



Metro Council

F. Bills on Public Hearing

2. [BL2020-504](#)

An ordinance amending Chapters 17.36 and 17.40 of the Metropolitan Code pertaining to creating an Owner Occupied Short Term Rental Overlay district (Proposal No. 2020Z-013TX-001).

Analysis

This ordinance creates an optional overlay that could be placed over NS - No STRP variant zoned properties to permit the "Short Term Rental Property - Owner Occupied" use. The NS variation exists for all RM, MUN, MUL, MUG, MUI, OR, OG, ORI, CN, CL, CS, CA, CF, SCN, SCC, and SCR zoning districts and restricts where both owner occupied and non owner occupied short term rentals are permitted. Any application for an owner occupied short term rental permit within the proposed overlay must meet all applicable standards and requirements set forth in Sections 17.16.250.E and 6.28.030 of the Metropolitan Code.

This ordinance has been deferred by the Planning Commission.

Sponsors: OConnell

5. [BL2022-1073](#)

An Ordinance amending Sections 17.04.060, 17.08.030, 17.16.035, 17.16.170, and 17.20.030 of the Metropolitan Code to delete the "Day Care Home Use", create new "Day Care Home - Small" and "Day Care Home - Large" uses, and to update the requirements for opening a Day Care Home or Day Care Center Use (Proposal No. 2022Z-002TX-001).

Analysis

This ordinance amends Sections 17.04.060, 17.08.030, 17.16.035, 17.16.170, and 17.20.030 of the Metropolitan Code to remove the existing "Day Care Home Use" and replace it with "Day Care Home - Small" and "Day Care Home - Large" uses, as well as update the conditions that must be met to open a day care home or day care center use. As proposed, day care home - small uses would provide services to five to seven individuals, and day care home - large uses would provide services to eight to twelve individuals. Under the current code, the day care home use provides services to five to twelve individuals.

The ordinance under consideration would make the day care home - large use a special exception use, which matches the existing day care home use, and make the day care home - small use a use permitted conditionally within the UZO; however, outside of the UZO the day care home - small use would be a special exception use. The day care home - small use is proposed by the legislation to require one less parking space than the day care home - large use. Additionally, the legislation eliminates the circular driveway requirement for all day care uses and reorganizes the requirements for all day care uses in Section 17.16.035 of the Metropolitan Code for clarity.

This is scheduled for the April 28 meeting of the Planning Commission.

Sponsors: Cash, Evans, Allen, Styles and Suara

6. [BL2022-1090](#)

An Ordinance to amend Sections 17.40.720 and 17.40.740 of the Metropolitan Code of Laws to increase the number of fee waivers for certain rezoning requests initiated by a member of Council (Proposal No. 2022Z-003TX-001).

Analysis

This ordinance amends Chapter 17.40 of the Metropolitan Code of Laws to increase the number of fee waivers for certain rezoning requests initiated by Councilmembers.

Currently, fees are waived for rezoning requests initiated by Councilmembers for the following purposes:

- Rezoning of a property from a greater intensity residential use to a lesser intensity residential use (i.e., an "R" district to an "RS" district).
- Rezoning the property from an office, commercial, or industrial district to a residential or residential single-family district.
- Applying the urban design overlay district, historic preservation district, neighborhood conservation district, urban zoning overlay district, contextual overlay district, corridor design overlay district, residential accessory structure overlay, or detached accessory dwelling unit overlay district as provided in Chapter 17.36.
- An amendment to or cancellation of a planned unit development (PUD) district after the planning commission has determined the PUD to be inactive in accordance with Section 17.40.120.H.

In addition, Councilmembers are entitled to no more than three fee waivers per fiscal year for any other rezoning request.

The ordinance under consideration increases the number of fee waivers for rezoning requests other than those listed above from three per fiscal year to five per fiscal year. Fees would continue to be waived for the specified rezoning requests initiated by Councilmembers listed above.

Sponsors: Sledge

7. [BL2022-1121](#)

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to amend Chapters 17.12, 17.24, 17.28, 17.36, and 17.40 pertaining to the cluster lot option, all of which is described herein (Proposal No. 2022Z-004TX-001).

Analysis

This ordinance, as substituted, amends the Metropolitan Code to modify the standards of Section 17.12.090 regarding the Cluster lot option. The ordinance would rename the former “Cluster lot option” to “Conservation Development” to better reflect the purpose and intent of the tool and reorganize the standards for more consistent utilization and implementation. The ordinance also includes housekeeping amendments in Chapters 17.24, 17.28, 17.36, and 17.40 of the Metropolitan Code to change references to “Cluster lot option” to “Conservation Development,” correct errors in code section references, and ensure consistency across the Title 17.

The current Cluster Lot Option standards in Section 17.12.090 of the Metropolitan Code are applicable to properties zoned Single-family Residential (RS/RS-A) or One and Two-Family Residential (R/R-A) and require a minimum of 15 percent of the gross acreage of the site be set aside as open space. In exchange, lots within the development may be reduced in size the equivalent of two zoning districts smaller than the existing zoning if standards for landscape buffer yards and perimeter lots are met.

The Conservation Development tool would require the preservation of some natural areas, including steep slopes and hillsides, streams and floodplains, problem soils, archaeological resources, and native forests or vegetation, under certain situations by allowing for flexibility in lot size in a residential subdivision. The Conservation Development tool would require that the development site must have at minimum 10 percent natural area. If less than 20 percent of the site is defined natural areas, all the natural area present must be undisturbed and in open space. If more than 20 percent of the site is natural features, a minimum of 20 percent is required to be preserved. In exchange for preserving these areas, a development may reduce the size of the lots by the percentage of the development preserved in natural area open space. In no case shall the size of any lot be reduced to less than 3,750 square feet, no matter how much natural area is protected.

This is scheduled for the April 28 meeting of the Planning Commission.

Sponsors: Henderson, Murphy, Withers, Allen, Druffel and Benedict

8. [BL2022-1122](#)

An ordinance to amend Titles 2 and 17 of the Metropolitan Code of Laws, to amend Chapters 17.24 and 17.28 pertaining to Tree Protection and Replacement, and to amend Chapters 2.226, 17.20, 17.24, 17.28, and 17.40 to make associated housekeeping amendments, all of which is described herein (Proposal No. 2022Z-005TX-001).

Analysis

This ordinance is a companion to BL2022-1121 and amends the Metropolitan Code Chapters 2.226, 17.20, 17.24, 17.28, and 17.40 by relocating Chapter 17.24, Article II *Tree Protection and Replacement* and Section 17.40.450 *Designation of Tree Types* to a newly created Section 17.28.065 *Trees* and making associated housekeeping amendments.

This ordinance relocates existing sections of the zoning code pertaining to tree preservation and replacement so that these standards are consolidated into a single proposed section in Chapter 17.28. Additionally, the proposal includes housekeeping amendments to update references to tree preservation throughout the code.

This is scheduled for the April 28 meeting of the Planning Commission.

Sponsors: Henderson, Murphy, Withers, Allen, Druffel and Benedict

G. Consent Resolutions and Resolutions

37. [RS2022-1475](#)

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

Analysis

This resolution provides four amendments to the Metropolitan Charter. Three of the amendments were submitted by the administration and one was submitted by members of Council.

In order to qualify for the August 4, 2022, election an amendment resolution needs to have been filed at least 80 days prior to the election and filed with the election commission at least 75 days prior to the election.

