



Metro Council

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## H. Consent Resolutions and Resolutions

### 1. [RS2022-1399](#)

A resolution declaring surplus and approving the disposition of certain parcels of real property in accordance with section 2.24.250(G) of the Metropolitan Code of Laws. (Proposal No. 2022M-001PR-001)

#### Analysis

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

These eight properties to be sold are as follows:

| Map - Parcel No. | Address - Location | Council District | Assessor's Office Appraised Value |
|------------------|--------------------|------------------|-----------------------------------|
| 07008009300      | 0 Free Silver Rd   | 2                | \$71,500                          |
| 05900012400      | 0 Knight Dr        | 2                | \$45,500                          |
| 07213034500      | 1206 Cline Ave     | 5                | \$1,300                           |
| 09315037000      | 54 Wharf Ave       | 17               | \$20,900                          |
| 09316002900      | 8 Cannon St        | 19               | \$91,200                          |
| 08112020400      | 1101 Cockrill St   | 21               | \$67,500                          |
| 08107024700      | 1921 15th Ave N    | 21               | \$99,000                          |
| 14806014700      | 0 Wharton Dr       | 28               | \$500                             |

The Planning Commission has approved this surplus property declaration.

**Sponsors:** Allen, Withers, Toombs, Parker, OConnell and Taylor

### 2. [RS2022-1419](#)

A resolution calling the Metropolitan Board of Equalization ("MBOE") into regular session beginning June 1, 2022, and special session beginning June 20, 2022.

Analysis

This is a routine, annual resolution to call the Metropolitan Board of Equalization (MBOE) into regular session from June 1, 2022, until June 17, 2022. It would also call the MBOE into special session convening June 20, 2022, to complete any unfinished business regarding appeals on pro-rated assessments. The special session is not to extend beyond May 31, 2023.

The MBOE always meets during the month of June to hear appeals of assessments on real property. Historically, the MBOE has been required to have special sessions to conclude its work due to the large number of appeals. State law authorizes county legislative bodies to fix the number of days the Board of Equalization is to sit in regular session and to call the board into special session to complete any unfinished business. (T.C.A. § 67-1-404).

**Sponsors:** Allen

**3. [RS2022-1420](#)**

A resolution approving the appointment of hearing officers by the Metropolitan Board of Equalization to conduct preliminary hearings and to make investigations regarding complaints before the Board.

Analysis

This resolution approves the appointment of 29 Davidson County citizens to serve as hearing officers for the Metropolitan Board of Equalization (MBOE). The MBOE is authorized under state law to hear appeals of assessments on real property. This will include 23 residential hearing officers and six commercial hearing officers. State law requires that the MBOE members be approved by the county legislative body by resolution. (T.C.A. § 67-5-1406).

**Sponsors:** Allen

**4. [RS2022-1421](#)**

A resolution accepting the terms of a cooperative purchasing master agreement for golf course and turf equipment for the department of Parks and Recreation.

Analysis

This resolution accepts the terms of a cooperative purchasing master agreement for golf course and turf equipment for the Metropolitan Department of Parks and Recreation. The master agreement is between a state of Minnesota local governmental agency called "Sourcewell" and Deere and Company. The contract between Sourcewell and Deere and Company is valid through April 30, 2025. The use of this Sourcewell contract will provide greater availability and add additional purchasing options of products that are available from local dealers.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further

provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Metro has entered into several other master purchasing agreements, most recently involving automatic seating risers for the Nashville Municipal Auditorium (See *RS2021-1170*).

**Sponsors:** Allen and Bradford

5. [RS2022-1422](#)

A resolution accepting the terms of a cooperative purchasing master agreement for laboratory supplies for the water testing lab for the department of Water and Sewerage Services.

Analysis

This resolution accepts the terms of a cooperative purchasing master agreement for laboratory supplies for the water testing lab for the Department of Water and Sewerage Services (MWS). The master agreement is between The Regents of the University of California, a California public cooperative that operates on behalf of the University of California, and Fisher Scientific Company L.L.C. This master agreement is valid through June 30, 2025.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Metro has entered into several other master purchasing agreements, most recently involving automatic seating risers for the Nashville Municipal Auditorium (See *RS2021-1170*).

**Sponsors:** Allen and Young

6. [RS2022-1423](#)

A resolution appropriating a total of \$1,740,000 from the Metropolitan Government of Nashville and Davidson County, acting by and through the Office of Family Safety, to various nonprofit organizations selected to receive American Recovery Plan Act funds.

Analysis

This resolution appropriates \$1,740,000 from the Office of Family Safety to various nonprofit organizations selected to receive American Rescue Plan Act (ARP) funds. Resolution No. RS2021-1152 previously appropriated \$3,148,980 in ARP funds for the support of various nonprofit organizations to address increased demand for therapy and services for victims of abuse, human trafficking and interpersonal violence. The Office of Family Safety accepted applications from nonprofit organizations and recommended the distribution of funds to these organizations. The Mayor has accepted these recommendations.

