



Metro Council

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## G. Consent Resolutions and Resolutions

### 1. [RS2021-716](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of April McQueen against the Metropolitan Government of Nashville and Davidson County in the amount of \$80,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

#### Analysis

This resolution settles the personal injury claim of April McQueen against the Metropolitan Government for the amount of \$80,000 to be paid from the self-insured liability fund. On October 4, 2017, Ms. McQueen was a staff nurse in the medical clinic at the Davidson County Sheriff's Office (DCSO) Hill Detention Center. An inmate who was being detained on misdemeanor and felony assault charges was able to leave his inmate pod which was mistakenly opened by a correctional officer. The inmate was able to walk into the medical unit where Ms. McQueen worked, passing multiple security cameras and through multiple doors which should have been secured. The inmate asked Ms. McQueen for pain medication. She refused and asked who had escorted the inmate to the medical clinic. The inmate attacked Ms. McQueen, punching her, knocking her to the ground, and choking her. Correctional officers were able to subdue the inmate.

Ms. McQueen incurred medical bills totaling \$16,368 for injuries related to this incident. She was diagnosed with a facial contusion under her left eye and jaw pain. She later returned for treatment and was diagnosed with a headache, closed head injury, dizziness and facial contusion and was referred to a neurologist. She was diagnosed with post concussive syndrome. She also required chiropractic adjustment and multiple treatment sessions. She was treated for psychological stress as a result of the assault and was diagnosed with post-traumatic stress disorder.

The Court will likely find that DCSO officers were at fault for failing to maintain proper control of the inmate. The Department of Law recommends settlement of these claims for \$80,000. A court would likely award more than the proposed settlement amount if the case went to trial.

There was no disciplinary action for DCSO employees involved.

*Fiscal Note: This \$80,000 settlement, along with the settlement per Resolution No. RS2021-726, would be the 22nd and 23rd payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,495,369. The fund balance would be \$1,590,476 after these payments.*

**Sponsors:** Toombs

2. [RS2021-717](#)

A Twenty-Ninth Supplemental Electric System Revenue Bond Resolution supplementing certain resolutions of The Metropolitan Government of Nashville and Davidson County by authorizing the issuance of Electric System Revenue Bonds, 2021 Series A, as requested by the Electric Power Board of The Metropolitan Government of Nashville and Davidson County.

Analysis

This resolution approves a supplemental electric system revenue bond resolution in an amount not to exceed \$195,000,000, as approved and recommended by the NES Power Board. Specifically, the bond proceeds will be used to finance improvements to the NES electric power system in accordance with the Board's capital improvement plan, the payment of interest, a deposit into a debt service reserve fund (if required), and the costs of issuance.

This would be the 29th supplement to the electric system revenue bond resolution originally adopted in 1985. The Council has adopted supplemental bonds resolution approximately every two years since then to fund capital needs of the electric system. Although the Metropolitan Charter grants NES complete control and authority over the operation of the electric system (Appendix III, Article 42, section 15), NES cannot issue bonds without permission of the Metro Council. (Id., at section 16). These bonds are to be paid solely from NES revenues and will not be an obligation of the general government or be guaranteed by the taxing authority of Metro.

**Sponsors:** Toombs

3. [RS2021-718](#)

A Thirtieth Supplemental Electric System Revenue Bond Resolution supplementing certain resolutions of The Metropolitan Government of Nashville and Davidson County by electing to defease, pay and redeem certain Electric System Revenue Bonds and authorizing certain other related matters

Analysis

This resolution approves a supplemental electric system revenue bond resolution by electing to defease, pay, and redeem prior electric system revenue bonds. In addition to approving the \$195,000,000 in new revenue bonds, which is the subject matter of Resolution No. RS2021-717, the NES Power Board voted in December 2020 to defease and redeem certain outstanding 2011 Series A and B electric system revenue bonds with funds released from the debt service reserve account at redemption of the 2008 Series B bonds.