The Charter Revision Commission met on April 11, 2022, to review the proposed amendments. The Commission recommendations are included in the individual amendment analyses herein. The Council will first take up the Charter Amendment Resolution on April 19 with a recommendation to defer to the May 5 Council meeting (Note: the meeting will occur on Thursday May 5 because Tuesday May 3 is election day). The Charter Revision Committee will meet on April 19 to discuss the Charter Revision Commission recommendations and any proposed amendments.

At the May 5 Council meeting the votes will be taken to determine whether the individual Amendments will be placed on the August ballot. Each individual Amendment must receive 27 affirmative votes in order to be made a part of the Charter Amendment Resolution, and the Charter Amendment Resolution itself must also receive 27 affirmative votes. Charter amendments and resolutions proposing Charter amendments do not require mayoral approval.

The Council is not required to follow the recommendations of the Charter Revision Commission

when determining whether to submit a Charter amendment to the voters. Notations of the Charter Revision Commission are included with this analysis.

Amendment No. 1 (Mendes, Henderson, Toombs) proposes to replace the existing Article 19 related to procedures for amending the Charter. The Amendment would modify the processes and requirements for amending the Charter by adoption of a resolution by the council or by citizen petition. The Amendment proposes specific contents for both the resolution and petition: the title of the amendment, a summary of the amendment not to exceed two hundred words, the actual text of the amendment, and a statement of financial impact of the amendment. The Amendment would require Charter Revision Commission to review an amending resolution prior to adoption and to certify a petition prior to circulation for signatures. Regarding amending the Charter by petition, the Amendment outlines the legal challenge process, requires that petitions be signed by fifteen percent of registered voters as of the date of certification, and requires that petitions be returned within seventy-five days of certification. Currently, the Charter is silent on the process for legal challenges to petitions for amendment and the Charter requires petitions to be signed by ten percent of the registered voters who voted in the preceding general election.

The Amendment provides that a referendum on amending the Charter would occur at the August or November election that is more than ninety days following the Election Commission certification. Currently, the Charter allows the petition or resolution to set the date for the referendum election and there is no requirement that it be held in conjunction with a regular election. The Amendment establishes the Charter Revision Commission membership, powers, and duties by Charter rather than ordinance. The Amendment would require strict compliance with the provisions of the Article.

The Charter Revision Commission recommended approval of the Charter Amendment with a minor amendment. The Commissioners sought to add clarity to Section 19.03(b) by adding the phrase “the petition” between the phrases “shall file” and “with the metropolitan clerk.” This recommendation was accepted by the sponsors and is included in the Amendment as filed in this resolution.

Amendment No. 2 (Suara, Pulley, Evans) would change the physical fitness qualifications for police officers. Currently, police officers must meet the same physical requirements for admission to the U.S. Army or Navy. The Amendment would allow the requirements to be set by the civil service commission. The Amendment would modify U.S. citizenship requirements to be consistent with state law.

The Charter Revision Commission recommended approval of this Charter Amendment.

Amendment No. 3 (Henderson, Evans) would modify Article 10 of the Charter related to the Department of Health. The Amendment would add an additional member to the Board of Health and update the qualifications for the members. The Amendment would clarify the distinction between the Board of Health and the Department of Health which would expressly move administration of specific functions to the Department of Health with oversight by the

Board of Health. The Amendment would remove the requirement that the Director of Health be a medical doctor and provide that if the director is not a medical doctor, then there must also be a Chief Medical Officer who is a medical doctor or doctor of osteopathy.

The Charter Revision Commission recommended approval of this Charter Amendment.

Amendment No. 4 (Henderson, Young) removes the Department of Public Works from the Charter and uses Article 8, Chapter 4 to create the Department of Transportation and Multimodal Infrastructure (“NDOT”). The Amendment provides for the express responsibilities of NDOT which are related to design, maintenance, and regulation of transportation, traffic control devices, parking, vehicles for hire, and rights of way infrastructure. The Amendment would also place with NDOT capital expenditure oversight for transportation and right of way capital improvement projects. The Amendment provides for the qualifications of the director and the process for filling a vacancy in the position.

While the functions and services provided by the former Department of Public Works related directly to transportation and rights of way infrastructure are carried forward by NDOT, the Amendment would remove other functions from NDOT responsibility. Metro would continue to provide the services all the services provided by Public Works but would provide them in other capacities. Of note, the Amendment removes solid waste services, however, this service is provided elsewhere in the Charter and is currently under the operation of Metro Water Services. Approval of this Amendment by referendum vote will require significant amendments to update the Metropolitan Code of Laws.

The Charter Revision Commission recommended approval of this Charter Amendment.

Sponsors: Henderson

38. [RS2022-1504](#)

A resolution approving a contract between the Metropolitan Government of Nashville and Davidson County and Siemens Industry, Inc. to provide building automation system service and maintenance for the Downtown Detention Center.

Analysis

This resolution approves a contract between the Metropolitan Government and Siemens Industry, Inc. to provide building automation system service and maintenance for the Downtown Detention Center.

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.

The term of this contract begins upon approval of all required parties and filing in the Metropolitan Clerk’s Office and extends for 60 months. The estimated value of this contract is \$293,292.

Along with the sole source justification form, the resolution contains a letter from a representative for Siemens Industry, Inc. that states that no other company besides Siemens can provide equipment or property service the Siemens product line in use at the Downtown Detention Center.

Fiscal Note: The estimated value of this contract is \$293,292. This would be paid from the GSD General Fund, Business Unit #30127100, Sheriff Downtown Detention Center Offender Management.

Sponsors: Allen and Evans

39. [RS2022-1505](#)

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: Vercher

40. [RS2022-1506](#)

A resolution authorizing grants not exceeding \$1,775,080.27 from the Barnes Fund for Affordable Housing to certain nonprofit organizations selected for the express purpose of constructing and rehabilitating affordable or workforce housing.

Analysis

This resolution authorizes grants not exceeding \$1,775,080.27 from the Barnes Fund for Affordable Housing to 14 nonprofit organizations selected for the express purpose of constructing and rehabilitating affordable or workforce housing.

Section 7-3-314 of the Tennessee Code Annotated states that metropolitan forms of government may provide financial assistance to a nonprofit organization in accordance with the guidelines of the Metropolitan Government. Section 5.04.070 of the Metropolitan Code of Laws provides that the Metropolitan Council may by Resolution appropriate funds for the financial aid of nonprofit organizations. Each grant is governed by an agreement. These agreements are attached to the resolution as exhibits.

The funds would be appropriated as follows:

- Crossroads Campus -- \$33,492.08
- Westminster Home Connection -- \$50,238.12
- Urban Housing Solutions -- \$316,652.40
- Rebuilding Together Nashville -- \$9,134.20
- Crossbridge, Inc. -- \$76,118.36
- Renewal House -- \$51,760.49

- Woodbine Community Organization, Inc. -- \$593,723.25
- Be a Helping Hand Foundation -- \$6,089.47
- Living Development Concepts, Inc. -- \$1,522.37
- Our Place Nashville -- \$200,952.48
- New Level Community Development Corporation -- \$77,640.73
- Habitat for Humanity of Greater Nashville -- \$48,715.75
- Mending Hearts, Inc. -- \$12,178.94
- Samaritan Recovery Community -- \$296,861.62

Sponsors: Parker, Welsch and Benedict

41. [RS2022-1507](#)

A resolution approving an option agreement between the Metropolitan Government of Nashville and Davidson County and the State of Tennessee authorizing the purchase of the property located at 88 Hermitage Avenue (Parcel No. 09311024100) (Proposal No. 2022M-019AG-001).

