



Metropolitan Council

**PROPOSED AMENDMENTS TO
RESOLUTIONS, SUBSTITUTES FOR
RESOLUTIONS, LATE-FILED
RESOLUTION, AND AMENDMENTS
AND SUBSTITUTES FOR
ORDINANCES TO BE FILED WITH
THE METRO CLERK
FOR THE COUNCIL MEETING OF
TUESDAY, FEBRUARY 6, 2018**

AMENDMENT NO. _____
TO
RESOLUTION NO. RS2018-999

Mr. President –

I move to amend Resolution No. RS2018-999 as follows:

By amending the recitals clause section by adding the following as the third recitals clause thereto:

WHEREAS, a written agreement has been executed between Germantown Bar, *a/k/a* 1318 Properties, LLC and Germantown Commons HOA regarding the operations of Germantown Bar, with provisions addressing fencing, music/noise emission, sound restrictions, special occasion events/parking lot events, blackout/acoustic curtains, 3-pane windows, soundproofing fence/beer garden fence, outdoor speakers, lighting, water runoff remediation, and traffic ingress/egress. The agreement, entitled "Settlement Agreement and Mutual Release", is attached hereto as Exhibit A. Germantown Bar has agreed therein to achieve preliminary compliance with certain conditions within the agreement prior to obtaining an exemption under Section 7.08.090.E of the Metropolitan Code. Those preliminary conditions, set forth under Section 2(m) of the agreement, have now been completed to the mutual satisfaction of Germantown Bar, *a/k/a* 1318 Properties, LLC and Germantown Commons HOA; and

INTRODUCED BY:

Freddie O'Connell
Member of Council

Attachment: Exhibit A

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Settlement Agreement is made as of the last date of execution shown below (the "Effective Date") by and between the Germantown Commons HOA ("GC") and 1318 Properties, LLC d/b/a Germantown Bar or Germantown Restaurant or Germantown Depot ("GR") (collectively referred to as the "Parties").

WHEREAS, the GC also includes and is defined as the twenty-five-unit residential housing community and its homeowners' association ("HOA") located at 1325 5th Avenue North, Nashville, Tennessee 37208; and

WHEREAS, the GR is a restaurant which serves food, alcoholic beverages and malt beverages, and is located at 1318 6th Avenue North, Nashville, Tennessee 37208 (the "Premises"); and

WHEREAS, the GR's property directly adjoins the GC property, separated only by an alley; and

WHEREAS, the GC, concerned by certain public statements made by the GR and certain design elements of the GR, and after unsuccessful attempts to address their concerns, filed the following: (1) a Notice of Opposition to oppose the GR's Metropolitan Government of Nashville and Davidson County ("Metro") Beer Board permit Application; (2) a Notice of Opposition to oppose the GR's Tennessee Alcoholic Beverage Commission Liquor-By-The-Drink license application; and (3) a Metro Board of Zoning Appeals action challenging the zoning approval and specific use of the Premises;

WHEREAS, the Parties, via e-mail, entered into an agreement in principle on September 27, 2017 ("Agreement in Principle") with the joint intent of the Parties to resolve this dispute, with the understanding that a fully executed agreement (the "Settlement Agreement" or the "Agreement") would be entered into;

WHEREAS, in consideration of the GR agreeing to the terms contained within the Agreement in Principle, the GC withdrew its Metro Beer Board opposition via an announcement made during the Metro Beer Board's September 27, 2017 board meeting;

WHEREAS, the Parties now enter into this Settlement Agreement ("Agreement") fully compromising and settling any and all claims in the matters in controversy and fully memorializing the terms contained in the Agreement in Principle;

WHEREFORE, in consideration of the aforesaid and the covenants and promises herein, the receipt and sufficiency of which the Parties acknowledge, the Parties agree as follows:

1. **Settlement by the Germantown Commons HOA.** In consideration of and subject to the terms herein, the GC will: (1) withdraw its Notice of Opposition of the GR's Metropolitan Government of Nashville and Davidson County ("Metro") Beer Board permit Application; (2) withdraw its Notice of Opposition to oppose the GR's Tennessee Alcoholic Beverage Commission

Liquor-By-The-Drink license application and/or not appeal the issuance of the GR's license; and (3) dismiss the Metro Board of Zoning Appeals action challenging the zoning approval and specific use of the Premises.

2. Settlement by 1318 Properties, LLC d/b/a Germantown Bar and/or Germantown Restaurant and/or Germantown Depot.

(a) **Applicable Laws, Rules and Regulations:** GR agrees to abide by all Metro ordinances, rules and regulations pertaining to and governing the operation of the GR's business.

(b) **Fence:** The GR will agree to design, build and stain along the full length of the parking lot between the GR parking lot and GC property a wooden fence (the "Parking Lot Fence"), with a minimum height of 8 feet and a maximum height of 12 feet., and of the same type, kind and quality of the existing GR fence. The Parties understand that the final fence design and installation is subject to Metro approval. The Parties have met with Metro, on-site, and discussed a proposed design of the fence, which Metro has stated should be generally acceptable for staff approval. The base of the fence shall be raised above the ground surface by approximately 10-12 inches.

Attached as Exhibit A is the site plan of the Parking Lot Fence.

The Parties shall work in good faith together towards seeking final approval for the fence from Metro. This will involve proposing a fence to Metro that meets the conditions that Metro has previously stated should be generally acceptable for staff approval. However, if the design of the fence is not approved by Metro and the fence application requires an appeal, the Parties shall jointly support and participate in said appeal.

Within 48 hours from the date of the execution of this Agreement, the GR shall submit to the GC a signed contract with a design company for the design of the Parking Lot Fence. Such design will, in the judgment of the design company, be likely approved by Metro. GR shall also submit to GC a signed contract with a build contractor for the build of the Parking Lot Fence. The contracts shall include a schedule for performance of the fence design and build to be completed by March 1, 2018. Within five (5) business days from the execution of this Agreement, the GR shall provide the GC with proof that the appropriate documents have been submitted to Metro in order to obtain the necessary approval for the construction of the fence. On-site construction of the Parking Lot Fence shall begin by January 26, 2018. In exchange for construction of the Parking Lot Fence commencing by January 26, 2018, and visible progress having been made by February 1, 2018, the GC shall not request the Metro District 19 Councilman to defer the Metro City Council's consideration of the GR's City Council resolution requesting a waiver of Metro's beer permit location restriction ordinance (the "Resolution").

If the GC feels that any of the aforesaid conditions of this section 2b have not been met or if construction of the Parking Lot Fence has not begun by January 26, 2017, and visible progress having been made by February 1, 2018, the GC shall have the right to

request the Metro District 19 Councilman to defer by one month the consideration of the Resolution.

The GR shall be responsible for maintaining the fence. Construction and all finishing details (staining, etc.) of the fence shall be completed by March 1, 2018.

(c) **Ordinary Music/Noise Emission:** The GR will agree to not emit sound from speakers or any other source which will disrupt any resident of the GC when said resident is inside of said resident's home with the windows closed. Noises elevated beyond 30 dB inside of the GC resident's homes, which continue for more than 10 minutes, shall be presumed to be a disruption. An exception shall exist for appropriately permitted, special occasion events in the GR parking lot where live bands or disc jockeys may perform. As is stated in additional detail in Section 4 of this Agreement, if a dispute occurs and no resolution can be achieved and upon the written request by either party, the Parties shall submit their respective positions to the sitting Metro councilmember for the district prior to initiating a legal proceeding. In addition to the language in this provision, all applicable Metro ordinances relating to sound emission still apply. For any ticketed special events hosted by the GR, the GR agrees to provide complimentary tickets to any and all residents of the GC after receiving a written request for said tickets (e-mail is acceptable) at least ten (10) days prior to the ticketed event.

(d) **Applicable Laws, Rules and Regulations:** All Metro ordinances and sound restrictions shall apply and govern regarding the levels of sound which are acceptable to be emitted onto the GC property.

(e) **Special Occasion Events/Parking Lot Events:** The GR shall only permit and allow a maximum of five (5) specially permitted events or special occasion permitted events ("Special Occasion Events" or "Special Events") to occur on its premises and/or its parking lot., or to host on any adjacent property, per year. For the purpose of clarity, Special Occasion Events or Special Events will be defined as events which require any type of special event permit from Metro, regardless of whether beer or alcoholic beverages are being sold. This includes but is not limited to permits issued by the Metro Beer Board for Special Events. GR shall provide advance written notice to the GC of a planned Special Occasion Event, said notice to be provided upon the execution of a contract for said event and at least fourteen (14) days prior to the GR's application for a Special Event/Special Occasion Permit from Metro and/or at least fourteen (14) days prior to the event, whichever comes first. In the event that a contract for a Special Occasion Event is signed within fourteen (14) days from the event date, the GR shall provide notice to the GC of the event contract on the day that the contract is entered into. The GR shall also provide to the GC a copy of the Special Occasion Permit Application upon filing said application.

For any ticketed special events hosted by the GR, the GR agrees to provide complimentary tickets to any and all residents of the GC after receiving a written request for said tickets (e-mail is acceptable) at least ten (10) days prior to the ticketed event.

(f) **Blackout/Acoustic Curtains/3-Pane Windows:** GR will agree to install acoustic curtains or 3-pane windows in any and all affected GC units if it is established that there is a sound/light issue with the regular business operations of the GR. If the parties cannot reach an agreed-upon solution, the sitting councilmember for the district shall serve as the sole decision-maker as to whether the complaint of the GC is reasonable and warrants a resolution, with both parties reserving all of their legal rights and remedies. Upon the councilmember determining that the concerns of the GC are reasonable, the GR shall have the obligation to install acoustic/blackout curtains, 3-pane windows, or both. The GR may choose to begin with the installation of acoustic/blackout curtains but will be obligated to install 3-pane windows as well if the curtains alone fail to remedy the issue. The GR shall have ten (10) days from the councilmember's decision to present product ideas and/or samples to the GC, after which the GC shall have ten (10) days to respond to the GR with its acceptance or rejection of product samples. The Parties shall work in good faith to come to an agreement as to the specific type(s) of product to be installed and the specific company to handle the installation of the product(s). The company selected for the installation of the product(s) shall meet all legal licensing and bonding requirements for the State of Tennessee and shall be chosen by the agreement of the Parties. Once the product(s) and the installing company are selected, installation shall begin no later than thirty (30) days from the date of product and installer selection, the decision of which shall not be unreasonably withheld.

The terms of Section (f) shall not apply to the Special Occasion Events in Section (e) above.

(g) **Soundproofing Fence/Beer Garden Fence ("Fence 2"):**

The GR will agree to design and build a second fence ("Fence 2"), to be the same height as the existing beer garden fence, in the GR beer garden area which is to run parallel to the existing fence which serves as a rear wall to the existing cabanas in the beer garden area. The purpose of Fence 2 is to work as a soundproofing measure. Fence 2 shall be installed 4"- 8" from the current fence, so as to create an "air gap" between the two fences. Fence 2 shall run the entire length from building to building, including the cabana area. Due to the construction of the cabana area, a portion of Fence 2 will run on the outside (parking lot side) of the existing fence.

Attached as Exhibit B is the site plan for Fence 2.

If for some reason Metro takes issue with the build of Fence the Parties shall work in good faith together towards seeking final approval for the fence from Metro. This will involve proposing a fence to Metro that meets the conditions that Metro has previously stated should be generally acceptable for staff approval. However, if the design of the fence is not approved by Metro and the fence application requires an appeal, the Parties shall jointly support and participate in said appeal.

Within ten (10) business days from the date of the execution of this Agreement, the GR shall submit to the GC a signed contract with a design company for Fence 2 and a signed contract with a build contract for the build of the Parking Lot Fence which design will include the design company's best estimated design that will, in the estimate of the



design company, be approved by Metro in such circumstances. The contracts shall include a schedule for performance of the fence design and build.

On-site construction of Fence 2 shall begin by February 12, 2018.

The GR shall be responsible for maintaining the fence, with the understanding that the fence is subject to Metro approval. Construction and all finishing details (staining, etc.) of the fence shall be completed by March 1, 2018 (sealing the fence(s) may take more time due to weather conditions).

(h) **Outdoor Speakers:** No speakers exceeding a wattage capacity of 64 watts (the currently installed speakers are Bose DS16SE speakers with a max SPL of 96-102 and a 64 watt peak) will be permanently installed on the exterior of the property and inside of the cabanas. All sound emission restrictions contained within the Metro Code of Ordinances shall govern all sound emitting from the GR property from any sound-emitting device.

(i) **Lighting:** The specific type(s) of lighting to be used in the parking lot of the GR and inside of the beer garden of the GR shall be designed to minimize light pollution but to also be effective for the intended purpose of providing enough light for a safe environment. The lighting that has been installed by the GR and agreed to by the GC is the Crossover LED Wall Sconce product (XPWS3). If any installed lighting results in light pollution that is not allowed under Metro law, the GR shall work with the GC, in good faith, to attempt to resolve the GC's concerns and to alter the lighting or replace it with an acceptable lighting source.

Any lighting used in the beer garden/GR outdoor area shall be low lumen lighting that is designed to not be seen from the first floor (street and alley level) of the GC property. The Parties have discussed the use of Italian bulb string lighting.

(j) **Water Runoff Remediation:** Through the construction process, Metro dictated and approved the GR's property storm water plan. The GC has expressed experiencing water runoff issues on the GC property. If the GC continues to experience water runoff issues on the portion of the GC property facing the alley and Taylor Street, between the GC and GR properties that is caused by GR runoff, the GR will resolve the issue, by any commercially reasonable means necessary provided the issue can be resolved for a commercially reasonable cost, subject to Metro approval, if said approval is required. Within 30 days from the execution of this Agreement, the GR shall install water curbing at the end of the driveway leading to the alley of the type and kind that is currently installed on the GR property by the dumpster.

(k) **Ingress/Egress:** The GR shall work with the GC and with Metro Public Works to control the ingress and egress of GR traffic safely and effectively, in a way which minimizes the impact of traffic flow on the GC property. In addition, within thirty (30) days from the date of execution of this Agreement, the GR shall create and install signage which will direct drivers to "Exit Left" when exiting the GR parking lot which faces the alley between the GR and GC properties. All parties recognize that this provision is subject to City approval.



(l) **Use:** The GR business shall operate as one full-service restaurant with three (3) separate buildings/concepts within the restaurant.

(m) **City Council/Beer Board Variance:** A variance from the Metro City Council is required in order for the GR to obtain a beer permit for one of the three (3) buildings on the GR property (the building farthest from Taylor Street). Prior to seeking final approval for final passage of the City Council variance, the GR shall comply with provisions herein relating to the Parking Lot Fence and to Fence 2 and, in addition, install the Exit Left signage which will direct traffic from the GR parking lot and into the alley and address any storm water issues per Section (j) above.

In addition, the Parties agree that, if allowed by Metro, the provisions, terms and requirements imposed by this Agreement shall be filed with and serve as conditions to the City Council resolution referenced in the paragraph above. In addition, the provisions, terms and requirements imposed by this Agreement shall be filed with and serve as conditions to the issuance of the GR's applied-for beer permit and existing beer permit. The GR shall be in support of the terms of this Agreement being conditions of the City Council resolution and of the terms of this Agreement being conditions to the applied-for beer permit and of the existing beer permit held by the GR. It is agreed that the GC will only petition the Beer Board for action to be taken on the GR's beer permit (s) after the dispute has been fully addressed with the councilmember pursuant to Section 3 below. If the Parties cannot resolve the dispute through the councilmember process, the GR shall have five (5) business days to rectify the issue(s) being complained of, if the issues are not resolved after the 5th day, the GC may proceed with petitioning the Beer Board.

