



Metropolitan Council

H. Resolutions on Public Hearing

1. [RS2024-330](#)

A resolution exempting Jashan, located at 2100 21st Avenue South 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 Jashan, located at 2100 21st Avenue South.

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: Cash

I. Bills on Public Hearing

11. [BL2024-255](#)

An ordinance amending Section 17.40.720 of the Metropolitan Code to require mailed notice to all affected property owners of R, R-A, RS, and RS-A parcels when a change to the Zoning Code results in an increase or decrease in the number of allowed dwelling units on the affected parcels (Proposal No. 2024Z-009TX-001).

Analysis

This ordinance amends Section 17.40.720 of the Metropolitan Code to require mailed notice of the public hearing for amendments to Title 17, the Zoning Code, that would result in a change in the number of permitted dwelling units on parcels zoned R, R-A, RS, and/or RS-A. Such notice would be required to conform to the same standards as the mailed notice currently required for amendments to the official zoning map and be sent to all affected parcel owners, all surrounding parcel owners within 1,000 feet of an affected parcel, and to the address(es) of the affected parcels should the owner's address differ. Additionally, the ordinance requires that the Planning Department be responsible for the preparation and mailing of this notice.

Currently, no mailed notice to property owners is required for text amendments to Title 17. The only notice provided is by advertisement in a newspaper of general circulation at least 21 days prior to the public hearing, as well as the posting of the meeting agenda on the Legislative Information Center website (Legistar).

The Planning Commission has not made a recommendation on this proposal. Nor has the proposal been scheduled to be heard by the Planning Commission at this time.

Pursuant to Metropolitan Charter Section 18.02, this ordinance cannot be passed on second reading because this item has not yet received a recommendation from the Planning Commission and less than 30 days have elapsed since its referral to the Planning Commission.

Sponsors: Hancock and Webb

K. Resolutions

32. [RS2024-270](#)

A resolution approving a memorandum of understanding related to the proposed development of a multi-use performance space for the Tennessee Performance Arts Center on East Bank property owned by the Metropolitan Government.

Analysis

This resolution approves a memorandum of understanding ("MOU") for the proposed development of a multi-use performing arts venue (the "performing arts center") for the Tennessee Performing Arts Center ("TPAC") on property owned by the Metropolitan Government on the East Bank.

The MOU, attached as Exhibit B to the resolution, is not binding on the parties - it provides the proposed terms and conditions for the development, construction, and operation of the performing arts center, as well as the preliminary terms for a development agreement and a lease agreement for a specific parcel on the East Bank property, identified in Exhibit A to the resolution. Council's approval of the MOU is preliminary, and all final definitive forms of the agreements presented in the MOU will require additional approval of the Council prior to execution.

Proposed terms of the Development Agreement

Project Design and Construction

TPAC will be responsible for the design and construction of the performing arts center, which would include a 2,600-seat multi-purpose theatre, a 1,200-seat dance and opera hall, a 500-seat flexible venue, four rehearsal studios, and TPAC administrative offices. The project would also include necessary stormwater improvements, a plaza on the north side of the property that provides public access to the riverfront, an extension of the pedestrian bridge that would be structurally independent of the performing arts center, street improvements along Waterside Drive and Victory Way, and any off-site utilities necessary to operate the performing arts center not otherwise built for the new Titans stadium or other East Bank developments. Temporary improvements to the pedestrian bridge would be required to ensure continued pedestrian and bicycle access that would not require riders to dismount.

TPAC will be responsible for contracting with and directing the architects, construction managers, and other professionals in the design and construction of the performing arts center. The Metropolitan Government would have the right to monitor project construction and ensure compliance with the approved plans and requirements, and TPAC would provide reasonable access to the construction site and provide construction reports to the Metropolitan Government until the project is complete. TPAC also committed to achieve a 25% minority and women-owned business participation goal with the project.

Project Funding

TPAC will fund all costs, including cost overruns, of the project and enter into a construction contract with a guaranteed maximum price or stipulated sum. The construction contract will include a final cost budget for the design, development, and construction of the performing arts center. TPAC could not begin construction of the project until it can sufficiently prove it could pay the budgeted costs and any cost overruns. Sources of funding may include: a \$500,000,000 grant from the state of Tennessee; funding from donors of at least \$100,000,000; and private construction financing from one or more financial institutions.

Termination

The Metropolitan Government will have the right to terminate the development agreement (as well as other definitive agreements) on September 30, 2025, unless the State of Tennessee has approved the entirety of its grant, TPAC has secured the necessary donor contributions, TPAC has delivered a concept design for the performing arts center approved by the Planning Department, TPAC has delivered a preliminary budget with total project costs to the Metropolitan Government, and TPAC has delivered a commitment for private financing to sufficiently fund the preliminary costs for the project, less the State of Tennessee grant and the donor contributions.

Further, the Metropolitan Government will have the right to terminate the development agreement (as well as other definitive agreements) on September 30, 2027, if TPAC has not

started construction on the project, with that date being subject to extension for extraordinary events, delays unreasonably caused by the Metropolitan Government, or delays in the utility infrastructure for the Titans stadium and other East Bank projects. TPAC may not start construction work until the Metropolitan Government approves the final design of the performing arts center and until the Metropolitan Government is reasonably satisfied that TPAC can fully fund the project with the state contribution, donor contribution, and private financing.

If the development agreement (as well as other definitive agreements) is terminated for failure to meet the termination conditions, the Metropolitan Government will have no liability to TPAC.

Proposed Terms of the Lease Agreement

Property: Metropolitan Government would lease to TPAC an approximately 3.3-acre parcel on the East Bank directly north of the John Seigenthaler Pedestrian Bridge (the “pedestrian bridge”), identified as parcel E2 in Exhibit 1 to the agreement.

Term: The initial term of the lease agreement would be for 35 years, and TPAC could exercise two options to extend the agreement by 30 additional years each.

Rent: During the initial 35-year term, TPAC would pay \$100 in annual rent. Rent would be recalculated at the beginning on each extension period to be 25% of the then market value, with appropriate annual escalations.

Use: TPAC would agree to use the performing arts center as its primary performance venue and manage the use of the performing arts center by other performance companies.

Revenues and Expenses: TPAC would retain all revenues from the operation of the performing arts center, including advertising rights. TPAC would be responsible for operating expenses, capital improvement expenses necessary to maintain the facility in a condition consistent with other first-class performing arts facilities, utilities expenses, and the maintenance of insurance coverage for the performing arts center.

Civic Events Use: The Metropolitan Government would be entitled to use the performing arts center for up to three civic-oriented events each year and would be responsible for related operating expenses.

Proposed Terms of Other Agreements

TPAC would also be required to enter into construction coordination and campus operation agreements with the Metropolitan Government, StadCo, and Fallon to ensure the cooperative development and operation of the performing arts center with the other tenants and users of the East Bank. Additional agreements would require TPAC to contribute toward the operation and maintenance expenses of the pedestrian bridge improvements and activate the pedestrian bridge improvements next to the performing arts center. While TPAC will be solely responsible to secure parking for patrons of performing arts center events, the Metropolitan Government

would work in good faith with TPAC to negotiate market-rate parking TPAC patrons in Metro-controlled parking facilities. Additionally, TPAC and the Metropolitan Government will work together to identify public areas on the East Bank that are ideal to activate for cultural programming provided by TPAC.

Fiscal Note: Tennessee Performing Arts Center Management Corporation (TPAC) will pay rent in the amount of \$100 per year for the initial term of 35 year, with two 30-year renewal terms. Rent will be recalculated at the beginning of each 30-year extension period to 25% of the market value with appropriate future annual escalations.

Sponsors: Kupin, Porterfield, Gamble, Parker, Huffman, Spain, Vo and Capp

33. [RS2024-331](#)

A resolution to approve the Second Amendment to a grant contract for constructing affordable housing approved by RS2021-936 between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and Habitat for Humanity of Greater Nashville.