This supplemental bond resolution will first redeem the 2008 Series B bonds. Upon redemption, the funds in the 2008 Series B debt service reserve account will be released and used to (a) defease the outstanding 2011 Series A and 2011 Series B bonds and (b) if there are any remaining funds, pay for system improvements. The redemption will include all of the

2011 Series A and B bonds scheduled to mature on May 15, 2021, plus the following:

- \$2,010,000 of the 3.625% 2011 Series A Bonds scheduled to mature on May 15, 2031
- All of the 2011 Series A Bonds scheduled to mature on May 15, 2036
- \$4,965,000 principal amount of the Series 2011 Series B Bonds scheduled to mature on May 15, 2022
- \$5,185,000 principal amount of the 2011 Series B Bonds scheduled to mature on May 15, 2023
- \$6,525,000 principal amount of the 2011 Series B Bonds scheduled to mature on May 15, 2024
- \$3,750,000 principal amount of the 2011 Series B Bonds scheduled to mature on May 15, 2025
- \$3,425,000 principal amount of the 5.00% 2011 Series B Bonds scheduled to mature on May 15, 2026
- \$1,430,000 principal amount of the 3.25% 2011 Series B Bonds scheduled to mature on May 15, 2026

This will also include the payment of the interest that will become due on the defeased 2011 Series A and B bonds.

This would be the 30th supplement to the electric system revenue bond resolution originally adopted in 1985. Although the Metropolitan Charter grants NES complete control and authority over the operation of the electric system (Appendix III, Article 42, section 15), NES cannot issue bonds without permission of the Metro Council. (Id., at section 16). These bonds are to be paid solely from NES revenues and will not be an obligation of the general government or be guaranteed by the taxing authority of Metro.

**Sponsors:** Toombs

4. [\*\*RS2021-719\*\*](#)

A resolution accepting a National Diversity in Arts Leadership Internship Program (DIAL) grant from Americans for the Arts to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Arts Commission, to provide financial and technical assistance for local implementation of the program.

**Analysis**

This resolution approves a National Diversity in Arts Leadership Internship Program (DIAL) grant from Americans for the Arts to the Metropolitan Nashville Arts Commission. The grant funds will be used to provide financial and technical assistance for local implementation of the program. The grant awarded is an amount not to exceed \$12,000 with a required local cash match of \$12,000. The term of this agreement begins on December 1, 2020 and ends September 30, 2021.

**Sponsors:** Toombs, VanReece and Suara

5. [\*\*RS2021-720\*\*](#)

A resolution approving an assignment and assumption grant agreement amendment from Safe Haven Family Shelter and the U.S. Department of Housing and Urban Development (HUD) to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Social Services Department, of the Continuum of Care Coordinated

Entry Grant for support services and administrative costs to strengthen and improve the effectiveness of the program.

Analysis

This resolution approves an assignment and assumption of a continuum of care coordinated entry program grant previously awarded by the U.S. Department of Housing and Urban Development (HUD) to Safe Haven Family Shelter. HUD awarded the grant to Safe Haven for a one year period from July 1, 2020 to June 30, 2021. At the time of the grant application, Safe Haven intended to transfer the grant to the Metro Social Services Homeless Impact Division since Social Services is currently the community lead for the continuum of care coordinated entry program. HUD has approved the transfer of the grant to Metro Social Services.

The amount of the grant is \$128,000 with a local in-kind match of \$32,000 to be provided by Social Services. This grant will be used to fund support staff for the Homeless Impact Division.

**Sponsors:** Toombs, Taylor, Allen, Suara and Welsch

6. [RS2021-721](#)

A resolution approving amendment two to a grant from the United States Environmental Protection Agency to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Health, for the ongoing collection of data on ambient air concentrations for fine particulate matter in Nashville, Tennessee.

Analysis

This resolution approves the second amendment to a grant agreement between the Metropolitan Board of Health and the U.S. Environmental Protection Agency. The grant is used for the ongoing collection of data on ambient air concentrations for fine particulate matter in Nashville, Tennessee.

This amendment increases the grant amount by \$117,000, from \$414,187 to \$531,187. It also corrects a clerical error which reduces the cash match by \$70 from \$588,188 to \$588,118.

**Sponsors:** Toombs, Taylor and Hancock

7. [RS2021-722](#)

A resolution approving a memorandum of understanding between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Health, and Vanderbilt University Medical Center to establish emergency worksite Points of Dispensing medication (POD) during a public health emergency for licensed medical employees and other licensed medical professionals specified by the POD with mass prophylaxis for distribution in the event of a public health emergency.