To restate the dispute resolution process that is included in this Agreement and governs any disputes arising under this Agreement, the Parties must first communicate with each other and attempt to resolve any issues amongst themselves, if unsuccessful, the Parties must then attempt to find a resolution by using the sitting Metro Councilmember as a mediator, if unsuccessful, the Parties may then proceed with other available means of relief including but not limited to petitioning the Metro Beer Board or filing a lawsuit.

3. Default, Notice of Default and Cure. Should either party feel that the other party is in breach of any provision or term of this Agreement, the Parties shall first attempt to reach a good faith agreement in order to resolve the dispute. If no resolution can be achieved and upon the written request by either party, the Parties shall submit their respective positions to the sitting Metro councilmember for the district in which the Premises is located for resolution. This process is subject to the councilmember's willingness to participate in this process. A substitute may be selected by the agreement of the Parties. This councilmember resolution process shall in no way be viewed as a binding arbitration or mediation clause, and shall not otherwise limit the rights of the Parties. If a resolution cannot be reached through this process, either party may proceed as otherwise allowed by law.

4. No Admission of Liability. The Parties understand and acknowledge that this Agreement represents a full, final, and complete satisfaction and compromise of all claims. Neither this Agreement nor any action or acts taken in connection with this Agreement constitutes an admission by any party or any other entity or person that any conduct or action constituted any

wrongdoing of any nature whatsoever or was unlawful or in violation of any contract, agreement, understanding, custom, or obligation between or among the Parties.

5. Enforcement of Agreement. The Parties agree that any party hereto has the right to file suit or exercise other rights in order to enforce the provisions of this Agreement, notwithstanding any release of liability herein exchanged.

6. No assignment/transfer. The Parties represent and warrant that no portion of any claim, right, action, or cause of action against the other released hereunder has been assigned or transferred by the releasing Party in any manner, including by way of subrogation or operation of law.

7. Entire Agreement and Understanding. This Agreement contains the entire understanding between the Parties concerning the subject matter hereof and supersedes any and all prior agreements or negotiations of the Parties, whether oral or in writing, with respect to its subject matter. Each Party to this Agreement acknowledges that no representations, inducements, promises, or agreements, oral or otherwise, have been made by or on behalf of any Party hereto that are not embodied herein, and that any other alleged agreement, statement, or promise not contained in this Agreement shall not be valid, binding, or enforceable. The Parties acknowledge that they understand the terms hereof and agree to be bound hereby.

8. Governing Law. This Agreement is deemed entered into in the State of Tennessee and shall be construed, interpreted, and enforced in accordance with the laws of the State of Tennessee without regard to the conflicts of law rules of Tennessee or any other state.

9. Forum Selection. Any lawsuit filed on account of, or arising out of, or related to this Agreement, shall be filed in a Court of proper jurisdiction in Davidson County, Tennessee. The Parties agree that any action subject to this provision that is not filed in conformance herewith shall be dismissed with prejudice with costs taxed to the party filing the action, and an judgment in the amount of the non-filing party's reasonable attorney's fees and costs occasioned by the filing shall be entered against the filing party.

10. Joint Drafting. This Agreement shall be deemed to have been drafted by all Parties. Any uncertainty or ambiguity shall not be construed for or against any Party based on attribution of drafting to any Party. The language of all parts of this Agreement shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against any of the Parties.

11. Severability. The Parties agree that, if any court or arbitration panel finds that any provision of this Agreement is illegal, invalid, or unenforceable, the validity of the remaining parts, terms, and provisions shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law, and each such unenforceable portion or provision shall be deemed not to have been a part of this Agreement.

12. Binding Nature; Amendment. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and each of the Parties' respective heirs, executors, administrators, trustees, employees, agents, partners, representatives, successors, assigns, purchasers, transferees, parent companies, affiliates, subsidiaries, directors, officers, and shareholders as it pertains to this

Agreement. This Agreement may not be amended or modified except by a writing signed by all of the Parties hereto.

13. Further Assurances. The Parties agree to cooperate fully and execute any and all further documents and to take all further actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

14. Capacity. The Parties represent and warrant that they have full capacity and authority to enter into, execute, and perform this Agreement and to compromise the claims or potential claims referenced herein, and that they are the lawful owners of all claims being settled herein and have not assigned or transferred any of the claims or other matters released herein.

15. Headings. The section headings contained in this Agreement are inserted for convenience only and will not affect in any way the meaning or interpretation of this Agreement. Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

16. Counterparts and Electronic Communication. The Parties may execute this Agreement in any number of copies and in separate counterparts, each of which, when so executed, shall be deemed to be an original, and all of which together shall constitute one and the same agreement. A faxed or e-mailed copy of this Agreement shall be deemed to be the same as an original.

17. Notice of Default. In addition to being communicated to the appropriate service of process agent for each respective Party, any notice of complaint or notice of default of the GR or the GC shall be communicated or delivered to:

GR Contact

Barrett Hobbs
124 Spring Valley Road
Nashville, TN 37214

With a copy to:

Angelia Van Vranken
Partner, CFO
1318 Properties, LLC dba Germantown Depot
112 2nd Ave. No.
Nashville, TN 37201

GR Phone Contact

GR will make known to the GC the names and contact information for three individual representatives of the GR which the GC shall use to communicate in the order directed thereon.



GC HOA Contact

GC will make known to GR the name and contact information for the President of the GC HOA for all notices required under this Agreement as well as the name and contact information for a designee in the event the President is unavailable.

HOA Board President:

Barbara Opyt
1325 5th Ave. N #15
Nashville, TN 372-8
Phone: (512) 965-0834
Email: barbopyt@gmail.com

Designee Contact:

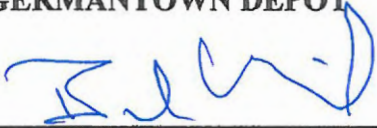
Vicki Metzger
1325 5th Ave. N. #23
Nashville, TN 37208
Phone: (615) 964-7674
Email: Vicki.Metzgar@gmail.com

18. Attorneys' Fees. Should either party employ an attorney to enforce any of the provisions herein, or to protect its interest in any matter arising under this Agreement, or to specifically enforce this Agreement, the party prevailing shall be entitled to recover from the other party, in addition to any other relief awarded by a court of competent jurisdiction, all reasonable costs, charges and expenses, including attorneys' fees, expended in connection therewith, including expenses incurred on appeal

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the effective date:

**1318 PROPERTIES, LLC d/b/a
GERMANTOWN BAR OR
GERMANTOWN RESTAURANT
OR GERMANTOWN DEPOT**

x

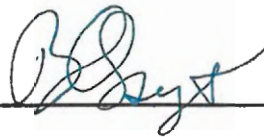


Date:

1/25/2018

GERMANTOWN COMMONS HOA

x



Date:

1/24/2018



SUBSTITUTE ORDINANCE NO. BL2018-1051

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by removing the Adult Entertainment Overlay for various properties located east of 21st Ave N, (178.12 acres), all of which is described herein (Proposal No. 2018Z-007PR-001).

WHEREAS, case law has upheld ordinances based on evidence of the adverse secondary effects of adult uses and sexually oriented businesses; and,

WHEREAS, there are numerous reports concerning secondary effects occurring in and around sexually oriented businesses, as identified in BL2009-538; and,

WHEREAS, sexually oriented businesses, as a category of commercial uses, are associated with a wide variety of adverse secondary effects including, but not limited to, personal and property crimes, prostitution, potential spread of disease, lewdness, public indecency, illicit drug use and drug trafficking, negative impacts on property values, urban blight, litter, and sexual assault and exploitation; and

WHEREAS, a 1984 Indianapolis study and a 1986 Oklahoma City study evidence that the adverse secondary effects associated with sexually oriented businesses extend to off-site or retail-only sexually oriented businesses; and

WHEREAS, sexually oriented businesses should be separated from sensitive land uses to minimize the impact of their secondary effects upon such uses, and should be separated from other sexually oriented businesses, to minimize the secondary effects associated with such uses and to prevent an unnecessary concentration of sexually oriented businesses in one area; and

WHEREAS, each of the foregoing negative secondary effects constitutes a harm which the Metropolitan Government has a substantial government interest in preventing and/or abating; and

WHEREAS, this substantial government interest in preventing secondary effects, which is the Metropolitan Government's rationale for this ordinance, exists independent of any comparative analysis between sexually oriented and non-sexually oriented businesses; and

WHEREAS, the Metropolitan Government's interest in regulating sexually oriented businesses extends to preventing future secondary effects of either current or future sexually oriented businesses that may locate within the jurisdiction of the Metropolitan Government; and

WHEREAS, the Metropolitan Government finds that the cases and documentation relied on are reasonably believed to be relevant to said secondary effects; and,

WHEREAS, the United States Supreme Court has held that the First Amendment requires only that the government “refrain from effectively denying respondents a reasonable opportunity to open and operate an adult theater within the city.” *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986).

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

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By removing the Adult Entertainment Overlay for various properties located east of 21st Ave N, (178.12 acres), being various Property Parcel Nos. on various Maps of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on various Maps of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember Freddie O'Connell

2018Z-007PR-001

Map 092-08, Parcel(s) 176, 179, 182, 185, 186, 194-196, 270, 284, 286, 288-297, 302-306, 309-312, 315, 316, 321-330, 332, 348-353, 355, 367-368

Map 092-12, Parcel(s) 121-123, 125-128, 139, 143, 198, 199, 203, 206, 207, 211-213, 216, 219, 221, 223-225, 227, 228, 231, 233-245, 247, 278, 279, 282-288, 292, 298-311, 313, 315, 317-323, 325, 330, 332, 334, 335, 338-340, 342, 345-360, 364-367, 371-373, 375-382, 384-389, 392-394, 396-404, 407-415, 417-425, 427-430, 432-446, 463-472, 477-481, 485-494, 501, 507, 509, 515, 516, 518-521, 526-528

Map 092-12, Part of Parcel(s) 099

Map 092-12-0-B, Parcel(s) 001-002, 900

Map 092-16, Parcel(s) 031, 033, 034, 036, 039-041, 043, 044, 046, 051-057, 063, 068-070, 072, 073, 075-084, 086-090, 094-096, 098, 100-103, 107-109, 112-115, 120, 123-132, 134, 138, 139, 141, 143, 145-147, 157, 160, 162-169, 173, 174, 176, 183, 184, 186, 187, 189, 190, 192-199, 202, 203, 205, 206, 219, 220, 223, 228-230, 250, 253-257, 259-262, 297, 298, 337, 340-343, 345, 395, 429, 433-437

Map 092-16, Part of Parcel(s) 394

Map 092-16-0-D, Parcel(s) 001, 107-129, 201-206, 209-227, 230, 231, 301-331, 401-431, 501-520, 522-531, 601, 602, 604-620, 622-631

Map 092-16-0-E, Parcel(s) 901

Map 093-09, Parcel(s) 002-003, 006-009, 017-021, 023-039, 042, 084, 100-102, 136-140, 142-145, 194, 199, 201-215, 250, 252, 259, 341-342

Map 093-09-0-A, Parcel(s) 001-008, 010-032, 034-044, 046-068, 070-080, 082-085, 087-092, 094, 096-099, 101, 103-105, 109, 110, 114-123, 900

Map 093-13, Parcel(s) 004, 006-008, 010, 011, 013, 035, 058, 061, 065, 066, 068, 129, 171, 181, 573, 574, 577, 582, 584

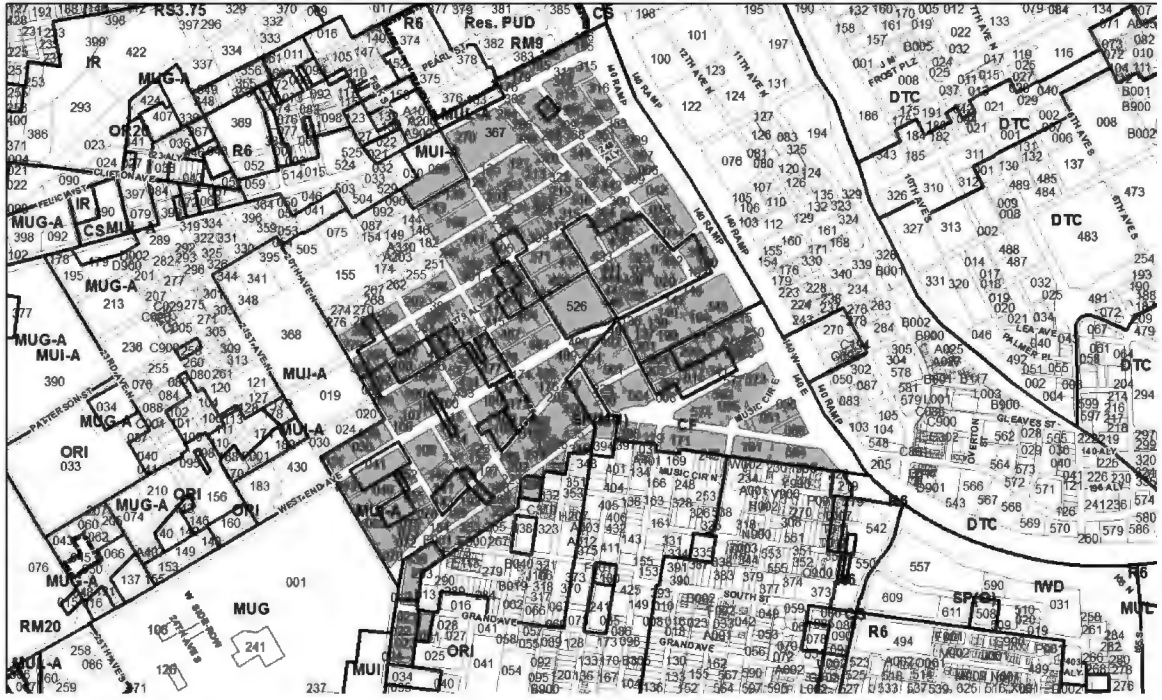
Map 104-04, Parcel(s) 012, 021-024, 033

Subarea 08, North Nashville; 10, Green Hills - Midtown

District 19 (O'Connell); 21 (Kindall)

Application fee paid by: Fee waived by Council

A request to remove the adult entertainment overlay for various properties located east of 21st Ave N, (178.12 acres), requested by Councilmember Erica Gilmore, applicant; various property owners.



AMENDMENT NO. _____
TO
RESOLUTION NO. RS2018-1022

Mr. President –

I move to amend Resolution No. RS2018-1022 as follows:

I. By amending Section 9 by deleting it in its entirety and substituting therefore the following:

Section 9. There is hereby appropriated the sum of ~~\$1,480,000.00~~ \$980,000 from the General Fund Reserve Fund for the Metro Nashville Public Works Department for equipment.

