



Metro Council

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## G. Consent Resolutions and Resolutions

### 2. [RS2022-1378](#)

A resolution to approve an Assignment, Assumption and Amending Agreement by and among Flow, Inc. d/b/a Coord, Sidewalk Labs LLC, and the Metropolitan Government of Nashville and Davidson County.

#### Analysis

This resolution approves an Assignment, Assumption and Amending Agreement between Flow, Inc. d/b/a Coord (Coord), Sidewalk Labs LLC (Sidewalk Labs), and the Metropolitan Government.

Coord and the Metropolitan Government entered into an agreement for an in-kind grant in July 2020 for a smart loading zone pilot program. The program was initially for a six month term but was extended by mutual agreement of the parties through December 31, 2021.

Pursuant to this agreement, Coord will assign to Sidewalk Labs its rights and obligations under the Pilot Program Agreement previously approved by Resolution No. RS2020-401. Further, the term of the Pilot Program Agreement would be extended until March 31, 2022. Finally, the Pilot Program Agreement language that authorizes Coord to assign the agreement to assist with the performance of the performance of services under the agreement without the consent of Metro would be updated. As required in the current agreement, Coord remains responsible for any services provided by such subcontractors.

**Sponsors:** Young

### 3. [RS2022-1379](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle Robert Green's claim against the Metropolitan Government of Nashville and Davidson County and Metropolitan Government employee Judge Lynda Jones, in the amount of \$25,000, with \$15,000 reflecting back pay to be paid out of the General Sessions Court operating budget and the remaining \$10,000 to be paid out of the Judgments and Losses Fund.

#### Analysis

On October 30, 2019, Robert Green was terminated from his position of Director of Probation

with the Metropolitan Government General Sessions Court following his return from approved, continuous leave taken under the Family Medical Leave Act (FMLA).

In October of 2012, the General Sessions judges collectively hired Mr. Green as Director of Probation. In 2017, Mr. Green was interviewed by local media in response to a story that the Probation Department was providing U.S. Immigration Customs Enforcement with information pertaining to undocumented immigrants. There is a dispute as to whether Mr. Green's interview was authorized by the then-Presiding Judge of the General Sessions Court. After this, a panel of judges began looking into Mr. Green's job performance. After Mr. Green's interview with local media and while the investigation was ongoing, Mr. Green requested to take FMLA leave. His request was approved without incident. While the panel of judges had met to discuss how to proceed prior to his requested leave, no final decision had been made.

Mr. Green returned from his FMLA leave on or around October 30, 2019. Then-Presiding Judge Lynda Jones informed Mr. Green that his employment was terminated. At this time, no collective decision had been made by the panel of judges as to whether termination was warranted. Judge Jones did not consult with other judges prior to the decision to terminate Mr. Green.

Mr. Green asserts claims under FMLA of interferences and retaliation. If successful at trial, Mr. Green could be entitled to back pay, front pay, and attorneys' fees, and potentially eligible for liquidated damages of double back pay if the employer's termination decision was not made in good faith.

The Department of Law recommends settlement of Mr. Green's claims for \$25,000. This settlement includes a dismissal with prejudice of all of Mr. Green's claims against the Metropolitan Government and Judge Jones.

*Fiscal Note: This \$25,000.00 settlement would be paid from two funding source. The General Sessions Court operating budget will pay in the amount of \$15,000. The remaining amount of \$10,000.00 would be the 2nd payment from the Judgments and Losses Fund in FY22 for a cumulative total of \$90,000. The fund balance would be \$13,937,582 after these payments.*

**Sponsors:** Allen

4. [\*\*RS2022-1380\*\*](#)

A resolution to extend the provisions of Section 17.16.250.D of the Metropolitan Codes of Laws relative to home occupation.

Analysis

This resolution extends the provisions of the home occupation ordinance, codified as Metropolitan Code of Laws Section 17.16.250.D, indefinitely.

The Council passed Second Substitute Ordinance No. BL2019-48, as amended, on July 7, 2020. This ordinance provides the framework for home occupations, including when permits

are required and what uses are eligible for a home occupation. The ordinance provides that the home occupation provisions expire on January 7, 2023, unless extended by a resolution of the Metropolitan Council.

This resolution extends the provisions of the home occupation indefinitely, until otherwise acted on by the Metropolitan Council.

