



Metro Council

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## H. Resolutions on Public Hearing

### 1. [RS2023-2285](#)

A resolution exempting Retrograde - Clifton, located at 2714 Clifton Avenue 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 Retrograde - Clifton located at 2714 Clifton Avenue.

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:** Taylor

## I. Bills on Public Hearing

### 14. [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

**15. [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

**16. [BL2023-1891](#)**

An ordinance approving Amendment No. 6 to the Arts Center Redevelopment Plan, Amendment No. 1 to the Bordeaux Redevelopment Plan, Amendment No. 1 to the Cayce Place Redevelopment Plan, Amendment No. 1 to the Central State Redevelopment Plan, Amendment No. 2 to the Jefferson Street Redevelopment Plan, Amendment No. 6 to the Phillips-Jackson Redevelopment Plan, Amendment No. 8 to the Rutledge Hill Redevelopment Plan, and Amendment No. 1 to the Skyline Redevelopment Plan. (Proposal No. 2023M-002OT-001)

Analysis

This ordinance approves Amendment No. 6 to the Arts Center Redevelopment Plan, Amendment No. 1 to the Bordeaux Redevelopment Plan, Amendment No. 1 to the Cayce Place Redevelopment Plan, Amendment No. 1 to the Central State Redevelopment Plan, Amendment No. 2 to the Jefferson Street Redevelopment Plan, Amendment No. 6 to the Phillips-Jackson Redevelopment Plan, Amendment No. 8 to the Rutledge Hill Redevelopment Plan, and Amendment No. 1 to the Skyline Redevelopment Plan.

Ordinance No. BL2019-1645 proposed amendments to the Metropolitan Development and

Housing Agency (“MDHA”) Redevelopment Plans of Arts Center, Bordeaux, Cayce Place, Central State, Jefferson Street, Phillips Jackson, Rutledge Hill, and Skyline. Language in the redevelopment plans require that only the Metropolitan Development and Housing Agency may initiate a modification, change, or amendment to the Plans. The Council passed BL2019-1645 on August 6, 2019. MDHA approved these amendments on August 13, 2019. After the passage of BL2019-1645 MDHA did not enter into any agreements providing Tax Increment Financing pursuant to any of the redevelopment plans.

The ordinance under consideration repeals BL2019-1645 and seeks to correct the sequence of the approval of the amendments. The amendments to the Redevelopment Plans would be labeled the “2023 Plan Amendments”. These changes would be identical to the prior 2019 Plan Amendments approved by BL2019-1645.

Like the 2019 Plan Amendments, these amendments would make three main changes. First, this new section would require that the portion of tax increment funds that may be used to pay the indebtedness could not be greater than seventy-five percent, except that MDHA could increase or decrease this percentage pursuant to criteria set forth in a written policy adopted by the Board of Commissioners of MDHA. Further, this would still be subject to the requirements of Chapter 5.06 of the Metro Code of Laws entitled “Tax Increment Financing”.

Second, the new section would require a periodic assessment of the activities and improvements eligible for tax increment financing (“TIF”) under the plan. An assessment could be requested by either the Council or the tax increment agency. Assessments could be requested no earlier than seven years after the adoption of the plan, or the previous assessment, and would be required to be completed within 10 years after the adoption of the plan or the previous assessment. The assessment would include a review of the impact and goals of the Plan, and MDHA and the Council would have to agree on the eligible activities or improvements. Council’s agreement would be indicated by the adoption of a resolution approved by 21 members. It would constitute a New Loan Termination Event if any subsequent assessment is not completed within 10 years after the previous assessment. If a New Loan Termination Event occurs, MDHA would be prohibited from approving any additional bonds or indebtedness to be paid by TIF under the Plan. A New Loan Termination Event would not terminate the Plan, nor would it impact any TIF approved prior to the Event.

Third, the section would clarify that the Council or MDHA may initiate a Plan amendment, subject to the approval of the other. (Currently, only MDHA initiates such amendments.) If the Council initiates the amendment, the approval of MDHA must be obtained before the third reading of the ordinance adopting the amendment.

This ordinance would also make certain housekeeping changes, including language clarifying in the Rutledge Hill Redevelopment Plan from the amendment adopted pursuant to BL2014-699 which inadvertently identified the “Tax Increment” section of the plan as “Section G” instead of “Section H”. Additionally, several Redevelopment Plans authorize tax increment financing related to the Plan to be used to carry out “other adopted and approved redevelopment plans”, potentially outside of the designated Plan area. This ordinance would

remove that language from the various Plans.

**Sponsors:** Mendes, Rhoten, Withers and Allen

## **J. Consent Resolutions and Resolutions**

### **97. [RS2023-2201](#)**

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

#### **Analysis**

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

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

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

Section 5.05.060 of the Metropolitan Code of Laws directs MDHA to make periodic assessments of the activities and improvements eligible for tax increment financing under each Redevelopment Plan. MDHA held ten meetings and conducted five surveys for each district and also conducted a separate survey for the greater community in the first two quarters of 2022 to gather resident and owner input for priorities in the Redevelopment Districts.

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

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

**Sponsors:** Mendes, Rhoten, Withers and Allen

### **98. [RS2023-2286](#)**

A resolution amending Resolution RS2023-1948 to reincorporate the Nashville Voluntary

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Organization Active in Disaster Coalition program details.

Analysis

This resolution amends Resolution No. RS2023-1948, which appropriated \$75,000 in American Rescue Plan Act funds from Fund #30216 to the Nashville Voluntary Organization Active Disasters (“VOAD”) coalition for a pilot program to engage the community in emergency preparedness through June 30, 2024.

RS2023-1948 was previously amended by RS2023-2147 to clarify that the funds will be appropriated to the Community Foundation of Middle Tennessee as the fiscal sponsor of VOAD.

