in the right of way located at 3415 Murphy Road. (Proposal No. 2022M-035EN-001).

Analysis

This resolution authorizes Parke West Investment Partners, LLC to install, construct and maintain underground encroachments at 3415 Murphy Road. The proposal will consist of irrigation lines for required street trees along Murphy Road, Murphy Court, and Alley 1141 encroaching the right-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachments and is required to post a certificate of public liability insurance in the amount of \$4,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This ordinance has been approved by the Planning Commission.

Sponsors: Taylor, Withers, Pulley and Toombs

64. [BL2023-2020](#)

An ordinance authorizing LMC Towne Property Owner, LLC to install, construct and maintain encroachments in the right of way located at 808 Garfield Street (Proposal No. 2022M-034EN-001)

Analysis

This resolution authorizes LMC Towne Property Owner, LLC to install, construct and maintain encroachments at 808 Garfield Street. The proposal will consist of an irrigation system for in ground planters along Rosa Parks Boulevard, Garfield Street, Alley 516, and Nassau Street encroaching the rights-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachments and is required to post a certificate of public liability insurance in the amount of \$4,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This ordinance has been approved by the Planning Commission.

Sponsors: Withers and Pulley

65. [BL2023-2022](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to negotiate and accept permanent and temporary easements for the Mashburn Road Stormwater Improvement Project for three properties located at 2822 Mashburn Road and 133 and 134 East Thompson Lane, (Project No. 23-SWC-239 and Proposal No. 2023M-092ES-001).

Analysis

This ordinance authorizes the Metropolitan Government to negotiate and accept permanent and temporary drainage easements for three properties located at 2822 Mashburn Road and 133 and 134 East Thompson Lane. These easements will be used for the Mashburn Road

Stormwater Improvement Project, MWS Project 23-SWC-239.

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

Sponsors: Welsch, Withers and Pulley

66. [BL2023-2023](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon a portion of existing public stormwater drainage easement rights, for property located at 7330 Tolbert Road (Proposal No. 2023M-096ES-001).

Analysis

This ordinance authorizes the Metropolitan Government to abandon a portion of existing drainage easement rights for property located at 7330 Tolbert Road.

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

Sponsors: Withers and Pulley

67. [BL2023-2024](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer manhole, for property located at 2803 12th Avenue South, (MWS Project No. 23-SL-90 and Proposal No. 2023M-086ES-001).

Analysis

This ordinance accepts one sanitary sewer manhole for property located at 2803 12th Avenue South.

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: Cash, Withers and Pulley

68. [BL2023-2025](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main, sanitary sewer manholes and easements, for two properties located at 3465 and 3453 West Hamilton Avenue, also known as Hamilton Place Lot 2 (MWS Project No. 23-SL-04 and Proposal No. 2023M-083ES-001).

Analysis

This ordinance accepts approximately 1,056 linear feet of new eight-inch sanitary sewer main (DIP), seven sanitary sewer manholes and easements for two properties located at 3465 and

3453 West Hamilton Avenue, also known as Hamilton Place Lot 2.

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

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

Sponsors: Toombs, Withers and Pulley

69. [BL2023-2026](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water main, for two properties located at 1100 Spurgeon Avenue and 1400 B Napoleon Street, also known as 1110 Baptist World Center development, (MWS Project No. 22-WL-15 and Proposal No. 2023M-077ES-001).

Analysis

This ordinance accepts approximately 248 linear feet of new eight-inch water main (DIP) for two properties located at 1100 Spurgeon Avenue and 1400 B Napoleon Street, also known as 1110 Baptist World Center development.

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

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

Sponsors: Toombs, Withers and Pulley

70. [BL2023-2027](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main, sanitary sewer manholes and easements, for two properties located at 1306 Rural Hill Road and 727 Bell Road, (MWS Project No. 22-SL-62 and Proposal No. 2023M-084ES-001).