II. By amending the "General Fund Reserve Fund (4% Fund) Information Sheets", referenced in Section 16 and attached to the Resolution, by deleting from the Public Works Department information sheet the following line item:

| Object Code | Item | Qty. | Estimated Cost | Replacement or New Equipment | Age of Equipment | Estimated Life of Equipment |
|--------------------|------------------------|------|----------------|------------------------------|------------------|-----------------------------|
| 42204000 507400 | Salt Bin Relocation | 1 | 500,000 | New | -- | 15+ |

INTRODUCED BY:

Kathleen Murphy
Member of Council

AMENDMENT NO. ____
 TO
 RESOLUTION NO. RS2018-1032

Mr. President –

I move to amend Resolution No. RS2018-1032 as follows:

I. By deleting the fifth recital clause, which begins, “WHEREAS, the Administration has determined...”, in its entirety.

~~WHEREAS, the Administration has determined that the following appropriations from the General Fund of the General Services district will be impounded in the below amounts from the indicated funds in order to offset the amount to be appropriated from the Undesignated Fund Balance of the General Fund of the General Services District (the “Impounded Funds”):~~

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|----------------------------------|--------------------|
| 01101138.502885 | Employee Tuition Reimbursement | \$50,000 |
| 01101230.502111 | Stormwater Contingency | \$350,000 |
| 01101650.505320 | Small Business Incentive | \$150,000 |
| 01101691.502239 | Nashville Construction Readiness | \$150,000 |
| 01101692.531001 | Housing Incentive Pilot | \$1,550,000 |
| 01101694.505320 | Historic Preservation Pilot | \$150,000 |
| (not applicable) | Total | \$2,400,000 |

II. By deleting the sixth recital clause, which begins, “WHEREAS, the Metropolitan Council desires...”, in its entirety.

~~WHEREAS, the Metropolitan Council desires to appropriate the remaining amount of \$10,831,000 for the benefit of Nashville General Hospital from the Undesignated Fund Balance of the General Fund of the General Services District; and~~

III. By deleting the eleventh recital clause, which begins, “WHEREAS, after the appropriation...”, in its entirety and substituting in lieu thereof the following:

WHEREAS, after the appropriation provided in this Resolution, the current fund balance in the Undesignated Fund Balance of the General Fund of the General Services District is estimated to be approximately 3.85 ~~3.85~~ 3.6 percent; and

IV. By deleting the twelfth recital clause, which begins, “WHEREAS, the Director of Finance will implement...”, in its entirety.

~~WHEREAS, the Director of Finance will implement a hiring and promotion freeze and will scrutinize all departmental appropriations from the General Services District of the General Fund with a goal of further impounding a minimum of an additional \$2,000,000 in order to mitigate the impact of this appropriation on the Fund Balance of the General Services District of the General Fund; and~~

V. By deleting the thirteenth recital clause, which begins, "WHEREAS, the Metropolitan Council recognizes...", in its entirety and substituting in lieu thereof the following:

WHEREAS, the Metropolitan Council recognizes and acknowledges that, like every other year, a priority of the Fiscal Year 2018-2019 Operating Budget for the Metropolitan Government of Nashville and Davidson County will be to replenish the Undesignated Fund Balance of the General Fund of the General Services District to comply with the Metropolitan Government's policy of a five percent fund balance.

VI. By amending Section 2 by deleting it in its entirety and substituting in lieu thereof the following:

Section 2: That ~~\$2,400,000~~ of the appropriation in Section 1 ~~will be offset with Impounded Funds and the remainder~~ is funded from the following source:

| Revenue Account # | Account Description | Amount |
|-------------------|--|--------------------------------------|
| 10101.335000 | General Fund - Undesignated Fund Balance | \$10,831,000 \$13,231,000 |

VII. By numbering the existing Section 4 as Section 5, and inserting a new Section 4 as follows:

Section 4: That the appropriation set forth in Section 1 for the benefit of the Hospital Authority shall be further subject to the following requirements:

1. Within ten (10) business days of the adoption of this resolution, the Vice Mayor shall appoint an oversight committee composed of:
 - a. the chair of the Budget & Finance committee of the metropolitan council;
 - b. the chair of the Health, Hospitals & Social Services Committee of the metropolitan council;
 - c. three (3) additional members of the metropolitan council, preferably with knowledge of medical and/or hospital business management or finance;
 - d. a representative from the Metropolitan Government Department of Finance; and
 - e. a representative from the Metropolitan Hospital Authority; and
 - f. a representative from Nashville General Hospital.
2. The oversight committee should consider and address (a) the scope of services to be provided by Nashville General Hospital; (b) the optimal location for hospital facilities and service delivery points; (c) the available pool of admitting physicians; (d) recommended interface between Nashville General Hospital and area teaching facilities and hospitals; (e) revenue cycle management; and (f) capital needs and funding
3. Within thirty (30) days of the appointment of all oversight committee members, the members shall convene and select an independent consultant familiar with hospital administration to mediate and facilitate committee action. The committee will be further encouraged to invite input and consultation from a diverse and broad cross-section of individuals and entities impacted by Nashville General Hospital operations and who can provide direct knowledge and/or expertise

regarding hospital management and finance, including representatives from area hospitals and medical centers.

4. As an express condition of the receipt of the appropriation set forth in Section 1, within 15 days of the end of each month, the Hospital Authority shall provide to the oversight committee (a) the most recent month end budget to actual income statement; (b) the most recent cash flow statement showing each actual month beginning July 1, 2017 and showing each projected month through June 30, 2018, (c) the most recent month's balance sheet, (d) the most recent bank statements or other documentation from all Hospital Authority banks showing detailed deposit and withdrawal transactions, (e) aging reports with explanations for any amounts in dispute for accounts receivable, accounts payable and any recorded or unrecorded liabilities not included in accounts payable, (f) the previous month's copies of the balance sheet, (g) the monthly actual and projected cash flow, (g) patient outcome documentation; (h) copays and deductibles collected at time of service upon intake; and (i) Nashville General Hospital department audits; with an electronic copy sent to each member of the Metropolitan Council and to the Director of Finance.

INTRODUCED BY:

Sheri Weiner
Member of Council

Bob Mendes
Member of Council

Dave Rosenberg
Member of Council

Jim Shulman
Member of Council

AMENDMENT NO. ___
 TO
 RESOLUTION NO. RS2018-1032

Mr. President –

I move to amend Resolution No. RS2018-1032 as follows:

I. By deleting the fifth recital clause, which begins, “WHEREAS, the Administration has determined...”, in its entirety.

~~WHEREAS, the Administration has determined that the following appropriations from the General Fund of the General Services district will be impounded in the below amounts from the indicated funds in order to offset the amount to be appropriated from the Undesignated Fund Balance of the General Fund of the General Services District (the “Impounded Funds”):~~

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|----------------------------------|--------------------|
| 01101138.502885 | Employee Tuition Reimbursement | \$50,000 |
| 01101230.502111 | Stormwater Contingency | \$350,000 |
| 01101650.505320 | Small Business Incentive | \$150,000 |
| 01101691.502239 | Nashville Construction Readiness | \$150,000 |
| 01101692.531001 | Housing Incentive Pilot | \$1,550,000 |
| 01101694.505320 | Historic Preservation Pilot | \$150,000 |
| (not applicable) | Total | \$2,400,000 |

II. By deleting the sixth recital clause, which begins, “WHEREAS, the Metropolitan Council desires...”, in its entirety.

~~WHEREAS, the Metropolitan Council desires to appropriate the remaining amount of \$10,831,000 for the benefit of Nashville General Hospital from the Undesignated Fund Balance of the General Fund of the General Services District; and~~

III. By deleting the eleventh recital clause, which begins, “WHEREAS, after the appropriation...”, in its entirety and substituting in lieu thereof the following:

WHEREAS, after the appropriation provided in this Resolution, the current fund balance in the Undesignated Fund Balance of the General Fund of the General Services District is estimated to be approximately 3.85 ~~3.85~~ 3.6 percent; and

IV. By deleting the twelfth recital clause, which begins, “WHEREAS, the Director of Finance will implement...”, in its entirety.

~~WHEREAS, the Director of Finance will implement a hiring and promotion freeze and will scrutinize all departmental appropriations from the General Services District of the General Fund with a goal of further impounding a minimum of an additional \$2,000,000 in order to mitigate the impact of this appropriation on the Fund Balance of the General Services District of the General Fund; and~~

V. By deleting the thirteenth recital clause, which begins, "WHEREAS, the Metropolitan Council recognizes...", in its entirety and substituting in lieu thereof the following:

WHEREAS, the Metropolitan Council recognizes and acknowledges that, like every other year, a priority of the Fiscal Year 2018-2019 Operating Budget for the Metropolitan Government of Nashville and Davidson County will be to replenish the Undesignated Fund Balance of the General Fund of the General Services District to comply with the Metropolitan Government's policy of a five percent fund balance.

VI. By amending Section 2 by deleting it in its entirety and substituting in lieu thereof the following:

Section 2: That ~~\$2,400,000~~ of the appropriation in Section 1 ~~will be offset with Impounded Funds and the remainder~~ is funded from the following source:

| Revenue Account # | Account Description | Amount |
|-------------------|--|---|
| 10101.335000 | General Fund - Undesignated Fund Balance | \$10,831,000 <u>\$13,231,000</u> |

INTRODUCED BY:

 Bob Mendes
 Member of Council

SUBSTITUTE RESOLUTION NO. RS2018-1032

A resolution appropriating to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~Thirteen Million Two Hundred Thirty-One Thousand Dollars (\$13,231,000)~~ Seventeen Million, One Hundred Forty-One Thousand Dollars (\$17,141,000), Four Million Four Hundred Nine Thousand Six Hundred Seventy-Six Dollars (\$4,409,676) of which will be paid directly by the Metropolitan Government to Meharry Medical College for services provided at Nashville General Hospital through June 30, 2017.

WHEREAS, the Metropolitan Council approved operating subsidies for the Metropolitan Hospital Authority (the "Hospital Authority") by adopting Supplemental Resolutions RS2017-538 in the amount of Sixteen Million Dollars (\$16,000,000) on February 7, 2017; RS2016-100 in the amount of Ten Million Dollars (\$10,000,000) on February 5, 2016; for an aggregate operating subsidy of Twenty-Six Million Dollars (\$26,000,000).

WHEREAS, the Hospital Authority has informed the Metropolitan Director of Finance that it cannot continue operations at Nashville General Hospital for the remainder of Fiscal Year 2017-2018 without a substantial supplemental appropriation from the Metropolitan Government; and

WHEREAS, in order to stabilize the financial situation at Nashville General Hospital for the remainder of the current fiscal year, the Metropolitan Council desires to appropriate to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~\$13,231,000~~ \$17,141,000 from the General Fund of the General Services District contingent upon the satisfaction of the conditions set forth herein; and

WHEREAS, documentation provided to the Director of Finance by the Hospital Authority indicates that approximately \$4,000,000 of this supplemental appropriation is needed for anticipated shortfalls in cash collected for net patient revenue; and

WHEREAS, the Administration has determined that the following appropriations from the General Fund of the General Services district will be impounded in the below amounts from the indicated funds in order to offset the amount to be appropriated from the Undesignated Fund Balance of the General Fund of the General Services District (the "Impounded Funds"):

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|----------------------------------|--------------------|
| 01101138.502885 | Employee Tuition Reimbursement | \$50,000 |
| 01101230.502111 | Stormwater Contingency | \$350,000 |
| 01101650.505320 | Small Business Incentive | \$150,000 |
| 01101691.502239 | Nashville Construction Readiness | \$150,000 |
| 01101692.531001 | Housing Incentive Pilot | \$1,550,000 |
| 01101694.505320 | Historic Preservation Pilot | \$150,000 |
| (not applicable) | Total | \$2,400,000 |

WHEREAS, the Metropolitan Council desires to appropriate the remaining amount of ~~\$10,831,000~~ \$14,741,000 for the benefit of Nashville General Hospital from the Undesignated Fund Balance of the General Fund of the General Services District; and

WHEREAS, pursuant to financial statements audited by Crosslin PLLC, the Hospital Authority owed Meharry Medical College (“Meharry”) \$4,409,676 at June 30, 2017 for services provided at Nashville General Hospital through that date; and

WHEREAS, the Metropolitan Council acknowledges that Meharry is owed additional funds for services provided in addition to the \$4,409,676 appropriated hereinbelow, and the Hospital Authority will incur additional liabilities owed to Meharry throughout Fiscal Year 2017-2018 (the “Additional Funds”); and

WHEREAS, Meharry is to be paid the Additional Funds as soon as practicable out of the funds appropriated to the Hospital Authority herein upon approval by and in a form acceptable to the Director of Finance of a financial reconciliation determining the amount of the Additional Funds; and

WHEREAS, pursuant to Resolution No. R89-959, and Finance Department Policy No. 8 adopted July 1, 2006, it is the policy of the Metropolitan Government to maintain a minimum fund balance in the Undesignated Fund Balance of the General Fund of the General Services District of five percent; and,

WHEREAS, after the appropriation provided in this Resolution, the current fund balance in the Undesignated Fund Balance of the General Fund of the General Services District is estimated to be ~~3.85 percent~~ 3.4 percent; and

WHEREAS, the Director of Finance ~~will implement a hiring and promotion freeze and~~ will scrutinize all departmental appropriations from the General Services District of the General Fund with a goal of further impounding a minimum of an additional \$2,000,000 in order to mitigate the impact of this appropriation on the Fund Balance of the General Services District of the General Fund; and

WHEREAS, the Metropolitan Council recognizes and acknowledges that a priority of the Fiscal Year 2018-2019 Operating Budget for the Metropolitan Government of Nashville and Davidson County will be to replenish the Undesignated Fund Balance of the General Fund of the General Services District to comply with the Metropolitan Government’s policy of a five percent fund balance.

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

Section 1: That the following amount from the General Fund of the General Services District is hereby appropriated:

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|--|--|
| 01101138.502613 | Hospital Authority – Operating Subsidy | \$13,231,000 <u>\$17,141,000</u> |

Section 2: That \$2,400,000 of the appropriation in Section 1 will be offset with Impounded Funds, and the remainder of this appropriation is funded from the following source:

| Revenue Account # | Account Description | Amount |
|--------------------------|--|---|
| 10101.335000 | General Fund - Undesignated Fund Balance | \$10,831,000 <u>\$14,741,000</u> |

Section 3: That the appropriation set forth in Section 1 shall be subject to the following timeline and conditions for the Disbursement Requests:

1. Within ten business days of the adoption of this resolution, the Metropolitan Government will directly pay Meharry Medical College \$4,409,676 from the ~~\$13,231,000~~ \$17,141,000 appropriated to the Hospital Authority by this resolution in order to satisfy the amount owed by the Hospital Authority for services provided through June 30, 2017. The Additional Funds will also be paid directly to Meharry from the remaining funds upon approval by and in a form acceptable to the Director of Finance of a financial reconciliation determining the amount of the Additional Funds.
2. Of the remaining ~~\$8,821,324~~ \$12,731,324, \$4,000,000 will be available to cover shortfalls in cash collected for net patient revenue if, and only to the extent of, the June 30, 2018 net patient revenue as projected by the Hospital Authority and reviewed by the Director of Finance is below \$42,000,000. The timing of the disbursement will be determined by the Director of Finance based on collection trends in the coming months.
3. ~~Disbursements of the remaining \$4,821,324 to be used for operating expenses including ongoing monthly utility and other operating expense payments to Meharry will be made to the Hospital Authority based on monthly cash flow needs documented with Operating Disbursement Requests.~~
4. Each Operating Disbursement Request will be delivered to the Metropolitan Director of Finance at least ten business days prior to requested date of funding, and additionally, be certified by the chief executive and chief financial officers of the Nashville General Hospital management as well as the board chair and finance committee chair of the Hospital Authority.
5. Each Operating Disbursement Request will be accompanied by detailed supporting documentation and analysis to the satisfaction of the Metropolitan Director of Finance, including but not limited to (a) the most recent month end budget to actual income statement; (b) the most recent cash flow statement showing each actual month beginning July 1, 2017 and showing each projected month through June 30, 2018, (c) the most recent month's balance sheet, (d) the most recent bank statements or other documentation from all Hospital Authority banks showing detailed deposit and withdrawal transactions, and (e) aging reports with explanations for any amounts in dispute for accounts receivable, accounts payable and any recorded or unrecorded liabilities not included in accounts payable.
6. Within 15 days of the end of each month, the Hospital Authority shall provide the previous month's copies of the balance sheet, the budget to actual income statement and the monthly actual and projected cash flow to the Vice Mayor and Chairs of the Council Budget and Finance and Health, Hospitals and Social Services Committees, with an electronic copy sent to each member of the Metropolitan Council and to the Director of Finance.

