



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2024-428 **Name:**

**Type:** Bill (Ordinance) **Status:** Second Reading

**File created:** 6/6/2024 **In control:** Metropolitan Council

**On agenda:** 7/2/2024 **Final action:**

**Title:** An ordinance approving, ratifying, and adopting Chapter 68 of the Private Acts of 2024, authorizing the establishment of an East Bank Development Authority.

**Sponsors:** Jacob Kupin, Delishia Porterfield, Burkley Allen

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit

| Date      | Ver. | Action By            | Action                  | Result |
|-----------|------|----------------------|-------------------------|--------|
| 6/18/2024 | 1    | Metropolitan Council | referred                |        |
| 6/18/2024 | 1    | Metropolitan Council | passed on first reading |        |
| 6/11/2024 | 1    | Metropolitan Council | filed                   |        |

An ordinance approving, ratifying, and adopting Chapter 68 of the Private Acts of 2024, authorizing the establishment of an East Bank Development Authority.

WHEREAS, the General Assembly of the State of Tennessee adopted Chapter 68 (the "Act") of the Private Acts of 2024; and,

WHEREAS, a true and correct copy of the Act is attached as Exhibit 1 and incorporated into this ordinance; and,

WHEREAS, the Act must be adopted by a 2/3 vote of the Metropolitan Council in order to become effective; and,

WHEREAS, pursuant to Article XI, Section 9 of the Tennessee Constitution, after adoption as contemplated herein any future changes to the Act would also require approval by a 2/3 vote of the Metropolitan Council in order to become effective; and,

WHEREAS, the Act authorizes the establishment of an East Bank Development Authority having certain powers within the East Bank, defined as the area bounded on the west and south by the Cumberland River, on the east by Interstate 24 and on the north by Interstate 65; and,

WHEREAS, if established, the East Bank Development Authority could, within the East Bank and among other things, enter into contracts; own and manage real and personal property; issue bonds; undertake projects, as defined in Tennessee Code Annotated Title 7, Chapter 65; exercise the powers of industrial development boards, housing authorities, parking authorities, and port authorities; and,

WHEREAS, pursuant to Ordinance No. BL2023-1741, the Metropolitan Council approved certain agreements relating to the construction of a new, enclosed stadium on the existing Nissan Stadium campus (the "Campus") in the East Bank and the acquisition of certain properties comprising most of the Campus from the Sports Authority of the Metropolitan Government of Nashville and Davidson County; and,

WHEREAS, pursuant to Ordinance No. BL2024-258, the Metropolitan Council approved certain agreements

(the “IDA Agreements”) relating to the development of a portion (the “Initial Development Area”) of the Campus; and,

WHEREAS, the Metropolitan Council anticipates the future development of portions of the Campus not part of the Initial Development Area; and,

WHEREAS, the orderly administration of the IDA Agreements as well as anticipated future agreements related to the use of publicly owned East Bank property, oversight and management of the design and construction of substantial and vital public infrastructure throughout the East Bank, and coordination of public and private projects so as to ensure the East Bank’s development is consistent with the community’s vision for it will require the focus of a skilled board and staff devoted to those tasks.

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

Section 1. The Metropolitan Council hereby approves, ratifies, and adopts the provisions of Chapter 68 of the Private Acts of 2024 (the Act; Exhibit 1).

Section 2. The approval of the Act shall be proclaimed by the presiding officer of the Metropolitan Council and a copy of this ordinance certified to the Tennessee Secretary of State by the Metropolitan Clerk.

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

### Analysis

This ordinance would formally approve, ratify, and adopt Chapter 68 of the Private Acts of 2024 (“the Act”). The approval of the Act would authorize the establishment of the East Bank Development Authority (“the Authority”). The Authority would have particular power in the area bordered by the Cumberland River to the west and south, by Interstate 24 to the east, and by Interstate 65 to the north.

The Authority could enter into contracts, own and manage real and personal property, issue bonds, undertake projects, and exercise the powers of industrial development boards, housing authorities, parking authorities, and port authorities. The Authority would administer the existing development agreements and expected future agreements for the use of publicly owned East Bank property. The Authority would also oversee and manage the design of public infrastructure within the East Bank and coordinate the public and private projects to ensure East Bank development is consistent with the community’s vision for the development.

The Authority shall not have the power of eminent domain over any real property. Any issuance of bonds, notes, or other debt obligations require approval from the Metropolitan Council by resolution. The Metropolitan Government is not liable for the payment of any bonds issued by the Authority or any bonds, agreements, or obligations of the Authority.

The Authority would be governed by a board of directors of nine voting members, according to the Act. The state enabling legislation provides that the Mayor would appoint five members, the Metropolitan Council would appoint two members, and the speakers of the state senate and house (or their designees) would serve as voting ex officio members. The Act also establishes the position of chief executive officer of the Authority. The Mayor would appoint the inaugural CEO of the Authority, while each subsequent CEO would be appointed by the board of directors. Each CEO serves at the pleasure of the board of directors.

The Council must adopt the Act by a two-thirds majority for the Act to become effective. If approved, the presiding officer of the Council must proclaim the approval of the Act, and a copy of the ordinance would be certified by the Metropolitan Clerk to the Tennessee Secretary of State. Any future changes to the Act also requires a two-thirds majority to take effect.