Analysis

This resolution approves the second amendment to a grant originally approved by Resolution No. RS2021-936 between the Metropolitan Housing Trust Fund Commission and Habitat for Humanity of Greater Nashville.

RS2021-936 approved a contract for a grant of \$1,999,580 to be used for the construction of 32 affordable single-family home units located at Village Trail and Ewing Valley Road. The first amendment to this contract was approved pursuant to RS2023-2043 and extended the term from 24 months to 36 months.

The amendment under consideration extends the term from 36 months to 48 months. No other changes would be made to the contract.

Sponsors: Porterfield, Gamble, Welsch, Kupin and Ellis

34. [RS2024-332](#)

A resolution to approve the First Amendment to four grant contracts for constructing affordable housing approved by RS2022-1443 between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and certain non-profit organizations.

Analysis

This resolution approves the first amendment to four grant contracts previously approved by Resolution No. RS2022-1443 with the Metropolitan Housing Trust Fund Commission for the construction of affordable housing.

The four grant contracts were several that the Metropolitan Housing Trust Fund previously executed pursuant to Resolution No. RS2022-1443 (Exhibits G, J, K, and R to RS2022-1443).

The four organizations received a combined \$5,850,000 to construct affordable housing units in Nashville and Davidson County.

The amendments under consideration would extend the terms of the grant contracts from 24 months to 36 months from the execution of the agreement for the following organizations (with exhibits and the amount of the original award):

- Clark UMC Community Development Corporation - Exhibit R - \$100,000
- Living Development Concepts, Inc. - Exhibit G - \$250,000
- Woodbine Community Organization - Exhibit K - \$3,000,000
- Inspiritus, Inc. - Exhibit J - \$2,500,000

Sponsors: Porterfield, Gamble, Welsch, Kupin and Ellis

35. [RS2024-333](#)

A resolution to approve the Second Amendment to a grant contract for constructing affordable housing approved by RS2022-1443 between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and Inspiritus Inc.

Analysis

This resolution approves the second amendment to a grant originally approved by Resolution No. RS2022-1443 between the Metropolitan Housing Trust Fund Commission and Inspiritus Inc.

RS2022-1443 approved a contract for a grant of \$2,500,000 to be used for the construction of affordable housing rental units at 1622 Rosa Parks Boulevard. The first amendment to this contract is also pending before the Council and is the subject of Resolution RS2024-332. The first amendment would extend the term of the contract from 24 months to 36 months.

The amendment under consideration replaces Section C.3 of the grant contract related to Payment Methodology regarding the grant draw schedule. No other changes would be made to the contract.

Sponsors: Porterfield, Gamble, Welsch, Kupin and Ellis

36. [RS2024-334](#)

A resolution to approve the First Amendment to four grant contracts for constructing affordable housing approved by RS2022-1443 between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and certain non-profit organizations.

Analysis

This resolution approves amendments to four grant contracts originally approved by Resolution No. RS2022-1443. These grants are between the Metropolitan Housing Trust Fund Commission and nonprofit organizations and are for the construction of affordable housing.

The four grant contracts were among several that the Metropolitan Housing Trust Fund previously executed pursuant to Resolution No. RS2022-1443 (Exhibits H, L, and P to RS2022-1443). Urban Housing Solutions, Inc. was party to two grant contracts approved by RS2022-1443 and it is unclear which of those contracts is intended to be amended by this resolution-an amendment to the resolution to clarify this is anticipated.

The amendments extend the term of the grant contracts from 24 months to 36 months for the following organizations (with exhibits and the amount of the original award):

- Be a Helping Hand Foundation - Exhibit H - \$642,099
- Habitat of Humanity of Greater Nashville - Exhibit L - \$2,990,007
- Mary Parrish Center - Exhibit P - \$507,000

Urban Housing Solutions, Inc. is a party to grant contracts both in Exhibit I and Exhibit M, with each grant award being \$1,500,000. The resolution, as currently drafted, would extend a contract term from 24 months to 36 months.

No other changes would be made to these contracts.

Sponsors: Porterfield, Gamble, Welsch, Kupin and Ellis

37. [RS2024-335](#)

A resolution to approve the First Amendment to a grant contract for constructing affordable housing approved by RS2022-1444 between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Housing Trust Fund Commission, and Pathway Lending.

Analysis

This resolution approves the first amendment to a grant contract between the Metropolitan Housing Trust Fund and Pathway Lending adopted by the Metropolitan Council through Resolution No. RS2022-1444.

The original contract authorized a grant not to exceed \$1,000,000 from the Barnes Fund for Affording Housing to Pathway Lending to provide weatherization assistance and energy efficiency improvements to housing units owned by qualified low-income individuals and families.

The amendment under consideration extends the contract term from 24 months to 36 months from the execution of the grant agreement.

Sponsors: Porterfield, Gamble, Welsch, Kupin and Ellis

38. [RS2024-336](#)

A resolution accepting the terms of a cooperative purchasing master agreement for fuel cards and enhancements to fuel card products which expand payment capabilities for electric vehicle charging stations for the General Services Department.

Analysis

This resolution accepts the terms of a cooperative purchasing master agreement for fuel cards and enhancements to fuel card products which expand payment capabilities for electric vehicle charging stations for the General Services Department. The purchase agreement is between Sourcewell, which is a state of Minnesota governmental agency, and WEX Bank. The agreement is set to expire on September 7, 2024, with an additional one-year extension. According to the cooperative purchase request form, this agreement will assist the Fleet Division of the General Services Department in electrifying vehicles. The fuel card will allow for purchases from certain charging point operator merchants. The cards will include RFID that can be used to make purchases from these merchants.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Sponsors: Porterfield

39. [RS2024-337](#)

A resolution approving a subrecipient agreement by and between the Metropolitan Development and Housing Agency (MDHA) and the Metropolitan Government, acting by and through the Metropolitan Office of Homeless Services, for one-time payments of first month's rent and security/utility deposits on behalf of homeless persons obtaining housing through various campaigns.

Analysis

This resolution approves a subrecipient grant agreement in the amount of \$250,000 from the Metropolitan Development and Housing Agency (MDHA) to Metro Social Services for one-time payments of the first month's rent and security/utility deposits on behalf of persons experiencing homelessness. MDHA has allocated this funding from its federal community development block grant ("CDBG") funds.

This is a continuation of the current CDBG grant Metro Social Services has with MDHA. The total payment for each Metro Social Services client is not to exceed \$2,000. The term of the grant is from June 1, 2023, through December 31, 2024.

Sponsors: Porterfield, Evans, Welsch, Kupin and Ellis

40. [RS2024-338](#)

A resolution approving amendments to the grant contract between the Metropolitan Government of Nashville and Davidson County, acting by and through the Office of Family Safety, and the Mary Parrish Center.

Analysis

This resolution amends Resolution No. RS2022-1423, which allocated \$120,000 to the Mary

Parrish Center for the provision of therapeutic services for adults and children affected by interpersonal violence and to assist petitioners with Orders of Protection at the Family Safety Center. The contract term was set to end on December 31, 2023.

This resolution would correct the amount listed to be appropriated to the Mary Parrish Center to \$170,000. It would also extend the term of the contract to September 30, 2024.

Sponsors: Porterfield, Evans, Welsch and Ellis

41. [RS2024-339](#)

A resolution approving an application for an Assistance to Firefighters Grant from the U.S. Department of Homeland Security to the Metropolitan Government, acting by and through the Metropolitan Nashville Fire Department, to provide funding for equipment to protect the health and safety of the public and first responder personnel against fire and fire-related hazards.

