



Metro Council

H. Resolutions on Public Hearing

1. [RS2020-632](#)

A resolution exempting Karrington's Daiquiri Factory located at 1315 Lischey Avenue, from the minimum distance requirements for obtaining a beer permit pursuant to Section 7.08.090.E of the Metropolitan Code.

Analysis

This resolution approves an exemption from the minimum distance requirements for obtaining a beer permit for Karrington's Daiquiri Factory located at 1315 Lischey Avenue.

The Metro Code of Laws (MCL) 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: Parker

2. [RS2020-689](#)

A resolution approving the use of cameras for data collection through the Curb Loading Zone Management Pilot by the Metropolitan Government of Nashville and Davidson County, acting by and through its Department of Public Works, in collaboration with FLOW INC., d/b/a COORD.

Analysis

This resolution approves the use of cameras to conduct a Curb Loading Zone Management Pilot program in downtown Nashville. The Council adopted Resolution No. RS2020-401 in July 2020 approving an in-kind grant from FLOW INC, d/b/a COORD, to allow Metro to use

COORD's technology tools and technical support at no charge in order to enable Metro to conduct a smart loading zone pilot program. The program will use this technology to communicate loading zone locations, delivery parking availability, and rules to commercial drivers to determine if such technology would be beneficial in the long term for the delivery companies, businesses, and the public's use of the rights-of-ways in the downtown area.

This resolution specifically approves the use of 2-3 temporary cameras at the following locations:

- 100 block of 2nd Ave. N.
- 200 block of 5th Avenue No.
- 300 block of Church St.
- 200, 300, and 400 blocks of Union St.

The cameras will be temporarily bound to existing sign posts, and will not record the same location for more than three weeks. Further, the video data will be stored no more than three months, and all data received by Metro will be reduced to remove any identifying markers. The video data received will not be used to gather data that can be tied to an individual or group. It will only be used for determining occupancy rates. Video data will be manually redacted by a subcontractor (IDAX Data Solutions). IDAX will store video data for 90 days.

According to information provided by Metro Public Works, the video will enable an analysis of the Smart Loading Zone Pilot's impact on:

- The amount and frequency of double parking
- The amount, frequency, and significance of vehicle-vehicle, vehicle-cyclist, and vehicle-pedestrian conflicts
- The amount, frequency, and significance of vehicle delays related to curbside and related travel-lane conditions
- The number and frequency of curbside-regulation violations

Section 13.08.080 of the Metro Code requires Council approval of the use of certain surveillance technology equipment, which is why this pilot program has been submitted for Council approval.

Section 13.08.080 of the Code requires a public hearing prior to approval of this resolution.

Sponsors: Nash and Styles

I. **Bills on Public Hearing**

3. **[BL2020-460](#)**

An ordinance amending Metropolitan Code Section 17.32.150 to regulate the orientation of Type II billboards (Proposal No. 2020Z-012TX-001).

Analysis

This ordinance amends Metro Code of Laws Section 17.32.150 to regulate the orientation of Type II billboards. "Type II" billboards are defined by this section as billboards with a display surface area of more than 75 feet and less than 675 square feet. The existing Subsection B.12 requires Type II billboards to be located only on lots that have frontage on public streets with four or more travel lanes or that are located within 300 feet of a limited access highway. This ordinance would clarify that Type II billboards must be oriented toward public streets with four or more travel lanes or limited access highways.

Sponsors: Withers and Nash

J. Consent Resolutions and Resolutions

22. [RS2020-649](#)

A resolution approving Amendment Four to an Agreement by and between the State of Tennessee, Department of Transportation, and The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Public Works, for improvements on Jefferson Street, Federal No. STP-M-1900(28), State No. 19LPLM-F3-011, PIN 103490, Prop No. 2020M-023AG-001.

Analysis

This resolution approves the fourth amendment to an agreement between the Tennessee Department of Transportation (TDOT) and Metro Public Works for improvements on Jefferson Street. The agreement was initially approved pursuant to Resolution No. RS2008-245 and included a grant of \$920,808 with a required match of \$480,203 for intersection improvements on Jefferson Street. Resolution No. RS2013-745 approved the first amendment to this agreement, which extended the agreement to June 1, 2017, specifically identified the intersections on Jefferson Street at 28th Avenue/Ed Temple and 21st Avenue North to be improved, and better reflected TDOT's current fund descriptions. Resolution No. RS2017-708 approved the second amendment to the agreement, which extended the date for completion to June 1, 2019, based upon additional recommendations from a 2017 traffic study. Resolution No. RS2019-1624 approved a third amendment to extend the completion date of all phases of work to December 31, 2020.

This fourth amendment under consideration replaces the prior contract with a new contract extending the term until December 31, 2022 (though completion is expected in 2022). The revised contract adds language allowing, but not requiring, the use of TDOT on-call consultants for future services. It also adds the right-of-way acquisition for, and construction of, a roundabout at the intersection of 28th Ave. N. and Jefferson Street. The additional right-of-way acquisition and construction of the roundabout have led to the extension of the project completion until 2022, and have increased the project cost by \$2,524,552, of which Metro will pay \$565,360 and TDOT (using federal funds) will pay \$1,959,192.

Fiscal Note: The total cost of the project will be \$2,880,000 and Metro's total share of the cost will be \$1,045,563 under this agreement.

Sponsors: Taylor, Toombs, Murphy, Nash and Suara

24. [RS2021-699](#)

Resolution authorizing the execution, terms, issuance, sale and payment of general obligation refunding bonds in multiple series in an aggregate principal amount of not to exceed \$641,000,000.

Analysis

This resolution authorizes the issuance of general obligation (G.O.) refunding bonds in an amount not to exceed \$641 million. This resolution will refund the Series 2010A, 2010D, 2011, 2012, and 2013 G.O. refunding bonds and the Series 2015C G.O. improvement bonds. The purpose of the refunding is to achieve debt service savings. The authorization of the refunding bonds will not result in the Metropolitan Government incurring new debt, but provides for the refinancing of debt that is currently outstanding. The term of the debt will not be extended and the annual debt service requirement will not increase. As with all general obligation bonds, these refunding bonds are supported by the full faith and credit of the Metropolitan Government and are to be paid from property tax revenue.

This refunding bond will be issued in two series: Series 2021A tax exempt bonds and Series 2021B taxable bonds. The refunding of the Series 2011, 2012, 2013, 2015C, and 2016 bonds will be taxable under the IRS regulations since they are being refunded more than 90 days prior to their first optional redemption date. Taxable bonds are usually issued at a slightly higher interest rate, but given this historically low borrowing costs right now, this amount should be negligible.

The interest rates on the various series of bonds to be refunded are between three and five percent. This resolution approves the refunding of all or a portion of the outstanding bonds that will generate net present value savings of at least 3.5% of the refunded bond principal in accordance with Metro’s debt policy approved by Ordinance No. BL2017-949. If the market conditions are favorable to issuing the refunding bonds, it will net Metro approximately \$39 million in net present value savings over the life of the bonds.