**Sponsors:** Rosenberg

5. [\*\*RS2022-1381\*\*](#)

A resolution modifying RS2021-1116, which appropriated \$3,000,000.00 in American Rescue Plan Act funds from Fund #30216 to provide rent and mortgage payments and utilities payments, to extend the coverage date through June 30, 2023, and to expand mortgage relief to all participants who have household income up to and including 100% of AMI.

Analysis

This resolution modifies Resolution No. RS2021-1116 which provided rent and mortgage payments and utility payments, to extend the coverage date of the program and to expand those eligible for mortgage relief.

Resolution No. RS2021-1116, adopted by the Council on September 7, 2021, provided rent and mortgage payments and utility payments for Davidson County residents who suffered a negative economic impact during the coronavirus pandemic who do not meet the eligibility requirements of the HOPE program administered by the Metro Action Commission (MAC). The original expiration date of this program was June 30, 2022. This relief was available to Davidson County residents earning up to 80% of Area Median Income (AMI).

This resolution extends the end date of the rent, mortgage, and utility relief program through June 30, 2023. Further, the eligibility requirements to receive mortgage payment relief would be expanded to include all applicants with a household income up to 100% of AMI.

**Sponsors:** Parker, Allen, Suara, Sledge, Welsch, Gamble, Styles, Johnston and Sepulveda

6. [\*\*RS2022-1382\*\*](#)

A resolution accepting a grant from the State of Tennessee, Department of Finance and Administration, to the Metropolitan Government, acting by and through the Office of Family Safety, to host a Tennessee Family Justice Centers Statewide Symposium to enhance the statewide network of Family Justice Centers and increase the capacity and skill of statewide teams.

Analysis

This resolution accepts a grant from the Tennessee Department of Finance and Administration to the Office of Family Safety to host a Tennessee Family Justice Centers Statewide

Symposium to enhance the statewide network of Family Justice Centers and increase the capacity and skill of statewide teams. The grant award is an amount not to exceed \$80,000 with no cash match required.

**Sponsors:** Allen, Evans, Suara, Welsch and Styles

7. [\*\*RS2022-1383\*\*](#)

A resolution approving an application for a Tennessee Nonprofit Arts and Culture Recovery Fund grant from the Tennessee Arts Commission to the Metropolitan Government, acting by and through the Metropolitan Nashville Arts Commission, to provide general operating support of artists, arts programs, research, and community engagement.

Analysis

This resolution approves an application for a Tennessee Nonprofit Arts and Culture Recovery Fund grant from the Tennessee Arts Commission to the Metropolitan Nashville Arts Commission. The grant award is \$197,900 and no local cash match is required. If the application is approved, the grant funds will be used to provide general operating support of artists, arts programs, research, and community engagement.

**Sponsors:** Allen, Bradford, Welsch and Styles

8. [\*\*RS2022-1384\*\*](#)

A resolution approving a grant from the Nashville Predators Foundation to the Metropolitan Government, acting by and through the Metropolitan Board of Health's Animal Care and Control, to help support reduced pet adoption fees to reduce overcrowding.

Analysis

This resolution approves a grant from the Nashville Predators Foundation to the Metropolitan Board of Health in an amount not to exceed \$5,000 to help support reduced pet adoption fees as part of the "Clear the Shelter" event to reduce overcrowding. There is no local match required.

**Sponsors:** Allen, Evans, Hancock and Bradford

9. [\*\*RS2022-1385\*\*](#)

A resolution approving amendment one to a grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide the Community Health Access and Navigation in Tennessee (CHANT) Program to deliver comprehensive care coordination services to eligible families and children.

Analysis

This resolution approves the first amendment to a grant originally approved by Resolution No. RS2021-994 from the Tennessee Department of Health to the Metropolitan Board of Health to provide the Community Health Access and Navigation in Tennessee (CHANT) Program to

deliver comprehensive care coordination services to eligible families and children.

This amendment increases the grant amount by \$2,026,600, from \$1,944,100 to \$3,970,700. The end date would be extended by one year, from June 30, 2022, to June 30, 2023. The grant budget attachment would be amended accordingly.

