

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Donald W. Jones, Director
Metropolitan Council Staff

DATE: **June 19, 2001**

RE: **Analysis Report**

Balances As Of:	<u>6/14/01</u>	<u>6/15/00</u>
<u>GSD 4% RESERVE FUND</u>	\$13,675,693	\$8,171,386
<u>CONTINGENCY ACCOUNTS</u>		
GSD	\$50,000	\$154,000
USD	\$50,000	\$50,000
<u>GENERAL FUND</u>		
GSD	\$46,859,389	\$34,576,047
USD	\$11,156,918	\$6,308,373
<u>GENERAL PURPOSE</u>		
<u>SCHOOL FUND</u>	\$22,665,532	\$17,165,379
<u>SOLID WASTE</u>		
<u>DISPOSAL FUND</u>		
Solid Waste Activities	\$865,517	\$477,098

- BILLS ON PUBLIC HEARING -

ORDINANCE NO. BL2001-707 (GENTRY) – This ordinance is the operating budget of the Metropolitan Government for the fiscal year 2001-2002. The proposed budget filed by the mayor provides for the following proposed funding:

▪ General Fund of the General Services District	\$ 594,001,400
▪ Schools Fund of the General Services District	443,130,436
▪ Schools Debt Service Fund – General Services District	55,642,102
▪ Debt Service – General Services District	<u>85,767,929</u>
TOTAL GENERAL SERVICES DISTRICT BUDGET	\$1,133,541,867
▪ General Fund of the Urban Services District	\$ 93,259,491
▪ Debt Service – Urban Services District	<u>\$ 11,212,423</u>
TOTAL URBAN SERVICES DISTRICT BUDGET	\$ 104,471,914
TOTAL OPERATING BUDGET	\$1,230,354,737

The substitute budget adopted by the council for the current fiscal year is \$1,111,207,553. The mayor’s proposed budget is an increase of \$119,147,184 or 10.7%.

In order to fund this budget there is a proposed tax increase over the “certified tax rate” of 30% in the general services district (GSD) and a combined increase of 24% in the urban services district (USD). Approximately \$111,019,400 of the budget increase in the GSD is being funded by the increase in property taxes. Approximately \$9,973,375 of the increase in the GSD is funded by growth in GSD property taxes, an increase of 2.8%.

In the general fund of the GSD, \$7,666,085 is appropriated from the unappropriated fund balance as compared to \$5,882,004 in the current year’s budget.

The budget funds the first year of the new pay plan, based on the Mercer reclassification study, which provides an average of a 4% raise in the first year and 3% each in the next two fiscal years. According to the finance department, the cost of the pay plan funding for the first year is \$24,220,286, accounting for approximately 20 cents of the tax increase.

Improvements are provided to a number of departments, highlighted by:

▪ Libraries	\$2,716,500
▪ Police	\$1,110,356
▪ Fire & Emergency Ambulance	\$2,897,817
▪ Old City/County Pension Benefits	\$2,230,000

The budget provides a one-time grant to Nashville Public Television of \$4,409,841 for the benefit of the school board.

(Continued on next page)

ORDINANCE NO. BL2001-707 (Continued)

Although an increase in benefits for the closed old city and county plan pensioners is included in the budget, the necessary legislation which must be adopted prior to July 1st has not been filed with the council.

The operating budget for schools is increased by \$38,609,567, an increase of 9.5%. In addition, the budget appropriates \$19,223,538 to the schools unappropriated fund balance, bringing total new expenditures to \$57,833,105, or a total increase of 14.3%.

The school budget will implement the first part of the improvements recommended in the performance audit and includes \$14,339,445 for salary increases.

The budget ordinance is amendable on third reading.

ORDINANCE NO. BL2001-708 (GENTRY) – This ordinance adopts the property tax levy for fiscal year 2001-2002. The Charter requires that upon the adoption of the annual operating budget, the council's next order of business is to adopt a tax levy that fully funds the operating budget. The property tax proposed by the mayor is \$4.55, which represents \$3.81 in the general services district (GSD) and \$0.74 in the urban services district (USD). This ordinance is amendable on third reading.

RESOLUTION NO. BL2001-637 (GENTRY) – This resolution establishes the certified tax rate of the Metropolitan Government. State law requires that after the county reappraisal program is completed, that a tax rate be set that will receive the same amount of revenue that was received in the previous year based on the old assessment values and tax levy, as a government may not realize greater revenue by means of the reappraisal program. The purpose of the reappraisal program is to assure that property assessments are "equalized" by having all property appraised at the same time. The certified tax rate for the GSD is \$2.93 and \$0.74 for the USD for a total rate in the USD of \$3.67.

