



Metropolitan Council

I. Rules of Procedure

11. [Rule 13](#)

Proposed amendment to Rule 13 of the Rules of Procedure of the Council.

Analysis

While the Council Office does not normally provide analysis for amendments to the Rules of Procedure, this Rule Amendment contains several significant modifications that would have serious effects for the operation of the Council, the Council Office, and the Metro Clerk, to an extent that the Council Office deemed a deviation from standard practice advisable. The rule amendment would modify Rule 13, which governs filing deadlines and emergency legislation items.

Rule 13.1.2

The proposed amendment would modify Rule 13.1.2, which currently provides that no ordinance or resolution may be filed unless the originals have first been delivered to the Council Office not later than noon on the Second Friday preceding the regular meeting date or not later than noon the fourth day, excluding Saturdays and Sundays, preceding the day of any other Council meeting. This rule currently serves as the legislative filing deadline for all legislation whether prepared by administrative departments or by members of the Council. The proposed amendment would be changed to apply these deadlines only to ordinances or resolutions filed "by the Council Office." The proposed amendment would effectively eliminate the requirement that all administrative legislation be first filed with the Council Office prior to being filed with the Metro Clerk.

Rule 13.2

The proposed amendment to Rule 13.2 would remove references to the deadline for requested late-filed legislation. Currently, Rule 13.2 provides that requested late-filed legislation must be delivered to the Council not later than noon on the Friday immediately preceding the regular meeting date. In the event of a special meeting, delivery must occur not later than noon the second day -- excluding Saturdays and Sundays -- preceding the day of such Council meeting. The proposed amendment would effectively eliminate the Friday deadline for late-filed legislation. This deadline currently allows a short amount of time for legal and format review prior to inclusion in the "amendments packet" which is then delivered to Council members by 9 a.m. the Monday preceding a Council meeting.

Rule 13.3

Rule 13.3 currently provides that the Council may not consider any ordinance, resolution, amendment, or substitute unless filed in accordance with Rule 13.1 and 13.2. This provision would be amended to give an exception for legislation filed directly with the Clerk by a Councilmember. Adoption of this rule amendment in conjunction with the amendment to 13.1 will effectively eliminate the administrative legislation filing deadlines.

Rule 13.4

Rule 13.4 currently provides that no ordinance, binding resolution, amendment, or substitute submitted after the deadlines in Rule 13 will be considered by the Council except on an emergency basis. It further provides that nonbinding resolutions submitted after the prescribed deadlines are not eligible to be considered on an emergency basis. This proposed amendment removes the sentence regarding nonbinding resolutions. However, it retains the reference to binding resolutions in the first sentence of this provision, rendering ineffective the likely intent of allowing late nonbinding resolutions.

Rule 13.6

A new Rule 13.6 would be added to state that “[l]ate-filed legislation introduced during a Council meeting is not subject to Section 13.5 [which sets out the requirement that late items appear before the Rules Committee to discuss the emergency need] however the rules must be suspended, per Rule 7 [which requires a committee recommendation], for the late-filed legislation to be considered.” Currently, not all late-filed legislation would require a suspension of Rule 7 - notably, the rule requires ordinances to have a committee recommendation prior to final passage, thus Rule 7 would not need to be suspended in order for a late-filed ordinance to be introduced.

Rule 13.7

Finally, the existing Rule 13.6, which would be renumbered as 13.7, would be amended to reflect language updated by the proposed amendments and also to provide that “the Council recommends that memorializing late-filed legislation be filed for the subsequent Council meeting.” Presumably, this language is responsive to the intended removal of the prohibition of late-filed non-binding resolutions. As stated above, effectively, late filed non-binding resolutions would still be prohibited with the adoption of the proposed rule amendment.

Further Discussion

With the effective elimination of the Friday filing deadline in the Council Office, Council members and the Council Office would learn of legislation upon publication of the Clerk’s agenda, which occurs on the Wednesday prior to the Council meeting.

Currently, the Council Office reviews legislation submitted by Council members prior to filing for potential legal concerns, correct formatting, required provisions including the enacting clause and effective date, and typographical errors. If submitted directly with the Clerk, the Council Office would not be able to review legislation and the Clerk, in its position, would not be able to make any changes to legislation once filed. Thus any needed formatting changes would

require amendments.

Administratively, the Council Office also uploads Council member-initiated legislation into the Granicus program Legistar, which makes the legislation available online upon publication by the Clerk's Office. Currently, the Clerk's Office does not upload any legislation into Legistar. In addition, the Council Office assigns committees to legislation, which is performed before filing. The Council Office also prepares committee agendas, which are published the day after the agenda is published. The Council Office prepares an analysis of legislation, which is published the Thursday after the agenda is published, however, all of this work begins days in advance of these deadlines. This Rule Amendment would present an administrative burden on the Council Office staff, would present a difficulty in the Council Office's preparation of meetings, and would transfer administrative responsibilities from the Council Office to the Metro Clerk.

In addition, this proposed rule amendment provides an opportunity for Council members to submit legislation on behalf of themselves, a department, or third party that has not been vetted by the Council Office legal staff or the Metropolitan Department of Law. Both are tasked with providing legal advice and representation to the Council. This could allow for legislation with serious legal implications to be filed.

This proposed Rule Amendment, if adopted, would seriously hinder the Council Office's ability to effectively perform the work for which the Council Office was created - to provide research and advisory services to the Council on legislative matters. See Metropolitan Code of Laws Section 2.04.030.A.

Sponsors: Benedict

J. Resolutions on Public Hearing

1. [RS2024-580](#)

A resolution exempting 55 units located at 160 2nd Ave. N., from the minimum distance requirements for obtaining a Short Term Rental Property - Not Owner-Occupied permit pursuant to Metropolitan Code of Laws Section 6.28.030(B)(2)(d).

Analysis

This resolution exempts 55 units located at 160 2nd Ave N from the minimum distance requirements for obtaining Short Term Rental Property - Not Owner-Occupied permits pursuant to Metropolitan Code of Laws Section 6.28.030(B)(2)(d). The units are listed on Exhibit A to the ordinance.

Metropolitan Code of Laws Section 6.28.030(B)(2)(d) provides that no new STRP - not owner-occupied permit shall be issued to an applicant whose location is less than one hundred feet from a religious institution, a school or its playground, a park, or a licensed day care center or its playground. The Council may approve an exemption from the minimum distance requirements upon adoption of a resolution, after a public hearing, receiving 21 affirmative votes.

Sponsors: Kupin

K. Bills on Public Hearing

5. [BL2023-59](#)

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from SP to R40 zoning for property located at 6397 Pettus Road, at the northeast corner of Warbler Way and Pettus Road (0.96 acres), all of which is described herein (Proposal No. 2023Z-049PR-001).

Sponsors: Rutherford

6. [BL2024-187](#)

An ordinance amending Section 17.16.030 of the Metropolitan Code, Zoning Regulations to amend the conditions for adaptive residential developments located in non-residential zoning districts where residential uses are permitted with conditions (Proposal No. 2024Z-004TX-001).

Analysis

This ordinance, as substituted, amends Section 17.16.030 of the Metropolitan Code to amend the conditions related to adaptive residential development permitted with conditions. Adaptive residential development permitted with conditions covers all residential uses permitted with conditions in the OG, CN, CL, CS, CA, CF, SCN, and SCC zoning districts and their -A and -NS variants. There is a second type of adaptive residential development permitted by special exception in the IWD and IR zoning districts that is not impacted by the changes proposed by this ordinance.

As proposed, the ordinance would remove the requirements that properties eligible for adaptive residential development be located within the Urban Services District and have a majority of their street frontage along a collector or arterial street as determined by the Major & Collector Street Plan. Removing these requirements makes any parcel in a non-residential zoning district that permits residential uses with conditions eligible for adaptive residential development throughout the county. The ordinance would also update other conditions to match revised language used in other parts of the Zoning Code, remove an obsolete exception for single family and two-family uses in the CF zoning district built prior to 2005, and stipulate that upper levels of structured parking visible from the street must either be lined with active uses or architecturally screened.