Analysis

This resolution approves a memorandum of understanding (MOU) between the Metro Board of Health and Vanderbilt University Medical Center (VUMC) to provide medical professionals to establish worksite points of dispensing medication during a public health emergency. Metro has had a similar agreement with VUMC for a number of years whereby VUMC agrees to distribute

antibiotics, vaccines, and antivirals (mass prophylaxis) in the event of a public health emergency to help prevent individuals exposed to a biological, chemical, or radiological agent from becoming ill. Metro also has similar agreements with other facilities to serve as distribution sites.

Under this MOU, the Health Department agrees to be responsible for obtaining the mass prophylaxis from the state and delivering it to Vanderbilt during a public health emergency. Vanderbilt agrees to distribute the medication at no cost to Metro and will maintain records of those who receive the prophylaxis. The term of this MOU commenced December 1, 2020, and is to extend for a five year period.

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

**Sponsors:** Taylor, Allen and Welsch

8. [\*\*RS2021-723\*\*](#)

A resolution accepting a grant from the State of Tennessee, Department of Health, to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Health, to implement and coordinate activities and services related to HIV/AIDS/STD and Viral Hepatitis prevention, testing, diagnosis and treatment, and surveillance.

**Analysis**

This resolution approves the renewal of a grant in the amount of \$1,077,700 from the Tennessee Department of Health to the Metropolitan Board of Health to implement and coordinate activities and services related to HIV/AIDS/STD and Viral Hepatitis prevention, testing, diagnosis, treatment, and surveillance. This is an annual federal pass-through grant that pays the salaries of the Health Department employees who provide these services. No local cash match will be required. The term of this grant is from January 1, 2021 through December 31, 2022. A total of \$538,850 would be granted in each of the two fiscal years affected, FY21 and FY22.

**Sponsors:** Toombs, Taylor, Bradford and Welsch

9. [\*\*RS2021-724\*\*](#)

A resolution accepting a grant from the Marjorie A. Neuhoff Private Foundation, Inc. to The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Board of Health, to provide funding for the care of shelter animals at Metro Animal Care and Control.

**Analysis**

This resolution approves a donation in the amount of \$7,500 from the Marjorie A. Neuhoff Private Foundation, Inc., to Metro Animal Care and Control. This donation will be used for the care of shelter animals at Metro Animal Care and Control and placement of animals in loving homes.

**Sponsors:** Toombs, Taylor, Bradford and Hancock

**10. [RS2021-725](#)**

A resolution approving an intergovernmental agreement by and between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Police Department, and the City of Knoxville, acting by and through the Knoxville Police Department, regarding participation in the Internet Crimes Against Children Task Force.

Analysis

This resolution approves an intergovernmental agreement between the Metropolitan Nashville Police Department (MNPd) and the Knoxville Police Department (KPD) regarding participation in the Internet Crimes Against Children (ICAC) Task Force. KPD is the lead agency which administers and operates the Tennessee ICAC Task Force. This agreement allows MNPd to join the ICAC Task Force for the primary purpose of investigating internet crimes against children.

This agreement governs the relationship between KPD and MNPd, including the delineation of responsibilities and expectations of the parties. KPD agrees to provide MNPd with the most current required guidelines for the operation of the ICAC unit, provide access to the Task Force Commander/point of contact, provide technical assistance and training, among other responsibilities. MNPd agrees to adhere to the most recent Department of Justice ICAC Program Operational and Investigative Standards, investigate cybertips in its jurisdiction, and work with prosecutors when necessary, among other responsibilities. This agreement will remain in effect indefinitely unless terminated by either party.

**Sponsors:** Gamble and Suara

**11. [RS2021-726](#)**

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Daniel Picazzo against the Metropolitan Government of Nashville and Davidson County in the amount of \$15,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

This resolution authorizes the Department of Law to settle the personal injury claim of Daniel Picazzo against the Metropolitan Government for \$15,000 to be paid from the self-insured liability fund. On May 8, 2020, a Metro police officer made an improper left hand turn in front of Mr. Picazzo's vehicle causing a collision that resulted in personal injuries to Mr. Picazzo. The officer did not have his emergency lights and siren activated at the time. Mr. Picazzo sought treatment at the hospital following the accident complaining of pain in his neck, knee, shoulder, and wrist. He received further treatment through an orthopedic clinic for one month. His medical bills total \$9,140.11.