The resolution under consideration corrects an error caused by RS2023-2147, which inadvertently removed the reference to Exhibit A, which is the Nashville VOAD ARP Grant Narrative. This resolution adds the reference back into the resolution.

**Sponsors:** Johnston and Rhoten

**100.** [RS2023-2288](#)

A resolution accepting a grant from the State of Tennessee, Administrative Office of the Courts, to the Metropolitan Government, acting by and through the Davidson County Juvenile Court, for the provision of interpreter/translation services for parties with limited English proficiency.

Analysis

This resolution accepts a grant from the Tennessee Administrative Office of the Courts to the Davidson County Juvenile Court for the provision of interpreter/translation services for parties with limited English proficiency. The grant award is an amount not to exceed \$81,450 with a required cash match of \$9,000. The grant period will begin on July 1, 2023 and end on June 30, 2024.

**Sponsors:** Rhoten, Hancock and Welsch

**101.** [RS2023-2289](#)

A resolution accepting a grant from the Tennessee Department of Mental Health and Substance Abuse Services, to the Metropolitan Government, acting by and through the State Trial Courts, to provide the Tennessee Certified Recovery Court Program (TCRCP) at the Davidson County Residential Drug Court to address the needs of non-violent offenders.

Analysis

This resolution accepts a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the State Trial Courts to provide the Tennessee Certified Recovery Court Program at the Davidson County Residential Drug Court to address the needs of non-violent offenders. The grant award is an amount not to exceed \$1,762,000 with no cash match required. The term of the grant begins July 1, 2023 and ends June 30, 2024.

**Sponsors:** Rhoten, Hancock and Welsch

**102. [RS2023-2290](#)**

A resolution approving the election of certain Notaries Public for Davidson County.

Analysis

This is a routine resolution approving the election of notaries public in accordance with state law.

**Sponsors:** Murphy

**103. [RS2023-2291](#)**

A resolution authorizing the Metropolitan Department of Law to compromise and settle the claim of Isha Kabba against the Metropolitan Nashville Hospital Authority in the amount of \$96,919.50, with \$34,000.00 reflecting backpay to be paid from the Hospital Authority's operating budget and the remaining \$62,919.50 to be paid from the Judgements and Losses fund.

Analysis

In December 2018, Isha Kabba was hired as a PRN nurse for the Hospital Authority. This is not a full-time position, and, at the time, there was no full-time position available. Ms. Kabba accepted the position with this knowledge. There were no full-time patient services representative positions available or hired from November 2018 until May 2019.

According to Ms. Kabba, in early March 2019, her team lead made racially derogatory remarks about Black women. Ms. Kabba claims that she reported her team lead to a department manager. She claims that, after reporting her team lead, she received hostile and aggressive tones, negative performance claims, and time-clock issues from her team lead. The team lead denies making these alleged remarks and an SEIU hearing officer determined that Ms. Kabba's claims were unsubstantiated.

Ms. Kabba also made allegations that the department manager began speaking in hostile and condescending tones after her complaints and began criticizing her performance. She also claims that the department manager refused to consider her for any positions unless she dropped her complaints about the team lead. The department manager disputes these allegations.

In June 2019, a full-time patient services representative position became available. This position would be supervised by an individual who already supervised Ms. Kabba. The supervisor had no knowledge of Ms. Kabba's complaint about the team lead or the investigations into the complaint. The supervisor did not hire Ms. Kabba based upon her previous work performance, including violation of policies, disregard for scheduled shifts, and use of her cell phone while on duty.

Ms. Kabba was terminated for violating the Hospital Authority's cell phone usage policy as well

as her subsequent behavior. On September 3, 2019, Ms. Kabba's cell phone was confiscated by her supervisor because it was visible on her work station in violation of the policy. The supervisor told Ms. Kabba that the cell phone would be returned at the end of her shift. Ms. Kabba threatened to call the police. An HR manager heard about the interaction and requested to meet with Ms. Kabba. Ms. Kabba declined to attend the meeting. Ms. Kabba was terminated on September 6, 2019.

Ms. Kabba filed an order of protection against the HR manager, claiming that the HR manager threw her cell phone at her and became irate. Witnesses dispute this claim.

Ms. Kabba brought several claims including a Title VII race discrimination claim for the failure to hire/promote, Title VII race discrimination related to the September 2019 termination, Title VII retaliation, Title VII retaliatory hostile work environment, and the Tennessee Public Protection Act. This case is dependent on the credibility of witness testimony. Many of the witnesses that would be favorable to Metro are unavailable, including the HR manager who has moved out of state and has become unresponsive and Ms. Kabba's supervisor who has indicated she does not desire to participate.

The Department of Law recommends settlement of this claim for \$96,919.50, which \$34,000 for approximately one year of Ms. Kabba's salary. The total settlement to Ms. Kabba would also include an additional \$180,000 from the Hospitality Authority's insurance provider AIG.

*Fiscal Note: The total settlement amount is \$96,919.50. The \$34,000 backpay would be paid from the Metropolitan Nashville Hospital Authority's operating budget and the remaining \$62,919.50 from Judgements and Losses Fund. This \$62,919.50 settlement would be the 5th payment from the Judgment and Losses Fund in FY23 for a cumulative total of \$1,928,258. The fund balance would be \$15,391,929 after this payment.*

**Sponsors:** Rhoten

**104. [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.

*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

**105. [RS2023-2293](#)**

A resolution declaring surplus and authorizing the conveyance of real property to New Level Community Development Corporation and approving the First Amendment to a grant contract for constructing affordable housing approved by RS2022-1857 between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and New Level Community Development Corporation. (Proposal No. 2023M-005PR-001)

**Analysis**

This resolution declares surplus and authorizes the conveyance of one property at 0 Dickerson Pike in Council District 8 to New Level Community Development Corporation (“New Level”). The resolution also approves amendment one to a grant contract for constructing affordable housing approved by Resolution No. RS2022-1857.