Currently, eligibility for adaptive residential development requires parcels in a non-residential zoning district that permits residential uses with conditions to be located within the Urban Services District and have the majority of their street frontage along a collector or arterial street as determined by the Major & Collector Street Plan, which greatly restricts the eligibility of such parcels for residential uses.

The Planning Commission is scheduled to hear this item at their June 27, 2024, meeting.

Sponsors: Horton, Evans-Segall, Vo, Benedict, Huffman, Welsch, Sepulveda, Kupin, Cortese, Bradford and Spain

7. [BL2024-335](#)

An ordinance amending Sections 17.40.740 and 17.40.770 of the Metropolitan Code, Zoning Regulations to reorganize and amend the requirements for a waiver of the fees associated with an application to the Board of Zoning Appeals made by a member or members of the Metropolitan Council (Proposal No. 2024Z-010TX-001).

Analysis

This ordinance amends Sections 17.40.740 and 17.40.770 of the Metropolitan Code to clarify when a council member may use a fee waiver for an item heard by the Board of Zoning Appeals and to relocate the allowance for fee waivers from Section 17.40.770 to Section 17.40.740. As proposed, the ordinance would allow a council member to waive the required fees for up to two applications to the Board of Zoning Appeals per fiscal year provided that each application has an identified community benefit and either the application is not for the benefit of an individual property owner/developer or the property owner affected by the application demonstrates an inability to pay the required fee. The ordinance also relocates this allowance from Section 17.40.770 to 17.40.740, where waivers for other fees established in the Zoning Code are contained.

Currently, council members are allowed two fee waivers per calendar year provided that the applications receiving a waiver do not benefit an individual property owner or developer.

The Planning Commission is scheduled to hear this item at their June 27, 2024, meeting.

Sponsors: Toombs and Evans-Segall

M. Resolutions

36. [RS2024-559](#)

A resolution providing amendments to the Charter of the Metropolitan Government of Nashville and Davidson County, Tennessee, in accordance with Article 19, Section 19.01 thereof, and setting forth a brief description of each amendment to be placed upon the ballot.

Analysis

This resolution provides three amendments to the Metropolitan Charter. These three amendments were submitted by the Council's Charter Revision Committee.

In order to qualify for the November 5, 2024, election, an amendment resolution must be filed with the election commission at least 75 days prior to the election. That means this resolution will need to be approved by the Council's August 20 meeting in order to meet this deadline.

Pursuant to Metro Charter Section 19.02, prior to adopting the resolution, the Council must submit the resolution to the Charter Revision Commission for review. The Commission, acting in an advisory capacity, then has 30 days to review the resolution and provide

recommendations to the Council, including whether the proposed amendments satisfy the requirements in the Charter.

The Council Office recommends deferral of this resolution to the August 6 Council meeting in order to allow time for the Commission to review and provide recommendations.

Each individual Charter Amendment must receive 27 affirmative votes in order to be made a part of the Charter Amendment Resolution, and the Charter Amendment Resolution itself must also receive 27 affirmative votes. Charter amendments and resolutions proposing Charter amendments do not require mayoral approval.

The Council is not required to follow the recommendations of the Charter Revision Commission when determining whether to submit a Charter amendment to the voters.

Amendment No. 1 (Weiner) proposes to amend Section 8.102 of the Metropolitan Charter to provide for a succession plan in the event that the director of finance is absent, or the office is vacant. The proposed amendment provides that, the absence of the director of finance or in the event of a vacancy in his or her office, the metropolitan treasurer would perform the duties of the director of finance until the director returns or the vacancy is filled.

The metropolitan treasurer is a specific position in the Department of Finance provided for in Section 8.106 of the Metropolitan Charter. The metropolitan treasurer is appointed for an indefinite term by the mayor, subject to the civil service provisions of the Charter. The metropolitan treasurer must “have at least five (5) years' experience in which the supervision of fiscal affairs or treasury management shall have been his or her major responsibility.”

There is no significant fiscal impact for this amendment.

Amendment No. 2 (Weiner) proposes to amend Section 8.306 of the Metropolitan Charter to remove the requirement that Fire Department employees be U.S. citizens. As a result, Fire Department employees would be required to be authorized to work in the United States in accordance with federal law. This would allow for individuals who are lawful permanent residents and with certain other types of visas to be employed by the Fire Department.

There is no significant fiscal impact for this amendment.

Amendment No. 3 (Rutherford) proposes to amend Section 3.02 of the Metropolitan Charter to remove the requirement that councilmembers have attained the age of 25 at the beginning of their term in order to be eligible to serve as a councilmember. Instead, in order to be eligible to serve as a councilmember, a person would be required to be a qualified voter pursuant to Tennessee state law.

Tennessee Code Annotated § 2-2-102(a) provides that “A citizen of the United States eighteen (18) years of age or older who is a resident of this state is a qualified voter unless the citizen is disqualified under the provisions of this title or under a judgment of infamy pursuant to §

40-20-112.” Tennessee Code Annotated § 40-20-112 provides that individuals who have been convicted of a felony are disqualified from voting, among other actions. According to Tennessee case law, being a qualified voter does not require the candidate to be registered to vote.

Tennessee Code Annotated § 8-18-101 already provides qualifications that must be met in order for a person to hold office in Tennessee. This includes being 18 years of age or older, being a citizen of the United States and of Tennessee, and not having been convicted of an offense declared infamous under Tennessee Code Annotated § 40-20-112.

There is no significant fiscal impact for this amendment.

Sponsors: Weiner and Rutherford

37. [RS2024-560](#)

A resolution approving an application from the Metropolitan Government of Nashville and Davidson County General Sessions Court for a Justice and Mental Health Collaboration Program grant from the U.S. Department of Justice, to improve the General Sessions Court Competency Docket Program.

Analysis

This resolution approves an application from General Sessions Court for a Justice and Mental Health Collaboration Program grant from the U.S. Department of Justice. The application is for a grant of \$550,000 with a required cash match of \$229,167. If the grant is awarded, the funds would be used to improve the Competency Docket Program by assessing case promptly, prioritizing mental health and safety, and decreasing unnecessary incarceration by linking individuals to community care and housing, aiming to prevent justice system and hospital interactions.

Sponsors: Porterfield, Evans, Welsch, Suara, Evans-Segall and Ellis

38. [RS2024-561](#)

A resolution approving an application for a Second Chance Act Pay for Success Program grant from the U. S. Department of Justice, acting by and through the Bureau of Justice Assistance, to the Metropolitan Government, acting by and through the Davidson County Sheriff’s Office (DCSO), to support the Sheriff’s Behavioral Care Center in providing effective substance use disorder treatment and improved recovery outcomes for incarcerated adults preparing for re-entry.

Analysis

This resolution approves an application from the Davidson County Sheriff’s Office for a Second Chance Act Pay for Success Program grant from the U.S. Department of Justice, Bureau of Justice Assistance. The application is for a grant award of \$1,000,000 with no cash match required. If awarded, the grant would be used to support the Sheriff’s Behavioral Care Center in providing effective substance use disorder treatment and improved recovery outcomes from incarcerated adults preparing for re-entry.

Sponsors: Porterfield, Evans, Welsch, Allen, Suara, Evans-Segall, Ellis and Benton

39. [RS2024-562](#)

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: Sepulveda

40. [RS2024-563](#)

A resolution approving amendment one to a grant from the Tennessee Emergency Management Agency to the Metropolitan Government, acting by and through the Office of Emergency Management, to provide public assistance for damage caused by severe storms, straight-line winds, and tornadoes during December 2021. (Presidential Disaster Declaration Number FEMA-4637-DR-TN)

Analysis

This resolution approves the first amendment to a grant from the Tennessee Emergency Management Agency to the Office of Emergency Management, previously approved by RS2022-1921. This grant is used to provide public assistance for damage caused by severe storms, straight-line winds, and tornadoes during December 2021.