The Department of Law recommends settling this claim for the amount of the medical bills plus \$5,859.89 in pain and suffering since the police officer was clearly at fault. The officer received disciplinary action consisting of a written reprimand.

*Fiscal Note: This \$15,000 settlement, along with the settlement per Resolution No. RS2021-716, would be the 22nd and 23rd payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,495,369. The fund balance would be \$1,590,476 after these payments.*

**Sponsors:** Toombs

## I. Bills on Second Reading

### 22. [BL2019-8](#)

An ordinance amending Section 17.20.120 of Title 17 of the Metropolitan Code pertaining to the provision of sidewalks (Proposal No. 2019Z-015TX-001).

#### Analysis

This ordinance amends Section 17.20.120 of the Metropolitan Code regarding the sidewalk fund.

Currently, money collected from the payment in lieu of sidewalks is collected into a pedestrian benefit fund. The funds are required to stay in the pedestrian benefit zone from where the payment was made. This ordinance would remove the pedestrian benefit zones and instead require funds to stay within the Council district of the new development.

A housekeeping amendment would fix a drafting error which unintentionally reduced the cap on contributions in-lieu of construction. The amendment restores the cap to the current amount in the Metro Code.

This bill has been disapproved by the planning commission.

**Sponsors:** Roberts, Henderson, Toombs and Styles

### 23. [BL2020-553](#)

An ordinance to require a resolution of the Metropolitan Council prior to discontinuing operations at the J.B. Knowles Home Assisted Living Facility.

#### Analysis

This ordinance, as substituted, would require all care being provided to patients and residents at the J.B. Knowles Home Assisted Living Facility 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 this facility for closure could occur until 30 days after the public hearing and affirmative Council vote. The ordinance further provides that, while the Council intends the services provided by the facility to be continued with no subsidy, the Council intends to continue the current budgeted subsidy until a long term plan is reviewed and approved by the Council.

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.

**Sponsors:** Hall, Toombs and Taylor

**24. [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, as amended, 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 of the completion of an RFP process for the continued operation of the Knowles Home Assisted Living facility or one year from the effective date of this Ordinance, whichever occurs first.

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

**25. [BL2021-593](#)**

An ordinance amending Chapter 9.30 of the Metropolitan Code to restrict construction noise between the hours of 6:00 p.m. and 8:00 a.m. on weekdays and between the hours of 7:00 p.m. and 9:00 a.m. on weekends.

**Analysis**

This ordinance amends Chapter 9.30 of the Metro Code to further restrict construction noise in residential areas. Currently, Section 9.30.010 of the Metro Code, which was amended on December 15, 2020, prohibits noise related to construction located within or adjoining a residential zone district between the hours 8:00pm and 6:00am during the months of June, July, and August and between 7:00pm and 7:00am during the rest of the year. This ordinance would limit construction noise between the hours of 6:00pm and 8:00am on weekdays and 7:00pm and 9:00am on weekends.

**Sponsors:** Lee, Hausser and Taylor

**26. [BL2021-594](#)**

An ordinance lowering the speed limit on streets designated as local streets on the Major and Collector Street Plan within the Urban Services District from 30 miles per hour to 25 miles per hour, allowing exceptions to that general reduction to be granted by the Metropolitan Traffic and Parking Commission, and amending Section 12.20.020 of the Metropolitan Code.

**Analysis**

This ordinance reduces the speed limit on local streets on the Major and Collector Street Plan within the Urban Services District (USD) from 30 miles per hour to 25 miles per hour. Section 11.904 of the Metro Charter grants the power and authority to the Metro Traffic and Parking Commission, as part of the traffic regulations, to establish "speed zones" upon Metro streets and roads based upon the findings of the commission. T.C.A. § 55-8-153 authorizes local legislative bodies to prescribe lower speed limits within certain areas, zones, streets, or roads within their jurisdictions. The Neighborhood Speed Limit Reduction Project recommended

lowering the speed limit on streets designated as local streets on the Major and Collector Street Plan within the Urban Services District from 30 miles per hour to 25 miles per hour to increase safety for pedestrians, cyclists, and motorists. The Traffic and Parking Commission approved the Neighborhood Speed Limit Reduction Project in November 2019.

In addition to lowering the speed limit on local streets, this ordinance provides that the Traffic and Parking Commission will retain the authority to grant exceptions to the reduced speed limit for certain roads after holding a public hearing on the requested exception if the testimony at the public hearing supports it.

