



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2024-187      **Name:**

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

**File created:** 1/4/2024      **In control:** Metropolitan Council

**On agenda:** 1/16/2024      **Final action:** 1/23/2024

**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 HCD Wedgewood 429 Houston LLC, to provide improved public sanitary sewer service through the construction of an improved stormwater system (Project No. 2022066576 and Proposal Number 2023M-045AG-001).

**Sponsors:** Terry Vo, Delishia Porterfield, Jennifer Gamble, Sean Parker

**Indexes:**

**Code sections:**

**Attachments:** 1. Participation Agreement Exhibit

Date	Ver.	Action By	Action	Result
1/24/2024	1	Mayor	approved	
1/23/2024	1	Metropolitan Council	adopted	
1/22/2024	1	Transportation and Infrastructure Committee	approved	
1/22/2024	1	Planning and Zoning Committee	approved	
1/22/2024	1	Budget and Finance Committee	approved	
1/9/2024	1	Metropolitan Council	filed	
11/7/2023	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 HCD Wedgewood 429 Houston LLC, to provide improved public sanitary sewer service through the construction of an improved stormwater system (Project No. 2022066576 and Proposal Number 2023M-045AG-001).

WHEREAS, the Metropolitan Department of Water and Sewerage Services (“METRO”) owns and operates a combined sewer system located in the Driftwood basin with combined flow directed to the Central Wastewater Treatment Plant and a combined sewer outfall during heavy rain conditions; and,

WHEREAS, METRO desires to separate the stormwater and sewer flow in the Driftwood basin, thereby directing stormwater flow to the Cumberland River and the sewage flow to the Central Waste Water Treatment Plant; and,

WHEREAS, by separating the stormwater and sewage, METRO has an opportunity to reduce the overall volume load in the Driftwood basin combined sewer resulting in a reduction in the potential for localized storm flooding, surcharging sewer, and odor. Furthermore, separating the stormwater and sewage will improve overall water quality in the Cumberland River; and,

WHEREAS, HCD Wedgewood 429 Houston LLC (“DEVELOPER”) has been approved to redevelop an existing commercial facility on a 1.1 acre site located in the Combined Sewer System for the Driftwood Basin;

and,

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 \$173,717.16 to fund the design and construction of the current and new stormwater infrastructure, according to the terms of the Combined Sewer Project Participation Agreement - 429 Houston Street, 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 Combined Sewer Project Participation Agreement - 429 Houston Street (Exhibit 1) between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, and HCD Wedgewood 429 Houston LLC, 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 \$173,717.16 collected pursuant to the Participation Agreement shall be deposited into the 47335 fund, and monies shall be allocated exclusively for the Combined Sewer System master planning effort.

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 and HCD Wedgewood 429 Houston LLC.

Ordinance No. BL2022-1214 allows the Metropolitan Department of Water and Sewerage Services to enter into participation agreements to fund infrastructure with developers by resolution of the Metro Council. The Metropolitan Planning Commission has recommended approval of the resolution.

Pursuant to the terms of this participation agreement, HCD Wedgewood 429 Houston, LLC has agreed to provide on-site stormwater control measures and to provide MWS the amount of \$173,717.16 to fund the design and construction of the current and new stormwater infrastructure, according to the terms of the Combined Sewer Project Participation Agreement - 429 Houston Street.

*Fiscal Note: Metro will receive \$173,717.16 from HCD Wedgewood 429 Houston, LLC towards the Combined*

*Sewer Project Participation Agreement - 429 Houston Street to fund the design and construction of the improved stormwater system.*