



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2023-90

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

**File created:** 10/25/2023                      **In control:** Metropolitan Council

**On agenda:** 11/7/2023                      **Final action:** 11/7/2023

**Title:** A resolution approving a project modification to an agreement between the Metropolitan Government of Nashville and Davidson County and the United States Department of Army, to add three parcels related to the acquisition and removal of flood-prone properties in the Sevenmile Creek watersheds. (MWS Project No. 19-SWC-214 and Proposal Number 2019M-014PR-005)

**Sponsors:** Courtney Johnston, Sandra Sepulveda, Delishia Porterfield, Jennifer Gamble, Sean Parker, Ginny Welsch

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreement Project Modification Exhibit

Date	Ver.	Action By	Action	Result
11/9/2023	1	Mayor	approved	
11/7/2023	1	Metropolitan Council	adopted	
11/6/2023	1	Planning and Zoning Committee	approved	
11/6/2023	1	Transportation and Infrastructure Committee	approved	
11/6/2023	1	Budget and Finance Committee	approved	
10/31/2023	1	Metropolitan Council	filed	
9/22/2023	1	Planning Commission	approved	

A resolution approving a project modification to an agreement between the Metropolitan Government of Nashville and Davidson County and the United States Department of Army, to add three parcels related to the acquisition and removal of flood-prone properties in the Sevenmile Creek watersheds. (MWS Project No. 19-SWC-214 and Proposal Number 2019M-014PR-005)

WHEREAS, RS2019-1593 approved an agreement between the Metropolitan Department of Water and Sewerage Services (“Water”) and the United States Department of Army (“Army”) for the Sevenmile Creek Flood Risk Management Project in Davidson County, TN (“Agreement”); and,

WHEREAS, RS2019-1802 specified the 45 flood-prone properties in the Sevenmile Creek watershed that would be acquired pursuant to the Agreement; and,

WHEREAS, RS2020-626 approved amendment one to the Agreement which included but was not limited to, adding an additional 11 flood-prone properties; and,

WHEREAS, RS2021-775 approved the acquisition and removal of an additional 11 flood-prone properties in the Sevenmile Creek watershed; and,

WHEREAS, RS2022-1776 approved the acquisition and removal of an additional 3 flood-prone properties in the Sevenmile Creek watershed; and,

WHEREAS, RS2023-2000 approved the acquisition of an additional flood-prone property in the Sevenmile

Creek watershed; and,

WHEREAS, Army has modified the project and provided a Memorandum for Record adding three additional properties to the previously approved properties, a copy of which is attached hereto as Exhibits 1 and 2, and which includes details on the specific parcels; and,

WHEREAS, the Department of Water and Sewerage Services has provided the budgeted property costs for the specific parcels to be added; and,

WHEREAS, The Metropolitan Planning Commission approved mandatory referral No. 2019M-014PR-005 on September 22, 2023, for acquisition of the three additional properties; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that that the Department of Water and Sewerage Services be authorized to acquire and demolish the specific properties included in the Memorandum for Record.

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

Section 1. That, notwithstanding the provisions of Section 2.24.250.F of the Metropolitan Code to the contrary, Department of Water and Sewerage Services is hereby authorized to acquire interests in the real properties identified by the United States Department of the Army, as identified in Exhibits 1 and 2, and incorporated herein, and to execute all other necessary actions pursuant to the Sevenmile Creek Flood Risk Management Project.

Section 2. That this resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

#### Analysis

This resolution modifies a project to acquire flood-prone property in the Sevenmile Creek watersheds, previously approved by Resolution No. RS2019-1593. RS2019-1593 approved an agreement between the Metropolitan Department of Water and Sewerage Services ("MWS") and the U.S. Department of Army for the Sevenmile Creek Flood Risk Management project. RS2019-1802 identified 45 flood-prone properties to be acquired pursuant to the agreement. RS2020-626 added an additional 11 flood-prone properties to be acquired, RS2021-775 further approved the acquisition of 11 additional flood-prone properties, RS2022-1776 further approved the acquisition of three additional flood-prone properties, and RS2023-2000 further approved the acquisition of one additional flood-prone property.

The resolution under consideration adds three parcels to the list of flood-prone properties to be acquired. Two parcels, 4801 and 4802 Blackman Court, are located in Council District 26 and one parcel, 3905 Dewain Drive, is located in Council District 30.

MWS has provided the budgeted property costs for these additional parcels, which includes plot surveys, appraisals, costs to acquire the property, environmental assessment, abatement, demolition, and costs to remove water and sewer services. The Planning Commission approved this additional acquisition on September 22, 2023.

*Fiscal Note: The total estimated budget to acquire and remove these the flood prone properties is \$1,712,300 to be paid from Fund No. 37039 (W&S SW Flood 2010 Home Buyouts) funded by Fund No. 47346 (W&S SW Capital Improvements) and Fund No. 64711 (W&S SW Stormwater Revenue).*