



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2023-2347      **Name:**

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

**File created:** 7/19/2023      **In control:** Transportation and Infrastructure Committee

**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 Clark UMC Community Development Corporation, to provide public water service improvements for Clark UMC’s proposed development, as well as other existing properties in the area (MWS Project No. 22-WL-0060 and Proposal No. 2023M-018AG-001).

**Sponsors:** Freddie OConnell, Kevin Rhoten, Brett Withers, Russ Pulley, Sharon Hurt

**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	Budget and Finance Committee	approved	
8/1/2023	1	Metropolitan Council	deferred	
7/31/2023	1	Planning and Zoning Committee	approved	
7/25/2023	1	Metropolitan Council	filed	
5/3/2023	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 Clark UMC Community Development Corporation, to provide public water service improvements for Clark UMC’s proposed development, as well as other existing properties in the area (MWS Project No. 22-WL-0060 and Proposal No. 2023M-018AG-001).

WHEREAS, pursuant to the terms of the participation agreement, attached hereto as Exhibit 1, Clark UMC Community Development Corporation (“CLARK UMC”) in compliance with all Metropolitan Government of Nashville and Davidson County (“METRO”) requirements and specifications, will contract and oversee the construction of approximately 633 linear feet of new eight inch water main (DIP) and one fire hydrant assembly on Phillips Street, to serve the residents on Phillips Street, as shown in Exhibit 2 hereto attached, Project No. 22-WL-0060; and,

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

WHEREAS, METRO agrees to pay the lesser of thirty percent (30%) of the actual project costs or One Hundred Thousand Dollars (\$100,000.00) 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 Clark UMC Community Development Corporation 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 Thousand Dollars (\$100,000.00) from METRO is available in Fund No. 47335 to pay the lesser of thirty percent (30%) or One Hundred Thousand Dollars (\$100,000.00) as a contribution towards the Project.

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 Clark UMC Community Development Corporation ("Clark UMC").

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, Clark UMC has agreed to contract and oversee construction of approximately 633 linear feet of new eight-inch water main (DIP) and one fire hydrant assembly on Phillips Street to serve the residents on Phillips Street. Metro will inspect the construction and, upon acceptance, will be responsible for ongoing operation and maintenance of these improvements. Metro agrees to pay the lesser of 30% of the actual project costs or \$100,000 as a contribution toward these improvements.

*Fiscal Note: Metro will pay the lesser of 30% of the actual project costs or \$100,000 for the improvements to be completed by Clark UMC.*