Funds would be distributed as follows:

- \$500,000 to Family & Children's Services for the provision of therapeutic services for

adults and children impacted by interpersonal violence;

- \$450,000 to Nashville Children's Alliance for the provision of therapeutic services for adults and children impacted by interpersonal violence;
- \$400,000 to Sexual Assault Center for the provision of therapeutic services for adults and children impacted by interpersonal violence;
- \$120,000 to The Mary Parrish Center for the provision of therapeutic services for adults and children impacted by interpersonal violence;
- \$270,000 to AGAPE for the provision of therapeutic services for adults and children impacted by interpersonal violence and to assist petitioners with Orders of Protection at the Family Safety Center.

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

7. [\*\*RS2022-1424\*\*](#)

A resolution appropriating a total of \$200,000 from the Metropolitan Government of Nashville and Davidson County, acting by and through the Office of Family Safety, to various nonprofit organizations selected to receive Community Partnership Fund grants.

**Analysis**

This resolution appropriates \$200,000 from the Office of Family Safety to various nonprofit organizations selected to receive Community Partnership Fund grants. The Office of Family Safety accepted applications from nonprofit organizations and recommended the distribution of funds to these organizations. The Mayor has accepted these recommendations.

Funds would be distributed as follows:

- \$50,000 to The Mary Parrish Center to provide transitional and permanent housing and support services to survivors of interpersonal violence;
- \$30,000 to Nurture the Next to implement an outreach program for victims of interpersonal violence to encourage them to seek help through the Family Safety Center;
- \$20,000 to The Tennessee Coalition Against Domestic and Sexual Violence to increase the safety of immigrant victims of domestic violence, sexual assault, stalking, and trafficking in Davidson County by filling gaps in services created by COVID-19 and safer at home orders through the provision of free direct legal representation;
- \$50,000 to AGAPE/Morning Star to assist victims of domestic violence seeking services at the Family Safety Center when applying for Orders of Protection and Safety Planning;
- \$50,000 to The Nashville Children's Alliance to reduce the trauma for children and families who have experienced child abuse or neglect.

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

8. [\*\*RS2022-1425\*\*](#)

A resolution appropriating \$100,000 through a grant contract by and between the Metropolitan Government, acting by and through the Office of Family Safety, and the Sexual Assault Center, for the provision of free legal assistance to residents in Davidson County who

are domestic violence victims.

Analysis

This resolution appropriates \$100,000 from the Office of Family Safety to the Sexual Assault Center for the provision of free legal assistance to residents in Davidson County who are domestic violence victims. This grant would be used by the Sexual Assault Center to provide 100 medical legal exams to Davidson County resident victim/survivors of sexual assault in the SAFE Clinic. It would also provide 500 therapy sessions to Davidson County resident victim/survivors of sexual assault. The grant term would be for twelve months, beginning July 1, 2021 and ending June 30, 2022.

**Sponsors:** Allen, Evans, Toombs, Styles, Welsch and Gamble

9. [\*\*RS2022-1426\*\*](#)

A resolution amending Resolution RS2021-1152 by replacing the Exhibit thereto with a revised version to significantly increase the availability of therapeutic services in Metro-Nashville provided by the Metro Nashville Police Department.

Analysis

This resolution amends Resolution No. RS2021-1152 to replace the exhibit to increase the availability of therapeutic services in Metropolitan Nashville provided by the Metropolitan Nashville Police Department (MNPd) Family Intervention Program. RS2021-1152 appropriated \$3,148,980 in American Recovery Plan Act (ARP) funds from the COVID ARP Fund #30216 to the Office of Family Safety (OFS). The exhibit described the use of the funds for support of nonprofit partners who provide therapeutic services to children and adults impacted by interpersonal violence.

The resolution under consideration updates the exhibit to reduce the total funding for nonprofits partners providing therapeutic services for those impacted by interpersonal violence and add funding to support OFS's partnering with MNPd's Family Intervention Program to provide therapeutic services for those impacted by interpersonal violence. The total amount of funding for OFS's partnership with the MNDP's Family Intervention Program would be \$245,000. The amount of funding for nonprofit partners providing therapeutic services would be reduced from \$1,069,490 to \$824,490.

**Sponsors:** Allen, Evans and Gamble

10. [\*\*RS2022-1427\*\*](#)

A resolution accepting a donation from the WARN PAC and Solaren Risk Management to the Nashville Fire Department ("NFD") of a 2020 Ford Transit XLT 15 passenger van.

Analysis

This resolution accepts a donation of a 2020 Ford Transit XLT 15 passenger van from the WARN PAC and Solaren Risk Management to the Nashville Fire Department. The estimated value of this van is \$62,000. The van would provide the logistical and practical means for increasing capacity and more effective delivery of emergency and non-emergency services to

Nashville's residents, visitors, and commuters. Metropolitan Code Section 5.04.120(B) allows donations exceeding \$5,000 to be accepted upon approval of a resolution of the Council.