Analysis

This resolution approves an application for an Assistance to Firefighters Grant from the U.S. Department of Homeland Security to the Metropolitan Nashville Fire Department (“NFD”). If awarded, the grant would be \$321,410.44 with a required cash match of \$32,141.04. This grant would be used to provide funding directly to NFD for the purpose of protecting the health and safety of the public and first responders against fires and fire hazards. This grant would provide chemical, biological, radiological, and nuclear equipment to replace existing equipment that is at the end of its life, worn, or broken. The grant would also provide for high-pressure hose lines for use on large buildings. According to the NFD, the match would be funded through a future 4% Fund allocation.

Sponsors: Porterfield, Evans, Welsch, Kupin and Ellis

42. [RS2024-340](#)

A resolution approving an intergovernmental agreement between The Metropolitan Government of Nashville and Davidson County, by and through the Metropolitan Nashville Police Department, and Dickson County, by and through the Dickson County Sheriff’s Office, for the distribution of state grant funds to assist with investigations of internet crimes against children.

Analysis

This resolution approves an intergovernmental agreement between the Metropolitan Nashville Police Department and the Dickson County Sheriff’s Office to distribute \$10,000 in state grant funds to assist with the investigation of internet crimes against children.

Pursuant to Resolution No. RS2021-921, the Metropolitan Nashville Police Department was previously awarded a grant in the amount of \$1,200,000 from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs, for the Internet Crimes Against Children (“ICAC”) unit with the understanding that a portion of the grant funds will be sub-granted to other local law enforcement agencies in the Middle Tennessee area. These funds are to be used solely for equipment, training, and travel related to ICAC investigations. The Dickson County Sheriff’s Office is eligible for funding under this program. The term of the

agreement ends on June 30, 2024.

Metro has entered into similar agreements with other local law enforcement agencies for the distribution of grant funds for this program under previous grant awards.

Sponsors: Porterfield, Evans and Ellis

43. [RS2024-341](#)

A resolution approving an intergovernmental agreement between The Metropolitan Government of Nashville and Davidson County, by and through the Metropolitan Nashville Police Department, and the City of Cookeville, by and through the Cookeville Police Department, for the distribution of state grant funds to assist with investigations of internet crimes against children.

Analysis

This resolution approves an intergovernmental agreement between the Metropolitan Nashville Police Department and the Cookeville Police Department to distribute \$10,000 in state grant funds to assist with the investigation of internet crimes against children.

Pursuant to Resolution No. RS2021-921, the Metropolitan Nashville Police Department was previously awarded a grant in the amount of \$1,200,000 from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs, for the Internet Crimes Against Children ("ICAC") unit with the understanding that a portion of the grant funds will be sub-granted to other local law enforcement agencies in the Middle Tennessee area. These funds are to be used solely for equipment, training, and travel related to ICAC investigations. The Cookeville Police Department is eligible for funding under this program. The term of the agreement ends on June 30, 2024.

Metro has entered into similar agreements with other local law enforcement agencies for the distribution of grant funds for this program under previous grant awards.

Sponsors: Porterfield, Evans and Ellis

44. [RS2024-342](#)

A resolution approving an intergovernmental agreement between The Metropolitan Government of Nashville and Davidson County, by and through the Metropolitan Nashville Police Department, and Williamson County, by and through the Williamson County Sheriff's Office, for the distribution of state grant funds to assist with investigations of internet crimes against children.

Analysis

This resolution approves an intergovernmental agreement between the Metropolitan Nashville Police Department and the Williamson County Sheriff's Office to distribute \$10,000 in state grant funds to assist with the investigation of internet crimes against children.

Pursuant to Resolution No. RS2021-921, the Metropolitan Nashville Police Department was previously awarded a grant in the amount of \$1,200,000 from the Tennessee Department of

Finance and Administration, Office of Criminal Justice Programs, for the Internet Crimes Against Children (“ICAC”) unit with the understanding that a portion of the grant funds will be sub-granted to other local law enforcement agencies in the Middle Tennessee area. These funds are to be used solely for equipment, training, and travel related to ICAC investigations. The Williamson County Sheriff’s Office is eligible for funding under this program. The term of the agreement ends on June 30, 2024.

Metro has entered into similar agreements with other local law enforcement agencies for the distribution of grant funds for this program under previous grant awards.

Sponsors: Porterfield, Evans and Ellis

45. [RS2024-343](#)

A resolution approving an intergovernmental agreement between The Metropolitan Government of Nashville and Davidson County, by and through the Metropolitan Nashville Police Department, and the City of Spring Hill, acting by and through the Spring Hill Police Department, for the distribution of state grant funds to assist with investigations of internet crimes against children.

Analysis

This resolution approves an intergovernmental agreement between the Metropolitan Nashville Police Department and the Spring Hill Police Department to distribute \$10,000 in state grant funds to assist with the investigation of internet crimes against children.

Pursuant to Resolution No. RS2021-921, the Metropolitan Nashville Police Department was previously awarded a grant in the amount of \$1,200,000 from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs, for the Internet Crimes Against Children (“ICAC”) unit with the understanding that a portion of the grant funds will be sub-granted to other local law enforcement agencies in the Middle Tennessee area. These funds are to be used solely for equipment, training, and travel related to ICAC investigations. The Spring Hill Police Department is eligible for funding under this program. The term of the agreement ends on June 30, 2024.

Metro has entered into similar agreements with other local law enforcement agencies for the distribution of grant funds for this program under previous grant awards.

Sponsors: Porterfield, Evans and Ellis

46. [RS2024-344](#)

A resolution approving an application for a Project Safe Neighborhoods grant from the Tennessee Department of Finance and Administration to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department, to reduce gun related violence in Nashville by providing funding for overtime for the investigation of violent crimes involving guns.

Analysis

This resolution approves an application for a Project Safe Neighborhoods grant from the

Tennessee Department of Finance and Administration to the Metropolitan Nashville Police Department. If awarded, the grant would be \$159,172 with no cash match required. The grant would be used to reduce gun related violence in Nashville by providing funding for overtime for the investigation of violent crimes involving guns.

Sponsors: Porterfield, Evans, Welsch and Ellis

47. [RS2024-345](#)

A resolution approving a preliminary engineering agreement between CSX TRANSPORTATION, INC. (CSXT), a Virginia corporation with its principal place of business in Jacksonville, Florida, and the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), to facilitate the development of bridge repairs and painting at Walton Lane, Hart Lane, Division Street, Woodland Street, Nashville Zone, and Nashville Terminal Subdivision. (Proposal No. 2023M-042AG-001).

Analysis

This resolution approves a preliminary engineering agreement between CSX Transportation (“CSXT”) and the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”). Under the agreement, CSXT will provide engineering work related to bridge repairs and painting at Walton Lane, Hart Lane, Division Street, Woodland Street, Nashville Zone, and Nashville Terminal Subdivision. Metro, through NDOT, will reimburse CSXT for the costs and expenses associated with engineering work, estimated to be \$25,000.

NDOT has requested that CSXT proceed with certain engineering and design services to facilitate the project, which would include preliminary engineering work and two days of flagging services.

Ordinance No. BL2005-787 authorized approval of agreements between Metro and CSXT by resolution.

Fiscal Note: Metro would reimburse CSX Transportation, Inc. the estimated cost of the engineering work, which is expected to be approximately \$25,000.

Sponsors: Porterfield, Gamble and Parker

48. [RS2024-346](#)

A resolution approving an intergovernmental license agreement between the Metropolitan Government of Nashville and Davidson County (“Metro”), acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”), and the State of Tennessee, acting by and through its Commissioner of Transportation (“the State”), granting NDOT permission to use an underpass on Moorewood Drive, in the Parkwood Neighborhood, under the Briley Parkway/State Route 155 bridge to install, operate, and maintain transportation art.

Analysis

This resolution approves an intergovernmental license agreement between the Nashville

Department of Transportation and Multimodal Infrastructure (“NDOT”) and the State of Tennessee (“the State”).