Tenn. Code Ann. §7-3-314(e) permits Metro to convey by resolution any real property acquired pursuant to a delinquent tax sale by grant to a non-profit organization for the purpose of constructing affordable or workforce housing. This section also specifies that no property may be granted prior to the expiration of the statutory redemption period. This section also requires that all such property be used to construct affordable and workforce housing for residents in the county.

The Metropolitan Housing Trust Fund Commission previously entered into a grant contract with New Level pursuant to Resolution No. RS2022-1857. This grant provided \$3,000,000 to New Level for the construction of 15 affordable housing units located at 1827 Murfreesboro Pike. Amendment one would also add 0 Dickerson Pike to addresses where affordable housing units will be placed. No other changes would be made to the agreement.

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

*Fiscal Note: According to the Property Appraiser’s website, the land area for 0 Dickerson Pike (Parcel No. 05000006900) is 0.43 acres with an appraised value of \$20,800.*

**Sponsors:** Rhoten and Withers

**106. [RS2023-2294](#)**

A resolution accepting a grant from the Tennessee Arts Commission to the Metropolitan Government, acting by and through the Metropolitan Arts Commission, for funding to non-profit organizations to nurture artists, arts organizations, and arts supporters.

**Analysis**

This resolution accepts a grant from the Tennessee Arts Commission to the Metropolitan Arts Commission in an amount not to exceed \$72,510 with a required cash match of \$72,510. This grant will support Metro Arts’ administration of the Arts Build Communities (ABC) Grant

program to broaden access to arts experience, address community quality life issues through the arts, and enhance the sustainability of asset-based cultural enterprises. The grant period begins on July 1, 2023 and ends on June 30, 2024.

**Sponsors:** Rhoten, Hurt, Welsch and Styles

**107. [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

**108. [RS2023-2296](#)**

A resolution accepting a grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to achieve sustained control and enhanced prevention to eventually eliminate tuberculosis as a public health threat in Tennessee.

**Analysis**

This resolution accepts a grant from the Tennessee Department of Health to the Metropolitan Board of Health to achieve sustained control and enhanced prevention to eventually eliminate tuberculosis as a public health threat in Tennessee. The grant award is an amount not to exceed \$1,721,500 with no cash match required. The term of the grant begins July 1, 2023 and ends June 30, 2024.

**Sponsors:** Rhoten, Syracuse and Welsch

**109. [RS2023-2297](#)**

A resolution approving an agreement between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Health, and Vanderbilt University School of Nursing to provide clinical experience opportunities for its Advanced Practice Nursing students.

Analysis

This resolution approves an affiliation agreement between the Metropolitan Board of Health and Vanderbilt University School of Nursing to provide clinical experience opportunities for its Advanced Practice Nursing students. Pursuant to the agreement, the Health Department would provide clinical training experiences to students. Students will receive no compensation and would not be considered employees of the Metropolitan Government.

The school is required to provide assurances that students are covered by health and professional liability insurance and the school has agreed to assume responsibility for its students participating in the program.

The term of the agreement begins May 1, 2023 and continues for five years. The agreement may be terminated by either party upon 90 days' written notice.

*Fiscal Note: There is no cost to Metro for the performance of this agreement.*

**Sponsors:** Rhoten, Syracuse and Welsch

110. [RS2023-2298](#)

A resolution accepting a Local Assistance and Tribal Consistency Fund grant from the U.S. Department of the Treasury to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide funding for on-call veterinarian services, new x-ray equipment, and vehicles for adoption events and transport of large animals.

Analysis

This resolution accepts a Local Assistance and Tribal Consistency Fund grant from the U.S. Department of the Treasury to the Metropolitan Board of Health in an amount not to exceed \$100,000 with no local cash match required. This grant is to be used to cover any cost incurred on or after March 15, 2021 for any governmental purpose other than a lobbying activity.

The Metropolitan Board of Health has decided to use the funding to provide for urgent needs for Metro Animal Care & Control, including:

- On-call veterinarian and foster relief for emergency calls;
- A portable x-ray machine for the MACC clinic;
- A program SUV or smaller sprinter van for off-site adoption events;
- 4x4 ACO trucks outfitted with a kennel system and trailer hitch;
- A trailer for livestock and large animals.

**Sponsors:** Rhoten, Syracuse and Hancock

111. [RS2023-2299](#)

A resolution approving an application for a Port Security Grant from the U.S. Department of Homeland Security to the Metropolitan Government, acting by and through the Office of Emergency Management, to improve the detection, deterrence, prevention, and response to hazards in the Port of Nashville.

Analysis

This resolution approves an application for a Port Security Grant from the U.S. Department of Homeland Security to the Office of Emergency Management with a grant award of \$494,750 with a required cash match of \$164,920. If awarded, the grant would be used to provide Metropolitan Nashville Police Department with a boat, boat training and gear to detect, prevent, protect and respond. The grant term begins on September 1, 2023 and ends August 31, 2026.

**Sponsors:** Rhoten and Syracuse

**112. [RS2023-2300](#)**

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Angelique and Jacob Bryant against the Metropolitan Government of Nashville and Davidson County in the amount of \$122,000.00, and that said amount be paid from the Self-Insured Liability Fund.

Analysis

On October 3, 2020, a Metropolitan Nashville Police Department (“MNP”) officer was driving an unmarked patrol car westbound on I-24. The officer attempted to exit onto Briley Parkway but did not see the vehicle driven by Angelique Bryant when the officer began merging lanes. Jacob Bryant was a passenger in the vehicle. The passenger’s side of the MNP patrol car collided with the driver’s side of the Bryant’s vehicle.

