



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2023-2389      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 7/31/2023      **In control:** Metropolitan Council

**On agenda:** 8/15/2023      **Final action:** 8/15/2023

**Title:** A resolution approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and Metro Nashville Airport Authority, to provide public water service improvements for MNAA’s proposed development, as well as other existing properties in the area (MWS Project No. 23-WL-0031 and Proposal No. 2023M-034AG-001).

**Sponsors:** Russ Bradford, Kevin Rhoten, Brett Withers, Russ Pulley

**Indexes:**

**Code sections:**

**Attachments:** 1. Participation Agreement Exhibit

Date	Ver.	Action By	Action	Result
8/28/2023	1	Mayor	approved	
8/15/2023	1	Metropolitan Council	adopted	
8/15/2023	1	Transportation and Infrastructure Committee	approved	
8/14/2023	1	Planning and Zoning Committee	approved	
8/14/2023	1	Budget and Finance Committee	approved	
8/8/2023	1	Metropolitan Council	filed	
7/26/2023	1	Planning Commission	approved	

A resolution approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and Metro Nashville Airport Authority, to provide public water service improvements for MNAA’s proposed development, as well as other existing properties in the area (MWS Project No. 23-WL-0031 and Proposal No. 2023M-034AG-001).

WHEREAS, pursuant to the terms of the participation agreement, attached hereto as Exhibit 1, Metro Nashville Airport Authority (“MNAA”) in compliance with all Metropolitan Government of Nashville and Davidson County (“METRO”) requirements and specifications, will contract and oversee the replacement of approximately 514 linear feet of 12-inch water main (DIP) with 24-inch (DIP) water main and 2 fire hydrants on Terminal Drive, to serve the general community of Nashville and Davidson County, as shown in Exhibit 2 hereto attached, Project No. 23-WL-0031; and,

WHEREAS, METRO will inspect the construction and upon acceptance, will be responsible for ongoing operation and maintenance; and,

WHEREAS, METRO agrees to contribute the material cost difference between MNAA’s required 16-inch water main and METRO’s requested 24-inch water main not to exceed One Hundred Thirty-One Thousand Seven Hundred Forty-Six Dollars and Sixty Cents (\$131,746.60) as a contribution towards these improvements; 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 Project is deemed to benefit both parties and the general community.

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

Section 1. The participation agreement (Exhibit 1) between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, and Metro Nashville Airport Authority to improve public water services in Davidson County, Tennessee, attached hereto and incorporated herein, is hereby approved, and the Director of Water and Sewer Services is authorized to execute the same.

Section 2. One Hundred Thirty-One Thousand Seven Hundred Forty-Six Dollars and Sixty Cents (\$131,746.60) from METRO is available in Fund No. 47410 to reimburse MNAA for the material cost difference, as a contribution towards the Project. In no event will METRO's contribution exceed \$131,746.60.

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 Metro Nashville Airport Authority ("MNAA").

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, MNAA has agreed to contract and oversee the replacement of approximately 514 linear feet of 12-inch water main (DIP) with 24-inch watermain (DIP) and two fire hydrants on Terminal Drive. Metro will inspect the construction and, upon acceptance, will be responsible for ongoing operation and maintenance of these improvements. Metro agrees to contribute the material cost difference between MNAA's required 16-inch water main and Metro's requested 24-inch water main, not to exceed \$131,746.60 as a contribution toward these improvements.

*Fiscal Note: The Department of Water and Sewerage Services will pay Metro Nashville Airport Authority (MNAA) up to \$131,746.60 for the design and installation of a new 24" water main within the airport property.*