Pursuant to this agreement, the State would grant a no-cost license to NDOT to install, operate, and maintain a mural at an underpass near 3246 Moorewood Drive under the Briley Parkway/State Route 155 bridge. The license would be granted for 10 years on a renewable basis. The design of the mural project is described and depicted in Exhibit A of the agreement.

The Metropolitan Council previously approved an application for this project through Resolution No. RS2023-32 after a request from the Parkwood Community Association.

Sponsors: Gamble, Porterfield and Parker

49. [RS2024-347](#)

A resolution approving a contract between the Metropolitan Government of Nashville and Davidson County and The TDH Company, LLC for the provision of Duperon, EnviroMix, Xylem Sanitaire, and Shand & Jurs products, parts and services for the Central Water Reclamation Facility.

Analysis

This resolution approves a sole source contract between the Metropolitan Government and The TDH Company, LLC, to provide Duperon, EnviroMix, Xylem Sanitaire, and Shand & Jurs products, parts and services for the Central Water Reclamation Facility.

Sole source contracts may be awarded under the Metro procurement code when it is determined that there is only one source for the supply or services rendered. Section 4.12.060 of the Metro Code requires all sole source contracts having a total value in excess of \$250,000 to be approved by the Council by resolution.

This sole source contract is before the Council for consideration because the estimated value of the contract is \$10,000,000. The term of the contract is 60 months and will begin when the agreement is approved by all required parties and filed with the Metropolitan Clerk.

According to the sole source justification form approved by the Metro Purchasing Agent, the contract would supply the following products at its Central Water Reclamation Facility: screening in the new headworks building, large bubble mixing in effluent primary and aeration influent, fine bubble aeration, and flare at Biosolids. The TDH Company is the sole source for these products in Tennessee.

Fiscal Note: The estimated value of this sole source contract number 6546420 with TDH Company, LLC, for Duperon, EnvironMix, Xylem Sanitaire, and Shud & Jurs products, parts, and services is \$10,000,000 to be paid from Fund 67331, Business Unit 65558020. However, actual expenses may be paid from various department’s funds and business units when purchase orders are issued.

Sponsors: Porterfield and Parker

50. [RS2024-348](#)

A resolution to amend Ordinance BL2022-1514 of The Metropolitan Government of Nashville and Davidson County to acquire permanent and temporary easements through negotiation, condemnation, and acceptance for the Radnor Street Stormwater Improvement Project for nine properties located on Radnor Street, Morton Avenue and Timmons Street, (Project No. 22-SWC-238 and Proposal No. 2022M-141ES-002).

Analysis

Ordinance No. BL2022-1514 was approved on November 22, 2022, and authorized the negotiation and acceptance of permanent and temporary easements for nine properties located on Radnor Street, Morton Avenue, and Timmons Street for the Radnor Street Stormwater Improvement Project. Ordinance No. BL2022-1514 provides that future amendments may be approved by resolution.

It has been determined that condemnation may be needed to acquire easement rights for property located at 470 Morton Avenue. The amendment under consideration would authorize the negotiation, condemnation, and acceptance of permanent and temporary easements for the nine properties located on Radnor Street, Morton Avenue, and Timmons Street.

These changes have been approved by the Planning Commission.

Sponsors: Welsch, Gamble and Parker

51. [RS2024-349](#)

A resolution to amend Ordinance No. BL2022-1096 to authorize The Metropolitan Government of Nashville and Davidson County to modify the linear feet of water main and fire hydrant assembly being abandoned and accepted, and to accept steel casing pipe, for property located at 804 14th Avenue North (MWS Project No. 21-WL-21 and Proposal No. 2022M-010ES-002).

Analysis

Ordinance No. BL2022-1096 was approved by the Council on March 3, 2022, and authorized the abandonment and removal of approximately 389 linear feet of existing six-inch water main and the acceptance of approximately 408 linear feet of new eight-inch water main (DIP) and one fire hydrant assembly for property located at 804 14th Avenue North. BL2022-1096 provides that amendments to the ordinance may be approved by resolution.

The resolution under consideration amends BL2022-1096 to accept 102 linear feet of steel casing pipe. The resolution further removes the abandonment of approximately 112 linear feet of existing six-inch water main, and the acceptance of approximately 86 linear feet of new eight-inch water main and one fire hydrant assembly.

These changes have been approved by the Planning Commission.

Sponsors: Kupin, Gamble and Parker

52. [RS2024-350](#)

A resolution to amend Ordinance No. BL2022-1094 to authorize The Metropolitan Government of Nashville and Davidson County to accept additional sanitary sewer main, sanitary sewer manhole, and steel casing pipe, for property located at 806 16th Avenue North, also known as the Lofts at Marathon (MWS Project No. 21-SL-143 and Proposal No. 2022M-006ES-002).

Analysis

Ordinance No. BL2022-1094 was approved by the Council on March 3, 2022, and authorized the acceptance of approximately 333 linear feet of new eight-inch sanitary sewer main (PVC) and five sanitary sewer manholes for property located at 806 16th Avenue North, also known as the Lofts at Marathon. BL2022-1094 provides that amendments to the ordinance may be approved by resolution.

The resolution under consideration amends BL2022-1094 to accept approximately seven linear feet of additional new sanitary sewer main (updated material), approximately 113 linear feet of additional steel casing pipe, and one additional sanitary sewer manhole for property located at 806 16th Avenue North, also known as the Lofts at Marathon.

These changes have been approved by the Planning Commission.

Sponsors: Kupin, Gamble and Parker

M. Bills on Second Reading

97. [BL2024-254](#)

An ordinance to amend Title 15 of the Metropolitan Code of Laws relative to infrastructure investment for offsite construction.

Analysis

This ordinance amends Title 15 of the Metropolitan Code of Laws regarding infrastructure investment by a developer.

Section 15.52.010 of the Metropolitan Code of Laws currently provides that, when an application is made for water main extensions or sewer extensions to the water and sewerage system of the Metropolitan Government, the entire cost of the construction and inspection of the extension will be borne by the developer and that no Metro funds will be used for the construction of the extension.

The ordinance under consideration would amend this provision to state that, to the extent Metro Water Services (“MWS”) requires improvements or extensions to the system for the benefit of future users of the improvements or extensions, an infrastructure investment agreement between MWS and the developer may be negotiated.

The ordinance would further add a new subsection to Section 15.52.010 regarding infrastructure investment agreements. Infrastructure investment agreements may be negotiated between the Metro and the development when it is determined that the extension

will benefit future users unrelated to the development and the system as a whole. Infrastructure investment agreements are not authorized when a project requires only connection to the existing main.

MWS may negotiate an infrastructure investment agreement which must include, but is not limited to, the following terms:

- The developer or other responsible party is responsible for all construction costs related to the water main extension or sewer extension.
- If the project or development is isolated or remotely located from the nearest accessible water main or sewer main and the extension is required to be constructed in such a way as to benefit future users unrelated to the development and the system as a whole, the developer is able, over time but in no event over term of 15 years, to recover the costs of construction of the portion that will benefit future users and the system.
- Any reimbursement from the department to the developer or responsible party of surcharges imposed by the department for new customers unrelated to the development tapping into and served by the extension of the system.
- The acquisition and cost thereof of any necessary easement or right-of-way will be the responsibility of the developer or responsible party. In no event will the metropolitan government be responsible for acquiring rights-of-way or easements for water main extensions or sewer extensions to service the developer's or responsible party's project.

Sponsors: Hancock, Huffman, Horton and Webb

98. [BL2024-258](#)

An ordinance declaring surplus certain real property and authorizing the Metropolitan Government's execution and delivery of a master development agreement and ground lease agreements related thereto, an amended and restated site coordination agreement, a campus operations and use agreement, a declaration, and other documents and agreements relating to the development of a portion of the east bank stadium campus (Proposal No. 2024M-009AG-001).

