



and recommended program of proposed expenditures and have established a priority of undertaking and financing the capital improvement projects; and,

WHEREAS, it is determined that this Capital Improvements Budget and Program represents an appropriate evaluation of the needs of The Metropolitan Government of Nashville and Davidson County and a systematic and orderly framework within which to provide for them; and,

WHEREAS, these findings and recommendations have been bound into a report entitled, "2022-2023 through 2027-2028 Capital Improvements Budget"; and,

WHEREAS, two (2) copies of said report are on file in the office of the Metropolitan Clerk.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the recommended program contained in the 2022-2023 through 2027-2028 Capital Improvements Budget is hereby adopted as the official Capital Improvements Budget of The Metropolitan Government of Nashville and Davidson County for fiscal year 2022-2023.

Section 2. That there shall be no authorization for expenditure of funds for the construction of any building, structure, work, or improvement, unless such project is included in and in conformance with the adopted 2022-2023 through 2027-2028 Capital Improvements Budget, except to meet a public emergency threatening the lives, health, or property of the inhabitants, when passed by two-thirds vote of the Council membership.

Section 3. That no fund shall be encumbered nor expended for a capital improvements project unless such project is included in and in conformance with the adopted 2022-2023 through 2027-2028 Capital Improvements Budget.

Section 4. That this Capital Improvements Budget may be amended by resolution at any time during the year to add a capital improvements project to the 2022-2023 through 2027-2028 Capital Improvements Budget, when adopted by two-thirds vote of the membership of the Council.

Section 5. That this ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it, but that the Capital Improvements Budget and Program of The Metropolitan Government of Nashville and Davidson County for fiscal year 2022-2023 shall not take effect until July 1, 2022.

#### Analysis

This ordinance adopts the Capital Improvements Budget (CIB) for fiscal year 2022-2023 through 2027-2028. A listing of the CIB new projects for FY23 was distributed to Council members on May 13, 2022 and is posted on the Council's webpage. The CIB is a planning document and does not in itself appropriate any money. All capital projects must be provided for in this document before a capital improvement can be approved by the Council, except in the case of a public emergency.

Section 6.13 of the Metropolitan Charter provides: "The mayor shall submit the capital improvements budget to the council not later than May 15th and shall recommend those projects to be undertaken during the ensuing fiscal year and the method of financing them, noting the impact on the debt structure of the Metropolitan Government, and shall include in the appropriate current operating budget any projects to be financed from current revenues for the ensuing fiscal year."

Rule 15 of the Council Rules of Procedure provides that Council members submit CIB requests by October 31 and hold a joint committee meeting to determine CIB priorities prior to submission to the Director of Finance and, further provides, that no CIB requests shall be considered that are not submitted in accordance with the rule. Pursuant to Section 11.504(k) of the Charter, the Metropolitan Planning Commission reviewed capital improvement project requests submitted by Metro departments, boards, commissions and agencies, evaluated the overall needs of the community, and recommended to the Mayor a CIB budget for fiscal year 2022-2023, including a program of proposed expenditures for the ensuing five years.

The Charter requires the Council to adopt the CIB no later than June 15 of each year. Accordingly, the Council will hold an adjourned meeting on June 14, 2022 in order to approve the CIB on third reading prior to this June 15 Charter deadline.

The CIB is amendable on third and final reading. Once adopted, any future amendments to the CIB would need to be approved by the Planning Commission, recommended by the Mayor, and then adopted by resolution of the Council receiving at least 27 affirmative votes.