The amendment under consideration increases the amount of the grant by \$35,512.26, from \$775,415.64 to \$810,927.90, and increase the required cash match by \$1,869.07, from \$40,631.51 to \$42,500.53. The grant budget attachments would be updated to reflect these changes. No other changes would be made to the grant.

Sponsors: Porterfield, Evans, Welsch, Suara, Evans-Segall and Ellis

41. [RS2024-564](#)

A resolution approving amendment fifteen to a grant from the State of Tennessee, Tennessee Emergency Management Agency to the Metropolitan Government, acting by and through the Department of Finance, to provide public assistance pursuant to Presidential Disaster Declaration FEMA-1909-DR-TN to complete repairs and/or replacement to facilities damaged during the April and May 2010 flood.

Analysis

This resolution approves the fifteenth amendment to a grant from the Tennessee Emergency Management Agency originally approved by RS2010-1489. The proceeds of this grant are used to provide public assistance pursuant to Presidential Disaster Declaration number FEMA-1909-DRTN to complete repairs and/or replacement to facilities damaged during the 2010 flood.

This grant amendment increases the grant amount by \$429,810.63, from \$83,338,847.60 to

\$83,768,658.23 and increases the required cash match by \$22,621.61, from \$4,386,254.73 to \$4,408,876.34. The grant budget attachments would be updated accordingly. All other terms of the grant remain unchanged.

Sponsors: Porterfield, Welsch, Suara and Evans-Segall

42. [RS2024-565](#)

A resolution declaring surplus and approving the disposition of certain parcels of real property in accordance with section 2.24.250(G) of the Metropolitan Code of Laws. (Proposal No. 2024M-001PR-001)

Analysis

This resolution declares 14 properties to be surplus and authorizes the Director of Public Property Administration to sell the properties in accordance with the standard procedures for the disposition of surplus property. The proceeds of the sale will be credited to the Barnes Fund for Affordable Housing. Section 2.24.250(G) of the Metro Code provides that surplus properties for which no building permit could be obtained due to the size or physical characteristics of the property may be sold to an adjacent property owner for the current appraised value listed in the records of the Assessor of Property, or to the adjacent property owner offering the highest price if no adjacent owner is willing to pay the appraised value.

The Planning Commission has approved this surplus property declaration.

The 14 properties are as follows:

Map - Parcel No.	Address - Location	Council District	Appraised Value	Acres
16216004900	0 Bell Trace Drive	33	\$3,400	0.06 acres
04213003800	0 Tuckahoe Drive	3	\$1,400	0.03 acres
06513004100	0 Big Horn Drive	11	\$300	0.02 acres
10513005800	0 12th Avenue South	18	\$38,400	0.06 acres
08204036000	1107 McFerrin Avenue	5	\$1,300	0.01 acres
08212019300	0 Myrtle Street	5	\$2,000	0.01 acres
07008009300	0 Free Silver Road	2	\$55,300	0.08 acres
09202025700	2706 Eden Street	21	\$5,800	0.04 acres
09206005700	2713 Eden Street	21	\$51,800	0.09 acres
09206012200	2703 Morena Street	21	\$28,800	0.01 acres
09316012000	66 Fain Street	17	\$800	0.04 acres
07203007600	0 Stratford Avenue	7	\$12,000	0.11 acres
05905029600	0 Sunnyview Drive	1	\$1,500	0.01 acres
06904010900	113 Haynes Park Drive	1	\$1,500	0.07 acres

Sponsors: Porterfield, Gamble, Toombs, Benedict, Vo, Cash, Taylor and Styles

43. [RS2024-566](#)

A resolution authorizing the Metropolitan Government to join the State of Tennessee and other local governments in amending the Tennessee State-Subdivision Opioid Abatement

Agreement and approving the related settlement agreement.

Analysis

This resolution authorizes the Metropolitan Government to join the State of Tennessee and other local governments in amending the Tennessee State-Subdivision Opioid Abatement Agreement and approves the related settlement agreements. The Council previously approved participation in this settlement pursuant to Resolution No. RS2021-1235 and an amendment approved pursuant to RS2023-2086. This settlement resolves years of complex litigation related to the opioid epidemic.

The Metropolitan Government filed suit in 2017 in *Metropolitan Gov't v. Purdue Pharma, L.P., et al.*, in the Middle District of Tennessee. That lawsuit became part of the nationwide multi-district litigation that resulted in the settlement at issue in this resolution.

RS2021-1235 approved a settlement with the three largest pharmaceutical distributors AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation ("Distributors"), and manufacturer Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson ("J&J"). This litigation alleged various claims arising out of the manufacture and distribution of opioids. Metro is a named plaintiff in this litigation.

In November 2021, the Council approved Metro Nashville's participation in the agreement between the State of Tennessee and its political subdivisions (including Metro) as to how settlement funds will be distributed. Metro has received millions of dollars related to this settlement and will continue to receive funds for the next several years.

In 2023, the Council approved an amendment to the settlement agreement to include the settlement of claims against Teva Pharmaceutical Industries, Ltd., Allergan Finance, LLC, CVS Health Corporation, Walgreen Co., and Walmart, Inc.

The amendment to the settlement agreement under consideration include settlement of claims against Kroger Co. The settlement distribution between states and subdivisions will be identical to the original agreement. In addition, an amendment would be added to clarify language regarding the reallocation of future settlement funds from the J&J/Janssen settlement agreement.

The distribution in the original and amended agreement are as follows:

- Subdivision Fund: 15% of the funds will be paid directly to counties and certain municipalities that participate in the settlement. It is anticipated that these funds will be used for opioid abatement-related purposes.
- Abatement Fund: 70% of the funds will be paid into a new, statutorily created Opioid Abatement Fund. By law, these funds are placed in a trust and must be spent on future opioid abatement and remediation programs and expenditures. Funds are controlled by the independent Tennessee Opioid Abatement Council. 35% of funds, however, must be directed to counties participating in the settlements, and each county will determine how to spend its share of these funds on approved abatement programs in their

communities.

- State Fund: 15% of the funds will be paid directly to the State. It is anticipated that these funds will be used for opioid abatement-related purposes.

The ordinance further states that the Metro Public Health Department will oversee the receipt and expenditure of funds Metro received related to the opioid-abatement-related settlements.

The Metropolitan Department of Law recommends the Council approve the amended settlement agreement.

Sponsors: Porterfield, Evans, Suara and Benton

44. [RS2024-567](#)

A resolution accepting the terms of a cooperative purchasing master agreement for snow and ice handling equipment, supplies, and accessories for the Department of General Services.

Analysis

This resolution accepts the terms of a cooperative purchasing master agreement for snow and ice handling equipment, supplies, and accessories for the Department of General Services. The purchase agreement is between Sourcewell, a State of Minnesota governmental entity, and Viking Cives Corporation d/b/a Viking Cives Midwest, Inc. The anticipated project value is \$500,000. It is unlikely that Metro would obtain a better value through a competitive solicitation. The pricing in this cooperative purchase agreement leverages the scale of Sourcewell membership and the competition of 32 offers. The agreement is valid through August 15, 2026.

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.

Fiscal Note: According to the Cooperative Request Review form from the Division of Purchases, the anticipated project value is \$500,000.

Sponsors: Porterfield, Evans-Segall and Benton

45. [RS2024-568](#)

A resolution appropriating a total of \$1,971,656.19 from the Metropolitan Government of Nashville and Davidson County, acting by and through the Office of Homeless Services, to The Salvation Army for the provision of housing services and life navigation skills to people experiencing homelessness in Nashville.

Analysis

This resolution appropriates a total of \$1,971,656.19 for a grant from the Office of Homeless Services to the Salvation Army for the provision of housing services and life navigation skills to people experiencing homelessness in Nashville.

Pursuant to the terms of the grant contract, The Salvation Army will use these funds to increase the capacity of its LIFNAV Team by providing housing services to those experiencing homelessness in Nashville who are referred by the coordinated entry process. The grant contract will begin on the effective date and end on December 31, 2025, or when funds are depleted, whichever occurs first.