Council must adopt this resolution stating the certified tax rate prior to adopting the ordinance filed by the mayor increasing property taxes. This resolution may not be adopted until the state board of equalization has approved the certified tax rate. The staff would recommend that this resolution be deferred until it is approved by the state board of equalization.

- RESOLUTIONS -

RESOLUTION NOS. BL2001-639, BL2001-640, BL2001-641 & BL2001-642 (GENTRY) – Three of these resolutions amend the pay plans for employees of Metropolitan Government, with the exception of the board of education. The fourth resolution readopts the "longevity" pay for employees which payment remains unchanged.

(Continued)

RESOLUTION NOS. BL2001-639, BL2001-640, BL2001-641 & BL2001-642 (Continued)

These pay plans are based upon a reclassification study, commonly referred to as the Mercer study. These pay plans provide for an increase in pay for all positions in the government over three years. According to the finance department, the average increase for employees is 4%, with an average 3% raise in each of the next two fiscal years.

The actual amount of raises is dependent upon position. The lowest pay in the general pay plan begins at \$8.17 an hour and increases to \$8.50 at the end of six months. The increment increases for the different classes is approximately 3%. The first five years of employment, incremental steps are annual and thereafter every two years.

For the first time, the pay plans provide for “open ranges”. The classifications, for department heads, assistant department heads, and upper management personnel have a minimum and maximum amount. There is a “control point” for the classifications, except those for department heads, which is designed to be the amount for long term employees who have performed satisfactory service. The amount between the “control point” and the maximum is for outstanding service.

These pay plans may not be amended by the council except by making uniform changes by increasing or decreasing the amount of pay.

Resolution No. RS2001-639 approves the general pay plan.

Resolution No. RS2001-640 approves the pay plan for fire and police departments.

Resolution No. RS2001-641 approves the pay plan for the board of health.

Resolution No. RS2001-642 approves the longevity pay.

All of these pay plans have been approved by the civil service commission or the health board, the mayor, and funds have been certified by the director of finance, if funds in the operating budget are approved. These pay plans should be deferred and tracked with the budget ordinance, as they may not be adopted until the budget is adopted.

RESOLUTION NO. RS2001-645 (MCCLENDON) – This resolution authorizes the mayor to submit an application for an Immigration Related Employment Discrimination Public Education grant to the U.S. department of justice on behalf of the Metro human relations commission. This grant seeks to obtain \$92,906 that will be used to fund an educational program through workshops and the dissemination of brochures and advertising to assist Hispanic and Kurdish persons in obtaining employment opportunities.

RESOLUTION NO. RS2001-646 (MCCLENDON & SONTANY) – This resolution authorizes the mayor to submit an application to the state department of transportation for a Transportation Enhancement Program grant for proposed streetscape enhancements on Nolensville Road between Interstate 440 and Thompson Lane. This program will be administered by the Metro development and housing agency and requires matching funds which will be provided by community development block grant funds. The Woodbine neighborhood strategy area has adopted the Woodbine master plan and streetscape design to improve this area for merchants and property owners on Nolensville Road.

RESOLUTION NO. RS2001-647 (GENTRY) – This resolution approves an amendment to a lease agreement between the department of social services and the Martha O’Bryan Center, Inc., for office space being utilized as a family resource center. This office space is located at 711 South 7th Street. This amendment to the lease extends the term for an additional year beginning July 1, 2001, and expiring June 30, 2002, at the current rental rate of \$600 per month. Metro has been leasing this space under the current lease since October 1997. The last renewal of this lease was accomplished by the adoption of Ordinance No. O99-1558 which provided that future amendments to this agreement could be approved by resolution receiving 21 affirmative votes.

RESOLUTION NO. RS2001-648 (PONDER & GENTRY) – This resolution approves an amendment to a lease agreement between the Metropolitan Government and Cummins Station, L.L.C., for the arts commission and the historical commission for office space at 209 – 10th Avenue South. The original lease was for a term of five years beginning March 1, 1996. Metro leases approximately 9,300 square feet of space.