Angelique Bryant sought treatment at the emergency room with head and neck pain. She was diagnosed with a neck sprain. She followed up with complaints of wrist pain and left shoulder pain. She attended physical therapy and later had a surgical procedure to address her left wrist pain. Her medical expenses totaled \$35,041.

Jacob Bryant also sought treatment at the emergency room. He was diagnosed with thoracic back strain, lumbar strain, and blunt head injury and sought follow-up treatment related to these diagnoses. Him medical expenses totaled \$29,084.

The Department of Law recommends settlement of Angelique Bryant’s claims for \$82,000 and settlement of Jacob Bryant’s claims for \$40,000, for a total settlement of \$122,000.

Disciplinary action taken against the MNP officer consisted of a written reprimand and remedial driver training.

*Fiscal Note: This \$122,000 settlement would be the 39th payment from the Self-Insured Liability Fund in FY23 for a cumulative total of \$1,758,499. The fund balance would be \$17,857,734 after these payments.*

**Sponsors:** Rhoten

**113. [RS2023-2301](#)**

A resolution approving an intergovernmental agreement by and between the State of Tennessee, Department of Transportation (“TDOT”), and 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”), for the repair of existing pavement failures and resurfacing of 0.830 miles of Clarksville Pike/Dr. D.B. Todd Jr. Boulevard; State Project No. 19SAR1-S8-013, PIN: 132521; Proposal No. 2023M-024AG-001).

**Analysis**

This resolution approves an intergovernmental agreement between the Tennessee Department of Transportation (“TDOT”) and the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) for the repair of existing pavement failures and resurfacing of 0.83 miles of Clarksville Pike/Dr. D.B. Todd Jr. Boulevard from Buchanan Street to Ed Temple Boulevard/Rosa L. Parks Boulevard.

The term of the agreement extends until November 30, 2025. The estimated total cost of the project is \$1,549,100. TDOT is responsible for 85% of the project, which is estimated to be \$1,316,735. NDOT would be responsible for 15% of the project, which is estimated to be \$232,365.

*Fiscal Note: The total project cost is \$1,549,100. Metro would pay \$232,365 or 15% of the total cost for the repair of existing pavement failures and resurfacing 0.830 miles of Clarksville Pike/Dr. D.B. Todd Boulevard.*

**Sponsors:** Toombs, Taylor, Rhoten, Withers and Pulley

**114. [RS2023-2302](#)**

A resolution approving an application for a Charging and Fueling Infrastructure (CFI) Discretionary grant from the Tennessee Department of Transportation to the Metropolitan Government, acting by and through the Nashville Department of Transportation & Multimodal Infrastructure (NDOT), to replace, upgrade, and install new electric vehicle charging systems at various site locations throughout Nashville.

**Analysis**

This resolution approves an application for a Charging and Fueling Infrastructure Discretionary grant from the Tennessee Department of Transportation to the Nashville Department of Transportation and Multimodal Infrastructure. If awarded, the grant award would be \$4,694,080 with a required cash match of \$1,173,520. This grant would be used for rip-and-replace, rip-and-upgrade, and new installation of EV charging stations throughout Davidson County. Rip-and-replace projects replace existing, expired dual-port charging stations with new dual-port chargers of the same power level. Rip-and-upgrade projects replace an existing single-port charging stations with new dual-port chargers.

**Sponsors:** Rhoten, Pulley, Hancock and Allen

**115. [RS2023-2303](#)**

A resolution approving Amendment Two to an intergovernmental agreement by and between the State of Tennessee Department of Transportation (TDOT), and the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), for the intersection improvements on Nolensville Pike from McNally Drive to Natchez Court. State Project No. 19LPLM-S3-158; PIN 128602.00; Proposal No. 2023M-029AG-001.

**Analysis**

This resolution approves the second amendment to an intergovernmental agreement between the Tennessee Department of Transportation (“TDOT”) and the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) for intersection improvements on Nolensville Pike from McNally Drive to Natchez Court. This project also includes sidewalks, ADA, curb and gutter, striping, transit stop improvements, pedestrian signals, and drainage.

This agreement was originally approved by Resolution No. RS2019-135 and amended by RS2020-471.

The resolution under consideration replaces the contract in its entirety. This updated contract extends the completion date from July 1, 2023 to July 1, 2024. Exhibit A, which includes the estimated cost for the project, would also be updated.

*Fiscal Note: This amendment will not change the total project cost of \$980,005 and Metro’s 5% participation share of this cost.*

**Sponsors:** Welsch, Johnston, Rhoten, Withers and Pulley

**116. [RS2023-2304](#)**

A resolution authorizing the Metropolitan Government of Nashville and Davidson County, through the Department of Water and Sewerage Services, to enter into a recycling technology pilot program with Sensoneo and to accept a donation of \$14,000 for hardware integration, temporary licensing, and services associated with the program.

**Analysis**

This resolution authorizes the Metropolitan Department of Water and Sewerage Services (“MWS”) to enter into a recycling technology pilot program with Sensoneo and also accepts a donation for hardware integration, temporary licensing, and services associated with the program.

Sensoneo has developed WasteVision AI, which is artificial intelligence and machine learning technology that leverages existing on-truck camera technology to automatically identify contamination in residential curbside carts and tie the contamination to the residence of origin for use in direct resident education about correct recycling.

The pilot program will consist of two WasteVision AI licenses and related technology for use by MWS for a period of 90 days at no cost. The value of this technology is \$2,500 per truck in

hardware and installation and \$1,495 per truck per month for licensing. The total estimated value of this program is \$14,000.

*Fiscal Note: Metro would receive a donation valued at \$14,000 from Sensoneo for the recycling technology pilot program. The cost of hardware and installation is valued at \$2,500 per truck and the WasteVision AI (WVAI) license is valued at \$1,495/month per truck.*

**Sponsors:** Rhoten and Pulley

117. [RS2023-2305](#)

A resolution approving an application for a Community Project Fund - Congressionally Directed Spending grant from the U. S. Department of Agriculture to the Metropolitan Government, acting by and through the Metropolitan Nashville Water and Sewerage Services Department, to help replant Nashville's diminishing tree canopy and retain all the benefits it provides.