Fiscal Note: The Office of Homeless Services will provide The Salvation Army \$1,971,656.19 for the performance of this contract.

Sponsors: Porterfield, Evans, Allen, Suara, Evans-Segall, Ellis and Spain

46. [RS2024-569](#)

A resolution approving an application for a subrecipient grant from the Tennessee Technological University to the Metropolitan Government, acting by and through the Nashville Department of Transportation & Multimodal Infrastructure (NDOT), for the Charging Tennessee: Advancing Public Vehicle Fleet Electrification project.

Analysis

This resolution approves an application from the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) for a subrecipient grant from the Tennessee Technological University (“TTU”) for the Charging Tennessee: Advancing Public Vehicle Fleet Electrification project. The U.S. Department of Energy is accepting applications for a Vehicle Technologies Office Technology Integration grant. TTU has applied for a grant for a project titled “Charging Tennessee: Advancing Public Vehicle Fleet Electrification.” The application is for an award of \$179,540 with a required cash match of \$500,000. This grant would be used to establish an electric park and ride system in downtown Nashville to deploy four electric shuttle buses while providing charging capabilities to commuters for electric vehicle charging through six charging stations.

Sponsors: Porterfield, Parker, Welsch and Evans-Segall

47. [RS2024-570](#)

A resolution accepting a donation from 601 Lafayette Owner, LLC in the amount of \$100,000 as a contribution towards infrastructure improvements towards the costs of construction of a nearby community pocket park.

Analysis

This resolution accepts a donation from 601 Lafayette Owner, LLC in the amount of \$100,000. This donation will be used towards infrastructure improvements related to the construction of a nearby community pocket park.

The Council is authorized to approve donations by resolution pursuant to Metropolitan Code of Laws Section 5.04.120.B.

Sponsors: Kupin, Porterfield, Parker and Welsch

48. [RS2024-571](#)

A resolution approving Amendment 3 to an intergovernmental agreement 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 intersection improvements on Nolensville Pike, from McNally Drive to Natchez Court. (State Project No. 19LPLM-S3-158; PIN 128602.00; Proposal No. 2024M-027AG-001.)

Analysis

This resolution approves the third 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 and RS2023-2303.

The amendment under consideration extends the completion date from July 1, 2024, to January 31, 2027. No other changes would be made to the agreement.

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

Sponsors: Johnston, Sepulveda, Gamble and Parker

49. [RS2024-572](#)

A resolution appropriating a total of \$2,716,275 from the Nashville Public Library to various non-profit organizations for the provision of free and high-quality afterschool and summer programming through the Library’s Nashville After Zone Alliance out-of-school time coordinating system.

Analysis

This resolution appropriates \$2,716,275 from the Nashville Public Library to 13 nonprofit organizations for the provision of free and high-quality afterschool programs through the Library’s Nashville After Zone Alliance Program. The nonprofits are as follows:

- \$97,875 to AAOC Camps for Youth Development;
- \$485,990 to Backfield in Motion, Inc.;
- \$104,200 to Bethlehem Centers of Nashville;
- \$278,260 to Black Lemonade;
- \$37,340 to Carnegie Writers;
- \$16,800 to East Nashville Hope Exchange;
- \$241,815 to Global Outreach Developments International;
- \$318,220 to Martha O’Bryan Center;

- \$244,995 to Nations Ministry Center;
- \$84,015 to Nashville International Center for Empowerment;
- \$366,795 to Rocklife Youth (Church on the Rock);
- \$263,210 to Why We Can't Wait, Inc.;
- \$176,760 to YMCA of Middle Tennessee

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

Sponsors: Porterfield, Styles, Welsch, Allen, Suara, Evans-Segall and Spain

50. [RS2024-573](#)

A resolution approving a memorandum of understanding between the Nashville Public Library and the Metropolitan Department of Parks and Recreation for the provision of free and high-quality afterschool and summer programming through the Library's Nashville After Zone Alliance out-of-school time coordinating system.

Analysis

This resolution approves a memorandum of understanding ("MOU") between the Nashville Public Library ("NPL") and the Department of Parks and Recreation ("Parks") for the provision of free and high-quality afterschool and summer programming through the Library's Nashville After Zone Alliance ("NAZA") out-of-school time coordinating system.

Pursuant to the terms of this MOU, Parks would provide NAZA-funded programs that will align with the Metro Schools calendar and be available to youth Monday through Thursday during the fall and spring semesters on days when Metro Nashville Public Schools are in session. These programs would support youths' physical, social, emotional, cognitive, and academic skill development, help youth build purpose through learning, and have relevance to their real-life experiences. The term of this MOU would begin July 1, 2024, and end June 30, 2025. NPL would provide Parks \$436,135, representing 117 slots for afterschool, 130 slots for summer, and transportation.

Sponsors: Porterfield, Styles, Welsch, Allen, Suara, Evans-Segall, Ellis and Spain

51. [RS2024-574](#)

A resolution approving a notice of land use restrictions and property assessment and warranty applicable to a portion of Shelby Park in connection with a streambank restoration project. (Proposal No. 2024M-090ES-001)

Analysis

This resolution approves the execution of certain documents in connection with a streambank restoration project for a portion of Shelby Park.

The Metropolitan Government has undertaken certain process improvement projects on the site of the Omohundro Water Treatment Plant intended to increase the capacity of the plant to

produce potable water. This project will adversely affect a stream on the Omohundro site, which will be offset with a stream improvement in Shelby Park.

The resolution under consideration approves the execution and recording of a Notice of Land Use Restrictions. This document outlines the land use restrictions for activities within the protected mitigation area in Shelby Park.

In addition, the resolution approves the execution of a property assessment and warranty. This document provides a summary and explanation of each recorded or unrecorded lien or encumbrance on, or interest in, the property to be protected in Shelby Park for the benefit of the U.S. Army Corps of Engineers.

The resolution further authorizes the Mayor, or a designee, to execute any additional documents that would be necessary to carry out the intent of the resolution.

Fiscal Note: The Department of Water and Sewerage Services will pay the preliminary construction cost estimate of \$376,835 for the mitigation of the Shelby Park streambank restoration project and will be responsible for the operation, upkeep, and maintenance of the mitigation area.

Sponsors: Capp, Porterfield, Styles, Gamble, Parker and Welsch

52. [RS2024-575](#)

A resolution appropriating \$50,000.00 through a grant contract by and between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and the Tennessee Environmental Council to provide trash and debris removal around Nashville's waterways.

Analysis

This resolution appropriates \$50,000 through a grant contract from the Department of Water and Sewerage Services ("MWS") to the Tennessee Environmental Council ("TEC").

Pursuant to the terms of this agreement, TEC will coordinate 30 clean-ups in and along Nashville waterways for litter remediation. These clean-ups will occur in at least 12 Council districts. TEC will provide event outreach, safety training to volunteers, secure permission from property owners where the clean-ups occur, and educational content about the value of clean water. TEC will also provide reporting on expenses as well as metrics and progress related to the goals of this program. MWS will provide a maximum of \$50,000 to TEC for performance of this contract. The grant term begins upon the date of approval by all required parties and filing in the Metropolitan Clerk's Office and extend for a period of 18 months.

A similar agreement between MWS and TEC was approved pursuant to RS2022-1778.

Fiscal Note: Metro would pay \$50,000 to the Tennessee Environmental Council to provide trash and debris removal around Nashville's waterways.

Sponsors: Porterfield, Parker, Welsch, Bradford, Evans-Segall and Ellis

53. [RS2024-576](#)

A resolution appropriating \$59,565.00 through a grant contract by and between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and the Cumberland River Compact to provide trash and debris removal around Nashville's waterways.

Analysis

This resolution appropriates \$59,565 through a grant contract from the Metropolitan Department of Water and Sewerage Services ("MWS") to the Cumberland River Compact ("CRC").