Analysis

This ordinance authorizes the Metropolitan Government to execute a Master Development Agreement and related Ground Leases related to the development of the East Bank as well as execute a Restated Site Coordination Agreement, a Campus Operations and Use Agreement, a Declaration, and other related documents and agreements. The ordinance approves the form, terms, and provisions of all the agreements, described below. The ordinance also declares the Initial Development Area property as surplus.

This ordinance follows Ordinance BL2023-1741 approving agreements related to the construction of a new football stadium and the transfer of property on the East Bank from the Sports Authority to the Metropolitan Government. With fee title to the "Campus," an area consisting of approximately 95 acres on the East Bank, transferred to the Metropolitan Government, Council is now being asked to approve the development elements of the Initial Development Area ("IDA"), Exhibit A to the ordinance, which includes parcels A, B, C, D, E, F, and G.

The Master Development Agreement & Ground Leases*Exhibit B to the Ordinance*

The Master Development Agreement (“MDA”) is an agreement between the Metropolitan Government (“Metro”) and TFC Nashville Development LLC (“Fallon”) with The Fallon Company providing a Limited Guaranty guaranteeing payment and performance of all Fallon’s obligations. Fallon is to be the master developer of the IDA. The MDA includes the form of the Ground Leases that will be utilized for each parcel developed by Fallon. The form of the Ground Lease can be found as Exhibit C-1 to Exhibit B of the ordinance.

Fallon will be required to fund infrastructure costs related to streets and roads in the IDA, including a portion of the East Bank Boulevard, utilities in the IDA, and a portion of the pedestrian bridge (see Exhibit B-4 to Exhibit B). Fallon will be required to deliver at least 1,550 residential units in at least five buildings, of which two must be 100% affordable and the remainder to be 10% affordable. The affordability requirements must last for the 99-year duration of the ground lease. Fallon will also develop hotel uses, retail uses, and office uses, as well as public uses, like the Pedestrian Bridge extension.

If Fallon fails to meet its development milestones (residential construction, hotel construction, and pedestrian bridge extension construction) by the applicable dates for each, Metro will be entitled to either terminate the MDA or waive the delay and proceed in accordance with the terms of the contract. If Fallon meets the residential development milestones, it will have the option to develop Parcel B.

Metro will be required to fund the portion of the pedestrian bridge expected to span the East Bank Boulevard in addition to funding the relocation of the Colonial gas lines. Metro is obligated to work in good faith with Fallon to rezone the IDA in a manner both parties agree. A component of the zoning changes will include the limitation of bars and nightclubs to no more than 25% of retail space - excepting Parcel C located adjacent to the Stadium and excepting hotels. Legislation concerning zoning changes is expected to be before the Council later in 2024.

As Fallon finalizes specific development plans for each parcel, it will execute a 99-year ground lease for each parcel with Metro. Each executed ground lease will be in the form attached as Exhibit C-1 to the MDA. Each ground lease will follow the same formula for rent calculation: multiply the initial appraised property value, adjusting for annual CPI, by 4% for residential property and by 4.5% for other property classifications. The rent will increase by 2.5% annually. The parties will conduct a Consumer Price Index (“CPI”) “lookback” every 10 years to capture lost CPI adjustments that may have occurred during that period. Any adjustments will be limited to increases between 2.5% and 2.75%-in no event will the lookback result in a rent reduction. Metro will also receive “participation rent” which means that Metro will receive a percentage of the sale proceeds as properties are sold during the term of the ground lease. Residential properties will pay 0.75% and other property classifications will pay 1% of the sale proceeds. Fallon will not be able to sell or cash out of the ground lease until the property is developed. The ground lease tenants will be required to pay all *ad valorem* property taxes as if they were

the owner. The ground lease tenants will be required to maintain the uses of the property in a manner consistent with the master development plan.

Campus Operations and Use Agreement

Exhibit C to the Ordinance

The Campus Operations and Use Agreement is an agreement between TFC Nashville Development LLC (“Fallon”), Tennessee Stadium LLC (“Titans”), and the Metropolitan Government (“Metro”) for the primary purpose of defining the relationships between the parties as it relates to the use of certain parcels within the Campus area, specifically Parcel B, Parcel C, and Parcel D of the IDA, including that portion of Parcel C to be known as the Second Street Plaza Site. The term will commence upon execution and extend coterminous with any Ground Lease in effect and as long as the Stadium Lease is in effect.

The Titans will be obligated to fund the construction, operating, and maintenance costs of the Plaza site. Activation of the Plaza site on game days and other days will be overseen by the Titans.

The agreement governs the cooperation obligations of the parties with respect to the Campus. The parties will create a coordination committee which will keep the parties informed regarding Stadium activities, Plaza activities, and IDA activities. The agreement governs event planning related to the Plaza and creates a booking priority system and calendar. The agreement provides for data rights, commercial rights, and advertising limitations within the Plaza and the Campus. The Titans will have the naming rights, including related revenues, for the Plaza, subject to certain approvals by Fallon and Metro.

Declaration of Easements, Restrictions, and Covenants for Parcel B, The Stadium Plaza, Parcel C, East Bank

Exhibit D to the Ordinance

Metro, as the Declarant, will establish a series of easements and other rights and obligations on Parcel B, Parcel C, and the Stadium Parcel for the benefit of the Tennessee Stadium LLC (“Titans”) and Fallon. The declaration grants a non-exclusive easement for the Plaza to the Titans for construction of plaza improvements, utilization of the plaza, activation of the plaza, and operation of the plaza. The declaration establishes certain encroachments onto Parcel C for a loading ramp from the stadium to Interstate Drive. Additionally, the declaration establishes an easement on Parcel B for an extension of the stadium to accommodate stairs and ramps needed for stadium access.

Stadium Parking Facilities Development, Operations, and Use Agreement

Exhibit E to the Ordinance

The Parking Operations Agreement is an agreement between Metro and Tennessee Stadium LLC (“Titans”) to more fully set forth the parking agreements contained in their original Site Coordination Agreement. This agreement governs the development of stadium parking and staging facilities on Parcel B, adjacent to the Stadium, and parking throughout the Campus. Metro will be required to maintain at least 2,000 parking spaces within the Campus, outside of Parcel B, that will be available for use by the Titans during stadium events. In anticipation of

development of the Campus and Parcel B, Metro will likely have to fund the construction of a structured parking facility to provide the parking spaces required by previous agreements.

Metro will be obligated to provide adequate ingress/egress to Campus parking spaces and maintain lighting and signage. Metro will also be required to perform all maintenance and capital repair work for the Campus parking spaces. Metro will be responsible for claims of personal injury or property damage in connection to the Campus parking spaces except for those arising during stadium event parking periods where the Titans will bear responsibility.

First Amended and Restated Site Coordination Agreement

Exhibit F to the Ordinance

The Site Coordination Agreement between Metro and Tennessee Stadium LLC is amended to remove the parking use and operations provisions that are more fully set forth in the Parking Operations Agreement, the Campus Operations and Use Agreement, and the Plaza Declaration.

Sponsors: Kupin, Porterfield, Gamble, Parker and Huffman

99. [BL2024-290](#)

An ordinance to amend Chapter 2.196 of the Metropolitan Code of Laws regarding lobbying.

Analysis

This ordinance makes various changes to Chapter 2.196 of the Metropolitan Code of Laws, which regulates lobbying.

The ordinance would require the lobbyist registration form to include a current photograph of the lobbyist.

The ordinance would clarify language in the existing code regarding the withdrawal of a lobbyist, stating that if a lobbyist fails to register for a subsequent year, it would be treated as a withdrawal for each client for which the lobbyist was registered.