Section 4: That the appropriation set forth in Section 1 for the benefit of the Hospital Authority shall be further subject to the following requirements:

1. Within ten (10) business days of the adoption of this resolution, the Vice Mayor shall appoint a strategic planning committee composed of:
 - a. the chair of the Budget & Finance committee of the metropolitan council;
 - b. the chair of the Health, Hospitals & Social Services Committee of the metropolitan council;
 - c. three (3) additional members of the metropolitan council, preferably with knowledge of medical and/or hospital business management or finance;
 - d. a representative from the Metropolitan Government Department of Finance; and
 - e. a representative from the Metropolitan Hospital Authority; and
 - f. a representative from Nashville General Hospital.
2. The strategic planning committee should consider and address (a) the scope of services to be provided by Nashville General Hospital; (b) the optimal location for hospital facilities and service

- delivery points; (c) the available pool of admitting physicians; (d) recommended interface between Nashville General Hospital and area teaching facilities and hospitals; (e) revenue cycle management; and (f) capital needs and funding
3. Within thirty (30) days of the appointment of all strategic planning committee members, the members shall convene and select an independent consultant familiar with hospital administration to mediate and facilitate committee action. The committee will be further encouraged to invite input and consultation from a diverse and broad cross-section of individuals and entities impacted by Nashville General Hospital operations and who can provide direct knowledge and/or expertise regarding hospital management and finance, including representatives from area hospitals and medical centers.
 4. As an express condition of the receipt of the appropriation set forth in Section 1, within 15 days of the end of each month, the Hospital Authority shall provide to the strategic planning committee (a) the most recent month end budget to actual income statement; (b) the most recent cash flow statement showing each actual month beginning July 1, 2017 and showing each projected month through June 30, 2018, (c) the most recent month's balance sheet, (d) the most recent bank statements or other documentation from all Hospital Authority banks showing detailed deposit and withdrawal transactions, (e) aging reports with explanations for any amounts in dispute for accounts receivable, accounts payable and any recorded or unrecorded liabilities not included in accounts payable, (f) the previous month's copies of the balance sheet, (g) the monthly actual and projected cash flow, (g) patient outcome documentation; (h) copays and deductibles collected at time of service upon intake; and (i) Nashville General Hospital department audits; with an electronic copy sent to each member of the Metropolitan Council and to the Director of Finance.

Section ~~4~~ 5: That this Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Jim Shulman
Member of Council, At-Large

Sheri Weiner
Member of Council

SUBSTITUTE RESOLUTION NO. RS2018-1032

A resolution appropriating to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~Thirteen Million Two Hundred Thirty One Thousand Dollars (\$13,231,000)~~ Nineteen Million, Seven Hundred Thousand Dollars (\$19,700,000), Four Million Four Hundred Nine Thousand Six Hundred Seventy-Six Dollars (\$4,409,676) of which will be paid directly by the Metropolitan Government to Meharry Medical College for services provided at Nashville General Hospital through June 30, 2017.

WHEREAS, the Metropolitan Council approved operating subsidies for the Metropolitan Hospital Authority (the "Hospital Authority") by adopting Supplemental Resolutions RS2017-538 in the amount of Sixteen Million Dollars (\$16,000,000) on February 7, 2017; RS2016-100 in the amount of Ten Million Dollars (\$10,000,000) on February 5, 2016; for an aggregate operating subsidy of Twenty-Six Million Dollars (\$26,000,000).

WHEREAS, the Hospital Authority has informed the Metropolitan Director of Finance that it cannot continue operations at Nashville General Hospital for the remainder of Fiscal Year 2017-2018 without a substantial supplemental appropriation from the Metropolitan Government; and

WHEREAS, in order to stabilize the financial situation at Nashville General Hospital for the remainder of the current fiscal year, the Metropolitan Council desires to appropriate to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~\$13,231,000~~ \$19,700,000 from the General Fund of the General Services District contingent upon the satisfaction of the conditions set forth herein; and

WHEREAS, documentation provided to the Director of Finance by the Hospital Authority indicates that approximately \$4,000,000 of this supplemental appropriation is needed for anticipated shortfalls in cash collected for net patient revenue; and

WHEREAS, the Administration has determined that the following appropriations from the General Fund of the General Services district will be impounded in the below amounts from the indicated funds in order to offset the amount to be appropriated from the Undesignated Fund Balance of the General Fund of the General Services District (the "Impounded Funds"):

| Primary Expenditure Account # | Account Description | Amount |
|---|---|-------------------------------|
| 01101138.502885 | Employee Tuition Reimbursement | \$50,000 |
| 01101230.502111 | Stormwater Contingency | \$350,000 |
| 01101650.505320 | Small Business Incentive | \$150,000 |
| 01101691.502239 | Nashville Construction Readiness | \$150,000 |
| 01101692.531001 | Housing Incentive Pilot | \$1,550,000 |
| 01101694.505320 | Historic Preservation Pilot | \$150,000 |
| (not applicable) | Total | \$2,400,000 |

WHEREAS, the Metropolitan Council desires to appropriate the ~~remaining amount of \$10,831,000~~ \$19,700,000 for the benefit of Nashville General Hospital from the Undesignated Fund Balance of the General Fund of the General Services District; and

WHEREAS, pursuant to financial statements audited by Crosslin PLLC, the Hospital Authority owed Meharry Medical College (“Meharry”) \$4,409,676 at June 30, 2017 for services provided at Nashville General Hospital through that date; and

WHEREAS, the Metropolitan Council acknowledges that Meharry is owed additional funds for services provided in addition to the \$4,409,676 appropriated hereinbelow (the “Additional Funds”); and

WHEREAS, Meharry is to be paid the Additional Funds as soon as practicable upon approval by and in a form acceptable to the Director of Finance of a financial reconciliation determining the amount of the Additional Funds; and

WHEREAS, pursuant to Resolution No. R89-959, and Finance Department Policy No. 8 adopted July 1, 2006, it is the policy of the Metropolitan Government to maintain a minimum fund balance in the Undesignated Fund Balance of the General Fund of the General Services District of five percent; and,

WHEREAS, after the appropriation provided in this Resolution, the current fund balance in the Undesignated Fund Balance of the General Fund of the General Services District is estimated to be ~~3.85 percent~~ significantly below this five percent threshold; and

~~WHEREAS, the Director of Finance will implement a hiring and promotion freeze and will scrutinize all departmental appropriations from the General Services District of the General Fund with a goal of further impounding a minimum of an additional \$2,000,000 in order to mitigate the impact of this appropriation on the Fund Balance of the General Services District of the General Fund; and~~

WHEREAS, the Metropolitan Council recognizes and acknowledges that a priority of the Fiscal Year 2018-2019 Operating Budget for the Metropolitan Government of Nashville and Davidson County will be to replenish the Undesignated Fund Balance of the General Fund of the General Services District to comply with the Metropolitan Government’s policy of a five percent fund balance.

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

Section 1: That the following amount from the General Fund of the General Services District is hereby appropriated:

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|--|--|
| 01101138.502613 | Hospital Authority – Operating Subsidy | \$13,231,000 <u>\$19,700,000</u> |

Section 2: That ~~\$2,400,000~~ of the appropriation in Section 1 will be ~~offset with Impounded Funds and the remainder of this appropriation is~~ funded from the following source:

| Revenue Account # | Account Description | Amount |
|--------------------------|--|--|
| 10101.335000 | General Fund - Undesignated Fund Balance | \$10,831,000 <u>\$19,700,000</u> |

Section 3: That the appropriation set forth in Section 1 shall be subject to the following timeline and conditions for the Disbursement Requests:

1. Within ten business days of the adoption of this resolution, the Metropolitan Government will directly pay Meharry Medical College \$4,409,676 from the ~~\$13,231,000~~ \$19,700,000 appropriated to the Hospital Authority by this resolution in order to satisfy the amount owed by the Hospital Authority for services provided through June 30, 2017.
2. Of the remaining ~~\$8,821,324~~ \$15,290,324, \$4,000,000 will be available to cover shortfalls in cash collected for net patient revenue if, and only to the extent of, the June 30, 2018 net patient revenue as projected by the Hospital Authority and reviewed by the Director of Finance is below \$42,000,000. The timing of the disbursement will be determined by the Director of Finance based on collection trends in the coming months.
3. Disbursements of the remaining ~~\$4,821,324~~ \$11,290,324 to be used for operating expenses – including ongoing monthly utility and other operating expense payments to Meharry - will be made to the Hospital Authority based on monthly cash flow needs documented with Operating Disbursement Requests.
4. Each Operating Disbursement Request will be delivered to the Metropolitan Director of Finance at least ten business days prior to requested date of funding, and additionally, be certified by the chief executive and chief financial officers of the Nashville General Hospital management as well as the board chair and finance committee chair of the Hospital Authority.
5. Each Operating Disbursement Request will be accompanied by detailed supporting documentation and analysis to the satisfaction of the Metropolitan Director of Finance, including but not limited to (a) the most recent month end budget to actual income statement; (b) the most recent cash flow statement showing each actual month beginning July 1, 2017 and showing each projected month through June 30, 2018, (c) the most recent month's balance sheet, (d) the most recent bank statements or other documentation from all Hospital Authority banks showing detailed deposit and withdrawal transactions, and (e) aging reports with explanations for any amounts in dispute for accounts receivable, accounts payable and any recorded or unrecorded liabilities not included in accounts payable.
6. Within 15 days of the end of each month, the Hospital Authority shall provide the previous month's copies of the balance sheet, the budget to actual income statement and the monthly actual and projected cash flow to the Vice Mayor and Chairs of the Council Budget and Finance and Health, Hospitals and Social Services Committees, with an electronic copy sent to each member of the Metropolitan Council and to the Director of Finance.

Section 4: That the appropriation set forth in Section 1 for the benefit of the Hospital Authority shall be further subject to the following requirements:

5. Within ten (10) business days of the adoption of this resolution, the Vice Mayor shall appoint an oversight committee composed of:
 - a. the chair of the Budget & Finance committee of the metropolitan council;
 - b. the chair of the Health, Hospitals & Social Services Committee of the metropolitan council;
 - c. three (3) additional members of the metropolitan council, preferably with knowledge of medical and/or hospital business management or finance;
 - d. a representative from the Metropolitan Government Department of Finance; and
 - e. a representative from the Metropolitan Hospital Authority; and
 - f. a representative from Nashville General Hospital.
6. The oversight committee should consider and address (a) the scope of services to be provided by Nashville General Hospital; (b) the optimal location for hospital facilities and service delivery points; (c) the available pool of admitting physicians; (d) recommended interface between Nashville General Hospital and are teaching facilities and hospitals; (e) revenue cycle management; and (f) capital needs and funding

7. Within thirty (30) days of the appointment of all oversight committee members, the members shall convene and select an independent consultant familiar with hospital administration to mediate and facilitate committee action. The committee will be further encouraged to invite input and consultation from a diverse and broad cross-section of individuals and entities impacted by Nashville General Hospital operations and who can provide direct knowledge and/or expertise regarding hospital management and finance, including representatives from area hospitals and medical centers.
8. As an express condition of the receipt of the appropriation set forth in Section 1, within 15 days of the end of each month, the Hospital Authority shall provide to the oversight committee (a) the most recent month end budget to actual income statement; (b) the most recent cash flow statement showing each actual month beginning July 1, 2017 and showing each projected month through June 30, 2018, (c) the most recent month's balance sheet, (d) the most recent bank statements or other documentation from all Hospital Authority banks showing detailed deposit and withdrawal transactions, (e) aging reports with explanations for any amounts in dispute for accounts receivable, accounts payable and any recorded or unrecorded liabilities not included in accounts payable, (f) the previous month's copies of the balance sheet, (g) the monthly actual and projected cash flow, (g) patient outcome documentation; (h) copays and deductibles collected at time of service upon intake; and (i) Nashville General Hospital department audits; with an electronic copy sent to each member of the Metropolitan Council and to the Director of Finance.

Section ~~4~~ 5: That this Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Jim Shulman
Member of Council

SUBSTITUTE RESOLUTION NO. RS2018-1032

A resolution appropriating to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~Thirteen Million Two Hundred Thirty One Thousand Dollars (\$13,231,000)~~ Twenty Million Dollars (\$20,000,000), Four Million Four Hundred Nine Thousand Six Hundred Seventy-Six Dollars (\$4,409,676) of which will be paid directly by the Metropolitan Government to Meharry Medical College for services provided at Nashville General Hospital through June 30, 2017.

WHEREAS, the Metropolitan Council approved operating subsidies for the Metropolitan Hospital Authority (the "Hospital Authority") by adopting Supplemental Resolutions RS2017-538 in the amount of Sixteen Million Dollars (\$16,000,000) on February 7, 2017; RS2016-100 in the amount of Ten Million Dollars (\$10,000,000) on February 5, 2016; for an aggregate operating subsidy of Twenty-Six Million Dollars (\$26,000,000).