Pursuant to the terms of this agreement, CRC will organize approximately 15 clean-ups in and along Nashville waterways for litter remediation. These clean-ups will be divided into large and woody flood debris and flood debris accessible only by water. CRC will coordinate these events with the Tennessee Environmental Council to ensure no overlap or confusion. CRC will provide event outreach, safety training to volunteers, secure permission from property owners where the clean-ups occur, and educational content about the value of clean water. CRC will also provide reporting on expenses as well as metrics and progress related to the goals of this program. MWS will provide \$59,565 to CRC for performance of this contract. The grant term begins upon the date of approval by all required parties and filing in the Metropolitan Clerk's Office and extend for a period of 18 months.

A similar agreement between MWS and CRC was approved pursuant to RS2022-1779.

Fiscal Note: Metro would pay \$59,565 to the Cumberland River Compact to provide trash and debris removal around Nashville's waterways.

Sponsors: Porterfield, Parker, Welsch, Bradford and Evans-Segall

54. [RS2024-577](#)

A resolution to amend Ordinance No. BL2023-1700 to authorize The Metropolitan Government of Nashville and Davidson County to abandon public water main and sanitary sewer main, for property located at 825 6th Avenue South, also known as Modera SoBro Phase 1 (MWS Project Nos. 22-WL-42 and 22-SL-100 and Proposal No. 2022M-188ES-002).

Analysis

Ordinance No. BL2023-1700 was approved by the Metropolitan Council on March 7, 2023. The legislation authorized the acceptance of approximately 20 linear feet of six-inch water main (DIP), approximately 40 linear feet of eight-inch sanitary sewer main (DIP), one fire hydrant assembly and one sanitary sewer manhole, for property located at 825 6th Avenue South, also known as Modera Sobro Phase 1. BL2023-1700 provided that amendments to the ordinance may be approved by resolution.

The resolution under consideration amends this legislation to abandon approximately 617

additional linear feet of existing six-inch water main and approximately 410 linear feet of existing 12-inch sanitary sewer main.

These changes have been approved by the Planning Commission.

Sponsors: Kupin, Gamble and Parker

P. Bills on Second Reading

82. [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, Ewing and Gadd

83. [BL2024-343](#)

An ordinance to amend Chapter 2.112 of the Metropolitan Code of Laws regarding the membership of the Metropolitan Nashville Arts Commission and the process for approving the criteria for awarding funds.

Analysis

This ordinance amends Chapter 2.112 of the Metropolitan Code of Laws regarding the Metropolitan Nashville Arts Commission (“Arts Commission”).

This legislation would amend the membership of the Arts Commission to add a Council Member who serves on the Arts, Parks, Libraries, and Entertainment Committee. The Arts,

Parks, Libraries, and Entertainment Committee would select this Council Member. The selected Council Member's term on the Commission would be two years. This term would not extend past the Council term in which the Council Member was elected.

Under current law, the Council is authorized to approve by resolution the criteria established by the Arts Commission for the awarding of grant funds to deserving nonprofit civic and nonprofit charitable organizations. The current law also contains language regarding Council's approval of the grant awards; however, these provisions were preempted by state law in 1995 (See T.C.A. § 7-3-314(d)).

The ordinance under consideration would require the criteria established by the Arts Commission for the awarding of grant funds to be approved by the Metropolitan Council by ordinance instead of resolution. In addition, the criteria would be approved each year before funds are awarded. These criteria must also be presented to the arts, parks, libraries, and entertainment committee before an ordinance is filed.

Sponsors: Styles, Kupin, Eslick, Vo, Ewing, Suara and Welsch

84. [BL2024-344](#)

An ordinance to amend Section 2.147.030 of the Metropolitan Code regarding the selection of members to the Nashville Music, Film, & Entertainment Commission.

Analysis

This ordinance amends Section 2.147.030 of the Metropolitan Code of Laws. This legislation would allow one Metropolitan Council Member to serve as a voting member of the Nashville Music, Film, & Entertainment Commission ("NMFEC"). This Council Member would serve a two-year term. The term would not extend beyond the council term in which the Council Member was elected.

The Council Member appointed to the NMFEC would take the place of the NMFEC member that was to be selected by the Recording Academy Nashville Chapter. This position has not been filled since the MNFEC was established.

Sponsors: Styles, Kupin, Eslick, Vo, Ewing and Welsch

85. [BL2024-349](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by renaming four disconnected segments of Old Harding Pike. (Proposal Number 2023M-003SR-001).

Analysis

This ordinance renames four disconnected segments of Old Harding Pike. The construction of Highway 100 created several disconnected segment roadways on Old Harding Pike, and emergency responders have struggled to locate addresses on the road because the disconnected roadways have the same street names.

The proposal would rename the 7900-8082 segment of Old Harding Pike as Smith Ford Road, the 8101-8131 segment of Old Harding Pike as Pink Tower Road, the 8200-8296 segment of Old Harding Pike as Linton Lane, and the 8405-8423 segment of Old Harding Pike as Old Harding Grove.

This proposal has been approved by the Planning Commission and the Emergency Communications District Board. In addition, the required report regarding historical significance of the street names has been received from the Historical Commission. Amendments to this legislation may be approved by resolution.

Sponsors: Spain, Gamble and Parker

86. [BL2024-390](#)

An ordinance to amend Section 2.63.020 of the Metropolitan Code of Laws to require the Office of Homeless Services to maintain an inventory of homeless service providers throughout Davidson County.

Analysis

This ordinance amends Section 2.63.020 of the Metropolitan Code of Laws to require the Office of Homeless Services maintain an inventory of homeless services providers in Nashville and Davidson County. This inventory would list direct support services provided by third-party organizations to those experiencing homelessness in an effort to adequately serve all parts of Nashville and Davidson County.

Sponsors: Huffman, Bradford, Ellis, Spain, Ewing, Weiner and Horton

87. [BL2024-426](#)

An ordinance amending Section 15.64.140 of the Metropolitan Code of Laws pertaining to the review of a grading permit and drainage plan.

Analysis

This ordinance amends section 15.64.140 of the Metropolitan Code regarding the review of grading permit and drainage plans. The existing code requires property developers to submit detailed grading and drainage plans as part of the development process.

The bill provides for a Council Member to initiate the review of a grading and draining plan by submitting a written request to the director of the Department of Water and Sewerage Services. Written notice of the review would then be sent to the zoning administrator, the property owner, and the district council member within five business days of the initiation.

The MWS department director or a designee must determine within 30 days of the initiation whether grading activity, including excavation, clearance, or other alteration of the landscape, complies with the requirements of the bill and the applicable grading and drainage plan.

Grading activity is not in compliance when the following factors are established: (1) a grading and drainage plan was approved and active for more than 60 days, and unauthorized by fill

from off-site activity has been brought to and stored on the site, or (2) no building permit or use and occupancy permit has been issued for the site by the department of codes administration.

The department director or designee shall revoke the grading and drainage plan if the activity is found to be out of compliance. Grading activity may commence or continue in line with the existing plan if the activity is found to be in compliance. The Department of Water and Sewerage Services shall not review any building permit application if a grading permit and drainage plan is under review until the site is found to be in compliance with this section.

Sponsors: Kimbrough

88. [BL2024-427](#)

An ordinance adopting a transit improvement program for the Metropolitan Government of Nashville and Davidson County, approving a surcharge for the program, and requesting the Davidson County Election Commission to call a county-wide referendum election to be held on November 5, 2024, regarding the levying of the surcharge on certain taxes to fund the program.

Analysis

This ordinance would adopt a transit improvement program and approve a surcharge to the local option sales tax levy to fund the program. The ordinance also requests the Davidson County Election Commission to call a county-wide referendum election for November 5, 2024, to approve the levy of the surcharge.

In 2017, the General Assembly adopted the IMPROVE Act, with the provisions relative to transit improvement codified at Tennessee Code Annotated § 67-4-3201, et seq., (the “Act”) authorizing local governments, among other things, to adopt a transit improvement program and levy a surcharge on certain privilege taxes to fund costs associated with the development of a transit improvement program, namely, to fund planning, engineering, development, construction, implementation, administration, management, operation, and maintenance of the transportation projects. The Act requires that the program specify the projects that will be undertaken, the surcharge rate and type, the date or condition causing the surcharge to terminate, an estimate of the initial and recurring costs of the program, the implementing agencies, and the location of the program projects. The Act also requires that the surcharge levy be approved by the registered voters of the local government.

