



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

<b>File #:</b>	RS2022-1857	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	11/3/2022	<b>In control:</b>	Metropolitan Council
<b>On agenda:</b>	11/15/2022	<b>Final action:</b>	11/15/2022
<b>Title:</b>	A resolution declaring surplus and authorizing the conveyance of real property to certain nonprofit organizations, and authorizing grants not exceeding \$15,045,144.00 from the Barnes Fund for Affordable Housing to certain nonprofit organizations selected for the express purpose of constructing and rehabilitating affordable or workforce housing. (Proposal No. 2022M-043AG-001)		
<b>Sponsors:</b>	Kevin Rhoten, Brett Withers, Ginny Welsch, Colby Sledge, Zulfat Suara, Kyonzte Toombs, Freddie OConnell, Zach Young, Kathleen Murphy, Brandon Taylor, Larry Hagar, Burkley Allen		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Exhibit O, 2. Exhibit P, 3. Exhibit Q, 4. Exhibit R, 5. Exhibit S, 6. Exhibit T, 7. Exhibit U, 8. Exhibit V, 9. Exhibit W, 10. Exhibit X, 11. Exhibit Y, 12. Exhibit Z, 13. Exhibit AA, 14. Surplus Property Conveyance and Grant Contract Exhibits		

Date	Ver.	Action By	Action	Result
11/17/2022	1	Mayor	approved	
11/15/2022	1	Metropolitan Council	adopted	
11/14/2022	1	Planning and Zoning Committee	approved	
11/14/2022	1	Budget and Finance Committee	approved	
11/14/2022	1	Affordable Housing Committee	approved	
11/8/2022	1	Metropolitan Council	filed	
10/31/2022	1	Planning Commission	approved	

A resolution declaring surplus and authorizing the conveyance of real property to certain nonprofit organizations, and authorizing grants not exceeding \$15,045,144.00 from the Barnes Fund for Affordable Housing to certain nonprofit organizations selected for the express purpose of constructing and rehabilitating affordable or workforce housing. (Proposal No. 2022M-043AG-001)

WHEREAS, the Metropolitan Government owns certain parcels of property identified as Exhibits A through N (the "Properties"), as shown in Section 1 below; and,

WHEREAS, Section 7-3-314(e) of the Tennessee Code Annotated (the "Act") permits a metropolitan government by resolution of its governing body to authorize the conveyance of the real property acquired pursuant to a delinquent tax sale by grant to a nonprofit organization; and,

WHEREAS, the Act requires that no property may be granted prior to the expiration of the statutory redemption period; and,

WHEREAS, the Act requires that all such property be used to construct affordable and workforce housing for residents of Davidson County; and,

WHEREAS, on March 15, 2022, the Metropolitan Housing Trust Fund Commission issued a request for application to qualified nonprofit organizations to participate in the nonprofit housing development grant

program; and,

WHEREAS, Living Development Concepts, Inc. has been selected to receive a grant conveying four parcels of property as shown on Exhibits A through D; and,

WHEREAS, Affordable Housing Resources has been selected to receive a grant conveying six parcels of property as shown on Exhibits E through J; and,

WHEREAS, Be a Helping Hand has been selected to receive a grant conveying four parcels of property as shown on Exhibits K through N; and

WHEREAS, the requirements of Section 7-3-314(e) of the Act have been met as to the Properties; and,

WHEREAS, the grant process has conformed to the requirements of Tennessee law; and,

WHEREAS, Section 7-3-314 of the Tennessee Code Annotated states that metropolitan forms of government may provide financial assistance to a nonprofit organization in accordance with the guidelines of the Metropolitan Government; and,

WHEREAS, Section 5.04.070 of the Metropolitan Code of Laws provides that the Metropolitan Council may by Resolution appropriate funds for the financial aid of nonprofit organizations; and,

WHEREAS, pursuant to the regulations and procedures of the Metropolitan Housing Trust Fund Commission, the Metropolitan Housing Trust Fund Commission has accepted the recommendations of the Barnes Fund Review Committee that the appropriated funds be distributed to the following nonprofit organizations: Living Development Concepts, Inc., Affordable Housing Resources, Inc., Be A Helping Hand Foundation, Crossbridge, Inc., Habitat for Humanity of Greater Nashville, New Level Community Development Corporation, Park Center, Inc., Project Return, Inc., Urban Housing Solutions, Inc., Woodbine Community Organization, William Franklin Buchanan Community Development Corporation, and Thistle Farms; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that the conveyance of property and these grant contracts be approved.