Analysis

This ordinance accepts approximately 300 linear feet of new eight-inch sanitary sewer main (DIP), three sanitary sewer manholes and easements, for two properties located at 1306 Rural Hill Road and 727 Bell Road.

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

71. [BL2023-2028](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at Zermatt Avenue (unnumbered), also known as Rose Monte Phase 4 (MWS Project Nos. 22-WL-56 and 22-SL-122 and Proposal No. 2023M-085ES-001).

Analysis

This ordinance accepts approximately 1,702 linear feet of new eight-inch water main (DIP), four new fire hydrant assemblies, approximately 2,597 linear feet of new eight-inch sewer main (PVC), 187 linear feet of new eight-inch sewer main (DIP), 20 new sanitary sewer manholes and easements for property located at Zermatt Avenue (unnumbered), also known as Rose Monte Phase 4.

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: Swope, Withers and Pulley

72. [BL2023-2029](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main, sanitary sewer main and sanitary sewer manhole, and to accept new public water main, sanitary sewer main and sanitary sewer manhole, for property located at 1801 Patterson Street (MWS Project Nos. 23-WL-20 and 23-SL-36 and Proposal No. 2023M-089ES-001).

Analysis

This ordinance abandons approximately 404 linear feet of existing six-inch water main, approximately 283 linear feet of existing 15-inch sanitary sewer main (VCP), and one sanitary sewer manhole and accepts of approximately 404 linear feet of new eight-inch water main (DIP), approximately 283 linear feet of new 18-inch sanitary sewer main (PVC) and one sanitary sewer manhole for property located at 1801 Patterson Street.

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

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

Sponsors: Taylor, Withers, Pulley and Toombs

73. [BL2023-2031](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to

abandon existing public water and sanitary sewer mains, sanitary sewer manholes and easements, and to accept new water and sanitary sewer mains, fire hydrant assembly, sanitary sewer manholes and easements, for two properties located at 301 15th Avenue North and 302 McMillin Street, also known as 15th Avenue North Mixed Use Development (MWS Project Nos. 22-WL-53 and 22-SL-05 and Proposal No. 2023M-080ES-001).

Analysis

This ordinance abandons approximately 236 linear feet of existing six-inch water main (CIP), approximately 396 linear feet of existing six-inch sanitary sewer main (VCP), approximately 240 linear feet of existing 10-inch sanitary sewer main (VCP), three sanitary sewer manholes and easements, and accepts approximately 238 linear feet of new six-inch water main (DIP), approximately 559 linear feet of new 10-inch sanitary sewer main (PVC), one fire hydrant assembly, five sanitary sewer manholes and easements for two properties located at 301 15th Avenue North and 302 McMillin Street, also known as 15th Avenue North Mixed Use Development.

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

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

Sponsors: Withers and Pulley

74. [BL2023-2032](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water and sanitary sewer mains, sanitary sewer manholes and easements, and to accept new public sanitary sewer main, sanitary sewer manhole and easements, for six properties located at Victory Avenue, South 1st Street, Shelby Avenue, Woodland Street, Titans Way, and Russell Street, also known as the Nissan Stadium Infrastructure Project (MWS Project Nos. 23-WL-27 and 23-SL-52 and Proposal No. 2023M-082ES-001).

Analysis

This ordinance abandons approximately 1,993 linear feet of existing 12-inch water main (DIP), approximately 251 linear feet of existing eight-inch sanitary sewer main (PVC), approximately 222 linear feet of existing 18-inch sanitary sewer main (PVC), four sanitary sewer manholes and easements, and accepts approximately 108 linear feet of new eight-inch sanitary sewer main (PVC), one new sanitary sewer manhole and easements for six properties located at Victory Avenue, South 1st Street, Shelby Avenue, Woodland Street, Titans Way, and Russell Street, also known as the Nissan Stadium Infrastructure Project.