Under this amendment the lease term will be extended for five additional years. The rental rate for the first three years of the lease will remain the same, which is a rate of \$3,054.51 per month, and in the last two years the monthly rent will be at the rate of \$3,380. There is a provision that permits Metro to terminate and vacate the premises prior to the last two years of the lease.

This resolution may not be adopted until a recommendation has been made by the Metropolitan planning commission.

RESOLUTION NO. RS2001-649 (HOLLOWAY & GENTRY) – This resolution approves a grant agreement between the Metro board of health and the state department of health for provision of health services, including adolescent pregnancy prevention, children’s special services, community development services, Families First, TennCare eligibility services, and other services. The amount of the grant is not to exceed \$5,116,023. This is an annual grant for a term beginning July 1, 2001, and extending through June 30, 2002. This annual grant with the state provides significant funding for operation of the local health department.

RESOLUTION NO. RS2001-650 (HOLLOWAY & GENTRY) – This resolution amends a previous grant agreement between the Metro board of health and the state department of health which provides the basic funding for numerous health services provided by the Metro health department. This grant agreement, which expires this year, is being increased by an additional \$1,305,100 that will be provided by the state of Tennessee. This grant agreement expires at the end of this fiscal year.

RESOLUTION NO. RS2001-651 (KNOCH & GENTRY) – This resolution approves a contract between the state of Tennessee, CSX Transportation, Inc., and the Metropolitan Government relative

to the construction of a replacement bridge for Shelby Avenue with the Gateway Boulevard bridge. Certain tracts and facilities of CSX Transportation will be relocated as a result of construction of this bridge, and this agreement provides authority to accomplish this task. Funding for this relocation will be provided by the federal government in the amount of \$72,256.08, and the Metropolitan Government will provide an amount of \$18,064.22. In 1993 council adopted an ordinance authorizing the construction of the project to replace the Shelby Avenue bridge and provided that future construction under this project could be approved by resolution of the council receiving 21 affirmative votes.

RESOLUTION NO. RS2001-652 (KNOCH, GENTRY & SONTANY) – This resolution ratifies an agreement between the state of Tennessee and the Metropolitan Government that would permit Metro to deposit its share of funding for the Antioch Pike whitetopping project into the local government investment pool (LGIP). This is a typical arrangement Metro uses in contracts with the state that allows it to deposit funds to earn interest. Council has previously authorized \$50,000 for this project.

RESOLUTION NO. RS2001-653 (WALLACE & KNOCH) – This resolution authorizes the mayor to enter into an agreement with the state department of transportation relative to utility relocation relative to the Shelby Street bridge relocation project. As was the case with the previous contract on this agenda, this contract may be approved by resolution. This is a typical relocation agreement which provides that Metro will reimburse the state for the cost of relocating our utility lines and facilities. Our cost for sewer line relocation will be \$120,971, which will be funded from the extension and replacement fund of the Metro water services department.

RESOLUTION NO. RS2001-654 (LORING & KNOCH) – This resolution authorizes the Metropolitan Government to enter into a utility relocation agreement with the state department of transportation relative to the Briley Parkway construction project, between McGavock Pike to Gallatin Road. The Metropolitan Government agrees to reimburse the state in the amount of \$171,948 which is the cost to relocate existing Metro water and sewer lines. Council has previously adopted an ordinance approving this contract and providing that future amendments required under this contract could be approved by resolution of the council.

RESOLUTION NO. RS2001-655 (GENTRY & NOLLNER) – This resolution ratifies an agreement between the state of Tennessee and the Metropolitan Government which would permit Metro to deposit its share of funding in the Earthman Fork Creek on Knight Road project into the local government investment pool (LGIP). This is a typical arrangement Metro uses in contracts with the state which allows it to deposit funds to earn interest. Council has previously authorized \$95,000 for this project.

RESOLUTION NO. RS2001-656 (GENTRY) – This resolution ratifies a cooperation agreement between the Metropolitan Government and the U.S. department of interior geological survey for a program of water resources investigation. This annual contract provides streamflow monitoring and flood control analysis at fifteen sites at a cost to Metro Government of \$43,600.

RESOLUTION NO. RS2001-657 (GENTRY) – This resolution approves Amendment No. 1 to a grant between the state department of environment and conservation and the Metropolitan Government which is for the purpose of collecting and disposing of waste tires from Tennessee residents. Metro operates this program without the payment of tip fees. The present contract expires June 30, 2001, and this amendment will increase the funding from \$200,000 to an amount of \$320,000. The ordinance originally adopted to approve the grant provided that any amendments to this grant could be approved by resolution of the council.