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

Section 1. The Metropolitan Council declares the following parcels of land, owned in fee simple by the Metropolitan Government, and described in Exhibits A through N attached hereto and incorporated herein, to be surplus.

Parcel ID	Address - Location	Council District	Exhibit
08112010700	1604 Arthur Avenue	19	A
09108024100	919 43 <sup>rd</sup> Avenue N	21	B
06409001500	229 Center Street	11	C
09206032700	2909 Booker Street	21	D
04213007100	204 Port Drive	8 8	E
01816012200	212 Café Road	10	F
09209006700	3218 Torbett Street	21	G
07003000503	2631 Old Buena Vista Rd	2	H
09316018100	94 Fain Street	19	I

08107020100	1822 Dr D B Todd Jr Blvd	21	J
09316043000	0 Robertson Street	19	K
09316042900	0 Robertson Street	19	L
09316022400	65 Robertson Street	19	M
09316041400	101 Robertson Street	19	N

Section 2. The Metropolitan Government is hereby authorized to convey the properties identified as Exhibits A through D in Section 1 to Living Development Concepts, Inc..

Section 3. The Metropolitan Government is hereby authorized to convey the properties identified as Exhibits E through J in Section 1 to Affordable Housing Resources, Inc.

Section 4. The Metropolitan Government is hereby authorized to convey the properties identified as Exhibits K through N in Section 1 to Be a Helping Hand Foundation.

Section 5. The Metropolitan Housing Trust Fund Commission is hereby authorized to enter into a grant contract with Living Development Concepts, Inc. for the express purpose of constructing affordable and workforce housing the terms and conditions of which is attached hereto as Exhibit O and incorporated herein. Such grant contract shall specify the terms and conditions under which the conveyance is to be made including a deed restriction requiring the property to be used exclusively for construction of affordable and workforce housing for residents of Davidson County as those terms may be defined in Tennessee Code Annotated § 5-9-113.

Section 6. The Metropolitan Housing Trust Fund Commission is hereby authorized to enter into a grant contract with Affordable Housing Resources, Inc. for the express purpose of constructing affordable and workforce housing the terms and conditions of which is attached hereto as Exhibit P and incorporated herein. Such grant contract shall specify the terms and conditions under which the conveyance is to be made including a deed restriction requiring the property to be used exclusively for construction of affordable and workforce housing for residents of Davidson County as those terms may be defined in Tennessee Code Annotated § 5-9-113.

Section 7. The Metropolitan Housing Trust Fund Commission is hereby authorized to enter into a grant contract with Be a Helping Hand Foundation for the express purpose of constructing affordable and workforce housing the terms and conditions of which is attached hereto as Exhibit Q and incorporated herein. Such grant contract shall specify the terms and conditions under which the conveyance is to be made including a deed restriction requiring the property to be used exclusively for construction of affordable and workforce housing for residents of Davidson County as those terms may be defined in Tennessee Code Annotated § 5-9-113.

Section 8. There is hereby appropriated \$15,045,144.00 from the Barnes Fund for Affordable Housing to fund grants to thirteen nonprofit organizations as follows:

Nonprofit	Amount	Exhibit
Living Development Concepts, Inc.	\$750,000.00	O
Affordable Housing Resources, Inc.	\$275,000.00	P
Be a Helping Hand Foundation	\$339,000.00	Q
Crossbridge, Inc.	\$406,906.00	R
Habitat for Humanity of Greater Nashville	\$1,980,000.00	S
New Level Community Development Corporation	\$3,000,000.00	T
Park Center, Inc.	\$2,554,066.00	U

Project Return, Inc.	\$190,884.00	V
Urban Housing Solutions, Inc.	\$2,100,000.00	W
Woodbine Community Organization	\$2,470,000.00	X
William Franklin Buchanan Community Development Corporation	\$334,822.00	Y
Be a Helping Hand Foundation	\$449,341.00	Z
Thistle Farms	\$195,125	AA

Section 9. The Metropolitan Government of Nashville and Davidson County is hereby authorized to enter into grant contracts with each of the nonprofit organizations listed in Section 8 above for the grant amounts designated therein, subject to the terms and conditions under which the grant funds are to be spent, attached hereto as Exhibits O through AA and incorporated herein.