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

Fiscal Note: This ordinance has no cost to Metro. Abandoned and donated easements have no

market value according to the Department of Water Services.

Sponsors: Withers and Pulley

75. [BL2023-2033](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main, sanitary sewer manholes and easements, for two properties located at 9784 Concord Road and Glenmore Lane (unnumbered) in Williamson County (MWS Project No. 22-SL-207 and Proposal No. 2023M-095ES-001).

Analysis

This ordinance accepts approximately 659 linear feet of new eight-inch sanitary sewer main (DIP), four sanitary sewer manholes and easements for two properties located at 9784 Concord Road and Glenmore Lane (unnumbered) in Williamson County.

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

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Bills on Third Reading

84. [BL2023-1888](#)

An ordinance amending the Metropolitan Code by changing the name of the Stormwater Management Committee to the Stormwater Management Commission (Proposal No. 2023Z-006TX-001).

Analysis

This ordinance amends Chapters 15 and 17 the Metropolitan Code to rename the “Stormwater Management Committee” to the “Stormwater Management Commission”. No changes are proposed to the Commission’s authority.

The Planning Commission recommended approval of this ordinance at their June 22, 2023 meeting.

Sponsors: Pulley

158. [BL2023-1990](#)

An ordinance amending Title 2 of the Metropolitan Code of Laws to reconstruct the community oversight board as a police advisory and review committee for the Metropolitan Government of Nashville and Davidson County to fully comply with Public Chapter No. 454 of the Public Acts of 2023.

Analysis

This ordinance, as amended, amends Title 2 of the Metropolitan Code of Laws to establish a police advisory and review committee, to be called the Metropolitan Community Review Board, in compliance with Public Chapter No. 454 of the Public Acts of 2023.

On May 17, 2023, Governor Bill Lee signed into law Public Chapter No. 454, which preempts any existing law that created a police advisory and review committee, community oversight board, or other similar police oversight body which does not comply with the requirements of the Public Chapter as of January 1, 2023. This means that the Community Oversight Board, which was approved by voters at referendum on November 6, 2018, is preempted by the new state law.

The state law requires local governments that created a police advisory committee, community oversight board, or other similar police oversight body to conform with the new state law within 120 days of July 1, 2023, or the police advisory committee, community oversight board, or other similar police oversight body is terminated. The state proscribes precisely the requirements that must be included in the police advisory review committee adopting legislation and does not allow for deviation from the substantive requirements.

This ordinance creates a police advisory and review committee to be called the Metropolitan Community Review Board ("MCRB") in compliance with the new state law. The state law sets forth the requirements that the MCRB must adhere to in detail. The board will be made up of seven members appointed by the mayor and confirmed by the Council. All members must possess a reputation for fairness, integrity, and responsibility and have demonstrated an active interest in public affairs and public service, be a registered voter of Davidson County, and not be a current employee of a local governing body. The members will serve staggered three-year terms.

MCRB members will be required to complete the citizen's police academy course offered by the Metropolitan Nashville Police Department ("MNPd") and any other training deemed appropriate by the Chief of Police to educate citizens on law enforcement operations, practice, and training.

The executive director of the MCRB will be selected by the mayor and approved by a majority vote of the MCRB. The executive director must possess a reputation for fairness, integrity, and responsibility and have demonstrated an active interest in public affairs and service, be a registered voter of Davidson County, not be a former employee of a law enforcement agency for the preceding 12 months, possess prior investigative experience, respect an individual's right to privacy, maintain confidentiality of records, not participate in the review of any complaint where the executive director has a conflict of interest, conduct the duties of office in a manner that maintains public confidence, and comply with all rules applicable to other employees of the Metropolitan Government. The executive director must submit to a background check conducted by the Tennessee Bureau of Investigation and the Federal Bureau of Investigation and must submit to a drug test.