**Sponsors:** Allen, Evans, Suara and Welsch

**10. [RS2022-1386](#)**

A resolution approving amendment six to a grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to improve the health of those residing in or visiting Davidson County through targeted strategies to prevent and control the use of tobacco products.

**Analysis**

This resolution approves the sixth amendment to a grant from the Tennessee Department of Health to the Metropolitan Board of Health. The grant, previously approved by RS2018-1305, was to improve the health of those residing in or visiting Davidson County through targeted strategies to prevent and control the use of tobacco products. The amendment increases the grant amount by \$10,000 from \$619,900 to \$629,900. The end date would be extended from June 30, 2022, to June 30, 2023.

**Sponsors:** Allen, Evans, Hurt and Welsch

**11. [RS2022-1387](#)**

A resolution approving an Intergovernmental Agreement by and between the State of Tennessee, Department of Transportation, and the Metropolitan Government of Nashville and Davidson County, acting through the Nashville Department of Transportation and Multimodal Infrastructure, and CSX Transportation, Inc, for resurfacing from West of Harpeth Valley Road to East of Hillwood Boulevard, State Project No: 19S001-S2-003, Federal Project No: HSIP-1(456). (Proposal No. 2022M-005AG-001)

**Analysis**

This resolution approves an agreement between the Tennessee Department of Transportation (TDOT), the Nashville Department of Transportation (NDOT), and CSX Transportation, Inc. (CSX) for resurfacing from West of Harpeth Valley Road to East of Hillwood Boulevard. The total cost estimate is \$43,437, to be paid by TDOT. After completion of the project, the Metropolitan Government will assume ownership and responsibility for maintenance of the project.

T.C.A. § 12-9-104 authorizes the approval of intergovernmental agreements with the State of Tennessee by resolution.

*Fiscal Note: There is no cost to Metro for the performance of this agreement. Metro will assume ownership and maintain the Highway Project after completion.*

**Sponsors:** Allen, Withers, Young, Hausser, Druffel and Murphy

12. [RS2022-1388](#)

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 Harding Place (State Route 255) - Phase 3, from Danby Drive to Nolensville Pike, Federal No. STP-M-NH-255(4), State No. 19LPLM-F3-122, PIN 121791.00; Prop No. 2022M-009AG-001.

Analysis

This resolution approves the second amendment 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 on Harding Place (State Route 255) - Phase 3, from Danby Drive to Nolensville Pike.

The original agreement was approved by Resolution No. RS2015-1534. The first amendment, approved by Resolution No. RS2020-513, replaced the agreement in its entirety.

The resolution under consideration approves the second amendment, which changes the completion date from March 1, 2022, to January 31, 2025. It also replaces the existing Exhibit A with an updated Exhibit A.

**Sponsors:** Johnston, Allen, Withers and Young

13. [RS2022-1389](#)

A resolution accepting an in-kind grant from The Nature Conservancy to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to fund restoration and cleanup efforts at Lytle Bend Park.

Analysis

This resolution approves an in-kind grant from The Nature Conservancy to the Metropolitan Board of Parks and Recreation to fund restoration and cleanup efforts at Lytle Bend Park. The in-kind grant has an estimated value not to exceed \$100,000. There is no local match required.

These restoration and cleanup efforts include removal of old farm fencing, restoration of pastures to native grasslands, research and monitoring of restoration efforts, and continued monitoring of fauna and flora.

**Sponsors:** Rhoten, Allen, Bradford and Styles

14. [RS2022-1390](#)

A resolution approving an application for a Project Safe Neighborhoods (PSN) grant from the Tennessee Department of Finance and Administration to the Metropolitan Government,

acting by and through the Metropolitan Nashville Police Department, to reduce gun related violence in Nashville by funding additional training, staff overtime, and the purchase of additional forensic equipment.

#### Analysis

This resolution approves an application for a Project Safe Neighborhoods (PSN) grant from the Tennessee Department of Finance and Administration to the Metropolitan Nashville Police Department. The grant award is \$152,442 with a required cash match of \$61,716. If the application is approved, the funds will be used for reducing violent crime in Davidson County. Funds will be used to pay for overtime and the purchase of a BRASSTRAX Acquisition System for the MNPD Crime Lab.