Analysis

This resolution approves an option agreement between the Metropolitan Government and the State of Tennessee to authorize the purchase of the property located at 88 Hermitage Avenue. The State of Tennessee owned the property at 88 Hermitage Avenue. The Metropolitan Government desires to purchase this property for use as part of the public park system. The Board of Parks and Recreation has approved the acquisition of this property.

The parcel is 3.109 acres. The Metropolitan Government would pay \$20,300,000 to the State of Tennessee for this property.

Fiscal Note: The 2021 appraisal value according to the Assessor of Property's website is \$14,441,000.

Sponsors: OConnell, Allen and Withers

42. [RS2022-1508](#)

A resolution approving Amendment 2 to an Agreement by and between the State of Tennessee, Department of Transportation, and the Metropolitan Government of Nashville & Davidson County, acting by and between the Department of Transportation and Multimodal Infrastructure, for the acceptance of work in connection with the construction of a sidewalk on State Route 11(US-31W, Dickerson Pike) from Douglas Avenue to Trinity Lane, Federal No. STP-M-11(84); State No. 19LPLM-F3-132, PIN 121730.00, Proposal No. 2022M-020AG-001.

Analysis

This resolution approves Amendment 2 to an agreement between the Tennessee Department of Transportation (TDOT) and the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) for the acceptance of work in connection with the construction of a sidewalk along Dickerson Pike from Douglas Avenue to Trinity Lane.

This agreement, originally approved by Resolution RS2015-1536, is for the acceptance of work in connection with the construction of sidewalks along Dickerson Road from Douglas Avenue to Trinity Lane. Amendment 1 replaced the agreement in its entirety and added language referencing applicable state law and policy to allow NDOT to use TDOT's Local Programs procured On-Call Consultants for the provision of engineering and design related service or right-of-way acquisition services. Amendment 1 also extended the completion date of the original agreement from May 30, 2020 to May 31, 2022.

Amendment 2 would extend the completion date of the agreement from May 31, 2022 to May 31, 2025 to complete the acquisition of right-of-way easement within an estimated 18 months and another estimated 18 months to complete construction. No other changes would be made to this agreement.

The total project cost would remain \$6,150,000, of which Metro pays 20%.

Fiscal Note: The Nashville Department of Transportation and Multimodal Infrastructure would pay \$1,230,000, which is 20% of the estimated total project costs.

Sponsors: Parker, Allen, Withers and Young

43. [RS2022-1509](#)

A resolution to establish a new fee structure associated with the processing and review of Metro Planning Commission applications associated with Title 17 of the Metropolitan Code (Proposal No. 2022Z-007TX-001).

Analysis

This resolution establishes a new fee structure associated with the processing and review of Metropolitan Planning Commission applications associated with Title 17 of the Metropolitan Code.

The current fee schedules have been in place since 2016. An independent consultant was retained to determine whether a fee increase is necessary to cover the full cost of services provided by the Planning Department. The consultant performed an analysis of the scope of services provided by the Planning Department and other related to development and building construction. The consultant determined that a fee increase is reasonable and necessary to cover the full cost of providing these services.

Exhibit A, attached to the resolution, shows the current and proposed fee for each service provided.

These fees would take effect on July 1, 2022.

This resolution should be deferred to track with the budget.

Sponsors: Withers, Allen and Styles

44. [RS2022-1510](#)

A resolution authorizing CT Nashville LLC to construct and install an aerial encroachment at 308 Broadway. (Proposal No.2022M-012EN-001).

Analysis

This resolution authorizes CT Nashville LLC to construct, install, and maintain an aerial encroachment at 308 Broadway. The encroachment comprises one projecting sign, encroaching the public right of way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the signs and is required to post a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This resolution has been approved by the Planning Commission.

Sponsors: OConnell, Withers and Young

45. [RS2022-1511](#)

A resolution authorizing A-1 Signs Inc. to construct and install an aerial encroachment at 127 3rd Avenue South. (Proposal No.2022M-008EN-001).

Analysis

This resolution authorizes A-1 Signs Inc. to construct, install, and maintain an aerial encroachment at 127 3rd Avenue South. The encroachment comprises one double-faced, illuminated blade sign, encroaching the public right of way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the signs and is required to post a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This resolution has been approved by the Planning Commission.

Sponsors: OConnell, Withers and Young

46. [RS2022-1512](#)

A resolution authorizing KC Whiskey River, LLC to construct and install an aerial encroachment at 111 Broadway. (Proposal No.2022M-011EN-001).

Analysis

This resolution authorizes KC Whiskey River, LLC to construct, install, and maintain an aerial encroachment at 111 Broadway. The encroachment comprises one double faced, illuminated projecting sign, encroaching the public right of way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the signs and is required to post a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This resolution has been approved by the Planning Commission.

Sponsors: OConnell, Withers and Young

47. [RS2022-1513](#)

A resolution approving two amendments to two agreements between The Metropolitan Government of Nashville and Davidson County and the State of Tennessee, Department of Environment and Conservation, concerning maintenance of closed solid waste disposal facilities.

Analysis

This resolution approves two amendments to two agreements between the Metropolitan Government and the Tennessee Department of Environment and Conservation (TDEC) concerning the maintenance of closed solid waste disposal facilities.

The Metropolitan Government owns the Bordeaux Sanitary Landfill and the Thermal Ash Monofill, Phases II and III. Both are closed solid waste disposal facilities maintained pursuant to agreement between TDEC and the Metropolitan Government. Ordinance No. BL2010-719 provides that amendments to these agreements may be approved by a resolution receiving 21 or more affirmative votes.

Each agreement lists the “total penal sum” that TDEC may collect in the event the Metropolitan Government fails to properly perform its duties relative to the closed solid waste facility. The amendment to the Bordeaux Sanitary Landfill agreement would reduce the total penal sum from \$2,334,760.51 to \$1,969,954.18. The amendment to the Thermal Ash Landfill agreement would reduce the total penal sum from \$864,410.95 to \$826,592.97.

No other changes would be made to either agreement.

Sponsors: Allen and Young

I. [Bills on Second Reading](#)

63. [BL2021-971](#)

An ordinance to amend Title 2 of the Metropolitan Code of Laws to create an Office of Housing and Homelessness.

Analysis

This ordinance creates an office of housing and homelessness in the Metropolitan Government. This office would consist of a director and any other officers and employees as may be necessary. The director would be appointed by the mayor and would be an unclassified service employee.

The duties of this office would be:

- (1) the promotion of affordable housing in Nashville and Davidson County;

- (2) providing expertise and coordinate a community response to homelessness;
- (3) providing resources regarding affordable housing and homelessness throughout Nashville and Davidson County;
- (4) providing staff and resources for the Metropolitan Homelessness Commission and the Nashville Davidson County Continuum of Care Homelessness Planning Council; and
- (5) assisting with the administration of the Metropolitan Housing Trust Fund Commission and the Barnes Fund for Affordable Housing.

This ordinance would also transfer the homeless impact division from metro social services to the office of housing and homelessness. The affordable housing program manager and director of housing programs would also be transferred to this office.

Sponsors: OConnell, Evans, Suara, Sepulveda, Sledge, Welsch, Roberts, Allen, Porterfield, Rosenberg, Johnston, Parker, Druffel, Bradford, Benedict, Taylor, Styles and Hausser

64. [BL2022-1164](#)

An Ordinance to amend Chapter 9.30 of the Metropolitan Code of Laws pertaining to construction sites.