The executive director will accept written, sworn complaints from members of the public

regarding misconduct of MNPB officers. The complaints will be forwarded to the head of the MNPB office of professional accountability within three business days of receipt. Upon receipt of any such complain, the MNPB office of professional accountability will immediately undertake an investigation of the allegations pursuant to standard procedures. The executive director may accept unsworn or anonymous complaints and, if accepted, refer the complaints to the MNPB office of professional accountability for investigation.

The head of the MNPB office of professional accountability will notify the executive director when an investigation of misconduct is closed. Upon notice of a closed investigation, the executive director will review the office of professional accountability file or the referral action form and determine whether the investigation is complete. If complete, the executive director will file a report with the board with a copy of the case summary or referral action form and any documentation of disciplinary action. If incomplete, the executive director will notify the board that additional investigation or time may be required for completion.

The executive director will file a report of the resolution of unsworn or anonymous complaints that the executive director has been able to resolve without an investigation by the office of professional accountability at each MCRB meeting.

The executive director is responsible for the minutes of the board, maintaining proper records and files pertaining to board business, comply with state law and local ordinances regarding meeting notice, provide complainants with information regarding the complaint process, compile statistical information regarding complaints, and provide an annual report on the statistical information to the Chief of Police, Mayor, and Metropolitan Council. The executive director must also be a notary public.

The MCRB must review all reports of the executive director. After a finding of the executive director that an investigation is not complete, the board may, by a majority vote of its members, require the Chief of Police to conduct a further investigation of the incident, or director the executive director to return the investigation to the office of professional accountability for additional investigation. The executive director must report any additional findings to the board and, upon completion of the inquiry, the MCRB must report its findings and conclusions to the Chief of Police and Mayor.

At least once a year, the MCRB must compile a comprehensive report of its activities including statistics and summaries of citizen complaints, comparisons of the MRCB's findings and conclusions with that of the office of professional accountability, along with actions taken by the Chief of Police. The annual report will be submitted to the Chief of Police, Mayor, Metro Council, Chairs of the civil justice and criminal justice committees of the Tennessee House of Representatives, and the chair of the judiciary committee of the Tennessee Senate.

The both executive director and the MCRB may request legal services from the Department of Law.

The MCRB may not issue subpoenas for documents or to compel witness testimony. However,

the Metro Council may issue a subpoena by resolution. This subpoena must be issued by a majority vote, must not be in the form of a blanket authorization, and must not be issued for documents that are confidential under state or federal law.

The MCRB is prohibited from investigating any incident occurring before January 1, 2023, any incident prior to the closure of the investigation by the office of professional accountability or of a criminal investigation, while a remedy is actively being pursued though the rules and regulations of the Civil Service Commission, or where the complaint has initiated, threatened, or given notice of an intent to initiate litigation of the Metropolitan Government or any of its employees.

The MCRB created by this ordinance pursuant to state law differs from the Community Oversight Board set up in Chapter 11.13 of the Metropolitan Charter in many ways. The COB was an 11-member board, while the MCRB is a seven-member board. The COB provided for seven members nominated by community organization or petition, two members nominated by the Council, and two members nominated by the Mayor, with all members being approved by the Council. The MCRB provides for all members to be appointed by the Mayor and confirmed by the Council. The COB was given authority to investigate allegations of misconduct, while the MCRB will review complaints and the investigation of complaints by the police department office of professional accountability instead of conducting investigations itself.

The state law requires that at least two readings of the ordinance be approved by a 2/3 vote of the Council. Because first reading was on the consent agenda, one of the two higher threshold votes has been met. If legislation creating a police advisory and review committee pursuant to the state law isn't adopted before October 29, 2023, Metro will be prohibited from creating such an entity in the future.

An amendment added at the Council's July 7, 2023 meeting delays the effective date of this ordinance to October 27, 2023.