*Fiscal Note: The estimated value of the 2020 Ford Transit XLT 15 passenger van is \$62,000.*

**Sponsors:** Allen, Evans, Styles and Gamble

11. [\*\*RS2022-1428\*\*](#)

A resolution accepting a grant from the U.S. Department of Health and Human Services to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide for the prevention, surveillance, diagnosis, and treatment of HIV/AIDS and to administer a Minority AIDS Initiative program.

Analysis

This resolution accepts a grant of \$1,480,177 from the U.S. Department of Health and Human Services to the Metropolitan Board of Health to provide for the prevention, surveillance, diagnosis, and treatment of HIV/AIDS and to administer a Minority AIDS Initiative program. No local cash match is required. The grant budget period begins March 1, 2022, and ends February 28, 2023.

**Sponsors:** Allen, Evans, Bradford, Welsch and Gamble

12. [\*\*RS2022-1429\*\*](#)

A resolution accepting a grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide HIV/AIDS core medical services and early intervention services.

Analysis

This resolution accepts a grant of \$46,400 from the Tennessee Department of Health to the Metropolitan Board of Health to provide HIV/AIDS core medical services and early intervention services. No local cash match is required. The term of this grant begins April 1, 2022, and ends March 31, 2023.

**Sponsors:** Allen, Evans, Bradford, Welsch and Gamble

13. [\*\*RS2022-1430\*\*](#)

A resolution accepting a grant from the State of Tennessee, Department of Health, to the Metropolitan Government, acting by and through the Metropolitan Board of Health, for family planning services.

Analysis

This resolution accepts a grant of \$5,325,500 from the Tennessee Department of Health to the Metropolitan Board of Health for assisting individuals in the planning and spacing of children through the provision of affordable, voluntary family planning services. No local cash match is required. The grant period begins July 1, 2022 and ends June 30, 2027.

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

**14. [RS2022-1431](#)**

A resolution accepting a grant from the Music City PrEP Clinic to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide funding to support the U=U Ambassador Project to end the HIV epidemic.

**Analysis**

This resolution accepts a grant of \$10,000 from the Music City PrEP Clinic to the Metropolitan Board of Health to provide funding to support the U=U Ambassador Project to end the HIV epidemic. No local cash match is required. The funds would be used for photoshoot stipends, training, photographer expenses, digital campaign materials, printed materials, social media stipends, and digital ads and promotion of posts on social media.

**Sponsors:** Allen, Evans, Bradford, Welsch and Gamble

**15. [RS2022-1432](#)**

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

**Analysis**

This resolution approves the fourth amendment to a grant from the U.S. Environmental Protection Agency to the Metropolitan Board of Health, originally approved by Resolution No. RS2020-187, for the ongoing collection of data on ambient air concentrations for fine particulate matter in Nashville, Tennessee. This amendment increases the grant amount by \$100,000, from \$878,660 to \$978,660. The required local cash match would be increased \$588,118, from \$588,118 to \$1,176,236. The end date would be extended two years to September 30, 2023.

**Sponsors:** Allen, Evans, Styles, Welsch, Hancock and Gamble

**16. [RS2022-1433](#)**

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 Nashville Department of Transportation and Multimodal Infrastructure, for the acceptance of work in connection with the construction of a sidewalk on Lebanon Pike (State Route 24) from McGavock Pike to Old Lebanon Pike, Federal Project No. STP-M-24(60); State Project No. 19LPLM-F3-130; PIN 121729.00; Prop. No. 2020M-018AG-002.

**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). The project, originally approved by Resolution No. RS2015-1535, is for the acceptance of work in connection with the construction of a sidewalk on Lebanon Pike (State Route 24) from McGavock Pike to Old Lebanon Pike.

Amendment 1 to this agreement, approved by Resolution No. RS2020-512, extended the completion date of the agreement to May 31, 2022, and updated the agreement language to allow for the use of TDOT on-call consultants for future services.

The resolution under consideration approves Amendment 2 to the agreement. This amendment extends the completion date from May 31, 2022, to May 31, 2024. No other changes would be made to the agreement.

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

17. [RS2022-1434](#)

A resolution authorizing the Director of Public Property Administration, or his designee, to exercise an option to purchase a certain parcel of property located at 0 Gennelle Drive (Parcel No. 03302001400) (Proposal No. 2022M-003PR-001).

Analysis

This resolution authorizes the Director of Public Property Administration to exercise an option to purchase a 0.34-acre parcel of property located at 0 Gennelle Drive. The Metropolitan Department of Water and Sewerage Services will use this property to construct a water pumping station. The fair market value of this property has been determined to be \$32,110. This property is currently owned by Robert J. Wingo, Judy S. Wingo, Robert J. Wingo, Jr., and Amy Gipson Wingo. The acquisition of this property has been approved by the Planning Commission.