Analysis

This ordinance, as substituted, amends Sections 9.30.010 and 9.30.030 of the Metropolitan Code of Laws regarding construction noise. Pursuant to this section, construction noise cannot exceed 70 decibels between the hours of 7:00 p.m. and 7:00 a.m. During the months of June, July, and August, this standard applies between the hours of 8:00 p.m. and 6:00 a.m. The current provision applies only to construction sites located within or adjoining a residential zoning district and is measured from a point as close as possible to the outside walls of any residential structure located on the property affected by the noise at a height of four feet above the immediate surrounding surface

The ordinance under consideration would change this provision to outdoor construction, repair, or demolition of parcels located within or adjoining any zoning district permitting residential uses. This prohibition would apply during the same time periods as outlined in the current noise provision. Additionally, the variance procedures would be updated to replace references to the noise provision and make clear that the variance would be for outdoor construction hours.

Sponsors: Sledge, OConnell, Hausser, Evans, Murphy, Welsch, Styles, VanReece, Suara, Benedict and Bradford

65. [BL2022-1169](#)

An ordinance approving a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Board of Education and East End Prep (Proposal No. 2021M-012PR-001).

Analysis

This ordinance approves a lease agreement between the Metropolitan Board of Education and East End Prep for use of property at 1460 McGavock Pike as a charter school. The property includes approximately 91,970 square feet of the building.

The term of the lease begins July 14, 2021 and ends June 30, 2031. Upon termination of the lease, the property will revert to MNPS. For the first year, the lease payment will be \$30,656.67 per month, which represents a rate of \$4.00 per square foot. The lease includes the cost of grounds maintenance, preventative maintenance, and refuse removal provided by MNPS's contracted providers, as well as major building systems components and capital repairs. The lease payment will increase from \$4.00 per square foot in Year 1 to \$5.00 per square foot in Year 2, and then increase 3% each year throughout the term of the lease.

MNPS is responsible for the major building system components and their capital repairs. This includes the building's roof, foundation, structural members of exterior walls, HVAC system components, and more. MNPS is also responsible for the refuse collection and ground maintenance, the cost of which is included in the lease payment. Liberty is responsible for custodial services, utilities, routine maintenance of the premises, and ADA compliance, building, fire, and zoning codes and regulations. Liberty must maintain commercial general liability insurance of not less than \$1,000,000 per occurrence.

Fiscal Note: The basic lease per square foot price is \$4.00/square foot or \$30,656.67 per month for the approximate square footage of 91,970 during year 1. The basic lease per square foot includes the cost of grounds maintenance preventive maintenance, refuse removal, major building systems components and capital repairs. The lease rate will increase by 3% each year beginning in Year 2 and throughout the term of the lease.

Sponsors: Benedict, Allen and Withers

66. [BL2022-1213](#)

An ordinance amending Chapter 6.81 of the Metropolitan Code of Laws regarding Booting Services.

Analysis

This ordinance makes various changes to Chapter 6.81 of the Metropolitan Code of Laws, relative to booting services.

The maximum fee that can be charged by a booting service for boot removal would be increased from \$50 to \$75. A booting service would be required to respond to and arrive to a request to remove a boot within one hour of being contacted and must remove a boot within one hour after full boot removal payment has been received. The Metropolitan Transportation Licensing Commission ("MTLC") Director would be given authority to take action on violations of the Metropolitan Code violations.

The definitions of "attended commercial parking lot", "business parking lot", and "unattended commercial parking lot" would be deleted, and former references to these terms would be changed to "private property."

The required age for applicants for a booting permit would be reduce from twenty-one years of age to eighteen years of age. All persons engaged in booting would be required to wear a uniform bearing the name and/or logo of the booting company on the person's shirt or jacket.

New requirements would be implemented to require vehicles used by the booting service to display the name and phone number of the booting service. Booting services would also be required to maintain a 24 hour a day/365 days per year phone number staffed by a live operator to communicate with those who have been booted by the booting service.

A booting service would be required to pay for the repair of any damages caused to vehicles booted. Booting services would be required to have a valid, written contract for services with the property owner in order to boot on private property.

Booting service companies would be given five days to correct violations of the Metro Code. However, violations of Section 6.81.170, governing prohibited acts by a booting company such as failure to remove a boot, would be required to be corrected immediately.

The ordinance also gives the MTLC the authority to adjust the fees set in the ordinance.

Additionally, various housekeeping changes would be made to the existing Metro Code provisions.

Sponsors: Young and Styles

67. [BL2022-1214](#)

An ordinance amending the Metropolitan Code of Laws to authorize the Metropolitan Department of Water and Sewerage Services to enter into participation and maintenance agreements with developers for infrastructure projects via resolution.

Analysis

This ordinance amends Chapter 15.36 of the Metropolitan Code of laws to authorize the Metropolitan Department of Water and Sewerage Services to enter into participation and maintenance agreements with developers for infrastructure projects by resolution.

Pursuant to this new Section 15.36.130, the Council would be authorized to approve participation agreements between developers and MWS for lay and deed infrastructure projects, participation agreements for funding for systemwide upgrades, and maintenance agreements for funding the costs of infrastructure by resolution.

Sponsors: Allen, Young, Syracuse and Benedict

68. [BL2022-1215](#)

An ordinance amending Title 16 of the Metropolitan Code of Laws by adding Section 16.04.180 and amending Sections 16.12.220, 16.16.400, 16.20.250, and 16.28.110 relating to fee schedules for building permits, gas/mechanical permits, plumbing permits and electrical permits as well as fees relating to inspections, re-inspections, examination of plans, refunds,

as well as administrative fees and other fees charged by the Department of Codes Administration.

Analysis

This ordinance amends provisions of Title 16 of the Metropolitan Code of Laws to increase fees charged by the Department of Codes Administration (“Codes”).

An independent consultant was retained to determine whether a fee increase is necessary to cover the full cost of services provided by Codes and the Metropolitan Fire Marshal’s office for plans review and inspection services related to building construction. The consultant performed an analysis of the scope of services provided by Codes, the Fire Marshal’s office, and others relating to building construction. The consultant determined that a fee increase is reasonable and necessary to cover the full cost of providing these services.

This ordinance would provide for a slight increase in most existing fees for permits issued by Codes and the Fire Marshal’s office. Fees for plumbing permits for the repair or alteration to an existing septic tank or field, electrical permits for lighting for lunch wagons, medical service vehicles, and similar structures on wheels, and fees for blasting permits for six or twelve months would be eliminated.

New fees would be implemented for zoning letters and liquor letters. The zoning letter fee would be \$50 and the liquor letter fee would be \$40. A new fee for residential construction would be imposed at \$5 per \$1,000 of construction value.

Additionally, a new Metropolitan Code provision would be added to allow the fee schedule set forth in Chapters 16.12, 16.16, 16.20, and 16.28 of the Metropolitan Code to be adjusted on July 1 of each year by the greater of (a) a percentage equal to the percentage change in the CPI Urban Index (CPI-U) over the preceding year and (b) 3%. However, if the change in the CPI-U is negative, there would be no change in the fees for that fiscal year.

This ordinance would take effect July 1, 2022 at 12:01 AM.

Sponsors: Allen and Hancock

69. [BL2022-1217](#)

An ordinance approving a contract between the Metropolitan Government of Nashville and Davidson County and Oracle, for hosting services of eBusiness Suite R12 and PeopleSoft Pension Calculation Systems.