**Sponsors:** Allen, Evans and Styles

## I. Bills on Second Reading

### 27. [BL2021-884](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main, sanitary sewer manhole and easements, and to accept new sanitary sewer main, sanitary sewer manholes and easements, for property located on 4005 Utah Avenue, (MWS Project No. 21-SL-89 and Proposal No. 2021M-068ES-001).

#### Analysis

This ordinance abandons approximately 215 linear feet of existing eight inch sanitary sewer (lined VCP), one sanitary sewer manhole and easements, and accepts approximately 262 linear feet of new eight inch sanitary sewer main (PVC), two sanitary sewer manholes and easements, for property located on 4005 Utah Avenue. Future amendments to this ordinance may be made by resolution. This has been approved by the Planning Commission.

*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:** Murphy and Nash

### 29. [BL2022-1089](#)

An Ordinance amending Chapter 6.77 and Chapter 7.24 of the Metropolitan Code pertaining to the operation and regulation of Entertainment Transportation Vehicles.

#### Analysis

This ordinance makes various amendments to Chapters 6.77 and 7.24 of the Metropolitan Code of Laws pertaining to the operation and regulation of Entertainment Transportation Vehicles.

The Council passed Substitute Ordinance No. BL2021-911, as amended, on October 19, 2021. This ordinance created Chapter 6.77 of the Metropolitan Code to create a framework for



regulating entertainment transportation vehicles, which will take effect on April 1, 2022. In addition, it prohibited the consumption of alcoholic beverages during the operation of an unenclosed vehicle, which went into effect on December 1, 2021.

The ordinance under consideration makes various changes to these provisions. The definition of “enclosed vehicle” would be amended to allow for professionally installed operable vinyl windows to be considered part of a fully enclosed vehicle.

A definition would be added for a “change in control” of a permittee or certificate holder and provisions about transferring certificates and permits would be amended to prohibit assignment, transference, sale, or giving of a certificate or permit without express written approval of the Metropolitan Transportation Licensing Commission (MTLC), including a change in control.

The application provisions for a certificate would be amended to remove the requirement that applicants provide proof of citizenship or legal residency. Applicants would be required to provide a copy of their driver history for the last three years and any additional information the MTLC may require.

The requirement for minimum automobile liability insurance coverage would be reduced from five million dollars per incident to three million dollars per incident. Any insurance policy would need to remain in place at least through the length of licensing with the MTLC.

The definition of “enclosed vehicle” would also be amended to allow for professionally installed operable vinyl windows to be considered part of a fully enclosed vehicle in Chapter 7.24 of the Metropolitan Code, which regulates open containers. The definitions in Chapter 6.77 and Chapter 7.24 would be identical.

Other various housekeeping changes would be made throughout Chapter 6.77.

**Sponsors:** Allen

**30. [BL2022-1091](#)**

An ordinance authorizing Nashville Urban Venture, LLC to install, construct and maintain underground encroachments in the right of way located at 609 Overton Street. (Proposal No. 2022M-004EN-001)

**Analysis**

This ordinance authorizes Nashville Urban Venture, LLC to install, construct, and maintain underground encroachments in the right of way located at 609 Overton Street. 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 ordinance has been approved by the Planning Commission.

**Sponsors:** OConnell, Withers and Young

**31. [BL2022-1092](#)**

An Ordinance providing the honorary street name designation of “David McMurry Way” for a portion of Woodruff Street.

Analysis

This ordinance adds the honorary designation of “David McMurry Way” for a portion of Woodruff Street between Gallatin Pike and Madison Station Boulevard. Mr. McMurry was an active member of the Nashville community known for his community service, activism, and advocacy. He was especially active in the Madison community and was also a vocal LGBTQ activist and advocate.

Section 13.08.025 of the Metro Code provides a procedure for the designation of honorary street signs whereby the Council, by ordinance, can authorize and direct the Department of Public Works to install two honorary street signs per street - at each end of a street - beneath the official street name sign for any street identified on the official Street and Alley Centerline Layer map. No honorary street sign can be installed honoring a living person; and each member of council can sponsor only one such ordinance each calendar year. This ordinance does not officially re-name the designated street. Therefore, there would be no change of official address for properties along this portion of Woodruff Street.