Pursuant to the plan of financing, the savings identified by year is as follows:

Series 2021A

Date	Prior Debt Service	Refunding Debt Service	Savings
06/30/2022	52,629,875.00	50,799,277.78	1,830,597.22
06/30/2023	34,074,550.00	32,247,250.00	1,827,300.00
06/30/2024	32,737,550.00	30,910,250.00	1,827,300.00
06/30/2025	18,762,700.00	16,932,250.00	1,830,450.00
06/30/2026	11,267,200.00	9,437,500.00	1,829,700.00
<u>06/30/2027</u>	<u>4,921,875.00</u>	<u>3,095,500.00</u>	<u>1,826,375.00</u>
Total	154,393,750.00	143,422,027.78	10,971,722.22

Series 2021B

Date	Prior Debt Service	Refunding Debt Service	Savings
06/30/2022	20,994,450.00	18,954,736.81	2,039,713.19
06/30/2023	39,571,450.00	37,534,511.25	2,036,938.75
06/30/2024	51,823,700.00	49,787,344.50	2,036,355.50
06/30/2025	44,968,500.00	42,927,279.00	2,041,221.00
06/30/2026	84,303,275.00	82,262,279.75	2,040,995.25

06/30/2027	62,442,500.00	60,401,965.50	2,040,534.50
06/30/2028	46,627,125.00	44,586,051.75	2,041,073.25
06/30/2029	9,547,750.00	7,509,509.00	2,038,241.00
06/30/2030	31,100,125.00	29,062,076.00	2,038,049.00
06/30/2031	31,096,625.00	28,057,769.00	3,038,856.00
06/30/2032	53,205,000.00	50,164,664.00	3,040,336.00
06/30/2033	53,802,000.00	50,760,895.00	3,041,105.00
06/30/2034	28,803,575.00	25,764,967.00	3,038,608.00
<u>06/30/2035</u>	<u>28,803,825.00</u>	<u>25,762,828.00</u>	<u>3,040,997.00</u>
Total	587,089,900.00	553,536,876.56	33,553,023.44

These bonds will be sold at a negotiated sale with UBS Financial Services as the lead underwriter, with Morgan Stanley & Co., Loop Capital Markets, Barclays, Blaylock Van, LLC, and Piper Sandler & Co. serving as additional underwriters. The Metropolitan Government debt management policy states that it is Metro's preference to use a competitive bid process for the issuance of debt, but may use a negotiated sale process when it is clear that such a process is in the best interest of the Metropolitan Government. Most of the recent bond sales for Metro have been by negotiated sale. Using a negotiated sale does provide more flexibility for timing the market, and Metro will only sell bonds in a principal amount that will generate a justifiable savings for the government, which may be less than the \$641 million authorized.

This resolution also authorizes the preparation and distribution of a preliminary official statement used to market the bonds.

The plan for this refinancing has been approved by the state Comptroller's office.

Sponsors: Toombs

25. [RS2021-700](#)

Resolution authorizing the issuance, sale and payment of general obligation improvement bonds in an aggregate principal amount of not to exceed \$650,000,000; and providing for the levy of taxes for the payment of debt service on the bonds.

Analysis

This resolution authorizes the issuance, sale, and payment of general obligation improvement bonds in a principal amount not to exceed \$650 million for the purposes of financing a variety of public works projects authorized by multiple previous resolutions, and to retire a portion of the Metropolitan Government's outstanding general obligation commercial paper bond anticipation notes. The Metro projects previously authorized by earlier resolutions are as follows:

- RS2009-746, FY10 Capital Spending Plan
- RS2010-1363, FY11 Capital Spending Plan
- RS2012-276, FY13 Capital Spending Plan
- RS2013-559, FY13 Mid-Year Capital Spending Plan
- RS2014-963, Equipment for schools, MAC, Fire, Public Works, and Parks
- RS2015-1500, FY16 Capital Spending Plan
- RS2016-245, FY17 Capital Spending Plan
- RS2017-713, FY18 Capital Spending Plan
- RS2017-963, FY18 Mid-Year Capital Spending Plan
- RS2018-1328, Fairgrounds buildings and facilities and soccer stadium infrastructure
- RS2018-1454, FY19 Capital Spending Plan

- RS2019-100, Reallocation of Gulch pedestrian bridge funds to other projects
- RS2020-213, FY20 Capital Spending Plan

Lists of the projects funded by these prior resolutions are attached as exhibits to this resolution.

These bonds would be sold through a public bidding process to the financial institution whose bid results in the lowest true interest cost to Metro. Metro would begin making level debt service payments on the bonds in 2022, and the bonds would have a final maturity date of 2041. The resolution provides that Metro will levy ad valorem property taxes on all taxable property in the General Services and Urban Service Districts each year in an amount sufficient to pay the debt service on the bonds as required by T.C.A. § 9-21-205.

This resolution also authorizes the preparation and distribution of a preliminary official statement used to market the bonds.

Sponsors: Toombs

26. [RS2021-701](#)

A resolution accepting a grant from the Tennessee Emergency Management Agency to The Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Finance, to provide public assistance pursuant to Presidential Disaster Declaration number FEMA-4476-DR-TN for costs incurred for severe storms, tornadoes, straight-line winds, and flooding on March 3, 2020.

Analysis

This resolution accepts a grant from the Tennessee Emergency Management Agency to the Metropolitan Department of Finance to provide public assistance pursuant to Presidential Disaster Declaration number FEMA-4476-DR-TN for costs incurred for severe storms, tornadoes, straight-line winds, and flooding on March 3, 2020. The grant is an amount not to exceed \$4,811,668.25 with a required local cash match of \$687,381.17. The term of the grant is March 3, 2020 through March 2, 2024. The projects funded include emergency protective measures by the Nashville Fire Department, repairs to Meigs Magnet Middle School, county-wide debris removal, repair and replacement of damaged signage, and repairs to sidewalks and alleys in Nashville.

Sponsors: Toombs and Suara

27. [RS2021-702](#)

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: Johnston

28. [RS2021-703](#)

A resolution approving a contract between the Metropolitan Government of Nashville and Davidson County and Splash Business Intelligence, Inc. to provide support, maintenance, and

technical/development services for the Splash BI and GL Connect reporting solution within R12 for the Metropolitan Government of Nashville and Davidson County.

Analysis

This ordinance approves a sole source contract with Splash Business Intelligence, Inc. to provide support, maintenance, and technical/development services for the Splash BI and GL Connect reporting solution within R12 for the Metropolitan Government. 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 resolution approves a five year contract with Splash Business Intelligence, Inc. (Splash BI). The total value of the contract is estimated to be \$1,000,000. Splash BI was selected as Metro's reporting solution as part of the R12 implementation. Splash BI is fully embedded into the R12 product and currently provides all reporting services within R12. The Metropolitan Information Technology Services Department (ITS) will use this contract for support and maintenance or consulting/development technical services directly from Splash BI.

Fiscal Note: The estimated contract value of \$1,000,000 is based upon the full managed services included in the contract rates. ITS has currently renewed only the support/maintenance portion of this agreement, which amounts to \$50,000 per year.