Sponsors: Syracuse, Hurt, Porterfield, Suara, Parker, Mendes, Sledge, Cash, Welsch, Allen, Benedict, Gamble, Henderson, Pulley, Toombs, OConnell and Lee

159. [BL2023-1991](#)

An ordinance adding a new section 2.128.070 to the Metropolitan Code of Laws establishing the office of county historian, the appointment process and necessary credentials, as well as the county historian's duties and appointments within the Metropolitan Government of Nashville and Davidson County.

Analysis

This ordinance adds a new section to the Metropolitan Code of Laws to formally establish the office of county historian as provided in Tennessee Code Annotated section 5-18-101. While a county historian is currently appointed by the Mayor, this legislation codifies the historian's role, qualifications, and responsibilities.

Under the new code provision, the Mayor would appoint the county historian from a list of

candidates provided by the Metropolitan Historical Commission. Upon confirmation by the Metropolitan Council, the historian would serve a five-year term and be subject to reappointment for an additional term. The county historian must possess a master's degree in the history of the United States, public history, or a closely related field and would document and share the county's history with the public. The historian would continue to serve as an ex officio, non-voting member of the Historical Commission and the Davidson County Public Records Commission. The position will remain uncompensated, though compensation for incidental expenses related to the position's duties would be allowed.

As part of this legislation, the current county historian shall continue to serve until her retirement or through June 30, 2026.

Fiscal Note: The county historian position will not receive compensation but may receive compensation for incidental expenses.

Sponsors: Withers, Murphy, Bradford, Allen and Hancock

160. [BL2023-1994](#)

An ordinance amending Metropolitan Code Section 16.08.012 to regulate mass timber construction with the standards set forth in the 2021 Edition of the International Building Code and the 2021 Edition of the International Fire Code.

Analysis

This ordinance amends Section 16.08.012 of the Metropolitan Code to amend the adopted 2018 Edition of the International Building Code (IBC) to use the provisions of the 2021 Edition of the International Building Code (IBC) and the 2021 Edition of the International Fire Code (IFC) specific to mass timber and the construction type of the building or structure to regulate new construction utilizing mass timber. Mass timber products are solid, structural load-bearing components such as columns, beams, and panels. They are typically manufactured off-site in factories by fastening multiple layers of wood together with glue, dowels, or nails and are engineered for high strength.

Under the 2018 IBC, mass timber construction is included with other forms of wood construction and is limited to no more than up to 6 stories in height. Under the 2021 IBC, mass timber construction is split between three subtypes (Type IV-A, Type IV-B, and Type IV-C). Type IV-A is limited to no more than up to 18 stories in height; Type IV-B is limited to no more than up to 12 stories in height; and Type IV-C is limited to no more than up to 9 stories in height. This subtype delineation is determined based on amount of exposure of the mass timber portion of the building, with Type IV-A having all mass timber fully protected by noncombustible material inside and out. Additionally, various considerations and conditions may result in lower allowable maximum heights for mass timber structures. The ordinance under consideration adopts these subtype classifications, allowing for the use of mass timber for construction up to 18 stories in height.

Sponsors: Parker

161. [BL2023-1996](#)

An ordinance approving a contract between the Metropolitan Government of Nashville and Davidson County and Mythics, LLC for Oracle software licensing, training, support and maintenance for the department of Information Technology Services.

Analysis

This resolution would approve a contract between the Metropolitan Government and Mythics, LLC to provide Oracle software licensing, support, maintenance, and cloud services for the Metropolitan Government. This contract replaces an existing contract for similar services with Mythics, LLC, previously approved by Resolution No. RS2018-1418, that expires on October 3, 2023.

The term of this agreement would begin on October 4, 2023 or the date that the contract is approved by all required parties and filed with the Metropolitan Clerk's office, whichever date occurs last. The contract term extends for a term of 120 months, or ten years.

Fiscal Note: The estimated value of this contract is \$70,000,000 to be paid from Fund 51137, Business Unit 14521014. Metro will pay Mythics, LLC as work is completed and receives an invoice.