RESOLUTION NO. RS2001-658 (GENTRY) – This resolution accepts \$5,257.94 to compromise and settle the claim of Metropolitan Government against I.W.V. Key Construction Company. This claim is the result of construction work that occurred on Nolensville Road when the construction company broke a 16” water line owned by the Metropolitan Government. The amount being accepted is our actual cost to repair this water line.

- BILLS ON SECOND READING -

ORDINANCE NO. BL2001-620 (CAMPBELL) – This ordinance closes an unbuilt portion of Turner Street, from Riverside Drive to the western edge of parcel 270 on tax map 72-15. This closure is being requested by Nancy Sutton of Seals Realtors & Auction Company, Inc., on behalf of the abutting property owners, and the properly executed petition is on file with the Metro clerk. This closure will result in two parcels of property losing access to a public street. Unless this closure is reduced in scope or these lots are consolidated, Metro may be sued for the damage to these lots. This closure has been approved by the planning commission and the traffic and parking commission.

ORDINANCE NO. BL2001-704 (BLACK) – This ordinance changes the name of North Hydes Ferry Road to “John Mallette Drive” beginning at the junction with Ashland City Highway and terminating at the intersection of South Hamilton Road and River Drive. This ordinance is being requested by Councilmember Melvin Black. This name change has been approved by the planning commission and the E-911 board.

ORDINANCE NO. BL2001-709 (WALLACE) – This ordinance would increase the amount of the city sticker. Presently, for commercial vehicles there is a fee of \$46 per year, which would increase under this ordinance to \$75. For passenger vehicles and other non-commercial vehicles the city sticker fee would increase from \$35 to \$50 per year. There has not been an increase in this fee since 1991.

ORDINANCE NO. BL2001-710 (FERRELL) – This ordinance adopts a further amendment to the standards for ethical conduct ordinance for members of council. Under this ordinance each member of council and the vice mayor would be required to file not later than February 15th of each year a report to the Metropolitan clerk which would disclose all benefits and/or gifts received in the previous calendar year from any person other than a related family

member or from the Metropolitan Government or agency of the Metropolitan Government if the gift or benefit has a value of \$100 or more.

The ordinance provides that for the present year 2001 the disclosure for February 2, 2002, would report gifts received from and after July 1, 2001.

ORDINANCE NO. BL2001-711 (DERRYBERRY, LORING & OTHERS) – This ordinance amends the Metropolitan Code to permit police officers who leave public service as a result of a disability to receive as a gift a gun and badge. Presently, police officers who retire in good standing and have 25 years of service receive these gifts. This ordinance would extend the gift to officers who had not been able to achieve 25 years of service due to receiving a disability pension. These persons must also have been in good standing at the time of the disability.

ORDINANCE NO. BL2001-712 (HALL & GENTRY) – This ordinance approves the sale of surplus property that was obtained by the Metropolitan Government as a result of a plea bargain arrangement in a drug case. The property is located at 1112 Lischey Avenue and has an estimated value of \$27,000. The proceeds from the sale will be paid into the drug fund of the police department. This sale of property has been approved by the planning commission.

ORDINANCE NO. BL2001-713 (HADDOX & GENTRY) – This ordinance authorizes the water services department to enter into a lease agreement with Nashville Electric Service (NES) which would allow Metro water services to lease five electric poles, 2,648 feet of overhead cable, and 888 feet of underground primary cable for a monthly rental fee of \$133.91. This is a part of the program relating to the variable price interruptible power contract under which the water services department is attempting to lower costs in obtaining electric service from NES and the Tennessee Valley Authority.

ORDINANCE NO. BL2001-714 (HAND & GENTRY) – This ordinance authorizes the Metro police department to accept the donation of a NEC-EWS fingerprint station, valued at approximately \$50,000, from the Sheriff's Office for Dougherty County, Georgia.

ORDINANCE NO. BL2001-715 (GENTRY, FERRELL & WATERS) – This ordinance declares the Stahlman Building to be surplus property and authorizes it to be transferred to the Metropolitan development and housing agency (MDHA). MDHA will be authorized to sell this property to acquire and sell to an appropriate developer to convert the Stahlman Building to an apartment housing complex. Proceeds from the sale of the property to the developer will be returned to the Metropolitan Government, less any costs incurred by MDHA in the sale of the property and to insure an appropriate and feasible redevelopment of the property. The council office would suggest that this ordinance may need to provide a minimum sale price for the Stahlman Building.