Sponsors: Toombs

29. [RS2021-704](#)

A resolution to appropriate grant funds from the Cities for Financial Empowerment Fund, Inc. to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Action Commission, to support a Summer Jobs Connect Program to provide banking access and financial empowerment training to participants.

Analysis

This resolution appropriates grant funds from the Cities for Financial Empowerment Fund, Inc. (CFE Fund) to the Metropolitan Action Commission (MAC) to support a Summer Jobs Connect Program to provide banking access and financial empowerment training to participants. The grant awarded is an amount not to exceed \$40,000 with no local cash match required. The grant term begins on March 1, 2020 and ends April 30, 2021. Any funds not used by the end of the grant term would be returned to the CFE Fund.

Sponsors: Toombs, Taylor, Hurt and Suara

30. [RS2021-705](#)

A resolution approving amendment two to a grant appropriation from the Tennessee Department of Human Services, to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Action Commission, for a community services block grant to provide a range of services designed to assist low-income and homeless

individuals achieve self-sufficiency.

Analysis

This resolution approves amendment two to a grant from the Tennessee Department of Human Services to the Metropolitan Action Commission. The proceeds from this community services block grant are used to provide a range of services designed to assist low-income and homeless individuals achieve self-sufficiency. This amendment would increase the amount of the grant by \$367,675.46, from \$1,668,199.38 for FY2020 for a new total of \$2,035,874.84 for FY2021. The amendment would update the grant budget in Attachment A to reflect this increased amount.

Sponsors: Toombs, Taylor, Hurt, Suara and Styles

31. [RS2021-706](#)

A resolution approving a contract by and between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Health, and the Centers for Medicare & Medicaid Services to facilitate enrollment in Qualified Health Plan Options and Insurance Affordability Programs as a Certified Application Counselor Designated Organization.

Analysis

This resolution approves a contract between the Metro Board of Health and the Centers for Medicare & Medicaid Services to facilitate enrollment in Qualified Health Plan Options and Insurance Affordability Programs as a Certified Application Counselor Designated Organization.

Services provided by Certified Application Counselors include providing fair, impartial, and accurate information to assist consumers with submitting an eligibility application, clarifying the distinctions among health coverage options, helping consumers making informed decisions during the health coverage selection process, and assisting with applications for coverage in a qualified health plan through the federally-facilitated exchanges and for insurance affordability programs.

This agreement becomes effective upon the signature of both parties and ends two years from the effective date, or could be terminated by either party upon 30 days' written notice.

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

Sponsors: Taylor

32. [RS2021-707](#)

A resolution approving a memorandum of agreement by and between the Metropolitan Development and Housing Agency and The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Social Services Commission, to utilize funds to provide essential staffing and equipment to expand the Homeless

Management Information System (HMIS).

Analysis

This resolution approves a memorandum of agreement between the Metropolitan Development and Housing Agency (MDHA) and the Metropolitan Social Services Commission to utilize funds to provide essential staffing and equipment to expand the Homeless Management Information System (HMIS). Funds will also be used to support the creation of a centralized landlord search effort to respond to COVID-19.

MDHA agrees to provide Metro Social Services with \$395,020 in Emergency Solutions Grant Coronavirus funds pursuant to this agreement. The agreement begins November 1, 2020 and ends June 30, 2022. MDHA may extend the deadline to September 30, 2022 upon documentation that all funds will be expended by this deadline.

Sponsors: Toombs, Taylor, Suara and Styles

33. [RS2021-708](#)

A resolution accepting a Coronavirus Aid Relief and Economic Security (CARES) Act grant from the Greater Nashville Regional Council to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Social Services Commission, to provide meals that meet RDA nutritional guidelines to eligible seniors.

Analysis

This resolution accepts a CARES Act grant from the Greater Nashville Regional Council to the Metropolitan Social Services Commission to provide meals that meet RDA nutritional guidelines to eligible seniors. Meals are delivered to seniors in their homes throughout Davidson County. The grant is an amount not to exceed \$691,805 with no local cash match required. The grant term is August 1, 2020 through September 30, 2021.

Sponsors: Toombs, Taylor, Suara and Styles

34. [RS2021-709](#)

A resolution approving amendment one to a Coronavirus Aid Relief and Economic Security (CARES) Act grant from the Greater Nashville Regional Council to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Social Services Commission, to provide meals that meet RDA nutritional guidelines to eligible seniors.

Analysis

This resolution approves amendment one to a CARES Act grant from the Greater Nashville Regional Council to the Metropolitan Social Services Commission to provide meals that meet RDA nutritional guidelines to eligible seniors. This amendment would replace Attachment 1 "Scope of Work" with a new attachment to reflect an update to the meal service vendor. The vendor on the original attachment, Piccadilly Holdings LLC, would be updated to Valley Services, LLC d/b/a TRIO Community Meal.

Sponsors: Taylor and Suara

35. [RS2021-710](#)

A resolution accepting an in-kind grant from the Centennial Park Conservancy to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Parks and Recreation Department, for the purchase and installation of track lighting in the Parthenon art gallery.

Analysis

This resolution accepts an in-kind grant from the Centennial Park Conservancy to the Metropolitan Nashville Parks and Recreation Department for the purchase and installation of track lighting in the Parthenon art gallery. The estimated value is \$6,876, with no local cash match required. The grant will include all expenses necessary for the equipment and installation as well as any cost overruns.

Sponsors: Toombs, VanReece and Hancock

L. Bills on Second Reading**59. [BL2020-534](#)**

An ordinance amending the Debt Management Policy for the Metropolitan Government of Nashville and Davidson County to place a cap on the percentage of budgeted revenues devoted to debt service and amending Section 5.04.110 to require a quarterly debt report from the Director of Finance.

Analysis

Ordinance No. BL2017-726 added Section 5.04.105 to the Metro Code to require the Metropolitan Government to maintain a debt management policy that includes, at a minimum, the following:

- The appropriate amount of debt (by category) that should be approved in a capital spending plan;
- Multiple metrics for monitoring and evaluating Metro's financial condition, including the amount of debt and debt service;
- A discussion of available metrics for measuring the amount of debt and debt service, and the reasons why the metrics selected are most appropriate;
- A discussion of available metrics for measuring debt service including debt service as a percent of expenditures, revenues, property tax revenue, or per capita, and the reasons why the metrics selected are most appropriate;
- A discussion of what factors regarding financial performance trends, including projections of key economic variables and population trends must be considered in determining the appropriate amount of debt to be approved in a capital spending plan;
- A discussion of the purposes for which each category of debt may be utilized;
- A discussion of what impact, if any, Metro's net pension obligation, has on the amount of debt (by category) that is advisable; and
- A discussion of what impact if any Metro's unfunded other post-employment benefits (OPEB) obligation has on the amount of debt.

A revised Debt Management Policy was approved by the Council in 2017 pursuant to Ordinance No. BL2017-949 to comply with the requirements of Section 5.04.105.

This ordinance further amends the Debt Management Policy to provide that no more than 17% of Metro's annual operating budget be allocated to the payment of debt service. If Metro determines it is necessary to exceed this percentage cap, the ordinance states that it is the intention of the Metropolitan Council that such increase be approved by 27 affirmative votes of the Council. Metro currently does not have a cap on the percentage of debt in the operating budget.