Sponsors: Rhoten and Benedict

162. [BL2023-1997](#)

An ordinance authorizing the acquisition of certain rights of way, easements, and property rights, by negotiation or condemnation, for use by the Metropolitan Government of Nashville and Davidson County ("Metropolitan Government" or "Metro"), acting by and through the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT"), in connection with the public project described as the "Estes Road at Hobbs Road Intersection Improvements", NDOT Project No. 2023-R-1 ("the Project"). (Proposal No. 2023M-027AG-001).

Analysis

This ordinance authorizes NDOT and the Director of Public Property to acquire various rights-of-way and easements across 26 tracts on Hobbs Road and Estes Road for the public project described as "Estes Road at Hobbs Road Intersection Improvements." These acquisitions shall be used for rights-of-way, drainage easements, and construction easements. This proposal has not yet received a recommendation from the Planning Commission.

Fiscal Note: The estimated acquisition cost is \$1,314,000 to be paid from Business Unit 42410021 for the Estes Road at Hobbs Road Intersection Improvements project.

Sponsors: Rhoten, Withers and Pulley

163. [BL2023-1998](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and sanitary sewer manhole, for six properties located on Woods Street, also known as Woods Street Public Sanitary Sewer Extension (MWS

Project No. 23-SL-12 and Proposal No. 2023M-069ES-001).

Analysis

This ordinance accepts approximately 144 linear feet of new eight-inch sanitary sewer main (PVC) and one sanitary sewer manhole for six properties located on Woods Street, also known as Woods Street Public Sanitary 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: Withers, Pulley and Hagar

164. [BL2023-1999](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation of an existing public fire hydrant assembly, for property located at 2918 B Harlin Drive, also known as Harlin Townhomes (MWS Project No. 23-WL-32 and Proposal No. 2023M-075ES-001).

Analysis

This ordinance accepts the relocation of an existing public fire hydrant assembly for property located at 2918 B Harlin Drive, also known as Harlin Townhomes.

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

Sponsors: Welsch, Withers and Pulley

165. [BL2023-2000](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new public sanitary sewer manhole, for property located at 1010 4th Avenue North (MWS Project No. 23-SL-29 and Proposal No. 2023M-060ES-001).

Analysis

This ordinance accepts a new public sanitary sewer manhole for property located at 1010 4th Avenue North.

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

166. [BL2023-2001](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new public water main and fire hydrant assembly, for property located at 3777 Nolensville Pike, also known as the Nashville Zoo (MWS Project Nos. 23-WL-24 and Proposal No. 2023M-081ES-001).

Analysis

This ordinance accepts approximately 372 linear feet of new six-inch water main (DIP) and one fire hydrant assembly for property located at 3777 Nolensville Pike, also known as the Nashville Zoo.

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: Johnston, Withers and Pulley

167. [BL2023-2002](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new sanitary sewer manhole and easement, for two properties located at 1036 and 1042 East Trinity Lane, also known as Trinity and Dozier (MWS Project No. 22-SL-282 and Proposal No. 2023M-076ES-001).

Analysis

This ordinance accepts one new sanitary sewer manhole and easement for two properties located at 1036 and 1042 East Trinity Lane, also known as Trinity and Dozier.

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

168. [BL2023-2003](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main, sanitary sewer manhole and easements, and to accept new public sanitary sewer main, sanitary sewer manhole and easements, for two properties located at 4310 and 4311 Castleman Court (MWS Project No. 22-SL-224 and Proposal No. 2023M-074ES-001).

Analysis

This ordinance abandons approximately 311 linear feet of existing eight-inch sanitary sewer

main, one sanitary sewer manhole and easements and accepts approximately 268 linear feet of new eight-inch sanitary sewer main (PVC), one sanitary sewer manhole and easements for two properties located at 4310 and 4311 Castleman Court.

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

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

Sponsors: Pulley and Withers