The Act provides that a local governing body can enact a transit improvement plan resolution or ordinance. By passage of BL2017-939, the Council determined that any transit improvement plan must be enacted by ordinance.

The detailed Choose How You Move Public Transportation Improvement Program (the “Program”) is attached to the ordinance as Exhibit 1. The Program complies with the Act by including the required elements:

- The descriptions of the transit program projects are found beginning on Program page 19 (page 15 of the Exhibit) by detailing six investment categories of projects:
 - *Sidewalks, signals, streets & safety*: The Program will invest in infrastructure

- that would provide safe walking access to transit and promote efficient traffic management. The plan would fund the installation or upgrade of 86 miles of sidewalk, make safety improvements at 35 high-jury intersections, and modernize traffic signals to manage traffic flows.
- *All-access corridors*: The Program would upgrade Nashville's most used roadways to support higher frequency transit, reliable vehicle travel, and increased safety. This would include running transit service on these corridors every 15 minutes at most, reconstructing or resurfacing some roadways, improving transit signal priority, and strategically locating dedicated transit-only lanes.
 - *WeGo essentials*: The Program would expand and modernize the WeGo transit system with new transit centers, park-and-ride facilities, buses, and added bus stop upgrades. The Program proposes 12 transit centers, park-and-ride-facilities on 12 major roads, a new bus garage facility, updated 285 bus stops, added fare modernization, and an updated bus fleet.
 - *WeGo Service enhancers*: The Program proposes an 80 percent increase in service hours on WeGo transit through more than doubling high-frequency daily service and adding local and crosstown routes to improve connectivity. The system would use 24/7 routes that would decrease waiting times and be walkable to historically underrepresented communities and high concentrations of zero-car households.
 - *Places for everyone*: The Program would fund the acquisition and preparation of property close to transit centers so it could be developed to address transit-connected community needs. The property, after Metro-sponsored joint development, would deliver more affordable housing near multimodal transit centers and increase the number of walkable neighborhoods in Nashville.
 - *Innovation & technology*: The Program would leverage technology to enhance transportation access, safety, and usability. This would include expanding the WeGo Link program countywide, improving the WeGo transit app, improving adaptive signals, installing 50 miles of fiber optic cable, and upgrading the new Traffic Management Center to manage and respond to congestion and event traffic as it happens.
- The proposed surcharge type and rate is designated as a .5% increase to the local option sales tax levy.
 - The tax surcharge will terminate when all the outstanding debt has been repaid.
 - The initial cost of the Program is estimated at \$3,096,000,000, in 2024 dollars.
 - The recurring cost of the Program is estimated at \$111,000,000 per year, in 2024 dollars.
 - The primary implementing agencies of the Program will be NDOT and WeGo.
 - The geographical locations of the projects are depicted throughout the Program document with a combined map of locations on Program page 95 (page 53 of the Exhibit).

The ordinance would approve the 0.5% surcharge on the local option sales tax levy as well as

the specific language to be included on the referendum ballot. Passage of the ordinance will allow the Program and the surcharge to be voted upon by the registered voters of Davidson County. The ordinance requests that the Election Commission hold the referendum election on November 5, 2024. If the referendum vote is successful, the Election Commission will send the ordinance to the Tennessee Department of Revenue and collection of the surcharge revenues will begin on February 1, 2025.

The Act additionally requires a financing plan demonstrating the program's financial feasibility, an opinion of an independent certified public accounting firm, approved by the state comptroller, attesting to the plan of finance projections supporting the financial feasibility of the program. On May 13, 2024, KraftCPAs provided its opinion in a report delivered to the Mayor and the Council in which, KraftCPAs specifically opined that "[Nashville's] assertions related to the Plan of Finance about the methodology and assumptions used in the financial forecasts and projections supporting its analysis that the proposed transit program is financially feasible, and assertions about the amount off the transit improvement program's infrastructure to be financed through bonds, sales tax surcharges, or other financing methods provide a reasonable basis for Metro Nashville's Plan of Finance and are presented in accordance with the criteria set forth in [the Act]..."

It is worth noting some of the differences between the Program in the ordinance and the previous effort to implement a transit plan, through BL2017-1031, after the passage of the IMPROVE Act. The 2017 plan, called Let's Move Nashville, would have created five light rail routes, dedicated bus rapid transit lanes, new neighborhood transit centers, a transit tunnel, and increased service and routes. The initial cost was estimated to be over \$5 billion, in 2017 dollars. Funding the costs would have been supported by surcharges to the local option sales tax, hotel/motel tax, business tax, and the car rental tax. While the ordinance was adopted by the Council, the effort failed at the ballot box with 79,493 "no" votes to 44,766 "yes" votes.

Sponsors: Parker, Porterfield, Gamble, Suara, Evans-Segall, Allen, Hill, Toombs, Cortese, Capp, Benedict, Harrell, Hancock, Webb, Evans, Huffman, Gregg, Welsch, Vo, Cash, Kupin, Horton, Weiner, Gadd, Preptit, Nash, Ellis, Rutherford, Lee, Ewing, Spain and Druffel

89. [BL2024-428](#)

An ordinance approving, ratifying, and adopting Chapter 68 of the Private Acts of 2024, authorizing the establishment of an East Bank Development Authority.

Analysis

This ordinance would formally approve, ratify, and adopt Chapter 68 of the Private Acts of 2024 ("the Act"). The approval of the Act would authorize the establishment of the East Bank Development Authority ("the Authority"). The Authority would have particular power in the area bordered by the Cumberland River to the west and south, by Interstate 24 to the east, and by Interstate 65 to the north.

The Authority could enter into contracts, own and manage real and personal property, issue

bonds, undertake projects, and exercise the powers of industrial development boards, housing authorities, parking authorities, and port authorities. The Authority would administer the existing development agreements and expected future agreements for the use of publicly owned East Bank property. The Authority would also oversee and manage the design of public infrastructure within the East Bank and coordinate the public and private projects to ensure East Bank development is consistent with the community's vision for the development.

The Authority shall not have the power of eminent domain over any real property. Any issuance of bonds, notes, or other debt obligations require approval from the Metropolitan Council by resolution. The Metropolitan Government is not liable for the payment of any bonds issued by the Authority or any bonds, agreements, or obligations of the Authority.

The Authority would be governed by a board of directors of nine voting members, according to the Act. The state enabling legislation provides that the Mayor would appoint five members, the Metropolitan Council would appoint two members, and the speakers of the state senate and house (or their designees) would serve as voting ex officio members. The Act also establishes the position of chief executive officer of the Authority. The Mayor would appoint the inaugural CEO of the Authority, while each subsequent CEO would be appointed by the board of directors. Each CEO serves at the pleasure of the board of directors.

The Council must adopt the Act by a two-thirds majority for the Act to become effective. If approved, the presiding officer of the Council must proclaim the approval of the Act, and a copy of the ordinance would be certified by the Metropolitan Clerk to the Tennessee Secretary of State. Any future changes to the Act also requires a two-thirds majority to take effect.

Sponsors: Kupin, Porterfield and Allen

90. [BL2024-429](#)

An ordinance approving a contract between The Metropolitan Government of Nashville and Davidson County and Concentra Health Services Inc. for the provision of medical services to employees who have sustained occupational injuries.

Analysis

This ordinance approves a contract between the Metropolitan Government and Concentra Health Services, Inc., for the provision of medical services to employees who have sustained occupational injuries.

The Metropolitan Government has established an injury-on-duty (IOD) medical clinic for the treatment of employees who are injured by accidents arising out of and in the course of employment. Section 3.24.020.D for the Metropolitan Code provides that the contract to provide medical services to employees at the IOD medical clinic shall be approved by the Metropolitan Council. The clinic would be staffed with four staff members for 40 hours per week and located at the Metro Nashville IOD Clinic at 337 21st Avenue North.