**Sponsors:** VanReece, Withers, Bradford, Young, Benedict, Vercher, Gamble, Styles, Suara, Hurt, Taylor, Lee and Hancock

**32. [BL2022-1093](#)**

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 PR Germantown, LLC, hereinafter known as “DEVELOPER”, to provide improved public sanitary sewer service through the construction of an improved stormwater system (Project No. SWGR 2021057815 and Proposal Number 2022M-003AG-001).

Analysis

This ordinance approves a participation agreement between the Metropolitan Department of Water and Sewerage Services (MWS) and PR Germantown, LLC, to provide improved public sanitary sewer service through the construction of an improved stormwater system.

MWS intends to separate stormwater and sewer flow in a 56-acre area to direct stormwater flow to the Cumberland River and sewage flow to the Central Waste Water Treatment Plant. PR Germantown has been approved to construct a mixed-use development located in the combined sewer system. PR Germantown agrees to fund the design, construction, operation,

and maintenance of the current and new stormwater systems in the amount of \$950,000. MWS will begin design and construction of this project upon receiving the funds and will be responsible for ongoing operation and maintenance of the system.

This has been approved by the Planning Commission.

*Fiscal Note: Metro will receive \$950,000 from PR Germantown, LLC, for the design, construction, operation and maintenance of the current and new stormwater system.*

**Sponsors:** OConnell, Allen, Withers and Young

**33. [BL2022-1094](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer main and sanitary sewer manholes, for property located at 806 16th Avenue North, also known as the Lofts at Marathon (MWS Project No. 21-SL-143 and Proposal No. 2022M-006ES-001).

**Analysis**

This ordinance accepts approximately 333 linear feet of new eight inch sanitary sewer main (PVC) and five sanitary sewer manholes, for property located at 806 16th Avenue North, also known as the Lofts at Marathon. 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 have no market value according to the Department of Water Services.*

**Sponsors:** OConnell, Withers and Young

**34. [BL2022-1095](#)**

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 725 Tulip Grove Road and 4811 Leesa Ann Lane, also known as Tulip Springs Townhomes (MWS Project Nos. 21-WL-37 and 21-SL-85 and Proposal No. 2022M-008ES-001).

**Analysis**

This ordinance accepts approximately 1,357 linear feet of new eight inch water main (DIP), approximately 1,289 linear feet of new eight inch sanitary sewer main (PVC and DIP), three fire hydrant assemblies, nine sanitary sewer manholes and easements, for two properties located at 725 Tulip Grove Road and 4811 Leesa Ann Lane, also known as Tulip Springs Townhomes. 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 have no market value according to the Department of Water Services.*

**Sponsors:** Hagar, Withers and Young

**35. [BL2022-1096](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon and remove existing water main, and to accept new water main and fire hydrant assembly, for property located at 804 14th Avenue North, (MWS Project No. 21-WL-21 and Proposal No. 2022M-010ES-001).

Analysis

This ordinance abandons and removes approximately 389 linear feet of existing six inch water main and accepts approximately 408 linear feet of new eight inch water main (DIP) and one fire hydrant assembly, for property located at 804 14th Avenue North. 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. Abandoned and donated easements have no market value according to the Department of Water Services.*

**Sponsors:** OConnell, Withers and Young

**36. [BL2022-1097](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main and sanitary sewer manhole, and to accept new sanitary sewer mains and sanitary sewer manholes, for three properties located at 1170, 1176 and 1180 Dickerson Pike, also known as Dickerson Pike Townhomes (MWS Project No. 21-SL-230 and Proposal No. 2022M-009ES-001).

Analysis

This ordinance abandons approximately 192 linear feet of existing eight inch sanitary sewer main (PVC) and one sanitary sewer manhole and accepts approximately 142 linear feet of new eight inch sanitary sewer main (DIP), approximately 35 linear feet of new eight inch sanitary sewer main (PVC) and two sanitary sewer manholes, for three properties located at 1170, 1176 and 1180 Dickerson Pike, also known as Dickerson Pike Townhomes. 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. Abandoned and donated easements have no market value according to the Department of Water Services.*

**Sponsors:** Young and Withers

**37. [BL2022-1112](#)**

An ordinance authorizing the acquisition of an interest in a parcel of real property and approving the granting of an easement above and below the same parcel in connection with the development of a project located at 215 and 217 Third Avenue North. (Proposal No. 2022M-020ES-001).

