



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2021-1023, **Version:** 1

An ordinance to restrict the allocation of funds by or through the Metropolitan Government of Nashville and Davidson County for the design, development, or construction of the Jefferson Street Cap unless and until such project is comprehensively approved by separate resolution.

WHEREAS, the Jefferson Street Cap is a proposed \$120 million capital project intended to cover Interstate 40 between Jefferson and Scovel Streets, from D.B. Todd, Jr., Blvd. to 14th Ave. N. with the intent of re-establishing usable space in the community that was lost when I-40 was routed through North Nashville; and

WHEREAS, initial funding to secure direct and partnership funding for the design, development, and construction of the Jefferson Street Cap has been proposed through the initial bond resolution, RS2021-1201, initially filed October 26, 2021 (the Capital Spending Plan); and

WHEREAS, in relevant part, Exhibit A to RS2021-1201 itemizes the project categories and allocations under NDOT (the Nashville Department of Transportation) as follows:

Agency / Department	CIB Project ID	Allocation	Not to Exceed
NDOT			114,500,000
State of Good Repair	22PW0002	50,000,000	
Restoration & Resiliency,	22PW0004	45,000,000	
Partnership Funding	22PW0003		
	22PW0005		
	22PW0007		

WHEREAS, while the "Restoration & Resiliency, and Partnership Funding" category includes CIB Project ID 22PW0003, and while this Project ID number refers to the Jefferson Street Cap, there is no explicit reference to the project and the identification thereof is arguably oblique; and

WHEREAS, NDOT acknowledges that while the current Exhibit A does not call out the Jefferson Street Cap by name -- referencing the project only by CIB Project ID number -- the project has been explicitly referenced in the preceding Capital Spending Plan (RS2021-757), as well as the Transportation Plan (RS2020-656), and has been the focal point of publicized community meetings and public outreach, belying any intent to escape scrutiny; and

WHEREAS, NDOT nevertheless acknowledges the suspicions engendered by the lack of specific by-project-name reference to the Jefferson Street Cap and wishes to take steps necessary to assure Metropolitan Council members of the intended transparency and to fulfill the Council's reasonable expectations of an informed decision regarding the ultimate approval or disapproval of the Jefferson Street Cap; and

WHEREAS, NDOT shares the Metropolitan Council's desire to fully engage and collaborate with the North Nashville community in regard to this project so that residents of the Jefferson Street area determine and drive the direction of its future development; and

WHEREAS, NDOT also wishes to maintain eligibility for partnership funding through state, federal, and third-

party grants and resources - each of which will require further Council approval -- by securing Council approval of the initial bond funding set forth under Resolution No. RS2021-1201; and

WHEREAS, the Metropolitan Council seeks to avoid approval of the project through incrementalism, instead maintaining the opportunity to fully assess the project and eventually approve or disapprove it at the end of the public outreach, financing, and conceptual design - rather than graduated intermittent steps.

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

Section 1. That any and all funds obtained, approved, or directed by or through the Metropolitan Government of Nashville and Davidson County for the design, development and/or construction of the Jefferson Street Cap, identified as CIB Project ID 22PW0003 or otherwise, shall not be allocated to such Project from any source until the Metropolitan Council has approved, by final resolution receiving 21 affirmative votes, a comprehensive proposal detailing final cost estimates, available partnership funding, and design renderings.

Section 2. Be it further enacted that this ordinance take effect immediately after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.