This ordinance also amends the debt reporting requirements contained in Section 5.04.110 of the Metro Code to require the Finance Director to provide the Council with a report at the end of each quarter of the fiscal year regarding debt commitments. This report would include debt payments and commitments in the prior quarter and projected debt for the following four years in both dollar amount and as a percentage of the operating budget. The projected debt is to include all capital projects approved in an initial general obligation bond resolution for which the use of commercial paper has been committed to start construction, and for which long term bonds will eventually be issued.

Sponsors: Druffel

60. [BL2020-551](#)

An ordinance to amend Chapter 16.04 of the Metropolitan Code of Laws relative to the issuance of certificates of occupancy and stop work orders.

Analysis

This ordinance would require a stop work order, and prevent the issuance of a temporary certificate of occupancy, for any work site that is subject to a citation from the U.S. Department of Labor - Occupational Safety and Health Administration (OSHA) and/or the Tennessee Occupation Safety and Health Administration (TOSHA) until all violations have been abated or corrected. Chapter 16.04 of the Metro Code currently provides that the Department of Codes Administration is to issue a stop work order if work is being done on any building or structure in violation of various building and trades code provisions. This ordinance adds OSHA and TOSHA violations to the list of violations that trigger a stop work order.

This ordinance would also prohibit the Codes Department from issuing a temporary occupancy permit if there are any outstanding OSHA or TOSHA violations at the site. Such permit could only be issued upon written evidence that all violations in the citation have been abated or corrected to the satisfaction of the entity that issued the citation.

The Codes Department has expressed some concerns regarding the enforceability and legality of this ordinance. According to the Codes Department, many of the standards enforced by OSHA and TOSHA are unrelated to the building and trades codes that Codes enforces, and Codes is not involved in the investigations that lead to OSHA and TOSHA violations. The Codes Department is concerned out potential due process violations if the cited parties are engaged in an appeal of the OSHA or TOSHA decision. Further, Codes is not typically notified when OSHA or TOSHA citations are issued, and even if they are notified, they do not know the status of any appeals or whether the violations have been abated.

There is no specific authorization under state or federal law for this ordinance. Federal law grants authority to states to administer their own workplace safety programs, which led to the creation of TOSHA under state law (Title 50, Chapter 3 of the Tennessee Code Annotated - Occupational Safety and Health Act of 1972) and administered by the Commissioner of Labor and Workforce Development. The state Act grants the Commissioner or their designee inspection and enforcement authority including injunctive relief (§ 50-3-401), the power to assess monetary penalties (§ 50-3-402), and the power to issue stop work orders (§ 50-3-918). But the Act does not grant such authority to local governments. Thus, the state and federal governments have arguably preempted the field regarding such regulations. The Council Office has been unable to find any case law directly on point regarding revocation of local permits based upon OSHA/TOSHA violations.

Sponsors: Porterfield, Sledge, Styles, OConnell, Sepulveda, Benedict, Toombs, Bradford, Welsch, Murphy and Parker

61. [BL2020-553](#)

An ordinance to require a resolution of the Metropolitan Council 30 days prior to discontinuing operations at the Bordeaux Long Term Care Facility, the J.B. Knowles Home Assisted Living Facility, or Nashville General Hospital.

Analysis

This ordinance would require all care being provided to patients and residents at the Bordeaux Long Term Care Facility, J.B. Knowles Home Assisted Living Facility, or Nashville General Hospital as of December 31, 2019, to be continued unless the elimination of such services is approved by the Metropolitan Council by a resolution receiving 21 affirmative votes, after a public hearing. The ordinance would also prohibit the commencement of wind down processes or preparations until at least 30 days after the Council approval of the resolution. Likewise, no wind down or other processes or preparations intended to prepare one of these facilities for closure could occur until 30 days after the public hearing and affirmative Council vote. The ordinance further provides that in the event that revenues generated at one of these institutions are insufficient for the operation and maintenance of the facilities until a closure plan is approved by Council, the Council intends to appropriate the necessary funds to cover any shortfall.

Ordinance No. BL2014-688 approved an operating lease between Metro and LP North Nashville, LLC, which is a subsidiary of Signature Healthcare, LLC ("Signature") for the operation of the Bordeaux Long Term Care (BLTC) facility located at 1414 County Hospital Road. Pursuant to that agreement, Signature agreed to lease and operate the BLTC while state legislation was sought to approve a split of the skilled nursing bed licenses into two facilities. However, the required state legislation was never approved. In 2016, pursuant to Ordinance No. BL2016-422, Metro agreed to extend the Signature BLTC operating lease and agreed to provide for a reimbursement of losses incurred by Signature of up to \$3,500,000 per fiscal year.

Although the revised lease was set to expire on June 30, 2020, Metro entered into an emergency six month extension to allow time for a request for proposals to be issued for the operation of the facility, but no RFP responses were submitted. As a result, Metro notified

Signature on September 22, 2020 of its election to have Signature discontinue all operations and start winding down the facility's resident care operations by January 2021.

Signature has informed the Metro Department of Law that halting the winddown of the BLTC facility is not in the best interest of the remaining residents. It is anticipated that all residents will have been relocated and the facility will have been shut down before this ordinance could be approved on third reading.

The Knowles Home Assisted Living and Adult Day Services facility is currently operated by Anthemcare Tennessee LLC under a contract with Metro. The Anthemcare contract was entered into in June of 2018 for a two year period, but the contract was extended in 2020 for one year with a new expiration date of June 14, 2021.

The Council Office would note that General Hospital is exclusively under the operation of the Metropolitan Hospital Authority, which is a separate legal entity from the Metropolitan Government. Further, the hospital building itself is owned by Meharry Medical College and was leased to Metro in 1994 for a term of 30 years expiring in 2024. The General Hospital lease was then transferred to the Hospital Authority in 1999 pursuant to Substitute Resolution No. SR99-1413. Therefore, this ordinance would have no legal impact on the operation of General Hospital or the building itself.

Sponsors: Hall and Toombs

62. [BL2020-581](#)

An ordinance amending Section 13.08.080 of the Metropolitan Code to permit the use of License Plate Scanner (LPR) technology on or within law enforcement vehicles.

Analysis

This ordinance amends Section 13.08.080 of the Metropolitan Code to create an exception for law enforcement vehicles from the prohibition on license plate readers (LPRs). The Code currently prohibits the operation of LPRs installed onto or within the public right-of-way except for use in conjunction with a vehicle emissions sensor as part of an emissions inspection program authorized under local, state or federal law.

This ordinance would create another exception from the LPR ban to allow the use of such scanners by law enforcement. Specifically, the ordinance would allow LPRs located within or on a law enforcement vehicle.

Sponsors: OConnell, Rosenberg and Young

63. [BL2020-582](#)

An ordinance amending Section 13.08.080 of the Metropolitan Code of Laws to pertaining to the use of License Plate Scanner (LPR) Technology in the public rights-of-way.