Concentra would also separately coordinate with the Metro Nashville Public Health Department to perform prehire and annual physicals for a variety of departments for the Metropolitan

Government. Three staff members would conduct the physicals, which would be overseen by the Metro Civil Service Medical Examiner as required by section 10.110 of the Metro Charter.

The term of the agreement is 60 months, beginning upon the approval of all required parties and filing with the Metropolitan Clerk's Office. The estimated value of the agreement is \$7,531,432.38.

Amendments to the contract may be approved by a resolution receiving at least 21 affirmative votes.

Fiscal Note: The estimated contract life value of contract 6557424 with Concentra Health Services, Inc., for onsite occupational medical center services is \$7,531,432.38 to be paid from Fund 52200, Business Unit 12505400. However, actual expenses may be paid from various department's funds and business units when purchase orders are issued.

Sponsors: Porterfield, Evans, Welsch and Gadd

91. [BL2024-430](#)

An ordinance authorizing the naming of Unnumbered Alley right-of-way, from Benton Avenue to Craighead Street, as "Coliseum Way". (Proposal Number 2024M-001SR-001).

Analysis

This ordinance names an unnumbered alley right of way from Benton Avenue to Craighead Street as "Coliseum Way". The road will be aligned and provide access to the speedway and the apartment complex under construction at The Fairgrounds Nashville. This request was made by Laura Womack on behalf of The Fairgrounds Nashville.

This proposal has been approved by the Planning Commission and the Emergency Communications District Board. A written report regarding any historical significance of the street name was also provided by the Historical Commission.

Sponsors: Vo, Gamble and Parker

92. [BL2024-431](#)

An ordinance authorizing the abandonment of Alley #149 right-of-way and utility easements between President Ronald Reagan Way and 3rd Avenue and Peabody Street and Lea Avenue. (Proposal Number 2024M-004AB-001).

Analysis

This ordinance abandons Alley #149 right-of-way and utility easements from President Ronald Reagan Way westward toward a dead end and then southeast to Lea Avenue. The abandonment was requested by Drew Hardison of Barge Design Solutions.

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

Sponsors: Kupin, Gamble and Parker

93. [BL2024-432](#)

An ordinance authorizing the abandonment of Alley #1827 right-of-way between Montrose Avenue and West Kirkwood Avenue. (Proposal Number 2024M-003AB-001).

Analysis

This ordinance abandons a portion of Alley #1827 right-of-way northeast from Montrose Avenue to West Kirkwood Avenue. The abandonment was requested by Lauren Wright, an abutting property owner. Utility easements would be retained by the Metropolitan Government.

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

Sponsors: Vo, Gamble and Parker

94. [BL2024-433](#)

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 103 Fern Avenue (MWS Project No. 24-SL-46 and Proposal No. 2024M-066ES-001).

Analysis

This ordinance accepts approximately 163 linear feet of new eight-inch sanitary sewer mains (DIP), two sanitary sewer manholes and easements, for property located at 103 Fern Avenue.

This ordinance has been approved by the Planning Commission. Future amendments to this legislation shall 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, Gamble and Parker

95. [BL2024-434](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water mains and easement, and to accept new public water main, for property located at 563 Veritas Street (MWS Project No. 23-WL-80 and Proposal No. 2024M-069ES-001).

Analysis

This ordinance abandons approximately 48 linear feet of existing one-inch water main, approximately 98 linear feet of existing two-inch water main, and an associated easement and accepts approximately 120 linear feet of new four-inch water main (DIP), for property located at 563 Veritas Street.

This ordinance has been approved by the Planning Commission. Future amendments to this legislation shall 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: Welsch, Gamble and Parker

96. [BL2024-435](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water main, public fire hydrant assemblies and easements, for property located at 2040 Hickory Hill Lane, also known as Park Haven Phase 3, Section 2 (MWS Project No. 22-WL-63 and Proposal No. 2024M-070ES-001).

Analysis

This ordinance accepts approximately 3,375 linear feet of new eight-inch water main (DIP), six new fire hydrant assemblies and associated easements, for property located at 2040 Hickory Hill Lane, also known as Park Haven Phase 3, Section 2.

This ordinance has been approved by the Planning Commission. Future amendments to this legislation shall 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: Huffman, Gamble and Parker

97. [BL2024-436](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water mains, new public fire hydrant assemblies and associated easements, for property located at 2040 Hickory Hill Lane, also known as Park Haven Phase 3, Section 3 (MWS Project No. 22-WL-64 and Proposal No. 2024M-071ES-001).

Analysis

This ordinance accepts approximately 149 linear feet of new six-inch water main (DIP), approximately 1,241 linear feet of new eight-inch water main (DIP), three new fire hydrant assemblies and associated easements, for property located at 2040 Hickory Hill Lane, also known as Park Haven Phase 3, Section 3.

This ordinance has been approved by the Planning Commission. Future amendments to this legislation shall 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: Huffman, Gamble and Parker

98. [BL2024-437](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main, sanitary sewer manholes and easements, for property located at 9828 Split Log Road in Williamson County, also known as the Rosebrooke Section 4B (MWS Project No. 24-SL-66 and Proposal No. 2024M-072ES-001).

Analysis

This ordinance accepts approximately 610 linear feet of new eight-inch sanitary sewer main (PVC), four new sanitary sewer manholes and easements, for property located at 9828 Split Log Road in Williamson County, also known as Rosebrooke Section 4B.

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

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

Sponsors: Gamble and Parker

99. [BL2024-438](#)

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 9828 Split Log Road in Williamson County, also known as the Rosebrooke Section 6 (MWS Project No. 24-SL-67 and Proposal No. 2024M-073ES-001).

Analysis

This ordinance accepts approximately 715 linear feet of new eight-inch sanitary sewer main (PVC), five new sanitary sewer manholes and easements, for property located at 9828 Split Log Road in Williamson County, also known as Rosebrooke Section 6.

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

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

Sponsors: Gamble and Parker

100. [BL2024-439](#)

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 Century Farms Circle (unnumbered) and William Turner Parkway (unnumbered), also known as Century Farms J Road (MWS Project Nos. 22-WL-46 and 22-SL-107 and Proposal No. 2024M-075ES-001).

Analysis

This ordinance accepts approximately 1,635 linear feet of new eight-inch water main (DIP), approximately 630 linear feet of new 12-inch water main (DIP), approximately 1,247 linear feet of new eight-inch sanitary sewer main (PVC), three fire hydrant assemblies, 12 sanitary sewer manholes and easements, for two properties located at Century Farms Circle (unnumbered) and William Turner Parkway (unnumbered), also known as Century Farms J Road.

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

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

101. [BL2024-440](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, new public fire hydrant assemblies, new public sanitary sewer manholes and easements, for property located at Murfreesboro Pike (unnumbered), also known as Hamilton Center (MWS Project Nos. 23-WL-58 and 23-SL-133 and Proposal No. 2024M-074ES-001).

Analysis

This ordinance accepts approximately 782 linear feet of new eight-inch water main (DIP), approximately 246 linear feet of new eight-inch sanitary sewer main (DIP), approximately 1,497 linear feet of new eight-inch sanitary sewer main (PVC), three new fire hydrant assemblies, 13 new sanitary sewer manholes and any associated easements, for property located at Murfreesboro Pike (unnumbered), also known as Hamilton Center.

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

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

Sponsors: Ellis, Gamble and Parker

Q. Bills on Third Reading

106. [BL2024-375](#)

An ordinance to amend Chapter 4.20 of the Metropolitan Code of Laws to establish a contract and compliance board for existing construction contracts of the Metropolitan Government.