**Analysis**

This ordinance authorizes the acquisition of an interest in a parcel of real property and approves the grant of an easement above and below that parcel in connect with the development of a project at 215 and 217 Third Avenue North.

Rubicon Equities, LLC (Rubicon) owns parcels of property located at 215 and 217 Third Avenue North, adjacent to and on both sides of Banker's Alley. Pursuant to this ordinance, Rubicon would convey its interest in the real property underlying Banker's Alley. The Metropolitan Government would grant an air-rights and subterranean easement to Rubicon to permit the construction, use, and maintenance of improvements above and beneath Banker's Alley. As consideration for this transaction, Rubicon would pay \$30,000 to the Metropolitan Government.

*Fiscal Note: Metro will receive \$30,000 for air-rights and subterranean easement to permit the construction, use and maintenance of improvements above and beneath Banker's Alley.*

**Sponsors:** OConnell

**J. Bills on Third Reading**

**42. [BL2021-1014](#)**

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 Cameron College Prep (Proposal No. 2021M-011PR-001).

**Analysis**

This ordinance approves a lease agreement between Metro Nashville Public Schools (MNPS) and Cameron College Prep (Cameron) for use of property at 1034 1st Avenue South as a charter school. The property includes approximately 125,835 square feet of the building.

The term of the lease begins on July 14, 2021 and ends on June 30, 2031. Upon termination of the lease, the property will revert to MNPS. For the first year, the lease payment will be \$31,458.75 per month, which represents a rate of \$3.00 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 \$3.00 per square foot in Year 1 to \$4.00 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. Cameron is responsible for custodial services, utilities, routine maintenance of the premises, and ADA compliance, building, fire, and zoning codes and regulations. Cameron 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 \$3.00/square foot or \$31,458.75 per month for the approximate square footage of 125,835 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 to \$4.00 per square foot in Year 2 and will increase by 3% each year beginning in year 3 and throughout the term of the lease.*

**Sponsors:** Sledge, Allen, Withers and Lee

**45. [BL2021-1049](#)**

An Ordinance to amend Section 5.04.070 of the Metropolitan Code of Laws relative to the audit requirements for nonprofit organizations receiving appropriations from the Metropolitan Government.

**Analysis**

This ordinance, as substituted, amends the threshold for audit requirements for nonprofit organizations receiving appropriations from the Metropolitan Government.

Under the current Section 5.04.070.B.6. of the Metropolitan Code of Laws, a nonprofit organization receiving appropriations from the Metropolitan Government must submit an audit for their most recent fiscal year if the organization has an annual operating budget in excess of fifty thousand dollars receiving grants in excess of five thousand dollars during any one fiscal year.

The ordinance under consideration creates a tiered system for nonprofit organizations based on annual revenue and the amount of grant funds received from the Metropolitan Government. The thresholds would be as follows:

- Organizations with \$500,000 or more in total revenue or receiving grants exceeding \$50,000 would be required to submit an annual audit conducted by an independent CPA in accordance with generally accepted accounting standards.
- Organizations with \$250,000 to \$500,000 in total revenue or receiving grants between \$25,000 and \$50,000 would be required to submit a review of financial statements conducted by an independent CPA.
- Organizations with \$50,000 to \$250,000 in total revenue or receiving grants between \$5,000 and \$25,000 would be required to submit a compilation of financial statements prepared by an independent CPA.

- Organizations with \$50,000 or less in total revenue or receiving grants of \$5,000 or less would be required to submit internally prepared financial statements.

In addition, the office of financial accountability would be authorized to request additional information or supporting documentation related to the requirements of subsection B.

Organizations that do not meet this threshold are subject to the audit requirements under TCA § 7-3-314.

**Sponsors:** Suara, Toombs and VanReece

**60. [BL2022-1074](#)**

An ordinance approving Amendment 1 to the contract for deferred compensation services between Voya Retirement Insurance and Annuity Company and Voya Financial Partners, LLC and the Metropolitan Government of Nashville and Davidson County, which extends the term of the contract.

Analysis

This ordinance approves the first amendment to a contract for deferred compensation services between Voya Retirement Insurance and Annuity Company and Voya Financial Partners, LLC and the Metropolitan Government. This amendment extends the term of the contract from October 9, 2022 to August 4, 2025. This amendment also corrects the name of the company in the first paragraph of the contract. Exhibit A to the agreement regarding pricing would be replaced with a new Exhibit A.