Analysis

This ordinance amends Section 13.08.080 of the Metropolitan Code to provide for and regulate the usage of license plate reader (LPR) technology. The Code currently prohibits the operation of LPRs installed onto or within the public right-of-way except for use in conjunction with a

vehicle emissions sensor as part of an emissions inspection program authorized under local, state or federal law. This ordinance would replace the provisions of subsection G. of Section 13.08.080 entirely. The ordinance preserves the existing emissions inspection program exception, and adds a new comprehensive regulatory structure for other uses of LPR technology.

The ordinance would require departments, either directly or through contractors, who want to use LPRs to implement a usage and privacy policy that would be posted on the department's website. The policy must be designed "to ensure that the collection, use, maintenance, sharing, and dissemination of LPR information is consistent with respect for individuals' privacy and civil liberties." The data collected could only be used for the following purposes:

- investigating and prosecuting criminal offenses
- detecting and parking civil traffic or parking offenses
- operating a smart parking or curb management program
- assisting in missing persons cases including Amber and Silver Alerts

Law enforcement agencies must have reasonable suspicion that a criminal offense, or a civil traffic or parking offenses, has occurred before examining any LPR data that was collected more than one hour prior to the examination. Prior to taking any action, law enforcement officers must also confirm visually that a plate matches the number and state identified in the alert, confirm that the alert is still active by calling dispatch, and determine whether the alert pertains to the registrant of the car and not the car itself.

The usage policy must also provide a description of the employees or contractors who are authorized to use or access the LPR system or to collect LPR information, and the steps that will be taken to ensure the security of the information and exclude identifying information of the driver and passengers to the extent possible. The policy must include the purposes of and restrictions on sharing LPR data, the measures used to ensure the accuracy of the data, and the length of time the data will be retained.

The installation and maintenance of LPR hardware and software, as well as LPR data access, retention, and security, would be managed by an LPR Custodian. The custodian would be responsible for assigning the personnel who will administer the day-to-day operation of the LPR system, and to develop guidelines and procedures for the further implementation of this ordinance. This will include establishing and maintaining security procedures and practices, maintaining a list of the name and job title of all authorized users, training requirements, audit procedures, and a data retention policy. This policy and its related procedures must be posted conspicuously on the department's public website.

The ordinance also includes specific restrictions on the access and use of the department's LPR system, such as supervisor approval and limiting access to those tasks that fall within the specific user's job responsibilities. All users must be specifically trained regarding the LPR system and the usage/privacy policy prior to receiving account access. Users found to have used the LPR system without authorization would have their access immediately revoked and may face disciplinary action in accordance with applicable civil service policies, up to and including termination.

LPR data could not be retained for more than 30 days unless it is evidence in a criminal offense or civil traffic or parking offense, subject to a properly issued warrant, subpoena, public

records request or court order, or where a litigation hold has been placed by the Department of Law. T.C.A. § 55-10-302 provides that any LPR data collected by any governmental entity may not be stored “for more than 90 days” unless the data is retained or stored as part of an ongoing investigation, and in that case, the data must be destroyed at the conclusion of the investigation or criminal action. Thus, the state law does not prevent local governments from having a shorter retention period.

The ordinance requires the LPR custodian to perform an audit at least once per year of the LPR system and the access history. The ordinance also provides some limitations on the sharing of LPR data with other law enforcement agencies. The ordinance further provides that LPR data obtained by Metro from a privately owned or operated LPR system could only be used for the purposes outlined above.

Law enforcement officers who stop vehicles based upon LPR data must complete a written record that includes the following:

- The date, time, and precise location of the stop;
- Any investigative or enforcement actions that were taken as a result of the stop; and
- The self-identified race(s) and ethnicities of the driver of the stopped motor vehicle if voluntarily provided by the driver at the request of the officer.

Sponsors: Johnston, Pulley, Nash, Rutherford and Murphy

64. [BL2020-583](#)

An ordinance approving a Tri-Party Agreement between the Metropolitan Government of Nashville and Davidson County, Affordable Housing Resources, Inc., and TaylorMade Contracting LLC, concerning transfers of the properties located at 1507A and 1507B 14th Avenue North (Map/Parcel Nos. 081150273, 081150272). (Proposal No. 2020M-026AG-001).

Analysis

Resolution No. RS2020-239, approved by the Council on March 17, 2020, declared nine parcels of property owned by Metro to be surplus and authorized the conveyance of these properties to Affordable Housing Resources, Inc. (AHR). One of the properties conveyed was 1507B 14th Avenue North. Resolution No. RS2020-239 also granted \$108,000 from the Barnes Fund for Affordable Housing to AHR for the construction of affordable/workforce housing. As required by Resolution No. RS2020-239, 1507B is encumbered by a Deed Restriction and Declaration of Restrictive Covenants requiring that the property be used for affordable and workforce housing.

TaylorMade Contracting LLC (“TaylorMade”), owns the property located at 1507A 14th Avenue North, which is next door to 1507B. TaylorMade mistakenly built a structure on 1507B instead of 1507A.

This ordinance approves an agreement among Metro, AHR, and TaylorMade to accomplish the following simultaneous transactions at closing:

1. TaylorMade will convey 1507A to Metro.
2. Metro will convey 1507A to AHR with a deed restriction requiring that affordable or workforce housing be constructed on the property not later than March 15, 2025.
3. AHR will convey 1507B to TaylorMade.

TaylorMade is responsible for the payment of all transfer taxes and recording fees.

Fiscal Note: The land value for both parcels is \$55,800 according to the most recent property assessment.

Sponsors: Taylor, Suara, Murphy and Welsch

65. [BL2020-584](#)

An ordinance approving amendment one to a contract by and between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Tourism and Convention Commission, and the Nashville Convention & Visitors Bureau, to provide tourism and convention sales and marketing services.

Analysis

This ordinance extends the term of the contract with the Nashville Convention & Visitors Bureau to provide tourism and convention sales and marketing services. The Convention & Visitors Bureau, currently operating as the Nashville Convention & Visitors Corp (CVC), has provided tourism marketing services for Metro for many years. The current contract, which was competitively procured, was for a five year term expiring June 30, 2021. The contract is funded through a portion of the hotel occupancy taxes collected that must specifically be used for tourism promotion services pursuant to state law (T.C.A. § 7-4-110). No sales or property tax dollars are used to fund this contract. The annual budgeted amounts for this contract are based upon the estimated hotel occupancy tax collections. The budget for FY20 was \$26.2M and the budget for FY21 is \$11.6M.

This ordinance approves a one year extension of the contract through June 30, 2022. The ordinance notes that 70 full time equivalent positions are required to provide the services by CVC. The CVC has a sales staff based in Nashville, as well as satellite offices in Chicago, Atlanta, Washington D.C., Philadelphia, Los Angeles, Denver, and Dallas. The services provided by CVC require a specific skill set that no Metro department can provide.

Section 4.12.160 of the Metro requires that an amendment to extend a contract for services beyond five years must be approved by Metro Council. It is anticipated that a new contract will be procured before the termination of this extended contract.

