

WHEREAS, METRO is developing the design and construction of dedicated storm infrastructure consistent with the Combined Sewer Master Plan; and,

WHEREAS, DEVELOPER agrees to provide on-site stormwater control measures and to provide METRO the amount of \$200,000.00 to fund the design and construction of the current and new stormwater infrastructure, according to the terms of the CSEP Separation Project Participation Agreement - Jefferson St Mapco #3416, attached as Exhibit 1; and,

WHEREAS, METRO agrees to begin design and construction of the project within timeframes set forth by Metro Water Services upon receiving the funds; and,

WHEREAS, BL2022-1214 authorizes the Metropolitan Department of Water and Sewerage Services to enter into participation agreements funding infrastructure with developers by resolution of the Metropolitan Council; and;

WHEREAS, the provision of such storm sewer service improvement is deemed to benefit both parties and the general community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY.

Section 1. The CSEP Separation Project Participation Agreement - Jefferson St Mapco #3416 (Exhibit 1) between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, and Mapco Express, Inc., attached hereto and incorporated herein, is hereby approved, and the Metropolitan Mayor is authorized to execute the same.

Section 2. The funds in the amount of \$200,000.00 collected pursuant to the Participation Agreement shall be deposited into the 47335 fund, and monies shall be allocated exclusively for the Combined Sewer Elimination Program.

Section 3. This resolution shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution approves a participation agreement between the Metropolitan Department of Water and Sewerage Services (“MWS”) and Mapco Express, Inc. (“Mapco”).

The Council passed Ordinance No. BL2022-1214 on May 17, 2022, which authorizes MWS to enter into participation agreements with developers for infrastructure projects via resolutions. This is codified at Metropolitan Code of Laws Section 15.36.130.

Pursuant to the terms of this participation agreement, Mapco will provide improved public sanitary sewer service through the construction of an improved stormwater system in the Kerrigan Basin. Mapco is constructing a convenience store and fueling station in the combined sewer system for the Kerrigan Basin and has agreed to provide on-site stormwater control measures and to provide MWS the amount of \$200,000 to fund the design and construction of the current and new stormwater infrastructure, according to the terms of the CSEP Separation Project Participation Agreement.

Fiscal Note: The Department of Water and Sewerage Services will receive \$200,000 from Mapco Express, Inc. towards the Combined Sewer Elimination Program to fund the design and construction of the current and new stormwater systems for the Kerrigan Basin.