Section 10. 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 declares 14 properties as surplus and authorizes the conveyance of these parcels and further authorizes grants not exceeding \$15,045,144 to certain nonprofit organizations for the express purpose of constructing and rehabilitating affordable or workforce housing.

Tenn. Code Ann. §7-3-314(e) permits Metro to convey by resolution any real property acquired pursuant to a delinquent tax sale by grant to a non-profit organization for the purpose of constructing affordable or workforce housing. This section also specifies that no property may be granted prior to the expiration of the statutory redemption period. This section also requires that all such property be used to construct affordable and workforce housing for residents in the county.

On March 15, 2022, the Metropolitan Housing Trust Fund Commission issued a request for applications to qualified nonprofit organizations to participate in the nonprofit housing development grant program. Living Development Concepts, Inc., Affordable Housing Resources, Inc., and Be a Helping Hand Foundation were selected to receive these properties, as follows:

- 1604 Arthur Avenue - District 19 - Living Development Concepts
- 919 43<sup>rd</sup> Avenue N - District 21 - Living Development Concepts
- 229 Center Street - District 11 - Living Development Concepts
- 2909 Booker Street - District 21 - Living Development Concepts
- 204 Port Drive - District 8 - Affordable Housing Resources
- 212 Café Road - District 10 - Affordable Housing Resources
- 3218 Torbett Street - District 21 - Affordable Housing Resources
- 2631 Old Buena Vista Road - District 2 - Affordable Housing Resources
- 94 Fain Street - District 19 - Affordable Housing Resources
- 1822 Dr D B Todd Jr Blvd - District 21 - Affordable Housing Resources
- 0 Robertson Street - District 19 - Be a Helping Hand
- 0 Robertson Street - District 19 - Be a Helping Hand
- 65 Robertson Street - District 19 - Be a Helping Hand

- 101 Robertson Street - District 19 - Be a Helping Hand

This resolution further authorizes the Metropolitan Housing Trust Fund Commission to enter into grant contracts with Living Development Concepts, Affordable Housing Resources, and Be a Helping Hand Foundation for the express purpose of constructing affordable and workforce housing on these 14 properties.

In addition to the grants of real property, monetary grants from the Barnes Fund totaling \$15,045,144 would be made to 12 nonprofit organizations for 13 affordable housing projects. Tenn. Code Ann. § 7-3-314 authorizes Metro to provide financial assistance to nonprofit organizations. In addition, Section 5.04.070 of the Metro Code of Laws provides that the Council may appropriate funds for the financial aid of nonprofit organizations by resolution. The resolution would appropriate these funds as follows:

- Living Development Concepts -- \$750,000
- Affordable Housing Resources - \$275,000
- Be a Helping Hand Foundation - \$339,000
- Crossbridge, Inc. - \$406,906
- Habitat for Humanity of Greater Nashville - \$1,980,000
- New Level Community Development Corporation - \$3,000,000
- Park Center, Inc. - \$2,554,066
- Project Return, Inc. - \$190,884
- Urban Housing Solutions, Inc. - \$2,100,000
- Woodbine Community Organization - \$2,470,000
- William Franklin Buchanan Community Development Corporation - \$334,822
- Be a Helping Hand Foundation - \$449,341
- Thistle Farms, Inc. - \$195,125

Per state law and section 5.04.070 of the Metro Code, adoption of this resolution requires 21 affirmative votes.

*Fiscal Note: This appropriation would reduce the balance of the Barnes Fund by \$15,045,144.*