*Fiscal Note: The Metropolitan Government would purchase this property from Robert J. Wingo, Et al., for \$32,110. According to the Property Assessor's website, the total appraised value of this parcel is \$5,000.*

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

J. **Bills on Second Reading**

27. [BL2021-831](#)

An ordinance amending Sections 6.28.030, 17.04.060, and 17.20.030 of the Metropolitan Code to amend the definition of "Short term rental property (STRP)-Not owner-occupied" and to amend parking requirements related to "Short term rental property (STRP)-Not owner-occupied" (Proposal No. 2021Z-012TX-001).

Analysis

This ordinance amends Sections 6.28.030, 17.04.060, and 17.20.030 related to "Short term rental property (STRP)- Not owner-occupied" uses. The definition of "Short term rental property (STRP)- Not owner-occupied" would be amended in two different Code provisions to remove "residential" from the definition. This use is already considered a commercial use under Title 17. Further, this ordinance would require that the STRP-Not owner-occupied use have a parking minimum of one space per bedroom/sleeping area.



This has been disapproved by the Planning Commission.

**Sponsors:** OConnell, Bradford and Parker

**29. [BL2021-866](#)**

An ordinance amending Chapter 11.12 of the Metropolitan Code of Laws to prohibit passengers in a motor vehicle from consuming or possessing an alcoholic beverage or beer during the operation of the vehicle.

**Analysis**

This ordinance prohibits passengers in a motor vehicle from consuming or possessing an open container of an alcoholic beverage or beer while the motor vehicle is in operation. State law prohibits the driver of a motor vehicle consuming an alcoholic beverage or beer or having an open container during operation of a vehicle. This same state law provision authorizes local governments to prohibit consumption or possession of an open container by passengers. T.C.A. § 55-10-416.

Any person in violation of this ordinance would be subject to a fine of \$50. This ordinance would sunset on October 1, 2022, unless extended by a resolution of the Metropolitan Council.

**Sponsors:** Parker, Evans, Suara, Bradford and Allen

**30. [BL2022-1123](#)**

An ordinance authorizing the granting of an easement to the Metropolitan Government and its servants and agents to construct, operate, maintain, repair, replace and inspect sanitary sewers and/ or drainage improvements and water mains or appurtenances within the limits of the easement or right-of-way (Planning No. 2022M-013ES-001).

**Analysis**

This ordinance authorizes the granting of two easements across the Thurgood Marshall Middle School property, located at 5832 Pettus Road, to the Metropolitan Government for the construction, operation, maintenance, repair, replacement, and inspection of sanitary sewers and/or drainage improvements and waters mains or appurtenances within the limits of the easement or right-of-way. Pursuant to the easement dedication agreements, the Metropolitan Government would grant permanent easement rights, as well as a temporary construction easement, to the Metropolitan Government, acting by and through the Metropolitan Department of Water and Sewerage Services, for water and/or sewer improvements on the Thurgood Marshall Middle School property. The execution of the easement dedication agreements will serve as notice to the property owner as required by Ordinance No. O93-815. This has been approved by the Metropolitan Board of Education.

An amendment is anticipated to update the recitals of the legislation to accurately reflect the parties to easements.

*Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value*

according to the Department of Water Services.

**Sponsors:** Styles, Withers and Young

**31. [BL2022-1124](#)**

An ordinance approving an agreement between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Police Department (“MNPDP”), and LexisNexis Coplogic Solutions Inc. for the online reporting services.

**Analysis**

This ordinance approves an agreement between the Metropolitan Nashville Police Department (MNPDP) and LexisNexis Coplogic Solutions Inc. (LexisNexis) for online reporting services. Pursuant to the agreement, LexisNexis would provide Desk Officer Reporting System (DORS) Crash and eCommerce services to MNPDP for the management of information and reporting related to vehicle accidents, citations, and incidents occurring within MNPDP’s jurisdiction. These services provide a citizen reporting system that enables individuals to file and report incidents involving automobile collisions to law enforcement, and web-based portals that distribute reports to authorized requestors.

The term of the agreement will commence upon approval of the Council and continue for 60 months, or until the agreement is terminated by either party.

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

**Sponsors:** Allen and Evans

**32. [BL2022-1125](#)**

An ordinance authorizing the granting of a permanent easement to the Electric Power Board of the Metropolitan Government of Nashville and Davidson County, on certain property owned by the Metropolitan Government of Nashville and Davidson County (Parcel No. 02200001900) (Proposal No. 2022M-014ES-001).

**Analysis**

This ordinance authorizes the granting of a permanent easement on property owned by the Metropolitan Government at 3527 Old Clarksville Pike to the Electric Power Board (NES). Pursuant to the agreement, the Metropolitan Government will grant an easement at 3527 Old Clarksville Pike, also known as Joelton Middle School, to NES for the purpose of erecting, maintaining, repairing, and rebuilding stub poles, anchors and necessary guy wires.

This has been approved by the Planning Commission.