A link showing a list of the streets that would be subject to the 25 mph restriction has previously been provided to the Council and can be found [here](https://nashville.maps.arcgis.com/apps/View/index.html?appid=08710299815c48db8095024440d13c13) [<https://nashville.maps.arcgis.com/apps/View/index.html?appid=08710299815c48db8095024440d13c13>](https://nashville.maps.arcgis.com/apps/View/index.html?appid=08710299815c48db8095024440d13c13).

Future amendments to this ordinance could be approved by resolution.

The Traffic and Parking Commission approved this ordinance at their January 11 meeting.

*Fiscal Note: The estimated cost to Metro for the replacement of speed limit signs is \$85,000, broken down as follows: Parts and materials - \$60,000, labor and overtime - \$15,000, contingency - \$10,000.*

**Sponsors:** Allen, Nash, OConnell, Henderson, Sledge, Bradford, Styles, Gamble, Taylor, Welsch and Benedict

**27. [BL2021-595](#)**

An ordinance approving an agreement between the Metropolitan Government of Nashville-Davidson County, Tennessee, by and through the Metropolitan Nashville Police Department (“MNPD”), and Vanderbilt University Medical Center (“VUMC”) to provide medical support and work cooperatively with other on-scene first responders to assist in any situations encountered by MNPD that require medical support.

Analysis

This ordinance approves an agreement between the Metro Nashville Police Department (MNPD) and Vanderbilt University Medical Center (VUMC) to provide medical support and assistance during MNPD incidents. This agreement, called a Tactical Medical Services Agreement, is for VUMC Emergency Medicine Department to provide assistance to MNPD with emergency medical services, provide medical direction, and clinical training. The services to be provided include overseeing medical assistance to law enforcement personnel and citizens, both remotely and at an active scene.

VUMC will designate a physician to oversee the services provided under the agreement. The agreement specifically provides that VUMC’s services are voluntary, and are subject to the availability of personnel and their willingness to respond. The agreement does not represent a contractual obligation for VUMC to respond to any particular incident regardless of the circumstances, and there specifically will be no liability for VUMC or any employee for not

responding.

When VUMC comes to an active scene, MNPD will establish a “safe zone” perimeter for medical personnel. MNPD will move injured persons to the safe zone for treatment.

The term of the agreement is for one year, but may be extended for up to four additional one year periods. No compensation will be provided to VUMC as a result of the agreement.

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

**Sponsors:** Gamble and Styles

**28. [BL2021-596](#)**

An ordinance readopting the Code of The Metropolitan Government of Nashville and Davidson County, Tennessee, prepared by Municipal Code Corporation including supplemental and replacement pages thereof, containing certain ordinances of a general and permanent nature enacted on or before September 15, 2020.

**Analysis**

This ordinance readopts the Metro Code to include ordinances enacted on or before September 15, 2020. The Council Office would note that Section 1 of the bill needs to be amended to match the date in caption.

**Sponsors:** Johnston

**29. [BL2021-597](#)**

An ordinance approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Public Works, and Monroe Infrastructure LLC, for the construction of public infrastructure in Phase 1A of River North. (Proposal No. 2021M-001AG-001)

**Analysis**

This ordinance approves a participation agreement between Metro, acting by and through the Department of Public Works, and Monroe Infrastructure LLC, for the construction of public infrastructure in Phase 1A of the River North development north of Jefferson Street and east of the Cumberland River. The fiscal year 2019 Capital Spending Plan approved by Resolution No. RS2018-1454 in October 2018 included \$20,000,000 for an East Bank / Cowan - Infrastructure project. This participation agreement would use approximately \$13,800,000 of this previously authorized funding for Phase 1A of the public infrastructure work necessary for the proposed River North development. The Council authorized the acceptance of easements for public rights-of-way associated with the River North development in July 2019 through the adoption of Resolution No. RS2019-1805.