WHEREAS, the Hospital Authority has informed the Metropolitan Director of Finance that it cannot continue operations at Nashville General Hospital for the remainder of Fiscal Year 2017-2018 without a substantial supplemental appropriation from the Metropolitan Government; and

WHEREAS, in order to stabilize the financial situation at Nashville General Hospital for the remainder of the current fiscal year, the Metropolitan Council desires to appropriate to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~\$13,231,000~~ \$20,000,000 from the General Fund of the General Services District contingent upon the satisfaction of the conditions set forth herein; and

WHEREAS, documentation provided to the Director of Finance by the Hospital Authority indicates that approximately \$4,000,000 of this supplemental appropriation is needed for anticipated shortfalls in cash collected for net patient revenue; and

WHEREAS, the Administration has determined that the following appropriations from the General Fund of the General Services district will be impounded in the below amounts from the indicated funds in order to offset the amount to be appropriated from the Undesignated Fund Balance of the General Fund of the General Services District (the "Impounded Funds"):

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|----------------------------------|--------------------|
| 01101138.502885 | Employee Tuition Reimbursement | \$50,000 |
| 01101230.502111 | Stormwater Contingency | \$350,000 |
| 01101650.505320 | Small Business Incentive | \$150,000 |
| 01101691.502239 | Nashville Construction Readiness | \$150,000 |
| 01101692.531001 | Housing Incentive Pilot | \$1,550,000 |
| 01101694.505320 | Historic Preservation Pilot | \$150,000 |
| (not applicable) | Total | \$2,400,000 |

WHEREAS, the Metropolitan Council desires to appropriate the remaining amount of ~~\$10,831,000~~ \$17,600,000 for the benefit of Nashville General Hospital from the Undesignated Fund Balance of the General Fund of the General Services District; and

WHEREAS, pursuant to financial statements audited by Crosslin PLLC, the Hospital Authority owed Meharry Medical College ("Meharry") \$4,409,676 at June 30, 2017 for services provided at Nashville General Hospital through that date; and

WHEREAS, the Metropolitan Council acknowledges that Meharry is owed additional funds for services provided in addition to the \$4,409,676 appropriated hereinbelow (the "Additional Funds"); and

WHEREAS, Meharry is to be paid the Additional Funds as soon as practicable upon approval by and in a form acceptable to the Director of Finance of a financial reconciliation determining the amount of the Additional Funds; and

WHEREAS, pursuant to Resolution No. R89-959, and Finance Department Policy No. 8 adopted July 1, 2006, it is the policy of the Metropolitan Government to maintain a minimum fund balance in the Undesignated Fund Balance of the General Fund of the General Services District of five percent; and,

WHEREAS, after the appropriation provided in this Resolution, the current fund balance in the Undesignated Fund Balance of the General Fund of the General Services District is estimated to be ~~3.85 percent~~ well below this five percent threshold; and

WHEREAS, the Director of Finance ~~will implement a hiring and promotion freeze and~~ will scrutinize all departmental appropriations from the General Services District of the General Fund with a goal of further impounding a minimum of an additional \$2,000,000 in order to mitigate the impact of this appropriation on the Fund Balance of the General Services District of the General Fund; and

WHEREAS, the Metropolitan Council recognizes and acknowledges that a priority of the Fiscal Year 2018-2019 Operating Budget for the Metropolitan Government of Nashville and Davidson County will be to replenish the Undesignated Fund Balance of the General Fund of the General Services District to comply with the Metropolitan Government's policy of a five percent fund balance.

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

Section 1: That the following amount from the General Fund of the General Services District is hereby appropriated:

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|--|--|
| 01101138.502613 | Hospital Authority – Operating Subsidy | \$13,231,000 <u>\$20,000,000</u> |

Section 2: That \$2,400,000 of the appropriation in Section 1 will be offset with Impounded Funds and the remainder is funded from the following source:

| Revenue Account # | Account Description | Amount |
|--------------------------|--|--|
| 10101.335000 | General Fund - Undesignated Fund Balance | \$10,831,000 <u>\$15,590.324</u> |

Section 3: That the appropriation set forth in Section 1 shall be subject to the following timeline and conditions for the Disbursement Requests:

1. Within ten business days of the adoption of this resolution, the Metropolitan Government will directly pay Meharry Medical College \$4,409,676 from the ~~\$13,231,000~~ \$20,000,000 appropriated to the Hospital Authority by this resolution in order to satisfy the amount owed by the Hospital Authority for services provided through June 30, 2017.

2. Of the remaining ~~\$8,821,324~~ \$15,590,324, \$4,000,000 will be available to cover shortfalls in cash collected for net patient revenue if, and only to the extent of, the June 30, 2018 net patient revenue as projected by the Hospital Authority and reviewed by the Director of Finance is below \$42,000,000. The timing of the disbursement will be determined by the Director of Finance based on collection trends in the coming months.
3. Disbursements of the remaining ~~\$4,821,324~~ \$11,590,324 to be used for operating expenses – including ongoing monthly utility and other operating expense payments to Meharry - will be made to the Hospital Authority based on monthly cash flow needs documented with Operating Disbursement Requests.
4. Each Operating Disbursement Request will be delivered to the Metropolitan Director of Finance at least ten business days prior to requested date of funding, and additionally, be certified by the chief executive and chief financial officers of the Nashville General Hospital management as well as the board chair and finance committee chair of the Hospital Authority.
5. Each Operating Disbursement Request will be accompanied by detailed supporting documentation and analysis to the satisfaction of the Metropolitan Director of Finance, including but not limited to (a) the most recent month end budget to actual income statement; (b) the most recent cash flow statement showing each actual month beginning July 1, 2017 and showing each projected month through June 30, 2018, (c) the most recent month's balance sheet, (d) the most recent bank statements or other documentation from all Hospital Authority banks showing detailed deposit and withdrawal transactions, and (e) aging reports with explanations for any amounts in dispute for accounts receivable, accounts payable and any recorded or unrecorded liabilities not included in accounts payable.
- ~~6. Within 15 days of the end of each month, the Hospital Authority shall provide the previous month's copies of the balance sheet, the budget to actual income statement and the monthly actual and projected cash flow to the Vice Mayor and Chairs of the Council Budget and Finance and Health, Hospitals and Social Services Committees, with an electronic copy sent to each member of the Metropolitan Council and to the Director of Finance.~~

Section 4: That the appropriation set forth in Section 1 for the benefit of the Hospital Authority shall be further subject to the following requirements:

9. Within ten (10) business days of the adoption of this resolution, the Vice Mayor shall appoint an oversight committee composed of:
 - a. the chair of the Budget & Finance committee of the metropolitan council;
 - b. the chair of the Health, Hospitals & Social Services Committee of the metropolitan council;
 - c. three (3) additional members of the metropolitan council, preferably with knowledge of medical and/or hospital business management or finance;
 - d. a representative from the Metropolitan Government Department of Finance; and
 - e. a representative from the Metropolitan Hospital Authority; and (f) a representative from Nashville General Hospital.
10. The oversight committee should consider and address (a) the scope of services to be provided by Nashville General Hospital; (b) the optimal location for hospital facilities and service delivery points; (c) the available pool of admitting physicians; (d) recommended interface between Nashville General Hospital and its teaching facilities and hospitals; (e) revenue cycle management; and (f) capital needs and funding
11. Within thirty (30) days of the appointment of all oversight committee members, the members shall convene and select an independent consultant familiar with hospital administration to mediate and facilitate committee action. The committee will be further encouraged to invite input and consultation from a diverse and broad cross-section of individuals and entities

impacted by Nashville General Hospital operations and who can provide direct knowledge and/or expertise regarding hospital management and finance, including representatives from area hospitals and medical centers.

12. As an express condition of the receipt of the appropriation set forth in Section 1, within 15 days of the end of each month, the Hospital Authority shall provide to the oversight committee (a) the most recent month end budget to actual income statement; (b) the most recent cash flow statement showing each actual month beginning July 1, 2017 and showing each projected month through June 30, 2018, (c) the most recent month's balance sheet, (d) the most recent bank statements or other documentation from all Hospital Authority banks showing detailed deposit and withdrawal transactions, (e) aging reports with explanations for any amounts in dispute for accounts receivable, accounts payable and any recorded or unrecorded liabilities not included in accounts payable, (f) the previous month's copies of the balance sheet, (g) the monthly actual and projected cash flow, (g) patient outcome documentation; (h) copays and deductibles collected at time of service upon intake; and (i) Nashville General Hospital department audits; with an electronic copy sent to each member of the Metropolitan Council and to the Director of Finance.

Section ~~4~~ 5: That this Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Sheri Weiner
Member of Council

SUBSTITUTE A RESOLUTION NO. RS2018-1032

A resolution appropriating to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~Thirteen Million Two Hundred Thirty One Thousand Dollars (\$13,231,000)~~ Eleven Million, Three Hundred Eighty-One Thousand Dollars (\$11,381,000), ~~Four Million Four Hundred Nine Thousand Six Hundred Seventy-Six Dollars (\$4,409,676)~~ of which will be paid directly by the Metropolitan Government to Meharry Medical College for services provided at Nashville General Hospital through June 30, 2017.

WHEREAS, the Metropolitan Council approved operating subsidies for the Metropolitan Hospital Authority (the "Hospital Authority") by adopting Supplemental Resolutions RS2017-538 in the amount of Sixteen Million Dollars (\$16,000,000) on February 7, 2017; RS2016-100 in the amount of Ten Million Dollars (\$10,000,000) on February 5, 2016; for an aggregate operating subsidy of Twenty-Six Million Dollars (\$26,000,000).

WHEREAS, the Hospital Authority has informed the Metropolitan Director of Finance that it cannot continue operations at Nashville General Hospital for the remainder of Fiscal Year 2017-2018 without a substantial supplemental appropriation from the Metropolitan Government; and

WHEREAS, in order to stabilize the financial situation at Nashville General Hospital for the remainder of the current fiscal year, the Metropolitan Council desires to appropriate to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~\$13,231,000~~ \$11,381,000 from the General Fund of the General Services District contingent upon the satisfaction of the conditions set forth herein; and

WHEREAS, documentation provided to the Director of Finance by the Hospital Authority indicates that approximately \$4,000,000 of this supplemental appropriation is needed for anticipated shortfalls in cash collected for net patient revenue; and

WHEREAS, the Administration has determined that the following appropriations from the General Fund of the General Services district will be impounded in the below amounts from the indicated funds in order to offset the amount to be appropriated from the Undesignated Fund Balance of the General Fund of the General Services District (the "Impounded Funds"):

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|---|--|
| 01101138.502885 | Employee Tuition Reimbursement | \$50,000 |
| 01101230.502111 | Stormwater Contingency | \$350,000 |
| 01101650.505320 | Small Business Incentive | \$150,000 |
| 01101691.502239 | Nashville Construction Readiness | \$150,000 |
| 01101692.531001 | Housing Incentive Pilot | \$1,550,000 |
| 01101694.505320 | Historic Preservation Pilot | \$150,000 |
| (not applicable) | Total | \$2,400,000 <u>\$550,000</u> |

WHEREAS, the Metropolitan Council desires to appropriate the remaining amount of \$10,831,000 for the benefit of Nashville General Hospital from the Undesignated Fund Balance of the General Fund of the General Services District; and

WHEREAS, pursuant to financial statements audited by Crosslin PLLC, the Hospital Authority owed Meharry Medical College (“Meharry”) \$4,409,676 at June 30, 2017 for services provided at Nashville General Hospital through that date; and

WHEREAS, the Metropolitan Council acknowledges that Meharry is owed additional funds for services provided in addition to the \$4,409,676 appropriated hereinbelow (the “Additional Funds”); and

WHEREAS, Meharry is to be paid the Additional Funds as soon as practicable upon approval by and in a form acceptable to the Director of Finance of a financial reconciliation determining the amount of the Additional Funds; and

WHEREAS, pursuant to Resolution No. R89-959, and Finance Department Policy No. 8 adopted July 1, 2006, it is the policy of the Metropolitan Government to maintain a minimum fund balance in the Undesignated Fund Balance of the General Fund of the General Services District of five percent; and,

WHEREAS, after the appropriation provided in this Resolution, the current fund balance in the Undesignated Fund Balance of the General Fund of the General Services District ~~is estimated to be 3.85 percent~~ would be below this five percent threshold; and

WHEREAS, the Director of Finance will implement a hiring and promotion freeze and will scrutinize all departmental appropriations from the General Services District of the General Fund with a goal of further impounding a minimum of an additional \$2,000,000 in order to mitigate the impact of this appropriation on the Fund Balance of the General Services District of the General Fund; and

WHEREAS, the Metropolitan Council recognizes and acknowledges that a priority of the Fiscal Year 2018-2019 Operating Budget for the Metropolitan Government of Nashville and Davidson County will be to replenish the Undesignated Fund Balance of the General Fund of the General Services District to comply with the Metropolitan Government’s policy of a five percent fund balance.

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

Section 1: That the following amount from the General Fund of the General Services District is hereby appropriated:

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|--|--|
| 01101138.502613 | Hospital Authority – Operating Subsidy | \$13,231,000 <u>\$11,381,000</u> |

Section 2: That ~~\$2,400,000~~ \$550,000 of the appropriation in Section 1 will be offset with Impounded Funds and the remainder of this appropriation is funded from the following source:

| Revenue Account # | Account Description | Amount |
|--------------------------|--|---------------|
| 10101.335000 | General Fund - Undesignated Fund Balance | \$10,831,000 |

Section 3: That the appropriation set forth in Section 1 shall be subject to the following timeline and conditions for the Disbursement Requests:

1. Within ten business days of the adoption of this resolution, the Metropolitan Government will directly pay Meharry Medical College \$4,409,676 from the ~~\$13,231,000~~ \$ 11,381,000

appropriated to the Hospital Authority by this resolution in order to satisfy the amount owed by the Hospital Authority for services provided through June 30, 2017.

2. Of the remaining ~~\$8,821,324~~ \$6,971,324, \$4,000,000 will be available to cover shortfalls in cash collected for net patient revenue if, and only to the extent of, the June 30, 2018 net patient revenue as projected by the Hospital Authority and reviewed by the Director of Finance is below \$42,000,000. The timing of the disbursement will be determined by the Director of Finance based on collection trends in the coming months.
3. Disbursements of the remaining ~~\$4,821,324~~ \$2,971,324 to be used for operating expenses – including ongoing monthly utility and other operating expense payments to Meharry - will be made to the Hospital Authority based on monthly cash flow needs documented with Operating Disbursement Requests.
4. Each Operating Disbursement Request will be delivered to the Metropolitan Director of Finance at least ten business days prior to requested date of funding, and additionally, be certified by the chief executive and chief financial officers of the Nashville General Hospital management as well as the board chair and finance committee chair of the Hospital Authority.
5. Each Operating Disbursement Request will be accompanied by detailed supporting documentation and analysis to the satisfaction of the Metropolitan Director of Finance, including but not limited to (a) the most recent month end budget to actual income statement; (b) the most recent cash flow statement showing each actual month beginning July 1, 2017 and showing each projected month through June 30, 2018, (c) the most recent month's balance sheet, (d) the most recent bank statements or other documentation from all Hospital Authority banks showing detailed deposit and withdrawal transactions, and (e) aging reports with explanations for any amounts in dispute for accounts receivable, accounts payable and any recorded or unrecorded liabilities not included in accounts payable.
6. Within 15 days of the end of each month, the Hospital Authority shall provide the previous month's copies of the balance sheet, the budget to actual income statement and the monthly actual and projected cash flow to the Vice Mayor and Chairs of the Council Budget and Finance and Health, Hospitals and Social Services Committees, with an electronic copy sent to each member of the Metropolitan Council and to the Director of Finance.

Section 4: That this Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Colby Sledge
Member of Council

SUBSTITUTE B RESOLUTION NO. RS2018-1032

A resolution appropriating to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~Thirteen Million Two Hundred Thirty One Thousand Dollars (\$13,231,000)~~ Eleven Million, Six Hundred Eighty-One Thousand Dollars (\$11,681,000), ~~Four Million Four Hundred Nine Thousand Six Hundred Seventy-Six Dollars (\$4,409,676)~~ of which will be paid directly by the Metropolitan Government to Meharry Medical College for services provided at Nashville General Hospital through June 30, 2017.