Analysis

This resolution approves an application for a Community Project Fund - Congressionally Directed Spending grant from the U.S. Department of Agriculture to the Metropolitan Nashville Water and Sewerage Services Department. If awarded, the grant amount would be not to exceed \$1,078,020. The grant would be used towards tree planting through contracted non-profit partners on private property, a pilot ash tree removal and tree replanting in Metro right-of-way.

**Sponsors:** Rhoten, Pulley, Bradford and Hancock

118. [RS2023-2306](#)

A resolution to amend Ordinance No. BL2021-1020 to authorize The Metropolitan Government of Nashville and Davidson County to modify the abandonment and acceptance of public water mains, fire hydrant assemblies and easements, for property located at 1201 Hillside Avenue, also known as Reservoir- Zone 4A (MWS Project Nos. 21-WL-71 and 21-SL-160 and Proposal Nos. 2021M-082ES-001 and 2023M-064ES-001).

Analysis

This resolution amends Ordinance No. BL2021-1020 to modify the abandonment and acceptance of public water mains, fire hydrant assemblies, and easements for property located at 1201 Hillside Avenue, also known as Reservoir Zone 4A.

Ordinance No. BL2021-1020 abandoned approximately 637 linear feet of existing eight inch sanitary sewer main, approximately 394 linear feet of existing six inch water main, approximately 396 linear feet of existing 30 inch water main, eight sanitary sewer manholes, one fire hydrant assembly and easements, and accepts approximately 311 linear feet of new eight inch sanitary sewer main (DIP), approximately 482 linear feet of new six inch water main (DIP), approximately 481 linear feet of new 30 inch water main (DIP), five sanitary sewer manholes, two fire hydrant assemblies and easements. It also provided that future amendments to the ordinance may be approved by resolution.

This amendment abandons an additional approximately 229 linear feet of existing 30-inch water main, an additional approximately 150 linear feet of existing six-inch water main and easements, and the acceptance of an additional approximately 88 linear feet of new 30-inch water main (DIP), approximately 567 linear feet of new eight-inch water main (DIP) and easements.

*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:** Sledge, Withers and Pulley

## L. Bills on Second Reading

### 227. [BL2023-1869](#)

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

#### Analysis

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

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

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

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

**Sponsors:** Pulley and Young

### 228. [BL2023-1882](#)

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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.*

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**Sponsors:** OConnell, Welsch, Allen, Benedict, Mendes, Sledge and Evans

**229. [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 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 internal affairs unit within three business days of receipt. Upon receipt of any such complaint, the MNPB internal affairs unit 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 internal affairs unit for investigation.

The head of the MNPB internal affairs unit will notify the executive director when an investigation of misconduct is closed. Upon notice of a closed investigation, the executive director will review the internal affairs 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 internal affairs unit 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 direct the executive director to return the investigation to the internal affairs unit 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 MCRB's findings and

conclusions with that of the internal affairs unit, 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 internal affairs unit or of a criminal investigation, while a remedy is actively being pursued through 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 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.

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

**230. [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

**231. [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

**232. [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 collects 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

**233. [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.

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**Sponsors:** Parker

**234. [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

**235. [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

**236. [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

**237. [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

**238. [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

**239. [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

**240. [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

**241. [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

## **M. Bills on Third Reading**

### **242. [BL2021-920](#)**

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

#### Analysis

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

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

**Sponsors:** Murphy and Nash

### **244. [BL2023-1885](#)**

An ordinance to amend Section 10.60.050 of the Metropolitan Code of Laws to amend an alarm registration display requirement.

#### Analysis

This ordinance amends Section 10.60.050 of the Metropolitan Code of Laws relative to the display of alarm permits.

Current law requires that alarm registration “sticker” provided to a permittee be displayed so as to be easily visible from the outside front of the building.

The ordinance under consideration would change this language to provide that the alarm registration “permit” be displayed, instead of the “sticker.”

**Sponsors:** Syracuse

**245. [BL2023-1886](#)**

An ordinance amending Chapter 11.22 of the Metropolitan Code of Laws to require landlords to provide to certain older persons sixty-days’ notice of termination of tenancy for purposes of eviction to make way for new property development.

**Analysis**

This ordinance amends Chapter 11.22 of the Metropolitan Code of Laws to require landlords to provide to certain older persons sixty-days’ notice of termination of tenancy for purposes of eviction to make way for new property development.

In April of this year, the Tennessee General Assembly adopted legislation, known as the “Norma Jean Upshaw Act,” to provide notice to certain tenants at least 60 days prior to the termination of the tenancy. Pursuant to this law, a landlord must provide 60 days’ notice of the termination of a tenancy for the purpose of eviction of a residential tenant of a facility if (1) the tenant has paid all due rent and is not in arrears on rent payment and (2) the termination and eviction are to allow for a new property development. Under the Act, a facility is defined as a facility that provides housing for older persons. “New property development” is defined as (1) razing a facility for the purposes of using the property for purposes other than housing for older persons or (2) renovating a facility in a manner that requires tenants to vacate the facility in order to turn the facility into residential housing offered at a market rate. The state law is set to take effect July 1, 2023.

The ordinance under consideration simply mirrors the state law in the Metropolitan Code. The Metropolitan Government has no authority to enforce this provision on its own. Davidson County is subject to the Tennessee Uniform Residential Landlord and Tenant Act (“URLTA”), which regulates the relationships of landlords and tenants. URLTA preempts the entire field of legislation concerning the regulation of landlords and tenants, which prohibits Metro from adopting any laws that conflict with or are in addition to the state law. Tenn. Code Ann. § 66-28-102.