Analysis

This ordinance approves a sole source contract between the Metropolitan Government and Oracle for hosting services of eBusiness Suite R12 and PeopleSoft Pension Calculation Systems.

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 contract is for a term of more than 60 months and requires approval by ordinance.

The term of this contract is 120 months. The estimated contract life value is \$15,000,000.

According to the sole source justification form provided by the ITS Department, this Oracle application hosting services company has worked with the Oracle on premises hosting systems since their original implementation. The unique expertise and knowledge of eBusiness Suite R12 and PeopleSoft Pension Calculations Systems is needed and a ten-year sole source contract would follow the life of these systems.

Fiscal Note: The estimated value of this contract is \$15,000,000. This would be paid from Information Technology Service Fund #51137, Business Unit #14521014, ITS Business Solutions.

Sponsors: Allen and Hancock

70. [BL2022-1218](#)

An ordinance authorizing the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, to enter into an agreement with 804 14th Avenue North, LLC, to provide improved public sanitary sewer service through the construction of an improved stormwater system (Project No. SWGR 2021000149 and Proposal Number 2022M-014AG-001).

Analysis

This ordinance authorizes the execution of an agreement with 804 14th Avenue North, LLC, to provide improved public sanitary sewer service through the construction of an improved stormwater system. 804 14th Avenue North, LLC, will be constructing a 60-unit hotel development which is located in the combined sewer system and the Kerrigan basin. Currently, Metro operates the combined sewer system in the Kerrigan Basin which, if separated, would provide the potential for reduced localized storm flooding, surcharging sewer, and odors. The separation will also improve the overall water quality in the Cumberland River.

Metro will be responsible for the design and construction of the sewer separation infrastructure. 804 14th Avenue North, LLC will be responsible for the payment of \$1000,000 to fund the design and construction. 804 14th Avenue North, LLC will also be providing on-site stormwater control measures. Metro will also provide 804 14th Avenue North, LLC temporary access to the current combined system if the new separated system is not completed when the application for the use and occupancy permit for the multi-story development is submitted.

Fiscal Note: Metro will receive \$100,000 from 804 14th Avenue North, LLC, to be deposited to fund 47335 for the design and construction of the current and new stormwater infrastructure.

Sponsors: OConnell, Allen, Withers and Young

71. [BL2022-1219](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assemblies and easements, for two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 1 (MWS Project Nos. 21-SL-10 and 21-WL-05 and Proposal No. 2022M-042ES-001).

Analysis

This ordinance accepts approximately 2,380 linear feet of new eight inch sanitary sewer main (PVC), approximately 2,017 linear feet of new eight inch water main (DIP), approximately 888 linear feet of new 10 inch water main (DIP), 17 sanitary sewer manholes, five fire hydrant assemblies and easements for two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 1.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Young

72. [BL2022-1220](#)

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 two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 2 (MWS Project Nos. 21-WL-06 and 21-SL-11 and Proposal No. 2022M-043ES-001).

Analysis

This ordinance accepts approximately 910 linear feet of new eight inch water main (DIP), approximately 346 linear feet of new 10-inch water main (DIP), approximately 1,707 linear feet of new eight inch sanitary sewer main (PVC), approximately 620 linear feet of new eight inch sanitary sewer main (DIP), three fire hydrant assemblies, 15 sanitary sewer manholes and easements for two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 2.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Young

73. [BL2022-1221](#)

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

accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assemblies and easements, for two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 3 (MWS Project Nos. 21-SL-12 and 21-WL-07 and Proposal No. 2022M-044ES-001).

Analysis

This ordinance accepts approximately 1,130 linear feet of new eight inch sanitary sewer main (PVC), approximately 1,141 linear feet of new eight inch water main (DIP), 10 sanitary sewer manholes, three fire hydrant assemblies and easements for two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 3.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Young

74. [BL2022-1222](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main and easements and to accept new water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 4 (MWS Project Nos. 21-WL-124 and 21-SL-292 and Proposal No. 2022M-045ES-001).

Analysis

This ordinance accepts approximately 133 linear feet of existing eight inch sanitary sewer main (PVC) and easements, and to accept approximately 1,194 linear feet of new eight inch water main (DIP), approximately 604 linear feet of new eight inch sanitary sewer main (DIP), approximately 244 linear feet of new eight inch sanitary sewer main (PVC), three fire hydrant assemblies, nine sanitary sewer manholes and easements for two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 4.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Young

75. [BL2022-1223](#)

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 two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 5 (MWS Project Nos. 21-WL-08 and 21-SL-13 and

Proposal No. 2022M-046ES-001).

Analysis

This ordinance accepts approximately 1,176 linear feet of new eight inch water main (DIP), approximately 1,302 linear feet of new eight inch sanitary sewer main (PVC), approximately 1,295 linear feet of new eight inch sanitary sewer main (DIP), four fire hydrant assemblies, 15 sanitary sewer manholes and easements for two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 5.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Young

76. [BL2022-1224](#)

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 two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 6 (MWS Project Nos. 21-WL-09 and 21-SL-14 and Proposal No. 2022M-049ES-001).

Analysis

This ordinance accepts approximately 1,400 linear feet of new eight inch water main (DIP), approximately 1,349 linear feet of new eight inch sanitary sewer main (PVC), four fire hydrant assemblies, 10 sanitary sewer manholes and easements for two properties located at Chandler Road (unnumbered), also known as Chandler Reserve Phase 6.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Young

77. [BL2022-1225](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation and replacement of a fire hydrant assembly and permanent easement, for two properties located at 4323 Old Goins Road and 4337 Goins Road (MWS Project No. 22-WL-003 and Proposal No. 2022M-037ES-001).

Analysis

This ordinance accepts the relocation and replacement of one fire hydrant assembly and

permanent easement for properties located at 4323 Old Goins Road and 4337 Goins Road.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Sepulveda, Withers and Young

78. [BL2022-1226](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer main and sanitary sewer manhole, for property located on 2109 Buchanan Street, (MWS Project No. 22-SL-027 and Proposal No. 2022M-039ES-001).

Analysis

This ordinance accepts approximately 154 linear feet of new eight inch sanitary sewer main (DIP), and one sanitary sewer manhole for property located on 2109 Buchanan Street.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Taylor, Withers and Young

79. [BL2022-1227](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to relocate a public fire hydrant assembly, for property located at 800 Monroe Street (MWS Project No. 22-WL-05 and Proposal No. 2022M-048ES-001).

Analysis

This ordinance accepts the relocation of one public fire hydrant assembly for property located at 800 Monroe Street.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: OConnell, Withers and Young

80. [BL2022-1228](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to negotiate and accept permanent easement for the Vaulx Lane Stormwater Improvement

Project for three properties located at 2601 Vaulx Lane and 799 and 799 B Montrose Avenue, (Project No. 22-SWC-210 and Proposal No. 2022M-040ES-001).

Analysis

This ordinance authorizes the negotiation and acceptance of a permanent easement for three properties located at 2601 Vaulx Lane, 799B Montrose Avenue, and 799 Montrose Avenue.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Sledge, Withers and Young

81. [BL2022-1229](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing stormwater easement rights, for property located at 681 Old Hickory Boulevard (Proposal No. 2022M-041ES-001).