The ordinance would require disclosure of each political contribution of more than \$100 made by the lobbyist or on behalf of their client. In addition, the ordinance would remove the requirement that a client attest to the accuracy of the disclosure reports and instead require the lobbyist to attest to the accuracy.

The ordinance would prohibit a lobbyist who has failed to file all required annual lobbying and expense reports by March 1 of each year, or who has failed to include the filing fee with a late report, from registering as a lobbyist for that year. In addition, a lobbyist who fails to comply with the reporting requirements would be subject to a hearing before the Board of Ethical Conduct. After the hearing, the Board of Ethical Conduct would determine if the lobbyist is eligible for registration and whether any other actions, penalties, sanctions, or enforcements, pursuant to Section 2.196.130, are appropriate.

Under current law, department heads and employees of the mayor's office are prohibited from registering as a lobbyist within six months of voluntary cessation of their official responsibilities in matters which were directly within their former official responsibilities or employment with metro government. Similarly, elected officials are prohibited from registering as a lobbyist within six months following the voluntary termination of office or leaving office.

The ordinance under consideration would extend this prohibition from six months to twelve months. In addition, employees of the Council Office would be added to the list of employees whose registration is limited.

Finally, this ordinance replaces two instances of "board of conduct" with "board of ethical conduct" for clarity and consistency with the rest of the chapter.

Sponsors: Evans

100. [BL2024-291](#)

An ordinance amending Section 12.41.080(C) of the Metropolitan Code of Laws to allow the Metropolitan Government, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), to charge and collect fees for use of the public right-of-way, in connection with applications for valet parking permits.

Analysis

This ordinance amends Section 12.41.080 of the Metropolitan Code of Laws regarding fees for valet parking permit applicants.

Under current law, the fee for a valet parking permit is \$50, plus revenue lost annually for each required metered space as measured by the hourly rate for each metered space. All fees must be paid in advance.

The ordinance under consideration authorizes the Traffic and Parking Commission to set the application fee, plus additional fees for the use of the public right-of-way, as approved by the Finance Director. Fees will be required to be paid in advance.

Sponsors: Porterfield, Kupin, Welsch and Parker

101. [BL2024-292](#)

An ordinance amending Section 13.08.050 of the Metropolitan Code of Laws with respect to planting trees, bushes, hedges, or other landscaping amenities within the right-of-way of any street within the area of the Metropolitan Government.

Analysis

This ordinance amends Section 13.08.050 of the Metropolitan Code of Laws regarding obstruction of visibility at intersections, driveways, or rights-of-way.

Under current law, no sign, card, poster, pennant, banner, bush, tree, hedge or other obstruction may be placed or maintained within the right-of-way of any street within the area of

the Metropolitan Government.

The ordinance under consideration would add a clarification that this restriction does not apply to any bush, tree, hedge, or other landscaping amenity placed or maintained by any department of the Metropolitan Government, or by any organization permitted under Section 13.08.030, which provides for encroachments in, on, over, or under the public right-of-way.

Sponsors: Allen, Kupin, Parker and Vo

102. [BL2024-293](#)

An ordinance amending Chapter 15.64 and Chapter 16.04 of the Metropolitan Code of Laws to restrict fences in the floodway and floodplain and to require a fence permit for all fences to be constructed within Nashville and Davidson County.

Analysis

This ordinance amends Chapters 15.64 and 16.04 of the Metropolitan Code of Laws to regulate fences and require fence permits.

This ordinance prohibits the building of a fence within the floodway or floodplain without the approval of the Department of Water and Sewerage Services (“MWS”). A fence must comply with all applicable regulations, including standards for fences established by MWS.

A fence permit would be required for any new fences, the addition of fence sections to an existing fence, the replacement of more than 50% of an existing fence, or the change in location, type, or materials of a fence. The Department of Codes Administration (“Codes”) would be responsible for issuing the permit and creating rules and regulations to effectuate the fence permitting process. All associated fees would be set by Codes and approved by a resolution of Council. MWS would review each fence for compliance with all applicable regulations.

In addition, this ordinance would add fences to the definition of “structure” in Chapter 15.64 of the Code. Section 15.64.170 prohibits the construction of structures within the floodway.

Sponsors: Evans, Porterfield, Vo and Ewing

103. [BL2024-294](#)

An ordinance to amend Section 15.64.170 of the Metropolitan Code of Laws regarding development of athletic fields within floodways.

Analysis

This ordinance amends Section 15.64.170 of the Metropolitan Code of Laws regarding the development of athletic fields within floodways.

Section 15.64.170 of the Metropolitan Code of Laws provides that no new structure may be constructed within the floodway in Nashville and Davidson County. Section 15.64.170 of the Metropolitan Code of Laws further provides that the Stormwater Division of the Department of

Water and Sewerage Services may allow certain types of structures to be constructed in the floodway, consistent with the provisions of the Stormwater Management Manual, including athletic fields.

The ordinance under consideration adds a definition for “athletic fields,” which would mean pervious, natural land used for recreational purposes by members of the general public on public land or at educational facilities, such as soccer fields, football fields, or baseball diamonds. Athletic fields would not include an athletic facility composed of impervious material, such as tennis courts, basketball courts, or fields with artificial or synthetic grass.

Sponsors: Ewing, Weiner and Vo

104. [BL2024-295](#)

An ordinance approving Amendment Number 1 to the contract between the Metropolitan Government of Nashville and Davidson County (“Metro”) and AT&T Corp. (“AT&T”), for managed and unmanaged telecommunications services.

Analysis

This ordinance approves the first amendment to a contract between the Metropolitan Government and AT&T Corp. (“AT&T”) for managed and unmanaged telecommunications services.

In April 2018, Metro issued a request for proposals for managed and unmanaged telecommunications services. AT&T and Level 3 Communications, LLC (“Level 3”), among others, were notified of Metro’s intent to award contracts to them, contingent upon successful contract negotiations. Contract negotiations with each company concluded at different times and resulted in different expiration dates.

Metro’s contract with AT&T began on April 17, 2022, and expires on April 16, 2024. Metro’s contract with Level 3 began on August 22, 2023, and expires on August 21, 2028. Metro and AT&T desire to amend this contract to have the same end date as the contract with Level 3 and to increase the value of the contract accordingly.

The amendment under consideration extends the end date of the contract from April 16, 2024, to August 21, 2028. Because the amended contract allows for a total term in excess of 60 months, Metropolitan Code of Laws Section 4.12.160.B requires Council approval. The estimated contract value would be increased by \$14,000,000, from \$6,000,000 to \$20,000,000. In addition, the heading would be amended to include references to reference a State of Tennessee agreement and affidavits. In addition, the contract would be amended to reference AT&T’s contract with the State of Tennessee for NetTN 3.0, which replaced NetTN 2.0 in June 2023.

Fiscal Note: This amendment to contract number 6516090 will increase the estimated contract value by \$14,000,000 from \$6,000,000 to \$20,000,000 and extend the terms by 16 months from 60 months to 76 months.

Sponsors: Porterfield and Bradford

105. [BL2024-296](#)

An ordinance authorizing PR II/SH Peabody Union Apartments Owner, LLC to construct and install an underground encroachment at 30 Peabody Street (Proposal No. 2023M-022EN-001).

Analysis

This ordinance authorizes PR II/SH Peabody Union Apartments Owner, LLC to install, construct and maintain underground encroachments at 30 Peabody Street. The proposal will consist of an underground parking garage closure slab encroaching the right-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachments and is required to post a certificate of public liability insurance in the amount of \$4,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

Sponsors: Kupin, Gamble and Parker

106. [BL2024-297](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning a portion of Russell Street right-of-way and utility easements between Interstate Drive and South 1st Street, and a portion of South 2nd Street right-of-way and utility easements between Woodland Street and Victory Avenue. (Proposal Number 2023M-014AB-001).

