



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

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| File #: | RS2023-2002 | Name: | |
| Type: | Resolution | Status: | Passed |
| File created: | 1/13/2023 | In control: | Metropolitan Council |
| On agenda: | 3/7/2023 | Final action: | 3/7/2023 |
| Title: | A resolution authorizing the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, to enter into an agreement with Novo Antioch Owner, LLC, to fund the operation and maintenance of a force main within the public right-of-way for its development at 1421 Rural Hill Road (MWS Project No. 2022014926 and Proposal No. 2022M-054AG-001). | | |
| Sponsors: | Kevin Rhoten, Brett Withers, Russ Pulley, Tanaka Vercher | | |
| Indexes: | | | |
| Code sections: | | | |
| Attachments: | 1. Agreement Exhibit | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|---|----------|--------|
| 3/10/2023 | 1 | Mayor | approved | |
| 3/7/2023 | 1 | Metropolitan Council | adopted | |
| 2/7/2023 | 1 | Metropolitan Council | deferred | |
| 2/7/2023 | 1 | Transportation and Infrastructure Committee | approved | |
| 2/6/2023 | 1 | Planning and Zoning Committee | approved | |
| 2/6/2023 | 1 | Budget and Finance Committee | approved | |
| 1/31/2023 | 1 | Metropolitan Council | filed | |
| 1/6/2023 | 1 | Planning Commission | approved | |

A resolution authorizing the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, to enter into an agreement with Novo Antioch Owner, LLC, to fund the operation and maintenance of a force main within the public right-of-way for its development at 1421 Rural Hill Road (MWS Project No. 2022014926 and Proposal No. 2022M-054AG-001).

WHEREAS, Novo Antioch Owner, LLC ("Novo") has expressed a desire to provide a public pressure sewer extension through construction of a sanitary sewer lift station and force main for its development of Novo Antioch at 1421 Rural Hill Road, as shown in Exhibit 2 hereto attached, Project No. 2022014926 (collectively, the "Project"); and,

WHEREAS, the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, ("Metro") will inspect the construction of the Project and will be responsible for ongoing operation and maintenance of the force main upon acceptance; and,

WHEREAS, NOVO agrees to provide a letter of credit in the amount of \$300,000.00 to cover the additional operation and maintenance costs for the force main in the public right-of-way according to the terms of the

Novo Antioch Lift Station and Force Main Operation and Maintenance Agreement, attached as Exhibit 1; and,
WHEREAS, METRO will not be required to contribute funds toward the Project; and,

WHEREAS, BL2022-1214 authorizes the Metropolitan Department of Water and Sewerage Services to enter into maintenance agreements 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 ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY.

Section 1. The Novo Antioch Lift Station and Force Main Operation and Maintenance Agreement between Metro and Novo to improve public sewer services in Davidson County, Tennessee, attached hereto and incorporated herein, is hereby approved, and the Metropolitan Mayor is authorized to execute the same.

Section 2. Amendments to this legislation shall be approved by resolution.

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 an agreement between the Metropolitan Department of Water and Sewerage Services ("MWS") and Novo Antioch Owner, LLC ("Novo") to improve public sewer services in Davidson County.

Pursuant to this agreement, Novo will construct a public pressure sewer extension through construction of a sanitary sewer lift station and force main for its development of Novo Antioch at 1421 Rural Hill Road. MWS will inspect the construction of this project and will be responsible for ongoing operation and maintenance of the force main upon acceptance.

Novo will also provide a letter of credit in the amount of \$300,000 to cover the repair and maintenance costs of the force main in the public right-of-way for a period of 10 years.

Ordinance No. BL2022-1214 authorizes MWS to enter into maintenance agreements with developers by resolution of the Metropolitan Council.

Fiscal Note: Novo Antioch Owner, LLC will provide Metro a letter of credit in the amount of \$300,000 to cover the additional repair, operation, and maintenance costs for the force main in the public right-of-way for a period of 10 years.