Analysis

This ordinance abandons easement rights for an existing Permanent Stormwater Easement conveyed unto The Metropolitan Government of Nashville and Davidson County in Instrument Number 20050706-0077169, R.O.D.C., TN (Davidson County Register of Deeds) for property located at 681 Old Hickory Boulevard.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Swope, Withers and Young

J. Bills on Third Reading

84. [BL2022-1170](#)

An ordinance authorizing the Health and Educational Facilities Board of The Metropolitan Government of Nashville and Davidson County to negotiate and accept payments in lieu of ad valorem taxes from its lessees operating mixed-income multifamily housing facilities including housing for low and moderate-income persons and approving the program for determining qualifications and eligibility for such payments.

Analysis

This ordinance authorizes the Health and Education Facilities Board (“HEFB”) of the Metropolitan Government to negotiate and accept payments in lieu of ad valorem taxes

("PILOT") from its lessees operating mixed-income multifamily housing facilities, including housing for low and moderate-income persons. This ordinance also approves the program for determining qualifications and eligibility for these PILOT payments.

Currently, the Metropolitan Development and Housing Agency ("MDHA") operates a PILOT program for MDHA lessees operating Low Income housing Tax Credit ("LIHTC") properties. MDHA's PILOT program is limited to properties receiving LIHTC.

This ordinance would allow for a PILOT program for non-LIHTC developments. Tenn. Code Ann. § 48-101-312 provides that the HEFB performs a governmental function on behalf of the Metropolitan Government and is a public instrumentality of the Metropolitan Government and, therefore, is not subject to taxation. State law further allows the Metropolitan Government to delegate to the HEFB the authority to negotiate and accept PILOTs from the HEFB's lessees operating multifamily housing facilities upon finding that the payments are in furtherance of the public purpose of the HEFB. This ordinance provides that the Metropolitan Government has determined that it is in the best interests of the citizens of the Metropolitan Government to authorize the HEFB to operate this new PILOT program for multifamily housing projects operating without LIHTC that meet certain affordability thresholds.

This ordinance approves the Mixed-Income PILOT Program, which is attached to the ordinance as Exhibit A. The Mixed-Income PILOT Program ("Program") would aim to incentivize mixed-income housing that is affordable to households with incomes at 50% or 75% or less of the area median income ("AMI") for the Nashville-Davidson Metropolitan Statistical Area in multifamily properties that otherwise would not have any income-restricted units. Program applicants would apply to receive a property tax abatement for a specified number of years where the abatement value is determined by a tiered programmatic structure based on specific AMI levels and percentage of reduced rent units proposed in the development, as detailed in Exhibit A. For example, in order to incentivize greater affordability, if the percentage of AMI is higher, the available abatement will be lower.

The total annual abatement amount for new projects is limited to \$3,000,000 annually. This annual limitation is modeled after the \$2,500,000 annual cap on MDHA PILOTS for LIHTC properties.

Other program parameters include:

- Property must be in Nashville-Davidson County.
- At least 60% of the units must not be income restricted and the project must demonstrate a range of rents.
- Cannot be combined with other PILOT programs, LIHTC, or any other local subsidy.
- Term for income-restricted units is 15 years. Can apply for renewal for a second 15-year term.
- Tax abatement steps down 20% in years 11-15.
- Requires new construction or significant capital improvement resulting in increased property assessment value (tax abatement must never be greater than the tax liability at

time of application).

- Abatement applies only to residential portion of the development.
- All units must be built and maintained to uniform standards in both construction and operations. Income-restricted units must be comparable to unrestricted units.
- Must comply with fair housing laws and must develop an affirmative marketing plan.
- Must list units on the Metropolitan Housing Division's resident portal.
- Abatement percentage based on post-construction/improvement tax liability.

The ordinance further provides that at no time shall the PILOT be less than the taxes that would have been paid to the Metropolitan Government for the tax year prior to the year in which the PILOT was approved for the project. PILOT payments would be remitted to the Metropolitan Trustee and retained by the Metropolitan Government. Associated administrative fees would be remitted to the HEFB and retained to support costs of administering the Program. The Metropolitan Housing Division would assist the HEFB with the implementation and oversight of the Program and may contract with third-parties to assist in this role.

No later than March 15 of each year, the Metropolitan Housing Division would submit an annual Program report to the Council containing the following information:

- a list of all the real and personal property owned by the HEFB and its associated entities and subsidiaries with respect to which payments in lieu of taxes have been negotiated;
- the value of each listed property, as estimated by the lessee of the property;
- the date and term of the lease for each listed property;
- the amount of payments made in lieu of property taxes for each listed property;
- the date each listed property is scheduled to return to the regular tax rolls; and
- a calculation of the taxes which would have been due for each listed property if the properties were privately owned or otherwise subject to taxation.

Adjustments to this program made be made by resolution.

While this Program is similar to MDHA PILOTs for LIHTC properties, the individual projects receiving abatements through the Mixed-Income PILOT Program will not be separately approved by the Council. The Council approves the individual projects receiving abatements though the MDHA PILOT program by resolution.

Fiscal Note: The annual abatement for the Mixed-Income PILOT Program is capped at \$3 million. The tax abatement steps down 20% in years 11 to 15. The tax abatement resulting from the increased property assessment value will not be greater than the tax liability at the time of application for the proposed development. The fees collected through the program will provide for the administrative and operational costs to support the program.

Sponsors: Allen, Sledge, VanReece, Benedict, Suara, Toombs, Withers and Welsch

85. [BL2022-1171](#)

An ordinance to provide for the designation of public property within specified areas of

downtown Nashville as a temporary “Special Event Zone” during the time period beginning at six o’clock (6:00) a.m. on June 8, 2022, and ending at midnight (12:00) on June 13, 2022, relative to the use of these areas in conjunction with the 2022 CMA Fest and related activities and events.

Analysis

This ordinance approves a temporary “Special Event Zone” for the downtown area, in conjunction with the 2022 CMA Fest and related activities and events from June 8, 2022 until June 13, 2022. A map of the Special Event Zone areas established under this ordinance is attached to the ordinance. Activity restrictions within the Special Event Zone would begin at 6:00 a.m. on Wednesday, June 8, 2022, and end at midnight on Monday, June 13, 2022. Activities on public property or in the public right-of-way within the Special Event Zone are regulated as follows:

The sale of any food, beverages, goods, or merchandise would be prohibited, unless street vendors obtain a “Special Event Zone” permit from the Nashville Convention and Visitors Corporation (CVC) in order to sell within the geographic area listed above.

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

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

Fiscal Note: This ordinance places restrictions on the activities that would be allowed to take

place within the special event zone during the 2022 CMA Fest. However, no additional Metro personnel or overtime would be required just for the enforcement of these restrictions.

Sponsors: OConnell

86. [BL2022-1172](#)

An ordinance approving a contract between the Metropolitan Government of Nashville and Davidson County and CSS International, Inc. for consulting, development, implementation, and managed services for Hyperion/EPM Cloud, HCM Cloud, R12 and Taleo Software Platforms.

Analysis

This ordinance approves a contract between the Metropolitan Government and CSS International, Inc. for consulting, development, implementation, and managed services for Hyperion/EMP Cloud, HCM Cloud, R12, and Taleo Software Platforms.

Section 4.12.060 of the Metropolitan Code of Laws authorizes the Metropolitan Purchasing Agent to enter into sole source contracts when the Purchasing Agent determines in writing according to standards adopted by the Procurement Standards Board that there is only one source for the supply or services required. According to the sole source justification form attached to the agreement, this contract requires CSS International's unique expertise and knowledge of the Oracle R12 system and the related business processes.