**Sponsors:** Hall, Allen and Withers

**33. [BL2022-1126](#)**

An ordinance approving an amendment to a deed of conveyance for a parcel of property to Senior Citizens, Inc.

**Analysis**

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This ordinance approves an amendment to a deed of conveyance for 3325 John Mallette Dr from the Metropolitan Government to Senior Citizens, Inc., originally approved by Ordinance No. BL2006-1230. BL2006-1230 expressly contained a reversionary clause requiring the property to be used only for a senior citizen center. It also provided that Senior Citizens, Inc. could not abandon or transfer any portion of the property.

The ordinance under consideration would delete these existing conditions and replace them with a condition that Senior Citizens, Inc. must use the property primarily for the non-profit service of the senior adult populations of Nashville and Davidson County, Tennessee. This would allow Senior Citizens, Inc. to use the property for additional services to the community.

**Sponsors:** Toombs and Allen

**34. [BL2022-1127](#)**

An ordinance approving two agreements relating to the use of the properties comprising the Global Mall site. (Proposal No. 2022M-012AG-001).

**Analysis**

This ordinance approves two agreements related to the use of the properties comprising the Global Mall site, formerly the Hickory Hollow Mall. The Metropolitan Government owns a parcel of property at 5260 Hickory Hollow Parkway, on which sits the Southeast Community Center, Library, and Ford Ice Center, all of which are included in the Global Mall site. CV LHF, LLC, owns a parcel of property at 5256 Hickory Hollow Parkway, the site of the former Macy's, which is also included in the Global Mall site. These two properties, along with three other parcels, are subject to an operating agreement, a deed of declaration, a declaration of protective covenants, and other supplements and amendments thereto, (the "existing agreements") governing the rights and obligations of the owners of the properties at the Global Mall site. The existing agreements regarding these properties were entered into by the parties' predecessors-in-interest and now the Metropolitan Government and CV LHF wish to terminate the existing agreements and replace them with one or more new agreements consistent with the current and future uses of the Global Mall site.

This ordinance approves and authorizes the execution of a Conditional Termination and Release of Predecessor Agreements, attached to the ordinance as Exhibit 1. This agreement provides that, conditioned upon the execution of a replacement agreement providing for easements, maintenance, property standards and uses by all of the owners of the properties comprising the Global Mall site, the Metropolitan Government and CV LHF will revoke, terminate, and cancel the existing agreements. The Metropolitan Government will also certify to CV LHF that it will not seek to enforce any provision of the existing agreements prohibiting educational or youth development uses, prohibiting alteration of parking areas, or prohibiting construction of athletic fields on the CV LHF property. The certification is not conditioned upon the termination of the existing agreements

This ordinance also approves the form of the proposed Termination of Predecessor Agreements and Creation of Reciprocal Easement Agreement, attached to the ordinance as

Exhibit 2. The ordinance authorizes the execution of the termination agreement by the director of public property after its execution by the other parties. The parties to this agreement include all of the property owners comprising the mall site: the Metropolitan Government, CV LFH, Global Mall Partnership, CV Hickory Hollow LLC, and the State of Tennessee. Once executed the termination agreement would terminate all existing agreements and enter into a new agreement to establish easements, covenants, conditions, restrictions, reservations, servitudes, and development standards; provide for the safety, use and maintenance of the Global Mall site; and enhance and protect the Global Mall site by encouraging the development of improvements, including adequate pedestrian and vehicle ingress, egress, and circulation, landscaping, lighting, and other regulations for the development, use, and operation of the Global Mall site.

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

**Sponsors:** Styles

**35. [BL2022-1128](#)**

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 RW/GC MARATHON VILLAGE OWNER, LLC, to provide improved public sanitary sewer service through the construction of an improved stormwater system (Project No. SWGR 2021032214 and Proposal Number 2022M-007AG-001).

**Analysis**

This ordinance approves a participation agreement between the Metropolitan Department of Water and Sewerage Services (MWS) and RW/GC MARATHON VILLAGE OWNER, 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. RW/GC MARATHON VILLAGE OWNER, LLC has been approved to construct a 320-unit multifamily development located in the combined sewer system. RW/GC MARATHON VILLAGE OWNER, LLC agrees to provide on-site stormwater control measures and to fund the design and construction of the current and new stormwater systems in the amount of \$125,000. 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: The Metropolitan Government will receive \$125,000 from RW/GC MARATHON VILLAGE OWNER, LLC for the design and construction of the current and new stormwater systems.*

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

**36. [BL2022-1129](#)**

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 Union Brick RE, LLC, to provide improved public sanitary sewer service through the construction of an improved stormwater system (Project No. SWGR 2021003345 and Proposal Number 2022M-006AG-001).