Analysis

This ordinance, as substituted, would create a contract and compliance board related to construction contracts where the Metropolitan Government is a party. The contract and compliance board would be authorized to:

- Meet and evaluate existing construction contracts related to construction activities on projects by Metro;
- Review construction sites, if such review is in connection with the evaluation of existing construction contracts;
- Provide recommendations for the scope of safety plans for construction project procurement to the purchasing agent and council no later than July 1, 2025. This deadline may be extended by a resolution of council.
- Provide recommendations related to contractor payment application requirements to the purchasing agent and Council no later than July 1, 2025. This deadline may be extended by a resolution of Council.
- Study best practices on public construction worksites and provide recommendations on improvements on Metro construction worksites;
- Create subcommittees related to this work, including subcommittees comprised of representatives of relevant Metro departments;
- Confer with Metro construction safety specialists in connection with any accident reported and measures taken to prevent similar accidents;
- Make recommendations to the Department of Finance for policies and practices related to construction contracts; and
- Accept and investigate complaints related to existing construction contracts wherein Metro is a party and related to the relevant construction sites.

The mayor, in consultation with the board, would appoint an executive director. The executive director would be authorized to employ staff, including construction safety specialists, necessary to carry out the powers and duties of the board. The executive director would also be authorized to hire consultants or experts to assist with the work of the board.

The board would consist of seven voting members and one non-voting member for a term of two years. The membership would include:

- Two members appointed by the mayor with experience in the enforcement of occupational safety and health standards and construction labor and material payment protocols and confirmed by the council;
- One member would be a representative of labor appointed by the mayor and confirmed by the council;
- One member would be a contractor licensed by the State of Tennessee, in good standing, appointed by the mayor and confirmed by the council;
- One member would be the purchasing agent or their designee;
- Two members would be elected by a majority vote of the whole membership of the metro council; and
- One non-voting member who would be a council member elected by the metro council.

The board and its staff would investigate complaints submitted to the board. Complaints for an alleged violation of federal or state law, including health and safety violations, would be referred to the appropriate federal or state authority.

The board would submit to the council annual reports compiling relevant anonymized accident and injury safety data from Metro construction projects.

Fiscal Note: The salary for the executive director and additional support staff has not been determined. The review and assessment of the position's job duties, functions and qualifications, as determined by the board, will need to be conducted by the Human Resource Department prior to assigning the position's salaries.

Sponsors: Sepulveda, Styles, Welsch, Huffman, Benedict, Evans, Gadd, Bradford, Parker, Gregg, Toombs, Horton, Suara, Taylor, Porterfield, Vo, Webb, Preptit, Evans-Segall, Harrell, Gamble, Hill, Rutherford, Spain, Cash, Kupin, Ellis, Allen, Capp, Ewing and Weiner

107. [BL2024-392](#)

An ordinance amending BL 2016-334, which authorized the Metropolitan Development and Housing Agency to negotiate and accept payments in lieu of ad valorem taxes from its leases operating low income housing tax credit properties pursuant to Tennessee Code Annotated 13-20-104 and revise the annual amount of abatement authorized for the program.

Analysis

This ordinance amends Ordinance No. BL2016-334, which authorized Metropolitan Development and Housing Agency ("MDHA") to negotiate and enter into Payment in Lieu of Tax ("PILOT") Agreements with private real estate developers.

This ordinance originally delegated authority from the Metropolitan Council to MDHA to negotiate and accept up to \$2,500,000 in abatements from payments in lieu of taxes from its leases operating low income housing tax credit ("LIHTC") per calendar year.

The amendment under consideration would expand the total annual abatement amount of amount of PILOTs from \$2,500,000 to \$5,000,000. This follows a recommendation from the Tax Incentive and Abatement Study and Formulating Committee of the Metropolitan Council, which acknowledged the impact of this program on producing and preserving affordable housing in Nashville. The federal government has expanded the use and funding of the LITHC program, which led to more funding being allocated to Tennessee.

Any PILOT agreement would continue to be subject to the terms of the PILOT program and Tennessee Code Annotated section 13-20-104.

Sponsors: Porterfield, Allen, Toombs, Suara, Capp, Gadd, Evans-Segall, Spain and Welsch

108. [BL2024-393](#)

An ordinance approving a lease agreement by and between the Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Board of Public Education and Nashville Tools for School (Proposal No. 2024M-004AG-001).

Analysis

This ordinance approves a lease between Metropolitan Nashville Public Schools and Nashville Tools for Schools for a portion of the property known as the Print Shop Building on Foster Avenue. Nashville Tools for Schools would use the space as a shop building. The lease will cover 3,600 square feet of space, and the monthly lease will be \$0.

The lease was set to begin on January 1, 2024 and end on December 31, 2028. Nashville Tools for Schools must give one year's notice prior to the end date of the lease if they intend to renew the lease.

Fiscal Note: Metropolitan Nashville Public Schools will provide the 3600 square feet of unutilized storage location at their operations hub at 1250 Foster Ave. at no rental cost to Nashville Tool for Schools to make school furniture. Nashville Tool for Schools will provide custodial services, telephone service, computer cabling and equipment, and refuse collection. MNPS will provide routine maintenance of the facilities, HVAC, plumbing, electrical systems and the building's structure.

Sponsors: Welsch, Porterfield, Gamble, Allen, Benton and Gadd

109. [BL2024-395](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon a portion of an existing utility easement for property located at 201 Shelby Avenue (Parcel No. 09303017400) (Proposal No. 2024M-065ES-001).

Analysis

This ordinance abandons a portion of an existing utility easement with Piedmont Natural Gas Company, Inc. for property located at 201 Shelby 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 and donated easements have no market value according to the Department of Water Services.

Sponsors: Kupin, Gamble, Parker and Evans-Segall

110. [BL2024-396](#)

An ordinance providing the honorary street name designation of "J.B. Barker and Estille Burgess Memorial Way" for the entirety of Donelson Station Boulevard.

Analysis

This ordinance adds the honorary street name designation of "J.B. Barker and Estille Burgess Memorial Way" for a portion of Donelson Station Boulevard between Lebanon Pike and Old Lebanon Pike.

Section 13.08.025 of the Metro Code provides a procedure for the designation of honorary street signs whereby the Council, by ordinance, can authorize and direct the Nashville Department of Transportation and Multimodal Infrastructure to install two honorary street signs per street-at each end of a street-beneath the official street name sign for any street identified on the official Street and Alley Centerline Layer map. No honorary street sign can be installed honoring a living person; and each member of Council can sponsor only one such ordinance each calendar year.

This ordinance does not officially re-name the designated street. Therefore, there would be no change of official address for properties along this portion of Donelson Station Boulevard.

Sponsors: Gregg, Bradford and Evans-Segall

111. [BL2024-397](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon easement rights located at 710 Demonbreun Street, formerly a portion of Alley No. 114 (Proposal No. 2013M-013AB-002).

Analysis

This ordinance easement rights for property located at 710 Demonbreun Street, which was formerly a portion of Alley No. 114. The easement rights from Demonbreun Street northward approximately 178 linear feet towards McGavock Street were first retained through Ordinance No. BL2013-599 but are no longer needed by Metro. The abandonment was requested by 7th Avenue Nashville Hotel Owner, LLC.

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: Kupin, Gamble, Parker and Evans-Segall

112. [BL2024-398](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public utility and drainage easement rights, for the specific area of property located at 3348 Lakeside Place (Proposal No. 2024M-068ES-001).

Analysis

This ordinance abandons existing 10-foot public utility and drainage easement rights for property located at 3348 Lakeside Place. The abandonment was requested by the property owner, Jennifer E. Martin.

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: Huffman, Gamble, Parker and Evans-Segall

113. [BL2024-399](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer main, fire hydrant assembly, sanitary sewer manholes and easements, for property located at 407 West Trinity Lane (MWS Project Nos. 22-WL-137 and 23-SL-265 and Proposal No. 2024M-059ES-001).

Analysis

This ordinance accepts approximately 591 linear feet of new eight-inch water main (DIP), approximately 591 linear feet of new eight-inch sanitary sewer main (PVC), one fire hydrant assembly, seven sanitary sewer manholes and easements, for property located at 407 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Toombs, Gamble, Parker and Evans-Segall