Sponsors: Toombs, Welsch, Hurt, VanReece and Styles

66. [BL2020-585](#)

An ordinance approving a lease agreement between the Metropolitan Government of Nashville and Davidson County and Pet Community Center, for office space at the real property located at 943-B Dr. Richard G Adams Drive, Nashville, Tennessee (Map/Parcel 07205016100). (Proposal No. 2020M-025AG-001).

Analysis

This ordinance approves a lease agreement between Metro and Pet Community Center (PCC) for the lease of 2,156 square feet of office space located at 943-B Dr. Richard G. Adams Drive. PCC is a nonprofit organization that operates a high-volume, low-cost spay/neuter and

wellness clinic at this site, which is located next to the Public Works convenience center in East Nashville. The term of the lease is for one year, but may be extended for four additional one year periods. Either party may terminate the lease with 180 days' written notice. PCC will pay rent in the amount of \$988 per month, and will be responsible for all utility and maintenance costs. PCC will also be responsible for maintaining insurance coverage in an amount not less than \$1,000,000.

Fiscal Note: Metro will receive a fixed monthly rent at the rate of \$5.50 per square foot, which amounts to \$988.00 per month. Pet Community Center will be responsible for all utility costs charged against the property and real estate taxes.

Sponsors: Parker, Toombs and Murphy

67. [BL2020-586](#)

An ordinance amending Ordinance No. BL2014-688 to reverse the Metropolitan Council's determination that the provision of long term medical care is obsolete and unnecessary as a governmental function, directing that certain actions be taken regarding the preservation of the licensed beds at the Bordeaux Long Term Care facility and appraisals of the Bordeaux Long Term Care and J.B. Knowles Home for the Aged facilities, and requesting the creation of a long term plan for the J.B. Knowles Home facility.

Analysis

This ordinance would reverse the Metropolitan Council's previous decision determining that long term medical care is an obsolete governmental service, and require that certain actions be taken regarding the Bordeaux Long Term Care (BLTC) and J.B. Knowles Home for the Aged (Knowles Home) facilities. Ordinance No. BL2014-688 approved agreements for the lease and disposition of real property relating to the BLTC and Knowles Home facilities, and made a determination that the private sector can provide quality long term medical care services on a more economical basis, thus making such services obsolete and unnecessary as a governmental function. Section 2.01 of the Metro Charter provides that Metro has the power and authority to "establish, maintain and operate public hospitals, sanatoria, convalescent homes, clinics and other public institutions, homes and facilities for the care of the sick, of children, the aged and the destitute." But Section 1.05 of the Charter provides that Metro may stop performing any governmental service that the Council, by ordinance, has determined to be obsolete and unnecessary.

First, this ordinance repeals the Council's 2014 determination that the provision of long term care services by the Metropolitan Government is obsolete and unnecessary. Second, the ordinance would require the finance department, at the conclusion of the BLTC wind down, to take the necessary action to seek approval of the Tennessee Board for Licensing Health Care Facilities, for the conversion of the license for the 419 bed BLTC facility to inactive status. Converting to inactive status would preserve the ability to utilize the beds in the future, which obviously has some economic value. Upon approval of inactive status, the ordinance directs that all necessary licensure fees and any applicable nursing home assessment fees for the inactive BLTC facility be paid out of the budget BLTC management contract subsidy line item.

Metro submitted an application to the state on December 13 for a change of ownership and to place the 419 bed license for the BLTC facility into inactive status for a period of two years. According to the Department of Finance, the remaining funds in the BLTC management contract subsidy line item have now been encumbered.

Third, the ordinance directs the Director of Public Property Administration to procure and provide to the Council an appraisal of the following:

1. The value of the BLTC license to operate as a nursing home with 419 beds.
2. The value of the Knowles Home Assisted Living and Adult Day Services facility currently operated by Anthemcare Tennessee LLC, including the real property, physical building, and license to operate as an assisted living facility with 100 beds.
3. The value of the BLTC building and land.

Finally, the ordinance requests Mayor Cooper's administration to submit a plan to the Council for the Knowles Home facility, whether that be for continued operation as an assisted living facility or some other purpose, within 180 days.

Future amendments to this ordinance may be approved by a resolution receiving 21 affirmative votes.

Sponsors: Toombs, Styles, Gamble, Suara, Hurt, Porterfield, Benedict, Parker and Taylor

68. [BL2020-587](#)

An Ordinance amending Substitute Ordinance No. BL2019-1653 to amend the requirement that a flag of the Metropolitan Government of Nashville and Davidson County be presented to the family of a current or former elected Metropolitan official, including a current or former member of the Metropolitan County Council, upon the official's death.

Analysis

This ordinance would amend Substitute Ordinance No. BL2019-1653 pertaining to the presentation of a Metro flag to the family of former elected Metro officials. Substitute Ordinance No. BL2019-1653, approved in July 2019, requires a flag of the Metropolitan Government to be presented to the family of a former or current elected Metropolitan official, including a current or former member of the Metropolitan County Council, upon the official's death. This presentation could include presentation at the funeral of the official. The Metropolitan Government must absorb any costs associated with this presentation. However, the ordinance did not specify who was to present the flag on behalf of the government.

This ordinance provides that the family of the deceased former elected official may request that such flag be presented by a uniformed police officer.

Sponsors: Allen and Nash

69. [BL2020-588](#)

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

abandon existing water and sanitary sewer mains, sanitary sewer manholes and easements, to replace one fire hydrant assembly, and to accept new water and sanitary sewer mains, sanitary sewer manholes and easements, for eight properties located on South 5th Street, South 6th Street, Davidson Street, and Crutcher Street, also known as the Cayce Utility Phase 1A Development (MWS Project Nos. 20-WL-50 and 20-SL-94 and Proposal No. 2020M-100ES-001).

Analysis

This ordinance abandons 53 linear feet of six inch water main, 1,050 linear feet of 12 inch water main, 500 linear feet of eight inch sanitary sewer main, four sanitary sewer manholes and easements, and accepts 85 linear feet of new eight inch water main, 1,000 linear feet of new 12 inch water main, 102 linear feet of new eight inch sanitary sewer main, 164 linear feet of new 10 inch sanitary sewer main, 241 linear feet of new 10 inch sanitary sewer main (PVC), and nine sanitary sewer manholes and easements for eight properties located on South 5th Street, South 6th Street, Davidson Street and Crutcher Street, also known as Cayce Utility Phase 1A. This ordinance has been approved by the planning commission. Future amendments to this legislation may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Such abandoned and donated utility easements have no market value according to the Department of Metro Water Services. Metro is not responsible for performing the utility work.

Sponsors: Withers, Murphy and Nash

70. [BL2020-589](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at Burkitt Road (unnumbered), also known as Burkitt Ridge Phase 5 (MWS Project Nos. 20-WL-40 and 20-SL-75 and Proposal No. 2020M-101ES-001).

Analysis

This ordinance accepts 1,569 linear feet of new eight inch water main, 180 linear feet of new four inch water main, approximately 1,298 linear feet of new eight inch sanitary sewer (PVC), approximately 147 linear feet of new eight inch sanitary sewer (DIP), three fire hydrant assemblies, 12 sanitary sewer manholes, and easements for property located at Burkitt Road (unnumbered), also known as Burkitt Ridge Phase 5. This ordinance has been approved by the planning commission. Future amendments to this legislation 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 Metro Water Services.

