



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2023-2000

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

**File created:** 1/21/2023 **In control:** Metropolitan Council

**On agenda:** 2/7/2023 **Final action:** 2/7/2023

**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 a parcel 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-004)

**Sponsors:** Courtney Johnston, Kevin Rhoten, Brett Withers, Russ Pulley

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreement Modification Exhibit

Date	Ver.	Action By	Action	Result
2/14/2023	1	Mayor	approved	
2/7/2023	1	Metropolitan Council	adopted	
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	
12/16/2022	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 a parcel 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-004)

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 was not limited to, adding an additional 11 flood-prone properties; and,

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

WHEREAS, RS2022-1776 approved the acquisition and removal of an additional 3 flood-prone properties in the Sevenmile Creek watershed; and,

WHEREAS, Army has modified the project and provided a design documentation report listing an additional

property to be added, a copy of which is attached hereto as Exhibits 1 and 2, and which includes details on the specific parcel; and,

WHEREAS, the Department of Water and Sewerage Services has provided the budgeted property costs for the specific parcel to be added; and,

WHEREAS, The Metropolitan Planning Commission approved mandatory referral No. 2019M-014PR-004 on December 16, 2022, for acquisition of the one additional property; 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 property 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, RS2021-775 further approved the acquisition of 11 additional flood-prone properties, and RS2022-1776 further approved the acquisition of three additional flood-prone properties.

The resolution under consideration adds one additional property 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 parcel is located on Milner Court and is located in Council District 26.

*Fiscal Note: The total budgeted property cost for acquisition of the additional parcel is \$460,000.*