



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

<b>File #:</b>	RS2022-1776	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	8/31/2022	<b>In control:</b>	Metropolitan Council
<b>On agenda:</b>	9/20/2022	<b>Final action:</b>	9/20/2022
<b>Title:</b>	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 three parcels related to the acquisition and removal of flood-prone properties in the Sevenmile Creek watersheds. (MWS Project No. 19-SWC-214 and Proposal Number 2019M-014PR-003)		
<b>Sponsors:</b>	Courtney Johnston, Jennifer Gamble, Brett Withers, Russ Pulley		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Agreement Exhibit		

Date	Ver.	Action By	Action	Result
9/21/2022	1	Mayor	approved	
9/20/2022	1	Metropolitan Council	adopted	
9/20/2022	1	Transportation and Infrastructure Committee	approved	
9/20/2022	1	Planning and Zoning Committee	approved	
9/20/2022	1	Budget and Finance Committee	approved	
9/13/2022	1	Metropolitan Council	filed	
7/12/2022	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 three parcels related to the acquisition and removal of flood-prone properties in the Sevenmile Creek watersheds. (MWS Project No. 19-SWC-214 and Proposal Number 2019M-014PR-003)

WHEREAS, RS2019-1593 approved an agreement between the Metropolitan Department of Water and Sewerage Services ("Water") and the United States Department of Army ("Army") for the Sevenmile Creek Flood Risk Management Project in Davidson County, TN ("Agreement"); and,

WHEREAS, RS2019-1802 specified the 45 flood-prone properties in the Sevenmile Creek watershed that would be acquired pursuant to the Agreement; and,

WHEREAS, RS2020-626 approved amendment one to the Agreement which included but as not limited to, adding an additional 11 flood-prone properties; and,

WHEREAS, RS2021-775 approved the acquisition and removal of the additional 11 flood-prone properties in the Sevenmile Creek watershed; and,

WHEREAS, Army has modified the project and provided a design documentation report listing an additional three properties to be added, 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. 2019M-014PR-003 on July 12, 2022, for acquisition of the three additional properties; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that the Department of Water and Sewerage Services be authorized to acquire and demolish the specific properties included in the design documentation report.

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, as identified in Exhibits 1 and 2, and incorporated herein, and to execute all other necessary actions pursuant to the Sevenmile 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 to acquire flood prone property in the Sevenmile Creek watersheds, previously approved by Resolution No. RS2019-1593. RS2019-1593 approved an agreement between the Metropolitan Department of Water and Sewerage Services ("MWS") and the U.S. Department of Army for the Sevenmile Creek Flood Risk Management project. RS2019-1802 identified 45 flood-prone properties to be acquired pursuant to the agreement. RS2020-626 added an additional 11 flood-prone properties to be acquired and RS2021-775 further approved the acquisition of 11 additional flood-prone properties.

The resolution under consideration adds three properties to the lists of flood-prone properties to be acquired. Exhibits 1 and 2 to the agreement would be amended to reflect this change. The parcels to be added are all in Council District 26. One parcel is located on Dewain Drive and two parcels are located on Elysian Fields Road.

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MWS has provided the budgeted property costs for these additional parcels. The Planning Commission approved this acquisition on July 12, 2022.

*Fiscal Note: The total budgeted property costs for the three additional properties is \$1,344,650.*