WHEREAS, the Metropolitan Council approved operating subsidies for the Metropolitan Hospital Authority (the "Hospital Authority") by adopting Supplemental Resolutions RS2017-538 in the amount of Sixteen Million Dollars (\$16,000,000) on February 7, 2017; RS2016-100 in the amount of Ten Million Dollars (\$10,000,000) on February 5, 2016; for an aggregate operating subsidy of Twenty-Six Million Dollars (\$26,000,000).

WHEREAS, the Hospital Authority has informed the Metropolitan Director of Finance that it cannot continue operations at Nashville General Hospital for the remainder of Fiscal Year 2017-2018 without a substantial supplemental appropriation from the Metropolitan Government; and

WHEREAS, in order to stabilize the financial situation at Nashville General Hospital for the remainder of the current fiscal year, the Metropolitan Council desires to appropriate to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~\$13,231,000~~ \$11,681,000 from the General Fund of the General Services District contingent upon the satisfaction of the conditions set forth herein; and

WHEREAS, documentation provided to the Director of Finance by the Hospital Authority indicates that approximately \$4,000,000 of this supplemental appropriation is needed for anticipated shortfalls in cash collected for net patient revenue; and

WHEREAS, the Administration has determined that the following appropriations from the General Fund of the General Services district will be impounded in the below amounts from the indicated funds in order to offset the amount to be appropriated from the Undesignated Fund Balance of the General Fund of the General Services District (the "Impounded Funds"):

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|------------------------------------|--|
| 01101138.502885 | Employee Tuition Reimbursement | \$50,000 |
| 01101230.502111 | Stormwater Contingency | \$350,000 |
| 01101650.505320 | Small Business Incentive | \$150,000 |
| 01101691.502239 | Nashville Construction Readiness | \$150,000 |
| 01101692.531001 | Housing Incentive Pilot | \$1,550,000 |
| 01101694.505320 | Historic Preservation Pilot | \$150,000 |
| (not applicable) | Total | \$2,400,000 <u>\$850,000</u> |

WHEREAS, the Metropolitan Council desires to appropriate the remaining amount of \$10,831,000 for the benefit of Nashville General Hospital from the Undesignated Fund Balance of the General Fund of the General Services District; and

WHEREAS, pursuant to financial statements audited by Crosslin PLLC, the Hospital Authority owed Meharry Medical College (“Meharry”) \$4,409,676 at June 30, 2017 for services provided at Nashville General Hospital through that date; and

WHEREAS, the Metropolitan Council acknowledges that Meharry is owed additional funds for services provided in addition to the \$4,409,676 appropriated hereinbelow (the “Additional Funds”); and

WHEREAS, Meharry is to be paid the Additional Funds as soon as practicable upon approval by and in a form acceptable to the Director of Finance of a financial reconciliation determining the amount of the Additional Funds; and

WHEREAS, pursuant to Resolution No. R89-959, and Finance Department Policy No. 8 adopted July 1, 2006, it is the policy of the Metropolitan Government to maintain a minimum fund balance in the Undesignated Fund Balance of the General Fund of the General Services District of five percent; and,

WHEREAS, after the appropriation provided in this Resolution, the current fund balance in the Undesignated Fund Balance of the General Fund of the General Services District ~~is estimated to be 3.85 percent~~ would be below this five percent threshold; and

WHEREAS, the Director of Finance will implement a hiring and promotion freeze and will scrutinize all departmental appropriations from the General Services District of the General Fund with a goal of further impounding a minimum of an additional \$2,000,000 in order to mitigate the impact of this appropriation on the Fund Balance of the General Services District of the General Fund; and

WHEREAS, the Metropolitan Council recognizes and acknowledges that a priority of the Fiscal Year 2018-2019 Operating Budget for the Metropolitan Government of Nashville and Davidson County will be to replenish the Undesignated Fund Balance of the General Fund of the General Services District to comply with the Metropolitan Government’s policy of a five percent fund balance.

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

Section 1: That the following amount from the General Fund of the General Services District is hereby appropriated:

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|--|--|
| 01101138.502613 | Hospital Authority – Operating Subsidy | \$13,231,000 <u>\$11,681,000</u> |

Section 2: That ~~\$2,400,000~~ \$850,000 of the appropriation in Section 1 will be offset with Impounded Funds and the remainder of this appropriation is funded from the following source:

| Revenue Account # | Account Description | Amount |
|--------------------------|--|---------------|
| 10101.335000 | General Fund - Undesignated Fund Balance | \$10,831,000 |

Section 3: That the appropriation set forth in Section 1 shall be subject to the following timeline and conditions for the Disbursement Requests:

1. Within ten business days of the adoption of this resolution, the Metropolitan Government will directly pay Meharry Medical College \$4,409,676 from the ~~\$13,231,000~~ \$ 11,681,000 appropriated to the Hospital Authority by this resolution in order to satisfy the amount owed by the Hospital Authority for services provided through June 30, 2017.
2. Of the remaining ~~\$8,821,324~~ \$7,271,324, \$4,000,000 will be available to cover shortfalls in cash collected for net patient revenue if, and only to the extent of, the June 30, 2018 net patient revenue as projected by the Hospital Authority and reviewed by the Director of Finance is below \$42,000,000. The timing of the disbursement will be determined by the Director of Finance based on collection trends in the coming months.
3. Disbursements of the remaining ~~\$4,821,324~~ \$3,271,324 to be used for operating expenses – including ongoing monthly utility and other operating expense payments to Meharry - will be made to the Hospital Authority based on monthly cash flow needs documented with Operating Disbursement Requests.
4. Each Operating Disbursement Request will be delivered to the Metropolitan Director of Finance at least ten business days prior to requested date of funding, and additionally, be certified by the chief executive and chief financial officers of the Nashville General Hospital management as well as the board chair and finance committee chair of the Hospital Authority.
5. Each Operating Disbursement Request will be accompanied by detailed supporting documentation and analysis to the satisfaction of the Metropolitan Director of Finance, including but not limited to (a) the most recent month end budget to actual income statement; (b) the most recent cash flow statement showing each actual month beginning July 1, 2017 and showing each projected month through June 30, 2018, (c) the most recent month's balance sheet, (d) the most recent bank statements or other documentation from all Hospital Authority banks showing detailed deposit and withdrawal transactions, and (e) aging reports with explanations for any amounts in dispute for accounts receivable, accounts payable and any recorded or unrecorded liabilities not included in accounts payable.
6. Within 15 days of the end of each month, the Hospital Authority shall provide the previous month's copies of the balance sheet, the budget to actual income statement and the monthly actual and projected cash flow to the Vice Mayor and Chairs of the Council Budget and Finance and Health, Hospitals and Social Services Committees, with an electronic copy sent to each member of the Metropolitan Council and to the Director of Finance.

Section 4: That this Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Colby Sledge
Member of Council

SUBSTITUTE C RESOLUTION NO. RS2018-1032

A resolution appropriating to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~Thirteen Million Two Hundred Thirty-One Thousand Dollars (\$13,231,000)~~ Twelve Million, Two Hundred Thirty-One Thousand Dollars (\$12,231,000), Four Million Four Hundred Nine Thousand Six Hundred Seventy-Six Dollars (\$4,409,676) of which will be paid directly by the Metropolitan Government to Meharry Medical College for services provided at Nashville General Hospital through June 30, 2017.

WHEREAS, the Metropolitan Council approved operating subsidies for the Metropolitan Hospital Authority (the "Hospital Authority") by adopting Supplemental Resolutions RS2017-538 in the amount of Sixteen Million Dollars (\$16,000,000) on February 7, 2017; RS2016-100 in the amount of Ten Million Dollars (\$10,000,000) on February 5, 2016; for an aggregate operating subsidy of Twenty-Six Million Dollars (\$26,000,000).

WHEREAS, the Hospital Authority has informed the Metropolitan Director of Finance that it cannot continue operations at Nashville General Hospital for the remainder of Fiscal Year 2017-2018 without a substantial supplemental appropriation from the Metropolitan Government; and

WHEREAS, in order to stabilize the financial situation at Nashville General Hospital for the remainder of the current fiscal year, the Metropolitan Council desires to appropriate to a certain account for the benefit of the Hospital Authority an amount not to exceed ~~\$13,231,000~~ \$12,231,000 from the General Fund of the General Services District contingent upon the satisfaction of the conditions set forth herein; and

WHEREAS, documentation provided to the Director of Finance by the Hospital Authority indicates that approximately \$4,000,000 of this supplemental appropriation is needed for anticipated shortfalls in cash collected for net patient revenue; and

WHEREAS, the Administration has determined that the following appropriations from the General Fund of the General Services district will be impounded in the below amounts from the indicated funds in order to offset the amount to be appropriated from the Undesignated Fund Balance of the General Fund of the General Services District (the "Impounded Funds"):

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|----------------------------------|--|
| 01101138.502885 | Employee Tuition Reimbursement | \$50,000 |
| 01101230.502111 | Stormwater Contingency | \$350,000 |
| 01101650.505320 | Small Business Incentive | \$150,000 |
| 01101691.502239 | Nashville Construction Readiness | \$150,000 |
| 01101692.531001 | Housing Incentive Pilot | \$1,550,000 <u>\$550,000</u> |
| 01101694.505320 | Historic Preservation Pilot | \$150,000 |
| (not applicable) | Total | \$2,400,000 <u>\$1,400,000</u> |

WHEREAS, the Metropolitan Council desires to appropriate the remaining amount of \$10,831,000 for the benefit of Nashville General Hospital from the Undesignated Fund Balance of the General Fund of the General Services District; and

WHEREAS, pursuant to financial statements audited by Crosslin PLLC, the Hospital Authority owed Meharry Medical College ("Meharry") \$4,409,676 at June 30, 2017 for services provided at Nashville General Hospital through that date; and

WHEREAS, the Metropolitan Council acknowledges that Meharry is owed additional funds for services provided in addition to the \$4,409,676 appropriated hereinbelow (the "Additional Funds"); and

WHEREAS, Meharry is to be paid the Additional Funds as soon as practicable upon approval by and in a form acceptable to the Director of Finance of a financial reconciliation determining the amount of the Additional Funds; and

WHEREAS, pursuant to Resolution No. R89-959, and Finance Department Policy No. 8 adopted July 1, 2006, it is the policy of the Metropolitan Government to maintain a minimum fund balance in the Undesignated Fund Balance of the General Fund of the General Services District of five percent; and,

WHEREAS, after the appropriation provided in this Resolution, the current fund balance in the Undesignated Fund Balance of the General Fund of the General Services District ~~is estimated to be 3.85 percent~~ would be below this five percent threshold; and

WHEREAS, the Director of Finance will implement a hiring and promotion freeze and will scrutinize all departmental appropriations from the General Services District of the General Fund with a goal of further impounding a minimum of an additional \$2,000,000 in order to mitigate the impact of this appropriation on the Fund Balance of the General Services District of the General Fund; and

WHEREAS, the Metropolitan Council recognizes and acknowledges that a priority of the Fiscal Year 2018-2019 Operating Budget for the Metropolitan Government of Nashville and Davidson County will be to replenish the Undesignated Fund Balance of the General Fund of the General Services District to comply with the Metropolitan Government's policy of a five percent fund balance.

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

Section 1: That the following amount from the General Fund of the General Services District is hereby appropriated:

| Primary Expenditure Account # | Account Description | Amount |
|--------------------------------------|--|-------------------------|
| 01101138.502613 | Hospital Authority – Operating Subsidy | \$13,231,000 |
| | | <u>\$12,231,000</u> |

Section 2: That ~~-\$2,400,000~~ \$1,400,000 of the appropriation in Section 1 will be offset with Impounded Funds and the remainder of this appropriation is funded from the following source:

| Revenue Account # | Account Description | Amount |
|--------------------------|--|---------------|
| 10101.335000 | General Fund - Undesignated Fund Balance | \$10,831,000 |

Section 3: That the appropriation set forth in Section 1 shall be subject to the following timeline and conditions for the Disbursement Requests:

1. Within ten business days of the adoption of this resolution, the Metropolitan Government will directly pay Meharry Medical College \$4,409,676 from the ~~\$13,231,000~~ \$ 12,231,000 appropriated to the Hospital Authority by this resolution in order to satisfy the amount owed by the Hospital Authority for services provided through June 30, 2017.
2. Of the remaining ~~\$8,821,324~~ \$7,821,324, \$4,000,000 will be available to cover shortfalls in cash collected for net patient revenue if, and only to the extent of, the June 30, 2018 net patient revenue as projected by the Hospital Authority and reviewed by the Director of Finance is below \$42,000,000. The timing of the disbursement will be determined by the Director of Finance based on collection trends in the coming months.
3. Disbursements of the remaining ~~\$4,821,324~~ \$3,821,324 to be used for operating expenses – including ongoing monthly utility and other operating expense payments to Meharry - will be made to the Hospital Authority based on monthly cash flow needs documented with Operating Disbursement Requests.
4. Each Operating Disbursement Request will be delivered to the Metropolitan Director of Finance at least ten business days prior to requested date of funding, and additionally, be certified by the chief executive and chief financial officers of the Nashville General Hospital management as well as the board chair and finance committee chair of the Hospital Authority.
5. Each Operating Disbursement Request will be accompanied by detailed supporting documentation and analysis to the satisfaction of the Metropolitan Director of Finance, including but not limited to (a) the most recent month end budget to actual income statement; (b) the most recent cash flow statement showing each actual month beginning July 1, 2017 and showing each projected month through June 30, 2018, (c) the most recent month's balance sheet, (d) the most recent bank statements or other documentation from all Hospital Authority banks showing detailed deposit and withdrawal transactions, and (e) aging reports with explanations for any amounts in dispute for accounts receivable, accounts payable and any recorded or unrecorded liabilities not included in accounts payable.
6. Within 15 days of the end of each month, the Hospital Authority shall provide the previous month's copies of the balance sheet, the budget to actual income statement and the monthly actual and projected cash flow to the Vice Mayor and Chairs of the Council Budget and Finance and Health, Hospitals and Social Services Committees, with an electronic copy sent to each member of the Metropolitan Council and to the Director of Finance.

Section 4: That this Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Colby Sledge
Member of Council

Amendment No. ____

To

Resolution No. RS2018-1035

Mr. President –

I move to amend Resolution No. RS2018-1035 as follows:

- I. By deleting Section 1 in its entirety and substituting in lieu thereof the following:

That Ordinance No. BL2014-926 is hereby amended by deleting Section 1 in its entirety and substituting in lieu thereof the following:

The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, is hereby authorized to subsidize the cost of rain barrels, by paying twenty dollars of the cost of the rain barrels sold through the program, not to exceed \$20,000 annually, for the residents of the Metropolitan Government of Nashville and Davidson County.

INTRODUCED BY:

Tanaka Vercher
Member of Council

Amendment No. ____

To

Resolution No. RS2018-1036

Mr. President –

I move to amend Resolution No. RS2018-1036 as follows:

II. By deleting Section 1 in its entirety and substituting in lieu thereof the following:

That Ordinance No. BL2017-984 is hereby amended by adding the following as Sections 19, 20, 21, 22, and 23 and renumbering the subsequent sections accordingly:

Section 19. That Chapter 6.80, subsection 6.80.550 (A)(1)(a), of the Metropolitan Code of Laws is amended by deleting the word “winching” and by adding the phrase, “unless otherwise authorized,” at the end of the paragraph.