**Sponsors:** Hurt, Welsch, Allen and Toombs

**246. [BL2023-1887](#)**

An ordinance amending Ordinance No. BL2021-594 to authorize lowering the speed limit on streets designated as local streets on the Major and Collector Street Plan within the General Services District from 30 miles per hour to 25 miles per hour, allowing exceptions to that general reduction to be granted by the Metropolitan Traffic and Parking Commission, and amending Section 12.20.020 of the Metropolitan Code.

**Analysis**

This ordinance amends Ordinance No. BL2021-594 to lower speed limits on local streets within

the General Services District.

Ordinance No. BL2021-594, approved by the Metropolitan Council on February 2, 2021, lowered the speed limit on streets designated as local streets on the Major and Collector Street Plan within the Urban Services district. The speed limit was lowered from 30 miles per hour to 25 miles per hour. The Metropolitan Traffic and Parking Commission (“MTLC”) approved the lowering of speed limits on local streets throughout the General Services District from 30 miles per hour to 25 miles per hour at its April 10, 2023 meeting.

This ordinance would lower the speed limits on streets designated as local streets on the Major and Collector Street Plan within the General Services District in urban and suburban neighborhoods are hereby generally lowered from 30 miles per hour to 25 miles per hour. The MTLC would retain authority to officially adopt this speed limit reduction and provide exceptions to the speed limit reduction. The MTLC would be required to hold a noticed public hearing on the request prior to the adoption of an exception. Section 12.20.020 of the Metropolitan Code of Laws would be amended to reflect this change.

The MTLC is further authorized to post appropriate speed limit signage to effectuate this ordinance.

*Fiscal Note: The estimated cost to Metro for the replacement of the speed limit signs is \$60,000, broken down as follows: Parts and materials - \$42,000, labor and overtime - \$11,000, contingency - \$7,000.*

**Sponsors:** Rutherford, Pulley, Hancock, Bradford, Henderson, Welsch and Allen

**247. [BL2023-1889](#)**

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

**Analysis**

This ordinance approves a lease agreement between the Metropolitan Board of Education and Nashville State Community College for the use of property at 5248 Hickory Hollow Parkway for the Academy at Hickory Hollow. The property includes approximately 6,596 square feet of the building and would be used by Metro for classrooms and support space.

The term of the lease begins on August 1, 2023 and ends on July 31, 2033. Either party may terminate the lease following 180 days’ notice. Upon termination of the lease, the property will revert to the State of Tennessee. Metro’s lease payment will be \$56,066.00 per year, or \$4,672.17 per month. Under the agreement, the State would remain responsible for maintenance, repair work, utilities, and janitorial services on the property.

*Fiscal Note: Metro would pay a base lease price of \$4,672.17 per month to the State of Tennessee for an approximate square footage of 6,596 square feet.*

**Sponsors:** Murphy, Rhoten, Porterfield and Suara

**248. [BL2023-1890](#)**

An ordinance adopting the Five Year Consolidated Plan and 2023 Action Plan for Housing and Community Development and authorizing the Metropolitan Mayor to submit the Consolidated Plan and 2023 Action Plan to the U.S. Department of Housing and Urban Development.

Analysis

This ordinance adopts the 2023-2028 Consolidated Plan for Housing and Community Development (“Consolidated Plan”) and authorizes the Mayor to submit the Plan to the U.S. Department of Housing and Urban Development (“HUD”). This five-year Consolidated Plan was prepared by the Metropolitan Development and Housing Agency (“MDHA”) and is to be administered by MDHA. The Council most recently adopted a Consolidated Plan in 2018 for the years 2018-2023 pursuant to Ordinance No. BL2018-1246.

HUD requires local governments seeking federal funding under the Community Development Block Grant program (“CDBG”), the HOME investment partnerships program, the Emergency Shelter Grant program (“ESG”), and the Housing Opportunities for Persons With AIDS (“HOPWA”) program to submit a consolidated plan for housing and community development.

This plan includes a Needs Assessment, a Housing Market Analysis, and a Strategic Plan that establishes priorities for addressing housing and community development needs. In addition, the Action Plan for 2023 provides for expenditure of CDBG, HOME, ESG, and HOPWA funds to address the Consolidated Plan's priorities.

Funding for the programs in the 2023 Action Plan would be used for the following purposes:

- CDBG - Acquisition, Administration and Planning, Economic Development, Housing, Public Improvements, and Public Services
- HOME - Acquisition, Homebuyer assistance, Homeowner rehab, Multifamily rental new construction, Multifamily rental rehab, New construction for ownership, and Tenant-Based Rental Assistance (“TBRA”)
- HOPWA - Permanent housing in facilities, Permanent housing placement, Short term or transitional housing facilities, Short-Term Rent, Mortgage, and Utility Assistance (STRMU), Supportive services, and TBRA
- ESG - Conversion and rehab for transitional housing, Financial Assistance, Overnight shelter, Rapid re-housing (rental assistance), Rental Assistance Services, and Transitional housing

Funding for these programs could not be allocated for any property acquisition for which the power of eminent domain is utilized by MDHA, which is restricted under federal law.

*Fiscal Note: The 2023 Action Plan includes the following funding levels:*

*CDBG*

*Allocation -- \$4,922,781*

*Program Income -- \$208,404*

*The actual expenditure of CDBG funds would be submitted to the Council for approval by resolution at the time the projects are identified. CDBG funds are not to be used for capital improvement projects, as stated in the ordinance.*

#### HOME

*Allocation -- \$2,767,733*

*Program Income -- \$378,840*

*The twenty-five percent (25%) local match for the HOME Investment Partnerships Program will be provided by non-federal funds utilized for HOME projects as well as the value of donated and or improvements associated with HOME-funded projects, or by other eligible methods as provided in the HOME regulations.*

#### HOPWA

*Allocation -- \$2,389,060*

#### ESG

*Allocation -- \$445,903*

*Local matching funds are required under the ESG program to be provided by the local nonprofits that participate in the program as sub-grantees.*

**Sponsors:** Rhoten and Hausser

#### 249. [BL2023-1893](#)

An ordinance approving an agreement between the Metropolitan Government of Nashville-Davidson County, acting by and through the Office of Family Safety, and Caravan Studios to participate in the Safe Shelter Collaborative that addresses quick identification of immediately available and survivor appropriate-shelter.

