



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2024-431      **Name:**

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

**File created:** 4/25/2024      **In control:** Metropolitan Council

**On agenda:** 5/7/2024      **Final action:** 5/7/2024

**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 Nolensville Owner LLC, a subsidiary of Southern Land Company, to provide public sanitary sewer service improvements for Nolensville Owner LLC’s proposed development, as well as other existing properties in the area (MWS Project No. 23-SL-0178 and Proposal No. 2024M-018AG-001).

**Sponsors:** Delishia Porterfield, Jennifer Gamble, Sean Parker, Burkley Allen, Olivia Hill

**Indexes:**

**Code sections:**

**Attachments:** 1. Participation Agreement Exhibit

Date	Ver.	Action By	Action	Result
5/13/2024	1	Mayor	approved	
5/7/2024	1	Metropolitan Council	adopted	
5/6/2024	1	Transportation and Infrastructure Committee	approved	
5/6/2024	1	Planning and Zoning Committee	approved	
5/6/2024	1	Budget and Finance Committee	approved	
4/30/2024	1	Metropolitan Council	filed	
4/12/2024	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 Nolensville Owner LLC, a subsidiary of Southern Land Company, to provide public sanitary sewer service improvements for Nolensville Owner LLC’s proposed development, as well as other existing properties in the area (MWS Project No. 23-SL-0178 and Proposal No. 2024M-018AG-001).

WHEREAS, pursuant to the terms of the participation agreement, attached hereto as Exhibit 1, Nolensville Owner LLC, a subsidiary of Southern Land Company (“DEVELOPER”), in compliance with all Metropolitan Government of Nashville and Davidson County (“METRO”) requirements and specifications, will contract and oversee the design and installation of approximately 1,664 linear feet of new 24-inch sanitary sewer main (DIP), approximately 5,192 linear feet of new 20-inch sanitary sewer main (DIP), approximately 3,592 linear feet of new 18-inch sanitary sewer main (PVC), approximately 3,056 linear feet of new 18-inch sanitary sewer main (DIP), approximately 674 linear feet of new 12-inch sanitary sewer main (PVC), approximately 958 linear feet of new 12-inch sanitary sewer main (DIP), approximately 3,872 linear feet of new eight-inch sanitary sewer main (PVC), approximately 230 linear feet of new eight-inch sanitary sewer main (DIP), and 89 new sanitary sewer manholes, to serve the general community of Nashville and Davidson County, as shown in Exhibit 2 hereto attached, Project No. 23-SL-0178; 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 fifty percent (50%) of the actual project costs not to exceed Five Million Dollars (\$5,000,000.00) 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 RESOLVED 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 Nolensville Owner LLC, a subsidiary of Southern Land Company, to improve public sanitary sewer 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. Five Million Dollars (\$5,000,000.00) from METRO is available in Fund No. 47410 to pay the lesser of fifty percent (50%) or Five Million Dollars (\$5,000,000.00) as a contribution towards the Project. In no event will METRO's contribution exceed \$5,000,000.00.

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 ("Metro") and Nolensville Owner, LLC, a subsidiary of Southern Land Company ("Developer"). The agreement allows the Developer to design and install approximately 1,664 linear feet of new 24-inch sanitary sewer main (DIP), approximately 5,192 linear feet of new 20-inch sanitary sewer main (DIP), approximately 3,592 linear feet of new 18-inch sanitary sewer main (PVC), approximately 3,056 linear feet of new 18-inch sanitary sewer main (DIP), approximately 674 linear feet of new 12-inch sanitary sewer main (PVC), approximately 958 linear feet of new 12-inch sanitary sewer main (DIP), approximately 3,872 linear feet of new eight-inch sanitary sewer main (PVC), approximately 230 linear feet of new eight-inch sanitary sewer main (DIP), and 89 new sanitary sewer manholes, to serve the general community of Nashville and Davidson County.

Metro will inspect the construction upon completion and will be responsible for ongoing operation and maintenance upon acceptance. Metro will pay the lesser of either half of the project cost or \$5,000,000 as part of the agreement. The improvements must be operational by July 1, 2025, or the contract will be null and void.

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

*Fiscal Note: Metropolitan Department of Water and Sewerage Services would pay the lesser of 50% of the actual project costs not to exceed \$5,000,000 towards public sanitary sewer service improvements for Nolensville Owner LLC's proposed development Storyvale to be paid from Fund Number 47410.*