Sponsors: Rutherford, Murphy and Nash

71. [BL2020-590](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main, sanitary sewer manholes and easements, and to

accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assembly and easements, for property located at 926 West Trinity Lane, also known as City View Estates (MWS Project Nos. 18-SL-263 and 18-WL-209 and Proposal No. 2020M-102ES-001).

Analysis

This ordinance abandons approximately 477 linear feet of existing eight inch sanitary sewer main, three sanitary sewer manholes, and easements, and accepts 481 linear feet of new eight inch sanitary sewer main, 595 linear feet of new eight inch water main, five sanitary sewer manholes, one fire hydrant assembly, and easements for property located at 926 West Trinity Lane, also known as City View Estates. This ordinance has been approved by the planning commission. Future amendments to this legislation may be approved by resolution.

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

Sponsors: Toombs, Murphy and Nash

72. [BL2020-591](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer main, a sanitary sewer manhole and easements, for property located at 7262 Centennial Place (MWS Project No. 20-SL-271 and Proposal No. 2020M-103ES-001).

Analysis

This ordinance accepts approximately 50 linear feet of new eight inch sanitary sewer main, one sanitary sewer manhole, and easements for property located at 7262 Centennial Place. This ordinance has been approved by the planning commission. Future amendments to this legislation 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 Metro Water Services.

Sponsors: Roberts, Murphy and Nash

M. Bills on Third Reading

73. [BL2020-494](#)

An ordinance to amend Section 13.08.080 of the Metropolitan Code relative to the use of license plate scanners by law enforcement for the prosecution of reckless drivers.

Analysis

This ordinance, as amended, amends Section 13.08.080 of the Metropolitan Code to create an exception from the prohibition on license plate readers. The Code currently prohibits the operation of license plate scanners installed onto or within the public right-of-way except for use in conjunction with a vehicle emissions sensor as part of an emissions inspection program authorized under local, state or federal law.

This ordinance would create another exception from the license plate scanner ban to allow the use of such scanners by law enforcement for the purpose of enforcing state and local laws pertaining to reckless driving, especially for the prosecution of persons engaged in illegal drag racing activity at speeds in excess of 70 miles per hour and at mass gatherings within the right-of-way or when intersections are unlawfully shut down to accommodate drag racing activity. The legislation would also allow for the data to be used to identify stolen license plates on vehicles driving recklessly.

License plate scanners would be limited to use along arterial streets and controlled access highways, including exit and entrance ramps.

To the extent permitted by state law, license plate data could only be retained for 30 days, unless part of an ongoing investigation. If retained as part of an investigation, the data would be destroyed upon the conclusion of an investigation that does not result in any criminal charges or the conclusion of any criminal action undertaken involving the data. Data could be shared with law enforcement outside of Metro only to the extent necessary to investigate reckless driving and illegal drag racing, including identification of stolen license plates. If shared, the Metro Nashville Police Department would be required to post notification of such on its website within 15 days after sharing.

This legislation would sunset after 180 days, unless extended by a resolution of the Council.

Sponsors: Styles, Toombs, Henderson and Lee

75. [BL2020-550](#)

An ordinance to amend Section 2.222.030 of the Metropolitan Code of Laws relative to required disclosures.

Analysis

This ordinance makes changes to the ethics disclosure form requirements provided in Section 2.222.030 of the Metro Code. The Code provides that the following persons must file an annual ethics disclosure statement and benefit reporting statement: (1) the Mayor; (2) all employees in the Mayor's office; (3) the Metro Council Office; (4) the holders of all elected offices authorized or created by the Metropolitan Charter; and (5) all directors, executive directors, assistant directors, and associate directors of metropolitan government agencies, boards, and commissions, but not including Nashville Electric Service, the Metropolitan Nashville Airport Authority, the Metropolitan Development and Housing Agency and the Metropolitan Transit Authority. The Code provides that the purpose of the required disclosures is to "advance the favorable opinion of the public in the integrity of government."

First, the ordinance removes the requirement that a witness attest that the person entered the information on the electronic form in the presence of the witness. In place of the witnessing requirement, the person filing the disclosure form would attest under penalty of perjury that the information is accurate to the best of the person's knowledge.

Second, the ordinance also removes the requirement that a person's primary residence be

listed as part of the disclosure of the person's or the person's spouse's direct or indirect financial interest in any real property located in Davidson County.

Sponsors: Mendes

76. [**BL2020-552**](#)

An ordinance approving a contract by and between The Metropolitan Government of Nashville and Davidson County, acting by and through the Mayor's Office, and the United Way of Middle Tennessee to provide one-on-one financial counseling and other financial education activities at no charge to low income residents in accordance with the Financial Empowerment Center program model.

Analysis

This ordinance approves a contract between Metro and the United Way for the continuation of the Nashville Financial Empowerment Center. Metro was the recipient of a grant from Bloomberg Philanthropies for the purpose of operating the financial empowerment program through December 2015. The Financial Empowerment Center program has subsequently been extended by Ordinances Nos. BL2016-387, BL2017-869, BL2018-1313, and BL2019-10.

The Financial Empowerment Center provides one-on-one financial counseling and other financial education activities at no charge to low income residents. The term of this contract is extends through June 30, 2021. The United Way agrees to conduct a minimum of 2,160 counseling sessions during this period. At least three full time (or equivalent) counselors would be retained and supervised to provide these services.

Fiscal Note: Metro would pay the United Way an amount not to exceed \$250,000, which would include all labor, overhead, profit, and expenses. This is the same amount as the previous contracts.

Sponsors: Toombs, Hausser, Suara, Porterfield, Styles and Benedict

77. [**BL2020-554**](#)

An ordinance approving Amendment 2 to Contract #455783 for the provision of body camera equipment between WatchGuard, Inc. and the Metropolitan Government of Nashville and Davidson County.

Analysis

This ordinance approves an extension of the contract between Metro and Watchguard, Inc. for the lease of body camera equipment used by the Metro Nashville Police Department (MNPd). Metro entered into the initial contract on August 29, 2019 for a term of 60 months. The agreement is for body worn cameras for all police officers, in-car camera systems for all patrol vehicles, a video evidence management system, video redaction software, and training.

This ordinance extends the contract for a term 60 months commencing upon approval of this ordinance and filing of the executed agreement with the Metro Clerk. This ordinance also approves an equipment lease-purchase agreement with Motorola Solutions Inc., which acquired Watchguard in July 2019.