#### Analysis

This ordinance approves an agreement between the Office of Family Safety and Caravan Studios to participate in the Safe Shelter Collaborative that addresses quick identification of immediately available and survivor-appropriate shelter. The agreement addresses the provision of content relevant to survivor support and the protection of confidential information.

The term of this agreement commences upon execution by all involved parties and approval by the Metropolitan Council. The term will automatically renew annually but in no event may the agreement exceed 60 months from the effective date. Either party may terminate this agreement immediately upon written notice to the other party.

*Fiscal Note: There is no cost to Metro for the performance of this agreement.*

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**Sponsors:** Syracuse, Hancock, Hurt, Porterfield and Allen

**250. [BL2023-1895](#)**

An ordinance authorizing the granting of a permanent utility easement to Piedmont Natural Gas Co. on certain property owned by the Metropolitan Government (Parcel No. 14200021700) (Proposal No. 2023M-068ES-001).

Analysis

This ordinance authorizes the Director of Public Property Administration to grant a permanent utility easement to Piedmont Natural Gas Co. (“Piedmont”) on Metro Government property located at 0 Highway 70 South. This easement is for the purposes of constructing, installing, maintaining, operating, repairing, altering, replacing, removing, relocating, inspecting, upgrading, and protecting one or more underground pipelines. Piedmont agrees to pay Metro \$1,800, representing the fair market value, for this permanent easement.

*Fiscal Note: Piedmont Natural Gas Co. has agreed to pay \$1,800 to Metro for the permanent easement.*

**Sponsors:** Hausser, Rhoten, Withers and Pulley

**251. [BL2023-1896](#)**

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 “Early Acquisition of ROW to include six parcels for Phase I-North/South Arterial Boulevard between Spring Street and Woodland Street”, State Project No. 19LPLM-S2-190, PIN 132289.00 (“the Project”); Proposal No. 2023M-021AG-001.

Analysis

This ordinance authorizes the Director of Public Property Administration to acquire by negotiation or condemnation rights-of-way, easements, and property rights for use by the Nashville Department of Transportation and Multimodal Infrastructure for the public project “Early Acquisition of ROW to include six parcels for Phase I-North/South Arterial Boulevard between Spring Street and Woodland Street.” The State of Tennessee previously agreed to share the costs of such right-of-way acquisition pursuant to Resolution No. RS2021-1237 and as amended by RS2022-1410.

Future amendments to this legislation may be approved by resolution.

*Fiscal Note: Metro’s estimated cost is \$23,000,000, which represents 50% of the total estimated cost of the acquisition to be paid from Fund No. 40022, Business Unit 42401022.*

**Sponsors:** Parker, Withers, Rhoten and Pulley

**252. [BL2023-1897](#)**

An ordinance to amend the Geographic Information Systems Street and Alley Centerline

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Layer for the Metropolitan Government of Nashville and Davidson County by abandoning a portion of Pawnee Trail unimproved right-of-way, (Proposal Number 2023M-001AB-001).

Analysis

This ordinance abandons a portion of Pawnee Trail unimproved right-of-way, from terminus southeastward 36.3 feet between parcel 05314000800 and parcel 05314011400. This has been requested by Council Member Tonya Hancock, applicant.

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

**Sponsors:** Hancock, Withers and Pulley

**253. [BL2023-1898](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main, sanitary sewer manholes, fire hydrant assemblies and easements, for property located at 840 Old Lebanon Dirt Road (MWS Project Nos. 22-SL-110 and 22-WL-48 and Proposal No. 2023M-061ES-001).

Analysis

This ordinance accepts approximately 917 linear feet of new eight-inch sanitary sewer main (PVC), seven sanitary sewer manholes, two fire hydrant assemblies and easements for property located at 840 Old Lebanon Dirt Road.

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

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

**Sponsors:** Evans, Withers and Pulley

**254. [BL2023-1899](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation and replacement of public water main, for property located at 401 Clay Street, also known as Lexus of Nashville (MWS Project No. 23-WL-28 and Proposal No. 2023M-062ES-001).

Analysis

This ordinance accepts the vertical relocation and replacement of approximately 10 linear feet of six-inch water main (DIP) for property located at 401 Clay Street, also known as Lexus of Nashville.

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

**Sponsors:** Taylor, Withers and Pulley

**255. [BL2023-1900](#)**

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 3739 Hoggett Ford Road, also known as The Reserve at Magnolia Farms (MWS Project Nos. 22-WL-95 and 22-SL-204 and Proposal No. 2023M-065ES-001).

**Analysis**

This ordinance accepts approximately six linear feet of new 10-inch water main (DIP), approximately 1,014 linear feet of new eight-inch water main (DIP), approximately 220 linear feet of new six-inch water main (DIP), approximately 434 linear feet of new eight-inch sanitary sewer main (DIP), approximately 859 linear feet of new eight-inch sanitary sewer main (PVC), two fire hydrant assemblies, seven sanitary sewer manholes and easements for property located at 3739 Hoggett Ford Road, also known as The Reserve at Magnolia Farm.

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

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

**Sponsors:** Rhoten, Withers and Pulley

**256. [BL2023-1901](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public storm sewer pipeline and easement, for property located at 2212 12th Avenue South (MWS Grading Permit No. 2022037291 and Proposal No. 2023M-071ES-001).