Analysis

This ordinance abandons a portion of Russell Street right-of-way and utility easements between Interstate Drive and South 1st Street; however, utility easements would be retained on Russell Street between South 2nd Street and South 1st Street. In addition, the ordinance abandons a portion of South 2nd Street right-of-way and utility easements between Woodland Street and Victory Avenue. This has been requested by Brad Sladen and Ragan Smith Associates, applicant.

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

Sponsors: Kupin, Gamble and Parker

107. [BL2024-298](#)

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 2215 Edge O Lake Drive, also known as Canyon Ridge Phases 4 and 6 (MWS Project Nos. 23-WL-02 and 23-SL-03 and Proposal No. 2024M-029ES-001).

Analysis

This ordinance accepts approximately 166 linear feet of new four-inch water main (DIP),

approximately 1,351 linear feet of new eight-inch water main (DIP), approximately 695 linear feet of new eight-inch sanitary sewer main (PVC), approximately 1,107 linear feet of new eight-inch sanitary sewer main (DIP), three fire hydrant assemblies, 14 sanitary sewer manholes and easements for property located at 2215 Edge O Lake Drive, also known as Canyon Ridge Phases 4 and 6.

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: Styles, Gamble and Parker

108. [BL2024-299](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon an existing public sanitary sewer main, for five properties located on Peabody Street, 3rd Avenue South and President Ronald Regan Way, also known as 2nd and Peabody (MWS Project No. 23-SL-130 and Proposal No. 2024M-028ES-001).

Analysis

This ordinance abandons approximately 123 linear feet of existing six-inch sanitary sewer main for five properties located on Peabody Street, 3rd Avenue South, and President Ronald Reagan Way, also known as 2nd and Peabody.

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: Kupin, Gamble and Parker

109. [BL2024-300](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water and sanitary sewer mains, sanitary sewer manholes and easements, and to accept new public water and sanitary sewer mains, sanitary sewer manholes, relocation of fire hydrant assemblies, rehabilitation of existing sanitary sewer main, realignment of existing water main and sanitary sewer manholes and easements, for 13 properties located on Martin Street, Humphreys Street and Brown Street, also known as WeHo Phase 3 (MWS Project Nos. 22-WL-35 and 2-SL-77 and Proposal No. 2024M-014ES-001).

Analysis

This ordinance abandons approximately 414 linear feet of existing six-inch water main (DIP), approximately 165 linear feet of existing eight-inch sanitary sewer main (unknown material type), approximately 213 linear feet of existing eight-inch sanitary sewer main (concrete),

approximately 214 linear feet of existing 18-inch sanitary sewer main (VCP), two sanitary sewer manholes and easements, and accepts approximately 426 linear feet of new eight-inch water main (DIP), approximately 1,001 linear feet of new eight-inch sanitary sewer main (PVC), approximately 95 linear feet of new eight-inch sanitary sewer main (DIP), approximately 144 linear feet of new 18-inch sanitary sewer main (PVC), approximately 37 linear feet of new 18-inch sanitary sewer main (DIP), 15 sanitary sewer manholes, relocation of four fire hydrant assemblies, rehabilitation of approximately 234 linear feet of existing 18-inch sanitary sewer main (CIPP structural lining) (VCP), vertical realignment of approximately 47 linear feet of existing six inch water main (DIP), vertical realignment of approximately 29 linear feet to an existing 12-inch water main (DIP) and a vertical adjustment of an existing sanitary sewer manhole and easements for 13 properties located on Martin Street, Humphreys Street and Brown Street, also known as to WeHo Phase 3.

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: Vo, Gamble and Parker

N. Bills on Third Reading

110. [BL2024-256](#)

A ordinance approving Amendment Number 1 to Contract number 450614 between the Metropolitan Government of Nashville and Davidson County (“Metro”) and Election Systems and Software, LLC, to extend the contract term an additional 60 months and to increase the value of the contract.

Analysis

This ordinance approves the first amendment to Contract number 450614 between Metropolitan Government and Election Systems and Software, LLC. Contract number 450614 was previously entered into to replace Metro’s previous voter registration database with the most recent State-approved voter registration database offered by Election Systems and Software, LLC, as well as software, data migration, training, and technical support. The term of the contract was 60 months, beginning May 2, 2019. The original estimated contract value was \$1,300,000.

Section 4.12.160 of the Metropolitan Code of Laws limits the term of contracts for supplies to 60 months, unless otherwise authorized by the Metropolitan Council.

The ordinance under consideration approves an amendment to Contract number 450614 to extend the term for an additional 60 months, for a total term of 120 months or ten years. The contract expiration date would be May 1, 2029. The amendment also increases the estimated contract value by \$1,000,000, for a total estimated contract value of \$2,300,000. The amendment also adds language required by Tenn. Code Ann. § 12-4-119 prohibiting the

contractor from engaging in a boycott of Israel for the duration of the contract.

Fiscal Note: This amendment, to the contract number 450614 with the Election Systems & Software, LLC for the voting registration database, increases the contract value by \$1,000,000 to a new estimated contract life value of \$2,300,000 to be paid from Fund 10101, Business Unit 05100410. However, actual expenses may be paid from various department's fund and business unit when purchase orders are issued.

Sponsors: Porterfield and Sepulveda

111. [BL2024-257](#)

An ordinance approving Amendment Number 1 to Contract number 450613 between the Metropolitan Government of Nashville and Davidson County ("Metro") and Election Systems and Software, LLC, to extend the contract term an additional 60 months and to increase the value of the contract.

Analysis

This ordinance approves the first amendment to Contract number 450613 between Metropolitan Government and Election Systems and Software, LLC. Contract number 450613 was previously entered into to replace Metro's previous voting system with the most recent State-approved voting system offered by Election Systems and Software, LLC, supporting a voter verified paper audit trail. The term of the contract was 60 months, beginning May 2, 2019. The original estimated contract value was \$9,878,000.

Section 4.12.160 of the Metropolitan Code of Laws limits the term of contracts for supplies to 60 months, unless otherwise authorized by the Metropolitan Council.

The ordinance under consideration approves an amendment to Contract number 450613 to extend the term for an additional 60 months, for a total term of 120 months or ten years. The contract expiration date would be May 1, 2029. The amendment also increases the estimated contract value by \$3,620,000, for a total estimated contract value of \$13,489,000. The amendment also adds language required by Tenn. Code Ann. § 12-4-119 prohibiting the contractor from engaging in a boycott of Israel for the duration of the contract.

Fiscal Note: This amendment, to the contract number 450613 with the Election Systems & Software, LLC for the voting system, increases the contract value by \$3,620,000 to a new estimated contract life value of \$13,498,000 to be paid from Fund 10101, Business Unit 05100410. However, actual expenses may be paid from various department's fund and business unit when purchase orders are issued.

Sponsors: Porterfield, Sepulveda and Huffman

112. [BL2024-259](#)

An ordinance authorizing the director of the Metropolitan Planning Department, or her designee, to terminate the declaration of restrictive covenants for Bowen House and 2830 Donelson.

Analysis

This ordinance authorizes the Director of the Metropolitan Planning Department, or her designee, to execute terminations of declarations of restrictive covenants for Bowen House and 2830 Donelson.

In November 2021, a Declaration of Restrictive Covenants for Bowen House and a Declaration of Restrictive Covenants for 2830 Donelson (the "Declarations") were recorded with the Register of Deeds Office for Davidson County. Each Declaration states that it can only be amended by a written and recorded instrument signed by the declarant and the Metropolitan Government.

Metro was not involved in the drafting of either Declaration and takes no position on the contents of the Declarations. The Declarations include restrictions on how many units an owner within the development property may own and requirements related to leases within the development property. Metro has been asked to execute a termination of each Declaration.

The ordinance under consideration authorizes the Director of the Metropolitan Planning Department, or her designee, to terminate the Declarations for Bowen House and 2830 Donelson. Future amendments to this legislation may be approved by resolution.