Section 20. That Chapter 6.80, subsection 6.80.550 (A)(1)(b), of the Metropolitan Code of Laws is amended by deleting the word “winching” and by adding the phrase, “unless otherwise authorized,” at the end of the paragraph.

Section 21. That Chapter 6.80, subsection 6.80.550 (A)(1)(c), of the Metropolitan Code of Laws is amended by deleting the word “winching” and by adding the phrase, “unless otherwise authorized,” at the end of the paragraph.

Section 22. That Chapter 6.80, subsection 6.80.550 (A)(1)(d), of the Metropolitan Code of Laws is amended by deleting the word “winching” and by adding the phrase, “unless otherwise authorized,” at the end of the paragraph.

Section 23. That Chapter 6.80, subsection 6.80.550(H)(2), of the Metropolitan Code of Laws is amended deleting it in its entirety and replacing with the following:

“Storage. The maximum fee for storage of any vehicle removed from private property is forty dollars per day. No storage fee may be charged for cars or pickup trucks stored two hours or less.”

III. By deleting Sections 2, 3, 4 and 5 and renumbering the subsequent section accordingly.

INTRODUCED BY:

Jeremy Elrod
Member of Council

RESOLUTION NO. RS2018-_____

A resolution establishing a Special Committee to investigate the circumstances involving travel and other expenses, including overtime expenses, potentially related to the Mayor's admitted improprieties involving an employee of the Metropolitan Government to determine if there was any improper use of public money.

WHEREAS, on January 31, 2018, the Mayor acknowledged engaging in certain improprieties involving an employee of the Metropolitan Government; and

WHEREAS, there are allegations made in media reports, including allegations acknowledged by the Mayor in interviews, of extensive travel and other expenses including overtime expenses that may be potentially related to these improprieties; and

WHEREAS, pursuant to Section 3.06 of the Metropolitan Charter, in addition to the Metropolitan Council's legislative function, "the council is authorized by resolution passed by a three-fourths (3/4ths) majority of its entire membership and not subject to the veto power of the mayor to conduct investigations by the whole council or any of its committees; to employ and compensate personnel necessary for such purpose; and to make appropriations therefor"; and

WHEREAS, the welfare of The Metropolitan Government of Nashville and Davidson County requires that the circumstances involving the travel and other expenses including overtime expenses potentially related to the extramarital affair be investigated independent of the executive branch of government to determine if there was any improper use of public money; and

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

Section 1. Within seven (7) days of the passage of this resolution, the Vice Mayor shall appoint a Special Committee consisting of three (3) to seven (7) members of the Council to investigate the circumstances involving the travel and other expenses including overtime expenses potentially related to the Mayor's extramarital affair to determine if there was any improper use of public money. The Special Committee shall promptly meet to select a Chair and establish rules.

Section 2. The Special Committee shall prepare a Report and Recommendations to the Council about its findings and any recommendations for further action. To accomplish the purpose of the Special Committee, the committee may at its discretion conduct its own investigation, conduct hearings, request the services of the Metropolitan Auditor, and by a resolution passed by the Council engage the services of outside legal and accounting professionals.

Section 3. Pursuant to Section 18.10 of the Metropolitan Charter, the Special Committee shall have the power to compel the attendance of witnesses and the production of books, papers, and records pertinent to the investigation or any hearing, and to administer oaths to witnesses.

Section 4. This resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Tanaka Vercher
Member of Council

Bob Mendes
Member of Council, At-Large

John Cooper
Member of Council, At-Large

Jacobia Dowell
Member of Council

Mina Johnson
Member of Council

Robert Swope
Member of Council

Doug Pardue
Member of Council

Erica Gilmore
Member of Council, At-Large

Jim Shulman
Member of Council, At-Large

Sharon W. Hurt
Member of Council, At-Large

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2017-790

Mr. President –

I move to amend Ordinance No. BL2017-790 as follows:

I. By amending Section 1 by deleting proposed subsection 3.24.010.C.2 in its entirety and substituting therefore the following:

2. Members of council holding office for less than eight (8) years prior to August 31, ~~2019~~ 2023 who were participants in the comprehensive health care plan during the time they held office may elect to continue the health care plan, provided they pay the full amount of the premium without any subsidy from the Metropolitan Government.

II. By further amending Section 1 by deleting proposed subsection 3.24.010.C.3.a in its entirety and substituting therefore the following:

a. Those members of council holding office for eight (8) years or more on or prior to August 31, ~~2019~~ 2023;

III. By further amending Section 1 by deleting proposed subsection 3.24.010.C.6 in its entirety and substituting therefore the following:

6. Except as provided above, no member of council serving after August 31, ~~2019~~ 2023, shall be eligible for the subsidized health care plan after leaving office."

INTRODUCED BY:

Bob Mendes
Member of Council, At-Large

Amendment No. ____

To

Ordinance No. BL2018-1060

Mr. President:

I move to amend Ordinance No. BL2018-1060 by revising the reference to BL2014-966 in the second recital to instead reference BL2014-996, as shown on the attached Exhibit A.

Introduced By:

Jeremy Elrod

Fabian Bedne
Member(s) of Council

EXHIBIT A

ORDINANCE NO. _____

An ordinance adopting the Geographic Information Systems Street and Alley Centerline Layer, with the recordation of renaming, additions and deletions of acceptances and abandonments as reflected on the Centerline Layer to date, as the Official Street and Alley Acceptance and Maintenance Record for the Metropolitan Government of Nashville and Davidson County, (Proposal Number 2017M-004OT-001).

WHEREAS, Metropolitan Code of Law, 13.08.010 created and established the Official Street and Alley Acceptance and Maintenance Map for the Metropolitan Government of Nashville and Davidson County, said map being composed of a series of Atlas Sheet Base Maps showing the dedicated streets and alleys which were either accepted or abandoned for Public maintenance by the Metropolitan Government; and,

WHEREAS, the Ordinance Number ~~2014-966~~BL2014-996 designated the Geographic Information Systems Street and Alley Centerline Layer as the official street and alley acceptance and maintenance record for the Metropolitan Government of Nashville and Davidson County and emended Title 13 of the Metropolitan Code of Law to incorporate same; and,

WHEREAS, the Geographic Information Systems Street and Alley Centerline Layer has been edited to show the dedicated streets and alleys which were accepted or abandoned for public maintenance by the Metropolitan Government; and,

WHEREAS, the Geographic Information Systems Street and Alley Centerline Layer is maintained by Public Works; and,

WHEREAS, the Official Street and Alley Acceptance and Maintenance Map and the Geographic Information Systems Street and Alley Centerline Layer was last amended by Ordinance No. BL2017-572, which was approved by the Metropolitan Council on February 21, 2017; and,

WHEREAS, streets and alleyways within Davidson County not included in Ordinance No. BL2017-572, but denoted in the chart attached hereto, have been duly renamed, accepted or abandoned for public maintenance by the Metropolitan Council and duly recorded on the Geographic Information Systems Street and Alley Centerline Layer; and,

WHEREAS, it is deemed to be in the best interest of the Metropolitan Government to accept the edits made to the Geographic Information Systems Street and Alley Centerline Layer.

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

Section 1. The Geographic Information Systems Street and Alley Centerline Layer with the recordation of renaming, additions and deletions of acceptances and abandonments as reflected on the Centerline Layer to date, said Centerline Layer being maintained by the Department of Public Works, is hereby ratified, approved, and adopted.

Section 2. That the Department of Public Works will annually submit for adoption such additions, deletions or other amendments to the Geographic Information Systems Centerline Layer as may occur.

Section 3. This ordinance shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

Mark Sturtevant, Interim Director
Department of Public Works

Public Works Committee Chair

Doug Sloan, Executive Director
Metropolitan Planning Commission

Members of Council

APPROVED AS TO AVAILIBILITY OF FUNDS:

Talia Lomax-O'dneal, Director
Department of Finance

APPROVED AS TO FORM AND LEGALITY:

Assistant Metropolitan Attorney

**STREETS AND ALLEYS DOCUMENTED IN THE
GIS CENTERLINE FILE AS BEING ACCEPTED
FOR MAINTENANCE BY PUBLIC WORKS OR
MARKED AS NOT MAINTAINED BETWEEN
OCT 1, 2016 AND SEPT 30, 2017 AFTER
PASSAGE OF COUNCIL BILL #2017-572**

| <i>COUNCIL DISTRICT</i> | <i>STREET NAME</i> | <i>MAP NO</i> | <i>DATE</i> | <i>SUBDIVISION/LOCATION</i> | <i>SEC</i> | <i>PH</i> |
|-------------------------|---------------------|---------------|-------------|-----------------------------|------------|-----------|
| 01 | SUMATRA RD | 58-10-A | 11/15/2016 | ENCHANTED HILLS, ADDITION | | |
| 01 | CARRINGTON PL | 58-10-B | 9/14/2017 | CARRINGTON PL | 1 | 3 |
| 01 | RED CLOVER CT | 58-10-B | 9/14/2017 | CARRINGTON PL | 1 | 3 |
| 02 | MONTICELLO ST | 71-01-A | 6/6/2017 | THE WOODS @ MONTICELLO | | 1 |
| 03 | WILLOW CREEK DR | 50-2-A | 7/17/2017 | BELLE ARBOR | | 1 |
| 03 | PARMLEY LN | 49-10-A | 7/13/2017 | PARMLEY COVE | | 2 |
| 03 | BROOKWAY DR | 50-2-A | 7/17/2017 | BELLE ARBOR | | 1 |
| 03 | PRESERVATION WAY | 49-10-A | 7/13/2017 | PARMLEY COVE | | 2 |
| 03 | BELLE ARBOR DR | 50-2-A | 7/17/2017 | BELLE ARBOR | | 1 |
| 04 | ELYSIAN CIR | 172-5-C | 12/14/2016 | | | |
| 04 | STERLING OAKS DR | 172-5-C | 12/14/2016 | STERLING OAKS DR | | |
| 04 | LOCHAVEN DR | 172-5-C | 12/14/2016 | LOCHAVEN | | |
| 04 | ELYSIAN WAY | 172-5-C | 12/14/2016 | | | |
| 05 | ALLEY #1001 * | 83-5 | 11/15/2016 | | | |
| 06 | ALLEY # 737 | 83-13 | 12/12/2016 | LINDSLEY HOME PL RESUB | | |
| 06 | ALLEY #774 | 83-13 | 12/12/2016 | LINDSLEY HOME PL RESUB | | |
| 07 | LOVE JOY CT | 072-07 | 1/30/2017 | | | |
| 08 | SKYLINE MEMORIAL CT | 51 | 9/14/2017 | NASHVILLE/MUSIC CITY LAND | | |
| 11 | TABITHA LN | 63-4-A | 3/14/2017 | CLEVELAND HALL | | 4 |
| 11 | STOKLEY GLEN | 63-4-A | 3/14/2017 | CLEVELAND HALL | | 4 |
| 11 | CLEVELAND HALL CT | 63-4-A | 5/24/2017 | CLEVELAND HALL | | 5 |
| 11 | STOKLEY LN | 63-4-A | 3/14/2017 | CLEVELAND HALL | | 4 |

SEGMENTS MARKED AS NOT MAINTAINED PER INSPECTION WILL NOT BE SHOWN ON MAP

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PROPOSAL NO. 2017M-004OT-001

| <i>COUNCIL DISTRICT</i> | <i>STREET NAME</i> | <i>MAP NO</i> | <i>DATE</i> | <i>SUBDIVISION/LOCATION</i> | <i>SEC</i> | <i>PH</i> |
|-------------------------|-------------------------|---------------|-------------|-----------------------------|------------|-----------|
| 12 | HUNTERS POINT CT | 98-5 | 11/7/2016 | HUNTERS POINT SUBDIVISION | | |
| 12 | DOVE TRL | 98-5 | 11/7/2016 | HUNTERS POINT SUBDIVISION | | |
| 12 | LAKESIDE MEADOWS PASS | 110-3-A | 12/28/2016 | LAKESIDE MEADOWS | | 3 |
| 12 | ALVIN SPERRY PASS | 110-3-A | 12/28/2016 | LAKESIDE MEADOWS | | 3 |
| 12 | LAKESIDE MEADOWS CIRCLE | 110-3-A | 12/28/2016 | LAKESIDE MEADOWS | | 3 |
| 12 | HUNTERS POINT LN | 98-5 | 11/7/2016 | HUNTERS POINT SUBDIVISION | | |
| 12 | HESSEY PASS | 110-3-A | 12/28/2016 | LAKESIDE MEADOWS | | 3 |
| 14 | MAPLETON ALLEY | 97-2-A | 9/5/2017 | VILLAGES OF RIVERWOOD | 1 | |
| 14 | WATERFORD HILL DR | 86 | 12/28/2016 | WATERFORD ASSISTED LIVING | | |
| 14 | ALLEY # 1260 | 97-2-A | 9/5/2017 | VILLAGES OF RIVERWOOD | 1 | 1 |
| 14 | ALLEY # 1261 | 97-2-A | 9/5/2017 | VILLAGES OF RIVERWOOD | 1 | 1 |
| 14 | ALLEY # 1262 | 97-2-A | 9/5/2017 | VILLAGES OF RIVERWOOD | 1 | 1 |
| 14 | ALLEY # 1263 | 97-2-A | 9/14/2017 | VILLAGES OF RIVERWOOD | 1 | 3C |
| 14 | RIVERBIRCH WAY | 97-2-A | 9/5/2017 | VILLAGES OF RIVERWOOD | 1 | 1 |
| 14 | RIVERBROOK DR | 97-2-A | 9/5/2017 | VILLAGES OF RIVERWOOD | 1 | 1 |
| 14 | RIVERWOOD VILLAGE BLVD | 97-2-A | 9/5/2017 | VILLAGES OF RIVERWOOD | 1 | 1 |
| 14 | WILLOWTREE AVE | 97-2-A | 9/5/2017 | VILLAGES OF RIVERWOOD | 1 | 1 |
| 14 | ALLEY # 1263 | 97-2-A | 9/14/2017 | VILLAGES OF RIVERWOOD | 1 | 3A |
| 14 | ALLEY # 1263 | 97-2-A | 9/14/2017 | VILLAGE OF RIVERWOOD | 1 | 3B |
| 14 | RIVERBIRCH LN | 97-2-A | 9/5/2017 | VILLAGES OF RIVERWOOD | 1 | 1 |
| 14 | BOXELDER ALLEY | 97-2-A | 9/14/2017 | VILLAGES OF RIVERWOOD | 1 | 3A |
| 14 | STONEWATER DR | 97-2-A | 9/5/2017 | VILLAGES OF RIVERWOOD | 1 | 1 |
| 15 | MCGAVOCK PK | 73 | 2/27/2017 | CORRECTION RE:ORDINANCE # | | |
| 15 | LONGFELLOW DR | 62-2-B | 1/18/2017 | ABBINGTON PARK | 1 | 2 |
| 16 | ALLEY 1922* | 133-2 | 3/30/2017 | BEHIND 3210 KINROSS AVE | | |
| 17 | ALLEY #1843 * | 106-13 | 9/14/2017 | | | |
| 17 | ALLEY 1806 | 105-7 | 6/26/2017 | | | |
| 18 | ALLEY #796 | 104-6 | 3/22/2017 | | | |
| 19 | ALLEY # 515 | 81-3 | 1/17/2017 | N NASH REAL ESTATE CO. PLA | | |

