



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2020-626                      **Name:**

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

**File created:** 10/22/2020              **In control:** Metropolitan Council

**On agenda:** 11/5/2020                  **Final action:** 11/5/2020

**Title:** A resolution approving amendment one to an agreement between the United States Department of the Army and the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, for the Sevenmile Creek Flood Risk Management Project in Davidson County, Tennessee. (MWS Project No. 19-SWC-214)

**Sponsors:** Kyonzte Toombs, Bob Nash

**Indexes:**

**Code sections:**

**Attachments:** 1. RS2020-626

Date	Ver.	Action By	Action	Result
11/6/2020	1	Mayor	approved	
11/5/2020	1	Metropolitan Council	adopted	
11/5/2020	1	Public Works Committee	approved	
11/2/2020	1	Budget and Finance Committee	approved	

A resolution approving amendment one to an agreement between the United States Department of the Army and the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, for the Sevenmile Creek Flood Risk Management Project in Davidson County, Tennessee. (MWS Project No. 19-SWC-214)

WHEREAS, The Metropolitan Government of Nashville and Davidson County "Metro," acting by and through the Department of Water and Sewerage Services, previously entered into an agreement with the United States Department of the Army "Government," approved by RS2019-1593; and,

WHEREAS, the amendment replaces the structural flood risk management feature with the addition of 11 flood-prone properties, which will be identified in separate legislation, to the nonstructural flood risk management features, and adds provisions which allow the Government to reimburse Metro for eligible costs that Metro has incurred for the real property interests, placement area improvements, and relocation it has provided for the nonstructural flood risk management features of the project prior to the final accounting for such features; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that amendment one be accepted.

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

Section 1. That amendment one to the agreement between the United States Department of the Army and the Metropolitan Government of Nashville and Davidson County, reflecting the Sevenmile Creek Flood Risk Management Project, a copy of which amendment one is attached hereto and incorporated herein, is

approved and the Metropolitan Mayor is authorized to execute the same.

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.

This resolution approves an amendment to an agreement between the United States Department of the Army (Army) and the Metropolitan Department of Water and Sewerage Services for the Sevenmile Creek Flood Risk Management Project (Project). Under the original agreement approved in 2019 by RS2019-1593, the Project was to consist of two parts: construction of a dry dam south of the entrance to the Ellington Agricultural Center and the buyout of 45 flood-prone properties in the Sevenmile Creek watershed. Metro was required to pay a minimum of 35% of construction costs allocated by the Government to structural flood risk management, and 35% of construction costs allocated by the Army to nonstructural flood risk management.

This resolution approves an amendment to the agreement to replace the structural dam construction component with the purchase of 11 additional flood-prone properties, and to add provisions to allow the Army to reimburse Metro for eligible costs it incurs for providing real property interests, placement area improvements, and relocations prior to the final accounting.

**Fiscal Note:** Metro and the Army would jointly fund the cost of the project. Construction costs are projected to be \$16,589,200. The Army would pay \$10,783,000 of this amount, with Metro paying the remaining \$5,806,200. This would come from Water and Sewer Services Fund No. 67411 (W&S GSD StormwaterS/F FY18BCap).

*Metro's projected costs allocated to non-structural flood risk management for creditable real property interests, relocations, and placement area improvements are \$13,079,600 and creditable in-kind contributions are projected to be \$793,400. The projected eligible cost for reimbursement to Metro is \$7,551,100. Costs for betterments are projected to be \$1,000,000.*