File #: RS2023-2214, **Version:** 1

A resolution supporting a permanent public art lighting installation in North Nashville and approving an application for a license agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") and the State of Tennessee ("the State"), acting by and through the Tennessee Department of Transportation ("TDOT"), relating to the use of certain space on Arthur Avenue under the I-40/I-65 bridge for the permanent public art lighting installation ("the Project').

WHEREAS, the Metropolitan Government of Nashville and Davidson County previously adopted and approved a resolution, RS2021-1177, accepting a Promotion of the Arts grant by and between National Endowment for the Arts, in an amount not to exceed $75,000, to the Metropolitan Government, acting by and through the Nashville Arts Commission, to support the Project; and,

WHEREAS, the Project will be installed on Arthur Avenue under the State's I-40/I-65 bridge; and,

WHEREAS, per TDOT's rules, a resolution of support is required to apply for a state license for transportation art on TDOT's highway features; and,

WHEREAS, the conceptual plan for the Project, attached hereto as "Exhibit A," show the character of the artistic lighting to be installed on Arthur Avenue; and,

WHEREAS, NDOT's application for a license agreement with TDOT for the conveyance of interest of surplus TDOT right-of-way is attached hereto as "Exhibit B"; and,

WHEREAS, T.C.A. § 12-9-104(b) provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action based upon the appropriate action of the governing bodies of the participating public agencies by resolution or otherwise, pursuant to law, which shall be necessary before any such agreement may enter into force; and,

WHEREAS, it is in the best interest of the Metropolitan Government of Nashville and Davidson County that the Project is supported and that the license agreement application is approved.

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

Section 1. That the conceptual plan for the proposed permanent public art lighting installation, attached hereto as "Exhibit A" and incorporated herein, is hereby supported by the Metropolitan Council.

Section 2. That the application for a license between the Metropolitan Government, acting by and through NDOT, and the State of Tennessee, acting by and through TDOT, attached hereto as "Exhibit B" and incorporated herein, is hereby approved.

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 supports a permanent public art lighting installation in North Nashville and also approves an application for a license agreement between the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) and the Tennessee Department of Transportation (“TDOT”) related to the use of certain space on Arthur Avenue under the I-40/I-65 bridge for the permanent public art lighting installation.

This art installation was previously accepted by the Council pursuant to Resolution No. RS2021-1177, which accepted a grant not to exceed $75,000 for the public art lighting installation.