SEGMENTS MARKED AS NOT MAINTAINED PER INSPECTION WILL NOT BE SHOWN ON MAP

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PROPOSAL NO. 2017M-004OT-001

| <i>COUNCIL DISTRICT</i> | <i>STREET NAME</i> | <i>MAP NO</i> | <i>DATE</i> | <i>SUBDIVISION /LOCATION</i> | <i>SEC</i> | <i>PH</i> |
|-------------------------|--------------------|---------------|-------------|------------------------------|------------|-----------|
| 19 | STEVEN ST * | 93-13 | 11/3/2016 | | | |
| 20 | ALLEY #1530 | 102-8 | 9/20/2017 | | | |
| 21 | ALLEY 554* | 81-14 | 6/16/2017 | | | |
| 21 | ALLEY #1205 | 91-8 | 8/24/2017 | | | |
| 21 | ALLEY #1189 | 91-8 | 8/24/2017 | | | |
| 28 | TOOK DR | 163-2-B | 6/5/2017 | BERKLEY HALL | | 2 |
| 28 | FRODO LN | 163-2-B | 6/5/2017 | BERKLEY HALL | | 2 |
| 28 | SAMWISE LN | 163-2-B | 6/5/2017 | BERKLEY HALL | | 2 |
| 29 | TOWNSVIEW PL | 149-4-A | 11/9/2016 | TOWN VIEW | | |
| 29 | LYNDON PARK DR | 149-4-A | 11/9/2016 | TOWN VIEW | | |
| 29 | GRIGGS PL | 149-4-A | 11/9/2016 | TOWN VIEW | | |
| 30 | YORKTOWN RD* | 148-13 | 9/11/2017 | FAIRLANE PARK | | |
| 31 | SOMERSET VALLEY DR | 173-6-H | 11/14/2016 | CAMBRIDGE PARK AT BARNES | | 1 |
| 31 | TURFWAY CT | 173-10-A | 11/30/2016 | BARNES BEND ESTATES | 2 | 3 |
| 31 | TURFWAY LN | 173-10-A | 11/30/2016 | BARNES BEND ESTATES | 2 | 2 |
| 31 | TURFWAY LN | 173-10-A | 11/30/2016 | BARNES BEND ESTATES | 2 | 3 |
| 31 | OAKFIELD GRV | 181-10-A | 11/16/2016 | AUTUMN OAKS | | 9 |
| 31 | WORTHINGTON AVE | 173-6-B | 11/14/2016 | CAMBRIDGE PARK AT BARNES | | 1 |
| 31 | CAMPTON RD | 181-1-B | 6/7/2017 | SUGAR VALLEY | | 5 |
| 31 | TRANQUIL TRL | 181-10-A | 11/16/2016 | AUTUMN OAKS | | 9 |
| 31 | ALLEY #3034 | 173-6-B | 11/14/2016 | CAMBRIDGE PARK AT BARNES | | 1 |
| 31 | ALLEY #3033 | 173-6-B | 11/14/2016 | CAMBRIDGE PARK AT BARNES | | 1 |
| 31 | SUNNYWOOD DR | 181-1-B | 6/7/2017 | SUGAR VALLEY | | 5 |
| 31 | SIDNEY DR | 173-6-B | 11/14/2016 | CAMBRIDGE PARK AT BARNES | | 1 |
| 31 | HIGH POINT TER | 181-10-D | 1/18/2017 | JACKSON VALLEY | 2 | |
| 31 | ALLEY #3035 | 173-6-B | 11/14/2016 | CAMBRIDGE PARK AT BARNES | | 1 |
| 31 | CHINOOK DR | 181-3-A | 4/17/2017 | INDIAN CREEK | 1 | 4 |
| 32 | SHIRE DR | 174-1 A | 4/4/2017 | RIVENDELL WOODS | 2 | 1 |
| 32 | SKYFALLS CT | 164-10-A | 3/28/2017 | SUMMERFIELD VILLAGE | | 6 |

SEGMENTS MARKED AS NOT MAINTAINED PER INSPECTION WILL NOT BE SHOWN ON MAP

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PROPOSAL NO. 2017M-004OT-001

| <i>COUNCIL DISTRICT</i> | <i>STREET NAME</i> | <i>MAP NO</i> | <i>DATE</i> | <i>SUBDIVISION /LOCATION</i> | <i>SEC</i> | <i>PH</i> |
|-------------------------|--------------------|---------------|-------------|------------------------------|------------|-----------|
| 32 | OLD FOREST RD | 174-1 A | 4/4/2017 | RIVENDELL WOODS | | 4 |
| 32 | SKYFALLS WAY | 164-10-A | 3/28/2017 | SUMMERFIELD VILLAGE | 6 | |
| 32 | ANDUIN AVE | 174-1-A | 10/25/2016 | RIVENDELL WOODS | 2 | 2 |
| 32 | SHOREWOOD PATH | 164-10-A | 3/28/2017 | SUMMERFIELD VILLAGE | 6 | |
| 32 | PINEGLEN CT | 164-10-A | 3/28/2017 | SUMMERFIELD VILLAGE | 6 | |
| 32 | ANDUIN AVE | 174-1-A | 10/26/2016 | RIVENDELL WOODS | 2 | 3 |
| 32 | SILVERMOON DR | 174-1-A | 10/26/2016 | RIVENDELL WOODS | 2 | 3 |
| 32 | CROSSINGS CIR | 163 | 11/3/2016 | CROSSINGS CIRCLE ROW ABAN | | |
| 32 | OLD FOREST RD | 174-1 A | 4/4/2017 | RIVENDELL WOODS | 2 | 1 |
| 33 | ASCOT DR | 151-9-A | 12/9/2016 | LONG HUNTER CHASE | 3A | 3 |
| 33 | DERBYSHIRE DR | 151-9-A | 12/9/2016 | LONG HUNTER CHASE | 3 | 3 |
| 33 | FERNHURST CT | 151-9-A | 12/9/2016 | LONG HUNTER CHASE | 3 | 3 |
| 33 | PADDINGTON WAY | 151-9-A | 12/9/2016 | LONG HUNTER CHASE | 3A | 3 |
| 33 | CANE SPRINGS RD | 174-11-B | 7/14/2017 | THE GROVE AT CANE RIDGE | | 2 |
| 33 | ELI DR | 174-11-B | 7/14/2017 | THE GROVE AT CANE RIDGE | | 3 |
| 33 | SUZY DR | 174-11-B | 7/14/2017 | THE GROVE AT CANE RIDGE | | 2 |
| 33 | SUZY DR | 174-11-B | 7/14/2017 | THE GROVE AT CANE RIDGE | | 3 |
| 33 | LUKE CT | 174-11-B | 7/26/2017 | THE GROVE @ CANE RIDGE | | 3 |
| 33 | LUKE DR | 174-11-B | 7/26/2017 | THE GROVE @ CANE RIDGE | | 3 |
| 33 | CANE SPRINGS RD | 174-11-B | 7/14/2017 | THE GROVE AT CANE RIDGE | | 1 |

SEGMENTS MARKED AS NOT MAINTAINED PER INSPECTION WILL NOT BE SHOWN ON MAP

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MEGAN BARRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Memorandum

DEPARTMENT OF PUBLIC WORKS
750 SOUTH FIFTH STREET
NASHVILLE, TENNESSEE 37203

To: Lucy Kempf, Planning Department

From: Sara Cain, Public Works *sc*

Date: October 18, 2017

REF: Mandatory Referral process for the Metropolitan Council's adoption of the Geographic Information Systems Street and Alley Centerline Layer's acceptance for Maintenance by the Metropolitan Government

In accordance with the Metro Code of Law, 13.08.010, enclosed is a summary listing of the Streets and Alleys documented in the Geographic Information Systems Street and Alley Centerline File as being Accepted for Maintenance or designated as "no maintenance" between October 1, 2016 and September 30, 2017. The summary listing provides Council Districts, Street Names, Property Map Numbers, Dates of Acceptance for maintenance by Public Works and the Locations/Subdivision Name, Section and Phase where applicable.

Also attached are copies of the GIS Map sheets where the streets on the summary list are located. The summary list of streets and copies of the map sheets will also be submitted to the Metropolitan Clerk.

Please present this matter to the Metropolitan Planning Commission as soon as possible. Thank you for your assistance. If you have any questions, please contact me at 615-880-2427.

Extra copy: Mark Sturtevant, Public Works Interim Director
Devon Doyle, Public Works
Elizabeth Waites, Metropolitan Clerk
Jason Rust, Planning Department

AMENDMENT NO. _____

TO

ORDINANCE NO. BL2017-1031 AS AMENDED

Mr. President –

I move to amend Ordinance No. BL2017-1031, as previously amended, as follows:

I. By amending Section 2 by making the following changes to the proposed ballot language and format:

~~“Transit Improvement Program:~~ Passage of this measure ~~will~~ allows the Metropolitan Government to improve and expand ~~its~~ transit services to include: expanded bus service countywide; new transit lines; new light rail and/or rapid bus service along Nashville’s major corridors, including the Northwest Corridor~~;~~ and a tunnel connection through downtown Nashville; new neighborhood transit centers; improvements to existing train service; safety improvements, including sidewalks and pedestrian connections; and system modernization.

~~The capital cost of the program is~~ This transit program’s capital cost is estimated to have a present day value of \$5,354,000,000, ~~with recurring annual operating and maintenance costs of approximately \$99,500,000.~~ and the program is estimated to require \$8,951,062,000 in revenue through 2032. Once construction is complete, the estimated present day value of recurring annual operating and maintenance costs is approximately \$99,500,000. The Metropolitan Transit Authority and the Department of Public Works will undertake ~~the projects and implement~~ implementation of the program.

This transit ~~improvements and expansion~~ program will be funded by ~~federal grants, farebox revenues, convention center and airport authority participation, and tax surcharges~~ tax surcharges, debt, federal grants, farebox revenues and convention center and airport authority participation. The tax surcharges consist of: 1) a sales tax surcharge of 0.5% for the first five years, increasing to 1% in 2023, ~~for an effective local option tax of 3.25%~~; 2) a hotel/motel tax surcharge of 0.25% for the first five years, increasing to 0.375% in 2023; 3) a 20% surcharge on the business tax; and 4) a 20% surcharge on the rental car tax. ~~These tax surcharges will end once all debt issued for the program has been paid and the Metropolitan Council determines upon the adoption of a~~ by resolution that the revenues from the tax surcharges are no longer needed for operation of the program.

FOR or AGAINST”

The resulting revised ballot language in Section 2 shall read as follows:

“Passage of this measure allows the Metropolitan Government to improve and expand transit services to include: expanded bus service countywide; new transit lines; new light rail and/or rapid bus service along Nashville’s major corridors, including the Northwest Corridor, and a tunnel connection through downtown Nashville; new neighborhood transit centers; improvements to existing train service; safety improvements, including sidewalks and pedestrian connections; and system modernization.

This transit program's capital cost is estimated to have a present day value of \$5,354,000,000 and the program is estimated to require \$8,951,062,000 in revenue through 2032. Once construction is complete, the estimated present day value of recurring annual operating and maintenance costs is approximately \$99,500,000. The Metropolitan Transit Authority and the Department of Public Works will undertake implementation of the program.

This transit program will be funded by tax surcharges, debt, federal grants, farebox revenues and convention center and airport authority participation. The tax surcharges consist of: 1) a sales tax surcharge of 0.5% for the first five years, increasing to 1% in 2023; 2) a hotel/motel tax surcharge of 0.25% for the first five years, increasing to 0.375% in 2023; 3) a 20% surcharge on the business tax; and 4) a 20% surcharge on the rental car tax. These tax surcharges will end once all debt issued for the program has been paid and the Metropolitan Council determines by resolution that the revenues from the tax surcharges are no longer needed for operation of the program.

FOR or AGAINST"

INTRODUCED BY:

John Cooper

Erica Gilmore

Sharon W. Hurt

Bob Mendes

Jim Shulman
Members of Council, At-Large

AMENDMENT NO. _____
TO
ORDINANCE NO. BL2017-1031 AS AMENDED

Mr. President –

I move to amend Ordinance No. BL2017-1031, as previously amended, as follows:

I. By amending Section 2 by making the following changes to the proposed ballot language and format:

~~“Transit Improvement Program:~~ Passage of this measure will allow the Metropolitan Government to improve and expand its transit services to include: expanded bus service countywide; new transit lines; new light rail and/or rapid bus service along Nashville’s major corridors, including the Northwest Corridor and a connection through downtown Nashville; new neighborhood transit centers; improvements to existing train service; safety improvements, including sidewalks and pedestrian connections; and system modernization. The Metropolitan Nashville and Davidson County transit system shall be managed by one management structure. The organization that will manage the transit system shall be The Davidson Transit Organization. The capital cost of the program is estimated to have a present day value of \$5354,000,000, with recurring annual operating and maintenance costs of approximately \$99,500,000. The Metropolitan Transit Authority and the Department of Public Works will undertake ~~the projects and implement~~ implementation of the program. The transit improvements and expansion will be funded by federal grants, farebox revenues, convention center and airport authority participation, and tax surcharges. The surcharges consist of: (1) a sales tax surcharge of 0.5% for the first five years, increasing to 1% in 2023, ~~for an effective local option tax of 3.25%~~; (2) a hotel/motel tax surcharge of 0.25% for the first five years, increasing to 0.375% in 2023; (3) a 20% surcharge on the business tax; and (4) a 20% surcharge on the rental car tax. The tax surcharges will end once all debt issued for the program has been paid and the Metropolitan Council determines ~~upon the adoption of a~~ by resolution that the revenues from the surcharges are no longer needed for operation of the program.

FOR or AGAINST”

The resulting revised ballot language in Section 2 shall read as follows:

“Passage of this measure will allow the Metropolitan Government to improve and expand transit services to include: expanded bus service countywide; new transit lines; new light rail and/or rapid bus service along Nashville’s major corridors, including the Northwest Corridor and a connection through downtown Nashville; new neighborhood transit centers; improvements to existing train service; safety improvements, including sidewalks and pedestrian connections; and system

modernization. The Metropolitan Nashville and Davidson County transit system shall be managed by one management structure. The organization that will manage our transit system shall be The Davidson Transit Organization. The capital cost of the program is estimated to have a present day value of \$5354,000,000, with recurring annual operating and maintenance costs of approximately \$99,500,000. The Metropolitan Transit Authority and the Department of Public Works will undertake implementation of the program. The transit improvements and expansion will be funded by federal grants, farebox revenues, convention center and airport authority participation, and tax surcharges. The surcharges consist of: (1) a sales tax surcharge of 0.5% for the first five years, increasing to 1% in 2023; (2) a hotel/motel tax surcharge of 0.25% for the first five years, increasing to 0.375% in 2023; (3) a 20% surcharge on the business tax; and (4) a 20% surcharge on the rental car tax. The tax surcharges will end once all debt issued for the program has been paid and the Metropolitan Council determines by resolution that the revenues from the surcharges are no longer needed for operation of the program.

FOR or AGAINST"

INTRODUCED BY:

Scott Davis
Member of Council