**Sponsors:** Allen

**61. [BL2022-1075](#)**

An ordinance authorizing the Director of Public Property, or his designee, to transfer to Hoosier Capital, L.P., via the attached quitclaim deed, any remaining interest the Metropolitan Government of Nashville and Davidson County may have in an unnumbered alley and unnumbered strip of property. (Proposal No. 2022M-005ES-001)

Analysis

This ordinance authorizes the Director of Public Property to transfer to Hoosier Capital, L.P., any remaining interest the Metropolitan Government may have in an unnumbered alley and unnumbered strip of property via quitclaim deed.

Hoosier Capital, L.P. has requested Metro execute a quitclaim deed for the purpose of clarifying ownership of an unnumbered alley from 41st Avenue North, running westward along parcels 190, 191, and 192 along Clifton Avenue and an unnumbered strip of property located near the northwest corner of Parcel 189. The approximate location of the unnumbered alley and unnumbered strip of property are available in the sketch in Exhibit A.

There is no future need for the unnumbered alley and unnumbered strip of property for Metropolitan Government purposes. Future amendments to this legislation may be approved by resolution.

*Fiscal Note: According to the Assessor of Property's website, the total appraised value for 701 41st Ave N, parcel number 019-12-0-189.00 is \$1,390,000, 4105 Clifton Ave, parcel number 091-12-0-190.00 is \$59,600, 0 Clifton Ave, parcel number 091-12-1-191.00 is \$37,300, 0 Clifton Ave, parcel number 091-12-0-192.00 is \$83,400, 4020 Indiana Ave, parcel number 091-12-0-208.00 is \$369,600 and 4018 Indiana Ave, parcel number 091-12-0-207.00 is \$252,500. The Metropolitan Government does not own these parcels but may have interest in the unnumbered alley and unnumbered strip of property, which would be transferred to Hoosier Capital L.P. pursuant to this quitclaim deed.*

**Sponsors:** Taylor, Allen and Withers

**62. [BL2022-1076](#)**

An ordinance approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, through the Nashville Department of Transportation and Multimodal Infrastructure, and SP Church Project, LLC for sidewalk repairs on Church Street. (Prop. No. 2022M-001AG-001)

Analysis

This ordinance approves a participation agreement between the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) and SP Church Project, LLC (SP) for sidewalk repairs on Church Street.

Pursuant to the agreement, SP would fill in the tunnel beneath the Church Street sidewalk spanning from Rosa L. Park Boulevard to the viaduct on 9th Avenue North and to restore this section of the Church Street sidewalk. SP would be responsible for the design and construction of the project. Upon completion of the project, NDOT would be responsible for ongoing maintenance of the sidewalk and the fill material beneath the sidewalk.

SP would agree to pay for 50% of the project costs. NDOT would reimburse SP for the remaining 50% of the project costs, and in no event would NDOT's level of participation exceed \$75,000.

*Fiscal Note: NDOT would pay 50% of \$150,000 project's estimated cost.*

**Sponsors:** OConnell, Allen, Withers and Young

**63. [BL2022-1077](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon a portion of easement rights, for property located at 503 West Trinity Lane, formerly Winstead Avenue, Alley No. 1039, and an unnumbered alley (Proposal No. 2022M-002ES-001).



Analysis

This ordinance abandons a portion of easement rights retained by Ordinance No. BL2002-1279 for existing utilities located at 503 West Trinity Lane, formerly Winstead Avenue, Alley No. 1039, and an unnumbered alley. These easement rights are no longer needed by the Metropolitan Government. 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. Abandoned easements have no market value according to the Department of Water Services.*

**Sponsors:** Toombs, Withers and Young

**64. [BL2022-1078](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to adopt the revised Flood Insurance Rate Map to minimize dangers to life and property, due to flooding, and to maintain eligibility for participation in the National Flood Insurance Program. (Proposal No. 2022M-002OT-001)

Analysis

This ordinance authorizes the Metropolitan Government to adopt the revised Flood Insurance Rate Map (FIRM) to minimize dangers to life and property due to flooding and to maintain eligibility for participation in the National Flood Insurance Program (NFIP).