The term of this contract is 120 months, beginning upon approval of all required parties and filing with the Metropolitan Clerk's Office.

Fiscal Note: The estimated value of this contract is \$35,000,000 for consulting, development, implementation and managed services for Hyperion/EPM Cloud, HCM Cloud, R12, and Taleo Software platforms. The pricing details are included in Exhibit A and the term of this contract is 120 months.

Sponsors: Allen

87. [BL2022-1173](#)

An ordinance approving a master agreement between The Metropolitan Government of Nashville and Davidson County and JPMorgan Chase Bank, N.A., for purpose of stabilizing the net expenses incurred in the purchase of gasoline and/or diesel fuel.

Analysis

This ordinance approves the form of and authorizes the Director of Finance to execute a master agreement and schedule between the Metropolitan Government and JPMorgan Chase Bank, N.A. to allow for hedging contracts for the purchase of gasoline and diesel fuel. JPMorgan Chase Bank, N.A. is currently rated Aa2 by Moody's and A+ by S&P. Tenn. Code Ann. § 7-51-911 authorizes local governments, upon approval of the local governing body, to enter into negotiated contracts with financial institutions for the purpose of stabilizing the net expense incurred in the purchase of gasoline and/or diesel fuel. The statute was enacted in

2008 at a time when fuel prices were behaving like 2022 fuel prices. The purpose of the statute is to provide flexibility to enter into fuel hedging contracts for budgetary purposes given the extreme market volatility. The Master Agreement and Schedule provide the terms for each transaction. Each transaction entered into pursuant to the terms of the Master Agreement is limited by state law to twenty-four months. Currently, the Metropolitan Government has two other master agreements in place; one with Bank of America Corp/Merrill Lynch Commodities Inc. and another with Fifth Third Bank, N.A. The terms of the master agreement and schedule with JPMorgan Chase Bank, N.A. are more favorable for the Metropolitan Government than the current master agreements. If approved, this will be the third master agreement under which the Metropolitan Government can execute fuel pricing contracts that are deemed most advantageous for Metro.

A competitive search for the financial institution counterparty was conducted by the Program Advisor, Swap Financial Group in accordance with the 2021 Fuel Cost Management Policy. The ordinance will require the Finance Department to post a monthly Fuel Hedging Report to its website detailing the list of transactions, quantity of fuel purchased, agreed-upon price, market price at time of purchase, copy of transaction contract, a budget vs. actual cost comparison. The most recently posted report for March 2022 discloses a settlement of \$1,069,156.99 paid to the Metropolitan Government for 448,700 contract gallons.

Sponsors: Allen

88. [BL2022-1174](#)

An ordinance approving a master agreement between The Metropolitan Government of Nashville and Davidson County and Cargill, Inc., for the purpose of stabilizing the net expenses incurred in the purchase of gasoline and/or diesel fuel.

Analysis

This ordinance approves the form of and authorizes the Director of Finance to execute a master agreement and schedule between the Metropolitan Government and Cargill, Inc. to allow for hedging contracts for the purchase of gasoline and diesel fuel. Cargill, Inc. is rated A2 by Moody's and A by S&P. Tenn. Code Ann. § 7-51-911 authorizes local governments, upon approval of the local governing body, to enter into negotiated contracts with financial institutions for the purpose of stabilizing the net expense incurred in the purchase of gasoline and/or diesel fuel. The statute was enacted in 2008 at a time when fuel prices were behaving like 2022 fuel prices. The purpose of the statute is to provide flexibility to enter into fuel hedging contracts for budgetary purposes given the extreme market volatility. The master agreement and schedule provide the terms for each transaction. Each transaction entered into pursuant to the terms of the master agreement is limited by state law to twenty-four months. Currently, the Metropolitan Government has two other master agreements in place; one with Bank of America Corp/Merrill Lynch Commodities Inc. and another with Fifth Third Bank, N.A. The terms of the master agreement and schedule with Cargill, Inc. are more favorable for the Metropolitan Government than the current master agreements. If both this ordinance and Ordinance No. BL2022-1173 are approved, this will be the fourth master agreement under which the Metropolitan Government can execute fuel pricing transactions that are deemed most advantageous for Metro.

A competitive search for the financial institution counterparty was conducted by the Program Advisor, Swap Financial Group in accordance with the 2021 Fuel Cost Management Policy. The ordinance will require the Finance Department to post a monthly Fuel Hedging Report to its website detailing the list of transactions, quantity of fuel purchased, agreed-upon price, market price at time of purchase, copy of transaction contract, a budget vs. actual cost comparison. The most recently posted report for March 2022 discloses a settlement of \$1,069,156.99 paid to the Metropolitan Government for 448,700 contract gallons.

Sponsors: Allen

89. [**BL2022-1175**](#)

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 October 5, 2021.

Analysis

This ordinance is a routine re-adoption of the Metro Code to include all ordinances enacted on or before October 5, 2021.

Sponsors: Vercher and Pulley

90. [**BL2022-1176**](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon easement rights for six properties located at the southeast corner of Hayes Street and 16th Avenue North, formerly a portion of Alley Nos. 373 and 380 (Proposal No. 2022M-035ES-001).

Analysis

This ordinance authorizes the abandonment of easement rights for six properties located at the corner of Hayes Street and 16th Avenue North that were originally retained by Metro in 1968. The property addresses are: 1523 Hayes Street, 1521 Hayes Street, 1519 Hayes Street, 1517 Hayes Street, 116 16th Avenue North, and 112 16th Avenue North. The ordinance authorizes Metro Water Services to execute necessary documents to carry out the abandonment. Any future amendments to the ordinance are authorized to be approved by resolution.

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

Sponsors: OConnell, Withers and Young

91. [**BL2022-1177**](#)

An ordinance authorizing the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, hereinafter known as "METRO", to enter into an agreement with Rock Block Flats, LLC, hereinafter known as "DEVELOPER", to provide improved public sanitary sewer service through the construction of an improved stormwater system (Project No. SWGR 2021048243

and Proposal Number 2022M-008AG-001).

Analysis

This ordinance authorizes the execution of an agreement with Rock Block Flats, LLC to construct an improved stormwater system for the purpose of providing improved public sanitary sewer service. Rock Block Flats will be renovating existing buildings and constructing a multi story development which is located in the combined sewer system and the Kerrigan basin. Currently, Metro operates the combined sewer system in the Kerrigan Basin which, if separated, would provide the potential for reduced localized storm flooding, surcharging sewer, and odors. The separation will also improve the overall water quality in the Cumberland River.

Metro will be responsible for the design and construction of the sewer separation infrastructure. Rock Block Flats will be responsible for the payment of \$250,000 to fund the design and construction. Rock Block Flats will also be providing on-site stormwater control measures. Metro will also provide Rock Block Flats temporary access to the current combined system if the new separated system is not completed when the application for the use and occupancy permit for the multi-story development is submitted.

Fiscal Note: Metro will receive \$250,000 from Rock Block Flats, LLC. to be deposited to fund 47335 for the design and construction of the current and new stormwater infrastructure.

Sponsors: Taylor, Allen, Withers and Young

92. [BL2022-1178](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to negotiate and accept a permanent easement for the Dellrose Drive Stormwater Improvement Project for two properties located at 120 and 122 Dellrose Drive, (Project No. 22-SWC-235 and Proposal No. 2022M-030ES-001).