Under the terms of the agreement, Metro will be responsible for all loss of or damage to the equipment while Metro is leasing it, and MNPD cannot alter the equipment without Motorola’s consent. Metro can terminate at any time for lack of funding, but if it does so, all equipment must be returned to Motorola. Metro has the option to purchase the equipment on any Lease Payment date by paying the lease payment plus the balance due. The first lease payment will be due on 1/1/23. A schedule of payments is as follows:

Date	Lease Payment	Balance
1/1/2021		\$ 8,938,576
1/1/2023	\$ 2,234,644	\$ 6,703,932
1/1/2024	\$ 2,234,644	\$ 4,469,288
1/1/2025	\$ 2,234,644	\$ 2,234,644
1/1/2026	\$ 2,234,644	\$ 0
Grand Total	\$ 8,938,576	

An ordinance for this agreement is required for two reasons. First, Metro cannot enter into contracts exceeding 60 months, either initially or by virtue of amendments, renewals or extensions thereof, without Council approval pursuant to Section 4.12.160 of the Metro Code. Second, Section 5.04.020 of the Metropolitan Code requires Council approval for the lease of equipment.

Sponsors: Toombs, Gamble and Parker

78. [BL2020-555](#)

An ordinance adopting the Geographic Information Systems Street and Alley Centerline Layer, with the recordation of renaming, additions and deletions of acceptances and abandonments as reflected on the Centerline Layer to date, as the Official Street and Alley Acceptance and Maintenance Record for the Metropolitan Government of Nashville and Davidson County, (Proposal Number 2020M-001OT-001).

Analysis

This ordinance adopts the Geographic Information Systems Street and Alley Centerline Layer, with the changes as reflected on the Centerline Layer to date, as the official Street and Alley Acceptance and Maintenance Record for Metro. The updated Centerline Layer shows the dedicated streets and alleys that were either accepted or abandoned for public maintenance by Metro since it was last adopted by Ordinance Number BL2019-96 on January 7, 2020.

This ordinance has been approved by the Planning Commission.

Sponsors: Murphy and Nash

79. [BL2020-557](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning Alley Number 922 right-of-way from Wedgewood Avenue northward to Blakemore Avenue. (Proposal Number 2020M-015AB-001).

Analysis

This ordinance abandons Alley #922 from Wedgewood Ave northward to Blakemore Ave, between 21st Ave S and Alley #821. The abandonment has been requested by S & ME, Inc. Metro Public Works has determined there is no future need for this alley right-of-way for Metro purposes. Metro would retain all utility easements.

Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. In the opinion of the Public Works department, abandoned right-of-way has no market value when the Department has agreed that the abandoning of said right-of-way is considered acceptable. Additionally, the abandonment of rights-of-way that are unimproved, unmaintained, and serve no current or future purpose for Metro allows the abandoned area to be assessed for property tax purposes.

Sponsors: Sledge, Murphy, Nash and OConnell

80. [BL2020-558](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing water pumping station, brick building, the associated easement, and to retain the remaining Public Utility & Drainage Easements located at 801 Stoner Mill Lane (Proposal No. 2020M-098ES-001).

Analysis

This ordinance abandons the existing water pumping station, brick building and associated easement for property located at 801 Stoner Mill Lane. This ordinance has been approved by the planning commission. Metro will retain the remaining utility and drainage easements. Future amendments to this legislation 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: Hagar, Murphy and Nash

81. [BL2020-559](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for properties located at 6434 Pettus Road and 7224 Old Burkitt Road, also known as Southpoint Ph 3A and Village UMC (MWS Project Nos. 20-WL-55 and 20-SL-193 and Proposal No. 2020M-094ES-001).

Analysis

This ordinance accepts approximately 362 linear feet of new eight inch water main, 329 linear feet of new eight inch sanitary sewer main, two fire hydrant assemblies, three sanitary sewer manholes, and associated easements for properties located at 6434 Pettus Road and 7224 Old Burkitt Road, also known as Southpoint Ph 3A and Village UMC. This ordinance has been approved by the planning commission. Future amendments to this legislation 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 Metro Water Services.

Sponsors: Rutherford, Murphy and Nash

82. [BL2020-560](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, a fire hydrant assembly, sanitary sewer manholes and easements, for property located at Maxwell Road (unnumbered), also known as Oliveri Phase 2 (MWS Project Nos. 20-WL-76 and 20-SL-142 and Proposal No. 2020M-097ES-001).

Analysis

This ordinance accepts 580 linear feet of new eight inch water main, 386 linear feet of new six inch water main, 565 linear feet of new eight inch sanitary sewer main, one fire hydrant assembly, four sanitary sewer manholes, and easements, for property located at Maxwell Road (unnumbered), also known as Oliveri Phase 2. This ordinance has been approved by the planning commission. Future amendments to this legislation 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 Metro Water Services.

Sponsors: Murphy, Nash and Lee

83. [BL2020-561](#)

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 Maxwell Road (unnumbered), also known as Oliveri Phase 3 (MWS Project Nos. 20-WL-77 and 20-SL-143 and Proposal No. 2020M-096ES-001).

Analysis

This ordinance accepts approximately 1,670 linear feet of new eight inch water main, 2,266 linear feet of new eight inch sanitary sewer main, 400 linear feet of new eight inch sanitary sewer main, three fire hydrant assemblies, 16 sanitary sewer manholes, and easements, for property located on Maxwell Road (unnumbered) known as Oliveri Phase 3. This ordinance has been approved by the planning commission. Future amendments to this legislation 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 Metro Water Services.

Sponsors: Murphy, Nash and Lee

84. [BL2020-562](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main and easements, and to accept new sanitary

sewer main, sanitary sewer manholes and easements, for three properties located at 307, 309 and 313 31st Avenue North (MWS Project No. 20-SL-44 and Proposal No. 2020M-095ES-001).

Analysis

This ordinance abandons 155 linear feet of existing eight inch sanitary sewer main and easements, and accepts 315 linear feet of new eight inch sanitary sewer main, five sanitary sewer manholes, and easements for properties located at 307, 309, and 313 31st Avenue North. This ordinance has been approved by the planning commission. Future amendments to this legislation may be approved by resolution.

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

Sponsors: Taylor, Murphy and Nash

85. [BL2020-563](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to rehabilitate an existing sanitary sewer main and sanitary sewer manhole, and to accept a new sanitary sewer manhole and easements, for property located at 315 Interstate Drive (MWS Project No. 18-SL-230 and Proposal No. 2020M-092ES-001).

Analysis

This ordinance authorizes the rehabilitation of approximately 225 linear feet of existing 12 inch sanitary sewer main and one sanitary sewer manhole, and accepts one new sanitary sewer manhole and easements for property located at 315 Interstate Drive. This ordinance has been approved by the planning commission. Future amendments to this legislation may be approved by resolution.

Fiscal Note: This project is being completed by developer Continental Inns and there is no cost to Metro.

Sponsors: Withers, Murphy and Nash

86. [BL2020-564](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new water main, one fire hydrant assembly, a sanitary sewer manhole and easements, for property located at 350 Harding Place (MWS Project Nos. 19-WL-112 and 20-SL-187 and Proposal No. 2020M-099ES-001).

Analysis

This ordinance accepts 281 linear feet of new eight inch water main, one fire hydrant assembly, one sanitary sewer manhole, and easements for property located at 350 Harding Place. This ordinance has been approved by the planning commission. Future amendments to this legislation 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 Metro Water Services.

Sponsors: Bradford, Murphy and Nash