Analysis

This ordinance approves a participation agreement between the Metropolitan Department of Water and Sewerage Services (MWS) and Union Brick RE, 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. Union Brick RE, LLC has been approved to construct a multifamily development located in the combined sewer system. Union Brick RE, LLC agrees to provide on-site stormwater control measures and to fund the design and construction of the current and new stormwater systems in the amount of \$250,000. 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: The Metropolitan Government will receive \$250,000 from Union Brick RE, LLC for the design and construction of the current and new stormwater systems.*

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

**37. [BL2022-1130](#)**

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 a license agreement with Cumberland River Compact, for the installation and maintenance of the Bandalong Bandit Litter Trap in Sevenmile Creek at 497 Paragon Mills Road (Map and Parcel No. 133-00-0070.00).

Analysis

This ordinance authorizes the Metropolitan Department of Water and Sewerage Services to enter into a license agreement with Cumberland River Compact (CRC) for the installation and maintenance of the Bandalong Bandit Litter Trap in Sevenmile Creek at 497 Paragon Mills Road.

Under the license agreement, CRC would install a Bandalong Bandit Litter Trap in Sevenmile Creek at 497 Paragon Mills Road. CRC would anchor, install, and maintain the trap on the property and the trap would skim lightweight litter from the surface of the stream. The license would allow CRC to access the property in order to access the trap. CRC could not alter, improve, or place any permanent structures on the property without the written consent of

Metro.

The term of the license would be one year but could be extended by letter agreement. The license agreement would be effective upon approval of the Council and filing with the Metropolitan Clerk.

Amendments to this legislation could be approved by resolution.

**Sponsors:** Johnston, Allen and Young

**38. [BL2022-1131](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon easement rights located at 410 42nd Avenue North and 410 B 42nd Avenue North, formerly a portion of Alabama Avenue, except for those retained by Nashville Electric Service (Proposal No. 2022M-022ES-001).

**Analysis**

This ordinance abandons easement rights located at 410 42nd Avenue North and 410 B 42nd Avenue North, formerly a portion of Alabama Avenue, except for those retained by Nashville Electric Service. Existing utility easement rights had originally been retained by Council Bill O68-652. The Metropolitan Government has determined that utility easement, except for those retained by Nashville Electric Service, are no longer needed. The abandonment has been requested by Ragan Smith on behalf of the owner.

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 easements have no market value according to the Department of Water Services.*

**Sponsors:** Murphy, Withers and Young

**39. [BL2022-1132](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new water and sanitary sewer mains, fire hydrant assembly and sanitary sewer manholes, for property at 405 B Marshall Street, also known as Marshall Crossing (MWS Project Nos. 20-WL-84 and 20-SL-171 and Proposal No. 2022M-019ES-001).

**Analysis**

This ordinance accepts approximately 271 linear feet of new eight inch water main (DIP), approximately 279 linear feet of new eight inch sanitary sewer main (PVC), one fire hydrant assembly and three sanitary sewer manholes for property at 405 B Marshall Street, also known as Marshall Crossing.

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 easements have no market value according to the Department of Water Services.*

**Sponsors:** Parker, Withers and Young

40. [\*\*BL2022-1133\*\*](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer main, sanitary sewer manholes, fire hydrant assembly and easements, for property located at 6785 A Sunnywood Drive, also known as Sunnywood Place (MWS Project Nos. 21-SL-214 and 21-WL-90 and Proposal No. 2022M-017ES-001).

Analysis

This ordinance accepts approximately 430 linear feet of new eight inch sanitary sewer main (PVC), four sanitary sewer manholes, one fire hydrant assembly and easements, for property located at 6785 A Sunnywood Drive, also known as Sunnywood 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. Abandoned easements have no market value according to the Department of Water Services.*

**Sponsors:** Rutherford, Withers and Young

41. [\*\*BL2022-1134\*\*](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer main and sanitary sewer manholes, for four properties located on Waller Road in Williamson County, also known as Chaudhuri Acres (MWS Project Nos. 21-SL-137 and Proposal No. 2022M-015ES-001).

Analysis

This ordinance accepts approximately 815 linear feet of new eight inch sanitary sewer main (PVC) and five sanitary sewer manholes, for four properties located on Waller Road in Williamson County, also known as Chaudhuri Acres.

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 easements have no market value according to the Department of Water Services.*

**Sponsors:** Withers and Young

42. [\*\*BL2022-1135\*\*](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer manhole and new fire hydrant assembly, for property located at

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827 19th Avenue South, also known as the Moore Office Building (MWS Project Nos. 19-SL-157 and 19-WL-68 and Proposal No. 2022M-021ES-001).

Analysis

This ordinance accepts one new sanitary sewer manhole and one new fire hydrant assembly for property located at 827 19th Avenue South, also known as the Moore Office Building.

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 easements have no market value according to the Department of Water Services.*

**Sponsors:** OConnell, Withers and Young

**K. Bills on Third Reading**

**43. [BL2021-621](#)**

An ordinance amending Sections 17.40.720 and 17.40.730 of the Metropolitan Code, Zoning Regulations, to require additional public notice regarding applications for permits from the Historic Zoning Commission (Proposal No. 2021Z-003TX-001).

