



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2023-89 **Name:**

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 two parcels related to the acquisition and removal of flood-prone properties in the Mill Creek, Sorghum Branch, and Whittemore Branch watersheds. (MWS Project No. 18-SWC-136 and Proposal Number 2018M-019PR-004)

Sponsors: Ginny Welsch, Delishia Porterfield, Jennifer Gamble, Sean Parker, Joy Styles

Indexes:

Code sections:

Attachments: 1. Agreement 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	Transportation and Infrastructure Committee	approved	
11/6/2023	1	Planning and Zoning 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 two parcels related to the acquisition and removal of flood-prone properties in the Mill Creek, Sorghum Branch, and Whittemore Branch watersheds. (MWS Project No. 18-SWC-136 and Proposal Number 2018M-019PR-004)

WHEREAS, Resolution RS2017-976 approved an agreement between the Metropolitan Department of Water and Sewerage Services (“Water”) and the United States Department of Army (“Army”) for Mill Creek Flood Risk Management Project in Davidson County, TN (“Agreement”); and,

WHEREAS, RS2018-1445 specified the 44 flood-prone properties in the Mill Creek, Sorghum Branch, and Whittemore Branch watersheds that would be acquired pursuant to the Agreement; and,

WHEREAS, RS2021-1226 approved the acquisition and removal of two replacement flood-prone properties; and,

WHEREAS, RS2022-1777 approved the acquisition and removal of four replacement flood-prone properties; and,

WHEREAS, Army has modified the project and provided a Memorandum for Record adding two 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. 2018M-19PR-004 on September 12, 2023, for the addition of two properties to the previously approved 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 property identified by the United States Department of the Army, attached hereto and incorporated herein, and to execute all other necessary actions pursuant to the Mill 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 agreement for the acquisition and removal of flood-prone properties in the Mill Creek, Sorghum Branch, and Whittemore Branch watersheds, previously approved by Resolution No. RS2017-976. RS2017-976 approved an agreement between the Metropolitan Department of Water and Sewerage Services ("MWS") and the U.S. Department of Army for the Mill Creek Flood Risk Management project. RS2018-1445 identified 44 flood-prone properties to be acquired pursuant to the agreement. RS2021-1226 removed and replaced two flood-prone properties to be acquired. RS2022-1777 removed and replaced four flood-prone properties to be acquired.

The resolution under consideration adds two parcels to the list of flood-prone properties to be acquired. The parcels to be acquired are in Council District 16 and are located at 315 and 321 Wimpole Drive.

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 12, 2023.

Fiscal Note: The total estimated budget to acquire and remove these two flood prone properties is \$1,167,200 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).