Under the terms of the agreement, Monroe Infrastructure (“Monroe”) will construct the public infrastructure in the first phase of the River North development, which will consist of roadway and intersection improvements and public utilities. Once completed the work will create a new road network with a cost of approximately \$20,902,000. Monroe will be responsible for the

demolition of existing structures, construction, installation, and completion of Phase 1A. A description of the infrastructure work to be completed is attached to the agreement as [Exhibit B <https://nashville.legistar.com/View.ashx?M=F&ID=9032298&GUID=4D4312BB-654F-44DD-856B-9012AAC5BB32>](https://nashville.legistar.com/View.ashx?M=F&ID=9032298&GUID=4D4312BB-654F-44DD-856B-9012AAC5BB32).

Metro agrees to reimburse Monroe for public infrastructure completed in Phase 1A not to exceed \$13,802,000. Such reimbursement will be paid from the FY19 capital spending plan, under Fund 40119, Business Unit 42409119. Monroe will submit reimbursement requests to Metro quarterly. If the total cost of the project exceeds \$20,902,000, Monroe will be solely responsible for paying the overage. Metro's financial liability under the agreement is capped at \$13,802,000, which is 66% of the estimated construction costs. Monroe will convey the infrastructure to Metro once it is completed.

The Phase 1A work will start within 90 days of Council approval of the agreement, and the work is to be completed within two years. The agreement includes a clawback provision similar to the language added by amendment to the Nashville Yards participation agreement in the previous Council term. If the Phase 1A work is not completed, Monroe will be required to return all payments to Metro.

The recitals in the agreement note that Monroe will be providing 5.5 acres of property for the streets and four acres for a Riverfront greenway.

Metro and Monroe also agree to pursue the establishment of a central business improvement district (CBID) for the first 40 acres of the project area known as "the Landings." CBIDs are permitted pursuant to T.C.A. §7-84-501 *et seq.*, and allow the imposition of an additional assessment on all property located within the area to provide enhanced services. Under state law, a majority of all real property owners must petition the government to create a CBID, representing 2/3 of the assessed value within the area seeking designation. The Council has previously approved the creation of three CBIDs - one in downtown, a second in the Gulch area, and a third in the Cane Ridge Road area.

Amendments to this ordinance may be approved by resolution.

*Fiscal Note: Metro will reimburse Monroe Infrastructure, LLC up to \$13,802,000 for the infrastructure project and will be paid from the FY19 Metro Capital Spending Plan, under Fund No. 40119, Business Unit No. 42409119. The total estimated cost of this work is \$20,902,000.*

*Upon completion of the infrastructure project, Monroe will convey ownership to Metro. Metro would be responsible for the ongoing operation and maintenance.*

**Sponsors:** Parker, Toombs, Murphy, Nash, Mendes, OConnell, Welsch, VanReece and Syracuse

30. [BL2021-598](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to relocate a public fire hydrant assembly, for property located at 517 Dr. D.B. Todd, Jr., Boulevard, (MWS Project No. 20-WL-126 and Proposal No. 2020M-104ES-001).

Analysis

This ordinance authorizes the relocation of a public fire hydrant assembly for property located at 517 Dr. D.B. Todd, Jr., Boulevard. Future amendments to this ordinance may be approved

by resolution.

This ordinance has been approved by the Planning Commission.

**Sponsors:** Taylor, Murphy and Nash

**31. [BL2021-599](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new sanitary sewer main and one sanitary sewer manhole, for property located at 5661 Valley View Road (MWS Project No. 20-SL-248 and Proposal No. 2020M-105ES-001).

**Analysis**

This ordinance accepts approximately 250 linear feet of new eight inch sanitary sewer main and one sanitary sewer manhole for property located at 5661 Valley View Road. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

*Fiscal Note: This ordinance has no cost to Metro. Donated easements do not have a market value according to the Department of Water Services.*

**Sponsors:** Swope, Murphy and Nash

**32. [BL2021-600](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to relocate a public fire hydrant assembly, for three properties located at 1207 Sweetbriar Avenue, (MWS Project No. 20-WL-140 and Proposal No. 2020M-106ES-001).

**Analysis**

This ordinance accepts the relocation of a public fire hydrant assembly for properties located at 1207, 1207B, and 1207C Sweetbriar Avenue. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

**Sponsors:** Cash, Murphy and Nash

**J. Bills on Third Reading**

**51. [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

**52. [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

**53. [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

**54. [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, as amended, 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. Presentation by a uniformed officer would be at the discretion of the Chief of Police.

**Sponsors:** Allen and Nash

**55. [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

**56. [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

57. [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

58. [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