Analysis

This ordinance, as substituted, amends Sections 17.40.720 and 17.40.730 of the Metropolitan Code of Laws to require public notice for applications for permits from the Historic Zoning Commission. A preservation permit that meets certain specified conditions would require that written notice of the Historic Zoning Commission meeting where the permit would be considered by US Mail of the date, time, and place to all property owners within two hundred and fifty feet of the subject property at least eleven days prior to the meeting. The applicant would be responsible for preparation and mailing of the written notices.

Further, public notice signs would be required for a property subject to consideration by the historic zoning commission of a preservation permit application which meets certain specified conditions. The sign would be required to be installed on the subject property no less than eleven days prior to the consideration by the historic zoning commission. The sign must be double-sided with 24" (vertical) by 36" (horizontal) dimensions posted at every fifty feet of public road frontage, excluding alleys in a manner to best inform the monitoring public without creating a safety hazard. The sign would also be required to contain the time, date, and location of the scheduled public hearing at the Historic Zoning Commission, the general nature of the hearing, and a phone number for additional information. The applicant would be responsible for the costs of preparing and placing the signs, as well as providing proof of compliance to the Historic Zoning Commission.

This ordinance has been approved by the Planning Commission.



**Sponsors:** Murphy, Allen, OConnell, Bradford and Styles

**49. [BL2022-1088](#)**

An Ordinance to amend Sections 2.80.080, 17.28.100, and 17.40.010 of the Metropolitan Code of Laws regarding the design and operation of outdoor electrical lighting to reduce light pollution consistent with International Dark Sky Association guidelines and to authorize the board of fire and building codes to grant variances from these provisions (Proposal No. 2020Z-014TX-003).

**Analysis**

This ordinance amends various provisions of the Metropolitan Code of Laws to authorize the Board of Fire and Building Code Appeals to grant variances from the provisions of Section 17.28.100 of the Metropolitan Code. This section pertains to the design and operation of outdoor electrical lighting to reduce light pollution consistent with International Dark Sky Association guidelines.

In addition, this ordinance amends Subsection 17.28.100.E.4.a of the Metropolitan Code to clarify that no illumination in excess of one-half foot-candle is permitted across the mid-line of a public street. The current language of this subsection provides that the illumination is not permitted across a public street.

**Sponsors:** Allen

**50. [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, as amended, 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.

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 provision prohibiting passengers from standing or riding on any part of an entertainment transportation vehicle other than a designated seating area while the vehicle is in motion would be deleted.

The consumption of beer, ale, wine, or other alcoholic beverages would be prohibited on all entertainment transportation vehicles, except to the extent permitted by the Beer Board. A driver or operator of an entertainment transportation vehicle who knowingly allows consumption of alcoholic beverages on an entertainment transportation vehicle in violation of Beer Board or MTLC rules or regulations would violate this chapter.

The definition of “enclosed vehicle” would be deleted and replaced with a definition that provides an “enclosed vehicle” means “a fully enclosed entertainment transportation vehicle.” “Unenclosed vehicle” would mean a vehicle that does not meet the definition of enclosed vehicle. Further, this definition would allow the MTLC to determine what constitutes a fully enclosed entertainment transportation vehicle and develop rules and regulations to ensure that both enclosed and unenclosed vehicles are safe and in compliance with existing noise ordinances.

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 requirements for minimum insurance coverage would be amended to give the MTLC authority, in consultation with the Metropolitan Government Insurance and Claims Manager, to set the minimum amounts of coverage. Any insurance policy would need to remain in place at least through the length of licensing with the MTLC.

The authority of the MTLC to promulgate rules and regulations would be clarified to include that the MTLC must ensure safety and traffic flow, in addition to compliance with existing noise ordinances.

Section 7.24.040.C, which was added by BL2021-911 and prohibits the possession of an open container of alcoholic beverages or the consumption of alcoholic beverages on an unenclosed entertainment transportation vehicle, would be deleted in its entirety.

Other various housekeeping changes would be made throughout Chapter 6.77.

**Sponsors:** Allen, Styles and OConnell

**64. [BL2022-1113](#)**

An Ordinance to amend Chapter 6.80 of the Metropolitan Code of Laws to authorize the Metropolitan Transportation Licensing Commission to set certain fees related to wrecker and towing services.

Analysis

The ordinance amends various provisions of Chapter 6.80 of the Metropolitan Code to authorize the Metropolitan Transportation Licensing Commission (MTLC) to set fees relative to wrecker and towing services.

Currently, the Council sets the fees charged by the MTLC such as the fee for licenses for wrecker services, wrecker permit fees, driver's permit fees, and other fees paid to the Metropolitan Government. In addition, the Council sets the maximum fees that may be charged by wrecker services for nonconsent towing, which means towing without the prior consent of the owner.

The ordinance under consideration would all the MTLC to set all fees for wrecker and towing services. Beginning July 1, 2022, the MTLC would be authorized to set the maximum fees charged for nonconsent towing by a wrecker service.