In order to maintain this eligibility, it is required that Metro follow NFIP regulations found in Title 44, Chapter 1, Section 60.3 of the Code of Federal Regulations (CFR). Sections 13-7-101 through 13-7-115 and 13-7-201 through 13-7-210 of the Tennessee Code Annotated (TCA) delegates responsibility to local governments to adopt regulations designed to promote the public health, safety, and general welfare of its citizens.

Metro has previously adopted FIRM as its official floodplain map in Metropolitan Code Section 17.36.180. Metro now wishes to adopt the revised FIRM, dated February 25, 2022. The Department of Water and Sewerage Services (MWS) has been working with FEMA to finalize the new version of the Flood Insurance Rate Maps. MWS received a letter from FEMA on August 25, 2021 informing them the maps were final and would become effective February 25, 2022. It is required to adopt the new maps prior to the effective date. This change was approved by the Planning Commission on December 14, 2021.

**Sponsors:** Withers, Young and Suara

**65. [BL2022-1079](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at 3631 Pin Hook Road, also known as

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Hobson Park (MWS Project Nos. 20-WL-143 and 20-SL-295; and Proposal No. 2022M-003ES-001).

Analysis

This ordinance accepts approximately 3,375 linear feet of eight inch water main (DIP), approximately five linear feet of 12 inch water main (DIP), approximately 3,758 linear feet of eight inch sanitary sewer main (PVC), approximately 322 linear feet of eight inch sanitary sewer main (DIP), six fire hydrant assemblies, 29 sanitary sewer manholes and easements for property located at 3631 Pin Hook Road, also known as Hobson Park. 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 have no market value according to the Department of Water Services.*

**Sponsors:** Lee, Withers and Young

66. [BL2022-1080](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main, sanitary sewer manholes, fire hydrant assembly and easements, and to accept a new sanitary sewer manhole, fire hydrant assembly and easements, for property located at 1207 McGavock Street, also known as Gulch Union South Tower (MWS Project Nos. 21-SL-135 and 21-WL-57 and Proposal No. 2022M-001ES-001).

Analysis

This ordinance abandons approximately 204 linear feet of existing 10 inch sanitary sewer main, three sanitary sewer manholes, one fire hydrant assembly and easements and accepts one sanitary sewer manhole, one fire hydrant assembly and easements, for property located at 1207 McGavock Street, also known as Gulch Union South Tower. 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. Abandoned and donated easements have no market value according to the Department of Water Services.*

**Sponsors:** OConnell, Withers and Young

67. [BL2022-1081](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main, to adjust sanitary sewer manholes, and to accept new sanitary sewer main for property located at 2405 21st Avenue South, also known as the BluePearl Vet (MWS Project No. 21-SL-146 and Proposal No. 2022M-007ES-001).

Analysis

This ordinance abandons approximately 120 linear feet of existing eight inch sanitary sewer main (clay), adjusts two sanitary sewer manholes, and accepts approximately 120 linear feet of new eight inch sanitary sewer main (DIP), for property located at 2405 21st Avenue South, also known as the BluePearl Vet. 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. Abandoned and donated easements have no market value according to the Department of Water Services.*

**Sponsors:** Cash, Withers, Young and Allen

**68. [BL2022-1082](#)**

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, to relocate a fire hydrant assembly, and to accept new sanitary sewer and water mains, sanitary sewer manhole, fire hydrant assemblies and easements, for two properties located at 801 12th Avenue North and 800 14th Avenue North, also known as Chartwell at Marathon Village (MWS Project Nos. 21 SL-15 and 21-WL-10 and Proposal No. 2022M-004ES-001).

Analysis

This ordinance abandons approximately 491 linear feet of existing 36 inch sanitary sewer main, approximately 660 linear feet of existing six inch water main, two sanitary sewer manholes, one fire hydrant assembly and easements, relocates one fire hydrant assembly, and accepts approximately 15 linear feet of new eight inch sanitary sewer main, approximately 1,290 linear feet of new eight inch water main (DIP), one sanitary sewer manhole, three fire hydrant assemblies and easements, for two properties located at 801 12th Avenue North and 800 14th Avenue North, also known as Chartwell at Marathon Village. 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. Abandoned and donated easements have no market value according to the Department of Water Services.*

**Sponsors:** OConnell, Withers and Young