



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

---

**File #:** RS2022-1324, **Version:** 1

---

A resolution authorizing The Metropolitan Government of Nashville and Davidson County to enter into an agreement with the City of Brentwood for the sale of water.

WHEREAS, BL2001-612 approved an agreement on March 20, 2001 between The Metropolitan Government of Nashville and Davidson County ("Metro") and the City of Brentwood ("City") for Metro to sell water service to City, for a period of twenty (20) years; and,

WHEREAS, RS2021-752 approved Amendment 1 to the agreement on February 3, 2021 between Metro and the City for Metro to extend the term of the current agreement for a period of one year; and,

WHEREAS, the City of Brentwood has requested Metro to enter into a new water purchase agreement for a period of 10 years, attached hereto and incorporated herein; and,

WHEREAS, Ordinance No. BL2001-612 provides that amendments to the legislation shall be approved by resolution; and,

WHEREAS, it is in the best interest of the Metropolitan Government of Nashville and Davidson County to enter into said Agreement with the City of Brentwood.

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

Section 1. That the Agreement by and between the City of Brentwood and The Metropolitan Government of Nashville and Davidson County for the sale of water, a copy of which is attached hereto and incorporated herein, is hereby approved, and the Metropolitan Mayor is authorized to execute the same.

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 authorizes the Metropolitan Government to enter into an agreement with the City of Brentwood for the sale of water. Pursuant to TCA § 12-9-104(b), interlocal agreements may be approved by resolution.

Metro has provided Brentwood with water dating back to at least 1985. A contract was entered into in 2001 pursuant to Ordinance No. BL2001-612, which approved a 20 year contract. Under the terms of that contract, Metro provided Brentwood with a maximum daily volume of 2,500,000 gallons and was charged the Non-Residential Rate, the rate paid by industrial and commercial customers. RS2021-752 extended that contract by one year to allow for time to negotiate a new long-term agreement.

Pursuant to this new agreement, Metro would sell Brentwood up to 1,000,000 gallons of water per day. Brentwood would be required to purchase at least 320,000 gallons of water per day. The maintenance, upkeep, and repair of meters will be Brentwood's responsibility. The term of the agreement would be ten years,

beginning on the effective date, and could be extended upon agreement of the parties. Brentwood would pay Metro's Non-Residential Rate, which is \$2.86 per CCF for 2021. Brentwood would also make monthly payments to Metro at two times the Non-Residential Rate if, on any day, the maximum daily volume of 1,000,000 is exceeded by 100%.