**Sponsors:** Young

**65. [BL2022-1116](#)**

An ordinance amending Section 13.08.080 of the Metropolitan Code of Laws pertaining to the use of License Plate Scanner (LPR) technology to ensure data access parity for the Community Oversight Board.

Analysis

This proposed ordinance amends the newly enacted Metropolitan Code of Laws sections 13.08.080G(3)(f) and 13.08.080G(5)(e) to include the Executive Director of the Community Oversight Board. The recently enacted BL2021-961 created section 13.08.080G(3)(f) of the Metropolitan Code providing that the District Attorney and the Public Defender may investigate complaints of misuse of LPR, examine and audit LPRs and LPR data files or record, and if either believes that LPRs have been used in violation of the code section, they may request that Council suspend the use of LPR. The proposed ordinance will add the Executive Director of the Community Oversight Board as an entity entitled to take specific investigative and examination actions related to in addition to the District Attorney and the Public Defender.

BL2021-961 also created section 13.08.080G(5)(e) of the Metropolitan Code providing that the District Attorney, the Public Defender, and the Chair of the Community Oversight Board shall have access to the MNPD audit trail. The proposed ordinance will provide such access to the Executive Director, rather than the Chair, of the Community Oversight Board and expand the review to designees of the named entities. And, it will enlarge the scope of review to include audit working papers.

**Sponsors:** Mendes, Rosenberg, Allen, Welsch, Suara, Cash, Bradford, Parker and Benedict

**66. [BL2022-1117](#)**

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 Bancroft O’Quinn, Jr., hereinafter known as “DEVELOPER”, to provide improved public sanitary sewer service through the construction of an improved stormwater system (Project No. SWGR 202136580 and Proposal Number 2022M-004AG-001).

Analysis

This ordinance authorizes the Metropolitan Department of Water and Sewerage Services (MWS) to enter into an agreement with Bancroft O’Quinn, Jr., to provide improved public sanitary sewer services 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. Bancroft O’Quinn Jr., has been approved to construct a five-unit townhome development located in the combined sewer system. Bancroft O’Quinn Jr. agrees to fund the design, construction, operation, and maintenance of the current and new stormwater systems in the amount of \$155,600. 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 \$155,600 from Bancroft O’Quinn, Jr., to fund the design, construction of the current and new stormwater infrastructure.*

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

**67. [BL2022-1118](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public access easement rights, for property located at 532 Lemont Drive (Proposal No. 2022M-012ES-001).

Analysis

This ordinance abandons easements rights for an existing 20 foot access easement along the northern property line on the plat of Gra-Mar Acres, for property located at 532 Lemont Drive. The abandonment has been requested by Roy Foster, owner. The Metropolitan Government has determined that these easement rights are no longer needed. 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:** VanReece, Withers and Young

**68. [BL2022-1119](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to adjust and raise casting of existing sanitary sewer manholes, for property located at 5700 Crossings Boulevard (MWS Project No. 21-SL-122 and Proposal No. 2022M-018ES-001).

Analysis

This ordinance adjusts and raises casting of two existing sanitary sewer manholes for property located at 5700 Crossings Boulevard. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

**Sponsors:** Styles, Withers and Young

**69. [BL2022-1120](#)**

An ordinance approving a contract between the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department, and the Mental Health Cooperative to ensure the provision, integration, and implementation of mental health training for Metro Police Department Personnel by Mental Health Cooperative Clinical Personnel.

Analysis

This ordinance approves a contract between the Metropolitan Nashville Police Department (MNPD) and the Mental Health Cooperative (MHC) to ensure the provision, integration, and implementation of mental health training for MNPD personnel by MHC personnel.

Pursuant to this contract, MHC will provide mental health training to MNPD officers, attend and participate in meetings for collaboration and evaluation of the training program format and effectiveness, provide and review relevant data regarding number of MNPD personnel trained each month, and provide a point person within the MHC Mobile Crisis Response Team Leadership as a Law Enforcement Liaison.

MNPD will provide training opportunities to MNPD personnel on topics such as recognizing the signs and symptoms of mental illness, suicide risk, verbal de-escalation techniques, behavioral referral sources, and involuntary commitment criteria. MNPD will also provide training space, attend and participate in meetings for collaboration and evaluation of the training program effectiveness, provide a point person within MNPD leadership to address issues that may arise, and provide and review any relevant data regarding number of MNPD personnel trained each month.

The Council has designated \$350,000 in American Rescue Plan Act funds via Resolution No. RS2022-1313 toward the implementation of this mental health training program. This agreement shall commence upon approval by the Metropolitan Council.

*Fiscal Note: Metropolitan Council has designated, from the American Rescue Plan Act funds, \$50,000 for FY2022 and \$100,000 for the subsequent fiscal years, FY2023, FY2024, and FY2025, for payment of wages for a certified training instructor provided by Mental Health Cooperative.*

**Sponsors:** Evans, Allen and Suara