Sponsors: Gregg, Gamble and Gadd

113. [BL2024-260](#)

An ordinance to provide for the designation of public property within specified areas of downtown Nashville as a temporary "Special Event Zone" during the time period beginning at six o'clock (6:00) a.m. on June 5, 2024, and ending at midnight (12:00) on June 10, 2024, relative to the use of these areas in conjunction with the 2024 CMA Fest and related activities and events.

Analysis

This ordinance approves a temporary "Special Event Zone" for the downtown area, in conjunction with the 2024 CMA Fest and related activities and events from June 5, 2024, until June 10, 2024. A map of the Special Event Zone areas established under this ordinance is attached to the ordinance. Activity restrictions within the Special Event Zone would begin at 6:00 a.m. on Wednesday, June 5, 2024, and end at midnight on Monday, June 10, 2024. Activities on public property or in the public right-of-way within the Special Event Zone are regulated as follows:

- The sale of any food, beverages, goods, or merchandise would be prohibited, unless street vendors obtain a "Special Event Zone" permit from CMA in order to sell within the geographic area listed above.
- Alcoholic beverages provided, served, or sold from any temporary outdoor use would be prohibited, except as authorized.
- The sale or distribution of merchandise pertaining to the CMA Fest, where it is apparent

on its face that the merchandise is not licensed by CMA, would be prohibited.

- No tents or membrane structures of any kind would be permitted, except as authorized by CMA or Metro for public safety purposes.
- The construction, placement, occupation, or use of any temporary structure would be prohibited except those sanctioned and authorized by the CMA.
- The distribution, promotional give-away activity, or provision of free products, services, or coupons by persons or entities that are not event sponsors officially sanctioned and authorized by CMA would be prohibited, except within any Public Participation Area.
- Vehicles would be allowed only as directed by Metropolitan Nashville Police.
- No shared urban mobility devices, as defined by Metropolitan Code of Laws Section 12.62.010, would be permitted within the Special Event Zone.
- No handguns, rifles, or firearms would be permitted. (Tennessee Code Annotated § 39-17-1359)
- No knives, swords, or other fighting devices would be permitted.
- No fireworks, firecrackers, or explosive devices of any type would be permitted, except exhibitions permitted by CMA.
- The Special Event Zone would be a “no fly zone.”

This ordinance requires at least one Public Participation Area within the Special Event Zone while the zone is in effect. This Area would allow for the reasonable expression by the public in a manner that is not disruptive to the CMA Fest, activities, and events.

Fiscal Note: This ordinance places restrictions on the activities that would be allowed to take place within the special event zone during the 2024 CMA Fest. However, no additional Metro personnel or overtime would be required just for the enforcement of these restrictions.

Sponsors: Kupin

114. [BL2024-261](#)

An ordinance readopting the Code of The Metropolitan Government of Nashville and Davidson County, Tennessee, prepared by Municipal Code Corporation including supplemental and replacement pages thereof, containing certain ordinances of a general and permanent nature enacted on or before August 15, 2023.

Analysis

This ordinance is a routine re-adoption of the Metropolitan Code to include all ordinances enacted on or before August 15, 2023.

Sponsors: Sepulveda

115. [BL2024-262](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new public sanitary sewer manhole, for property located 400 Hume Street, also known as Tennyson Germantown (4th and Hume) (MWS Project No. 23-SL-224 and Proposal No. 2024M-019ES-001).

Analysis

This ordinance accepts one sanitary sewer manhole for property located at 400 Hume Street, also known as Tennyson Germantown (4th and Hume).

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: Kupin, Gamble and Parker

116. [BL2024-263](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main, and to accept new public water main and relocation of a public fire hydrant assembly, for property located 210 Cumberland Bend (MWS Project No. 23-WL-78 and Proposal No. 2024M-021ES-001).

Analysis

This ordinance abandons approximately 427 linear feet of existing 10-inch water main (DIP) and accepts approximately 427 linear feet of new 10-inch water main (DIP), and the relocation of one fire hydrant assembly for property located 210 Cumberland Bend.

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: Toombs, Gamble and Parker

117. [BL2024-264](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main, public sanitary sewer manhole and easement, for property located at 2345 Rocky Fork Road (Nolensville) in Williamson County, also known as Cortner Subdivision (MWS Project No. 19-SL-256 and Proposal No. 2024M-025ES-001).

Analysis

This ordinance accepts approximately 36 linear feet of new eight-inch sanitary sewer main (PVC), one new sanitary sewer manhole and easement for property located at 2345 Rocky Fork Road (Nolensville) in Williamson County, also known as Cortner 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. Abandoned easements have no market value according to the Department of Water Services.

Sponsors: Gamble and Parker

118. [BL2024-265](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water and sanitary sewer mains, and to accept new public water and sanitary sewer mains, fire hydrant assembly and sanitary sewer manholes, for property located at 325 West Trinity Lane, also known as Madison Trinity Apartments (MWS Project Nos. 23-WL-54 and 23-SL-119 and Proposal No. 2024M-020ES-001).

Analysis

This ordinance abandons approximately 280 linear feet of existing eight-inch water main (DIP) and approximately 180 linear feet of existing 10-inch sanitary sewer main and accepts approximately 280 linear feet of new eight-inch water main (DIP), approximately 196 linear feet of new 10-inch sanitary sewer main (DIP), one fire hydrant assembly and three sanitary sewer manholes for property located at 325 West Trinity Lane, also known as Madison Trinity Apartments.

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

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

Sponsors: Toombs, Gamble and Parker

119. [BL2024-266](#)

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 manhole and easements, for property located at 3549 Brick Church Pike, also known as Belle Arbor Phase 7 (MWS Project Nos. 20-WL-102 and 20-SL-208 and Proposal No. 2024M-015ES-001).

Analysis

This ordinance accepts approximately 231 linear feet of new six-inch water main (DIP), approximately 593 linear feet of new eight-inch water main (DIP), approximately 396 linear feet of new eight-inch sanitary sewer main (PVC), two fire hydrant assemblies, one sanitary sewer manhole and easements for property located at 3549 Brick Church Pike, also known as Belle Arbor Phase 7.

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: Gamble and Parker

120. [BL2024-267](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new public sanitary sewer manhole, for property located at 1612 B County Hospital Road (MWS Project No. 24-SL-06 and Proposal No. 2024M-027ES-001).

Analysis

This ordinance accepts one sanitary sewer manhole for property located 1612 B County Hospital 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. Abandoned easements have no market value according to the Department of Water Services.

Sponsors: Kimbrough, Gamble and Parker

121. [BL2024-268](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main, fire hydrant assemblies and easements, and to accept new public water main, fire hydrant assemblies and easements, for property located at 1 Terminal Drive, also known as BNA TARI (MWS Project No. 23-WL-150 and Proposal No. 2024M-024ES-001).

Analysis

This ordinance abandons approximately 156 linear feet of existing 10-inch water main (DIP), approximately 1,618 linear feet of existing 16-inch water main (DIP), two fire hydrant assemblies and easements, and accepts approximately 332 linear feet of new 10-inch water main (DIP), approximately 1,918 linear feet of new 16-inch water main (DIP), four fire hydrant assemblies and easements for property located at 1 Terminal Drive, also known as BNA TARI.

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: Bradford, Gamble and Parker

122. [BL2024-269](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main, and to accept new public water main, for property located at 600 B Southgate Avenue (MWS Project No. 23-WL-46 and Proposal No.

2024M-026ES-001).

Analysis

This ordinance abandons approximately 347 linear feet of existing two and a quarter-inch water main (cast-lined), and to accept approximately 363 linear feet of new eight-inch water main (DIP), for property located at 600 B Southgate Avenue.

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: Gamble, Parker and Vo