Analysis

This ordinance authorizes the negotiation and acceptance of a permanent easement for the Dellrose Drive Stormwater Improvement Project for two properties located at 120 and 122 Dellrose Drive. The Directors of the Department of Water and Sewerage Services and Public Property Administration are authorized to execute the necessary documents to carry out this ordinance.

This has been approved by the Planning Commission. Future amendments 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: Syracuse, Withers and Young

93. [BL2022-1179](#)

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

accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assemblies and easements, for property located at Brick Church Pike, (unnumbered), also known as Mulberry Downs Phase 4 (MWS Project Nos. 20-SL-216 and 20-WL-110 and Proposal No. 2022M-032ES-001).

Analysis

This ordinance accepts approximately 897 linear feet of new eight inch sanitary sewer main (PVC), approximately 139 linear feet of new eight inch sanitary sewer main (DIP), approximately 925 linear feet of new eight inch water main (DIP), nine sanitary sewer manholes, three fire hydrant assemblies and easements for property located at Brick Church Pike (unnumbered), also known as Mulberry Downs Phase 4.

This 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: Gamble, Withers and Young

94. [BL2022-1180](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing fire hydrant assembly and to accept new water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located 3517 Brick Church Pike, also known as Mulberry Downs Phase 5 (MWS Project Nos. 20-WL-111 and 20-SL-217 and Proposal No. 2022M-033ES-001).

Analysis

This ordinance abandons one fire hydrant assembly and accepts approximately 1,243 linear feet of eight inch water main (DIP), approximately eight linear feet of six inch water main (DIP), approximately 1,268 linear feet of eight inch sanitary sewer main (PVC), four fire hydrant assemblies, seven sanitary sewer manholes and easements for property located 3517 Brick Church Pike.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Gamble, Withers and Young

95. [BL2022-1181](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assembly and easements, for property located at 3517 Brick Church Pike, also known as Mulberry Downs Phase 6 (MWS Project Nos. 20-SL-218 and 20-WL-112 and Proposal No.

2022M-036ES-001).

Analysis

This ordinance accepts approximately 1,082 linear feet of new eight inch sanitary sewer main (PVC), approximately 455 linear feet of new eight inch water main (DIP), eight sanitary sewer manholes, one fire hydrant assembly and easements for property located at 3517 Brick Church Pike, also known as Mulberry Downs Phase 6.

This 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 Water Services.

Sponsors: Gamble, Withers and Young

96. [BL2022-1182](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new sanitary sewer manhole and easement, for property located at 1721 B 6th Avenue North, also known as 6th Avenue North Townhomes (MWS Project No. 21-SL-253 and Proposal No. 2022M-024ES-001).

Analysis

This ordinance accepts one sanitary sewer manhole and easement for property located at 1721 B 6th Avenue North, also known as 6th Avenue North Townhomes.

This 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 Water Services.

Sponsors: OConnell, Withers and Young

97. [BL2022-1183](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer force main, appurtenance and easements, for property at 3233 Lakeshore Drive, also known as Lakeshore Drive Phase 1 (MWS Project Nos. 21-SL-99 and Proposal No. 2022M-023ES-001).

Analysis

This ordinance accepts approximately 333 linear feet of new two inch sanitary sewer force main (PVC), associated appurtenance and easements for property at 3233 Lakeshore Drive, also known as Lakeshore Drive Phase 1.

This 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 Water Services.

Sponsors: Hagar, Withers and Young

98. [BL2022-1184](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing water main and easements, and to accept a new water main, fire hydrant assemblies and easements, for property located at 2 Dell Parkway (MWS Project No. 21-WL-83 and Proposal No. 2022M-027ES-001).

Analysis

This ordinance abandons approximately 548 linear feet of existing 10 inch water main and easements and accepts approximately 300 linear feet of new 10 inch water main, two fire hydrant assemblies and easements for property located at 2 Dell Parkway.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Bradford, Withers and Young

99. [BL2022-1185](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assemblies and easements, for property located at 3214 Murfreesboro Pike, also known as Hamilton Hills (MWS Project Nos. 19-SL-109 and 19-WL-52 and Proposal No. 2022M-029ES-001).

Analysis

This ordinance accepts approximately 1,630 linear feet of new eight inch sanitary sewer main (PVC), approximately 1,428 linear feet of new eight inch water main (DIP), 11 sanitary sewer manholes, three fire hydrant assemblies and easements for property located at 3214 Murfreesboro Pike, also known as Hamilton Hills.

This 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 Water Services.

Sponsors: Withers and Young

100. [BL2022-1186](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assembly and easements, for property located at 7256 Centennial Place (MWS Project Nos. 21-SL-278 and 21-WL-117 and Proposal No. 2022M-028ES-001).

Analysis

This ordinance accepts approximately 495 linear feet of new eight inch sanitary sewer main (PVC), approximately 461 linear feet of new eight inch water main (DIP), approximately 12 linear feet of new six inch water main (DIP), three sanitary sewer manholes, one fire hydrant assembly and easements, for property located at 7256 Centennial Place.

This 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 Water Services.

Sponsors: Roberts, Withers and Young

101. [BL2022-1187](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer main and sanitary sewer manhole, for property located at 4 G Trimble Street, also known as Wharf Avenue Townhomes (MWS Project No. 21-SL-259 and Proposal No. 2022M-031ES-001).

Analysis

This ordinance accepts approximately 23 linear feet of new eight inch sanitary sewer main (PVC) and one sanitary sewer manhole, for property located at 4 G Trimble Street, also known as Wharf Avenue Townhomes.

This 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 Water Services.

Sponsors: Sledge, Withers and Young

102. [BL2022-1188](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assembly and easements, and to accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assembly and easements, for 16 properties located at 8th Avenue South and Bass Street, also known as the 910 8th Avenue South development (MWS Project Nos. 20-SL-305 and 20-WL-152 and Proposal No. 2022M-038ES-001).

Analysis

This ordinance abandons approximately 361 linear feet of existing 10 inch sanitary sewer main (VCP), approximately 224 linear feet of existing 12 inch sanitary sewer main (VCP), approximately 659 linear feet of existing six inch water main, four sanitary sewer manholes, one fire hydrant assembly and easements, and accepts approximately 175 linear feet of new 12 inch sanitary sewer main (PVC), approximately 392 linear feet of new 12 inch sanitary sewer main (DIP), approximately 608 linear feet of new eight inch water main (DIP), six sanitary sewer manholes, one fire hydrant assembly and easements for 16 properties located at 8th Avenue South and Bass Street, also known as the 910 8th Avenue South development.

This 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. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Sledge, Withers and Young

103. [BL2022-1212](#)

An ordinance approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, through the Metropolitan Board of Parks and Recreation, and CRP/WP Alta Metro Center Owner, LLC for trailhead improvements at the MetroCenter Levee Greenway. (Proposal No. 2022M-015AG-001).

Analysis

This ordinance approves a participation agreement between the Metropolitan Board of Parks and Recreation and CRP/WP Alta Metro Center Owner, LLC for trailhead improvements at the MetroCenter Levee Greenway.

CRP/WP Alta Metro Center Owner, LLC is developing property located at 115 Great Circle Road adjacent to the MetroCenter Levee Greenway known as Alta Riverwalk. Pursuant to the participation agreement, CRP/WP Alta Metro Center Owner, LLC will construct improvements to the MetroCenter Levee Greenway and will agree to maintain, repair, and replace the improvements as needed at the expense of the owner. The estimated cost of this trailhead project is \$400,000.

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

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

Sponsors: Toombs and Allen