**Analysis**

This ordinance abandons existing public storm sewer pipeline and easement, for property located at 2212 12th Avenue South. The abandonment has been requested by Barge Civil Associates, on behalf of the owner.

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

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

**Sponsors:** Sledge, Withers and Pulley

**257. [BL2023-1902](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer mains, sanitary sewer manholes and easements, for property located at 3507 Central Pike, also known as Hermitage 7-Eleven (MWS Project No. 23-SL-37 and Proposal No. 2023M-058ES-001).

Analysis

This ordinance accepts approximately 204 linear feet of new eight-inch sanitary sewer main (DIP), approximately 33 linear feet of new eight-inch sanitary sewer main (PVC), two sanitary sewer manholes and easements for property located at 3507 Central Pike, also known as Hermitage 7-Eleven.

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

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

**Sponsors:** Rhoten, Withers and Pulley

**258. [BL2023-1903](#)**

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 433 Opry Mills Drive, also known as PF Chang's restaurant (MWS Project No. 23-WL-23 and Proposal No. 2023M-072ES-001).

Analysis

This ordinance accepts the relocation of an existing public fire hydrant assembly, for property located at 433 Opry Mills Drive, also known as PF Chang's restaurant.

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

**Sponsors:** Syracuse, Withers and Pulley

**259. [BL2023-1904](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new public sanitary sewer manhole and easement, for two properties located at 1011 and 1013 West Trinity Lane (MWS Project No. 22-SL-131 and Proposal No. 2023M-067ES-001).

Analysis

This ordinance accepts a new public sanitary sewer manhole and easement for two properties located at 1011 and 1013 West Trinity Lane.

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

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

**Sponsors:** Toombs, Withers and Pulley

**260. [BL2023-1905](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and sanitary sewer manholes, for property located at 1219 11th Avenue North (MWS Project No. 22-SL-270 and Proposal No. 2023M-079ES-001).

**Analysis**

This ordinance accepts approximately 162 linear feet of new eight-inch sanitary sewer main (DIP) and two sanitary sewer manholes for property located at 1219 11th Avenue North.

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

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

**Sponsors:** Withers and Pulley

**261. [BL2023-1906](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept public new sanitary sewer force main and rehabilitation of existing sanitary sewer manholes, for four properties located on Rural Hill Road, Mount View Road, and Highlander Drive, also known as NOVO Antioch (MWS Project No. 22-SL-43 and Proposal No. 2023M-052ES-001).

**Analysis**

This ordinance accepts approximately 1,472 linear feet of new four-inch sanitary sewer force main (DIP) and authorizes the rehabilitation of three existing sanitary sewer manholes for four properties located on Rural Hill Road, Mount View Road, and Highlander Drive, also known as the NOVO Antioch development.

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

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

**Sponsors:** Withers and Pulley

**262. [BL2023-1907](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains and sanitary sewer manholes, for property located at 1287 Currey Road, also known as Habiba Subdivision (MWS Project Nos. 22-WL-110 and 22-SL-230 and Proposal No. 2023M-073ES-001).

**Analysis**

This ordinance accepts approximately 300 linear feet of new eight-inch water main (DIP),

approximately 623 linear feet of new eight-inch sanitary sewer main (PVC), and two sanitary sewer manholes for property located at 1287 Currey Road, also known as Habiba Subdivision.

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

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

**Sponsors:** Bradford, Withers and Pulley

**263. [BL2023-1908](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer mains and sanitary sewer manholes, and to accept new public sanitary sewer mains and sanitary sewer manholes, for eight properties located on Ewing Drive, Dickerson Pike, and Ben Allen Road, also known as Ewing Drive Sanitary Sewer Replacement, (MWS Project No. 23-SL-13 and Proposal No. 2023M-055ES-001).

**Analysis**

This ordinance abandons approximately 663 linear feet of existing eight-inch sanitary sewer main (PVC), approximately 19 linear of existing 15-inch sanitary sewer main (PVC), and five sanitary sewer manholes, and accepts approximately 633 linear feet of new 12-inch sanitary sewer main (DIP), approximately 19 linear feet of new 15-inch sanitary sewer main (DIP) and four new sanitary sewer manholes for eight properties located on Ewing Drive, Dickerson Pike, and Ben Allen Road, also known as Ewing Drive Sanitary Sewer Replacement.

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

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

**Sponsors:** Toombs, VanReece, Withers and Pulley

**264. [BL2023-1909](#)**

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 two properties located at 5991 and 5997 Edmondson Pike, also known as Sycamore Estates (MWS Project Nos. 22-WL-99 and 22-SL-209 and Proposal No. 2023M-066ES-001).

**Analysis**

This ordinance accepts approximately 1,491 linear feet of new eight-inch water main (DIP), approximately 83 linear feet of new six-inch water main (DIP), approximately 1,073 linear feet of new eight-inch sanitary sewer main (PVC), approximately 328 linear feet of new eight-inch sanitary sewer main (DIP), four fire hydrant assemblies, six sanitary sewer manholes and easements for two properties located at 5991 and 5997 Edmondson Pike, also known as

Sycamore Estates.

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

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

**Sponsors:** Withers and Pulley

**265. [BL2023-1910](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and adjustment of sanitary sewer manholes, for property located at 455 Rural Hill Road, also known as Edge O'Lake Sanitary Sewer Improvement (MWS Project No. 22-SL-295 and Proposal No. 2023M-049ES-001).

**Analysis**

This ordinance accepts approximately 788 linear feet of new 15-inch sanitary sewer main (PVC) and authorizes the adjustment of four sanitary sewer manholes for property located at 455 Rural Hill Road, also known as Edge O'Lake Sanitary Sewer Improvement.

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

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

**Sponsors:** Porterfield, Withers and Pulley