File #: RS2021-909, **Version:** 1

A resolution approving an intergovernmental agreement by and between the State of Tennessee, Department of Transportation and The Metropolitan Government of Nashville and Davidson County, for Cleveland Street Extension and Bike/Pedestrian Connectivity from East Nashville to River North Development, Agreement #210064; PIN 131513.00; Federal Project # Pending; State Project #Pending (Prop. No. 2021M-016AG-001).

WHEREAS, the Metropolitan Government of Nashville and Davidson County ("Metro") has begun endeavors to redevelop the River North area of the east bank of the Cumberland River; and

WHEREAS, the Tennessee Department of Transportation desires to create such connectivity by constructing a Cleveland Street extension and Bike/Pedestrian connection: Cleveland Street, from SR-11 (US-41, Dickerson Pike) to Cowan Street under Interstate I-24; and Bike/Pedestrian Connectivity under I-24 from Grace Street to Cowan Street (the "Project"); Agreement #210064; PIN 131513.00; Federal Project # Pending; State Project #Pending (the "Agreement"); and

WHEREAS, upon completion the Project will facilitate public transit, automobile, pedestrian, and bicycle connections between the River North development, including the planned Oracle campus, and other parts of East Nashville; and

WHEREAS, the Project will create connections between River North and East Nashville that are vital to the Oracle America, Inc. development that is the subject of RS2021-908 ; and

WHEREAS, in exchange for the construction of the Cleveland Street extension and Bike/Pedestrian connection, Metro will cooperate with TDOT during the Project's planning and construction; and

WHEREAS, if the Project is not approved for federal matching funds, the Metropolitan Government's share of allocated elements of the Project is expected to total approximately $6,572,000 based on current estimates as shown as the Local component on Exhibit A to the Agreement; and

WHEREAS, if the Project is approved for federal matching funds, the Metropolitan Government's share of allocated elements of the Project is expected to total $1,314,400 based on current estimates. Such estimates comprise twenty percent of the Local component on Exhibit A to the Agreement; and

WHEREAS, pursuant to RS 2018-1454, the Metropolitan Council approved $20,000,000 for public infrastructure ("River North Infrastructure") in the vicinity of East Bank/Cowan Street; and

WHEREAS, pursuant to BL 2021-597, the Metropolitan Council approved a participation agreement and the expenditure of $13,802,000, leaving $6,198,000 of the funds approved by RS 2018-1454 available for other River North Infrastructure needs; and

WHEREAS, in the event the Metropolitan Government's share of allocated Project costs exceeds the $6,198,000 in funds remaining from RS 2018-1454, additional funding must be appropriated; and

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that this Agreement be approved.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF

NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the intergovernmental agreement by and between the State of Tennessee, Department of Transportation and The Metropolitan Government of Nashville and Davidson County, for the construction of a Cleveland Street Extension and Bike/Pedestrian Connectivity from East Nashville to River North Development under Agreement No. 210064, is hereby approved in substantially the form attached hereto and the Metropolitan Mayor is authorized to execute the same.

Section 2. Any amendments, renewals, or extension of the terms of the agreement may be approved by resolution of the Metropolitan Council.

Section 3. 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 approves an agreement between the Tennessee Department of Transportation (TDOT) and Metro Public Works for the construction of a Cleveland Street extension and bike/pedestrian connection from Dickerson Pike to Cowan Street under Interstate I-24, and another bike/pedestrian connection under I-24 from Grace Street to Cowan Street. This project will facilitate public transit, automobile, pedestrian, and bicycle connections between the River North development, including the planned Oracle campus, and other parts of East Nashville. These improvements are separate from the $175,000,000 in infrastructure improvements to be completed by Oracle, which is the subject matter of Resolution No. RS2021-908.

Metro will be responsible to obtaining all the necessary right-of-way for the project, and will cooperate with TDOT during planning and construction. The plan is for the majority of this work to be funded using federal matching funds. If the federal matching funds are approved, Metro's share of the costs is estimated to be approximately $1,300,000. However, if the federal funds are not provided, Metro's share would increase to approximately $6,500,000. Metro's share of the costs would be funded from the $6,200,000 remaining out of the $20,000,000 allocation in the fiscal year 2019 capital spending plan (RS2018-1454) for River North infrastructure. The Council approved a participation agreement earlier this year with Monroe Infrastructure, LLC for River North infrastructure (BL2021-597), which provided for the expenditure of $13,802,000 out of the $20,000,000 capital allocation. If Metro's share of the costs exceeds the $6,198,000 in funds remaining from RS2018-1454, additional funding will have to be appropriated at the time.

T.C.A. § 12-9-104 authorizes the approval of intergovernmental agreements with the State of Tennessee by resolution.