The planning commission has not yet considered this ordinance.

ORDINANCE NO. BL2001-716 (WALLACE & KNOCH) – This ordinance authorizes the water services department to enter into an agreement with W. L. Hailey, Inc., relative to the deficient installation of the extension of the Mill Creek truck sewer by W. L. Hailey. The water services department, rather than having this deficiency correction, is requiring W. L. Hailey, at its cost, to relocate a 48-inch sewer at 4th Avenue and Chestnut Street, and to be responsible for the maintenance of the extension of the Mill Creek trunk sewer for a period of five years. The water services department believes that this agreement will benefit the community more than having this line replaced and the deficiency corrected.

ORDINANCE NO. BL2001-717 (HALL & GENTRY) – This ordinance authorizes the execution of a lease agreement between the Metropolitan Government and BellSouth Communications, Inc., for property owned by the Metropolitan Government adjacent to 1018 and 1019 Douglas Avenue and 1224 Gallatin Road to permit BellSouth to use part of Metro’s property for parking. This easement is granted to BellSouth for as long as they own the property. In return BellSouth agrees to dedicate an easement for a public pedestrian walkway on the property.

The planning commission has not yet considered this ordinance.

ORDINANCE NOS. BL2001-718, BL2001-720 AND BL2001-721 (GENTRY) – These three ordinances authorize the execution of contracts between the state department of transportation and the Metropolitan Government for continued improvements in to the Metropolitan Government traffic signalization system. These contracts are funded in part by the Transportation Equity Act with 80% of the cost being provided by the federal government and 20% being provided by Metro Government.

Ordinance No. BL2001-718 funds construction of the Metro Traffic Operations Center and installation of fiber optic cable to provide for the backbone and surface street surveillance and monitoring system. The facility will be utilized only by traffic engineers and operations staff of the department of public works. The federal government will fund \$2.2 million of the cost, with the Metropolitan Government funding \$350,000.

Ordinance No. BL2001-720 provides funding for the employment of a professional engineering consulting firm to provide Intelligent Transportation System design services for the new Metro Traffic Operations Center, fiber optic communications cable, and closed circuit television cameras to be used on selected streets within Nashville. Metro Government will provide \$150,000, with the federal government providing \$600,000.

Ordinance No. BL2001-721 provides funding to install cameras to monitor traffic flow of 35 to 50 miles of street. Cameras in this program will be installed from the following listed streets: Gallatin Pike, West End/Harding Road, Murfreesboro Pike, Hillsboro Pike, Charlotte Pike, Lebanon Pike, and Dickerson Pike. The federal government will provide \$1,891,073, with Metro’s share being \$472,769.

ORDINANCE NO. BL2001-719 (GENTRY, LINEWEAVER & BRILEY) – This ordinance authorizes the execution of a contract between the Metropolitan Government and the state department of transportation to provide signalization improvements on Murfreesboro Pike between Interstate 24 to the Rutherford County line, which is approximately 25 intersections, and on Gallatin Pike from Old Hickory Boulevard to the Sumner County line, which is approximately 12 intersections. The total cost of these improvements will be \$2 million, which will be 100% federally funded.

ORDINANCE NO. BL2001-722 (MCCLENDON & GENTRY) – This ordinance approves a grant between the U.S. department of treasury, bureau of alcohol, tobacco and firearms and the Metropolitan police department for a gang resistance education and training program. The amount of the grant is \$150,000. The funds will be used to provide for educational programs in the schools to discourage youth and children from joining or participating in gangs. This program is directed primarily at high school and junior high school students. This grant agreement will begin January 16, 2001, and will expire January 31, 2002. There is a provision that allows for additional optional years, however, it would be subject to availability of funds from the federal government.

ORDINANCE NO. BL2001-723 (WALLACE) – This ordinance amends the Metropolitan Code to permit parking within the central business improvement district (CBID) between the hours of 6:00 p.m. and 6:00 a.m. Thursday

through Sunday evenings, regardless of signs which prohibit such parking. Such parking would still be prohibited if it interferes with fire hydrants, in no parking zones, in crosswalks, and intersections. It basically would allow parking in no standing zones and loading zones. This ordinance should not be finally adopted until it has been considered by the traffic and parking commission.

ORDINANCE NO. BL2001-724 (WHITMORE) – This ordinance closes a portion of Indiana Avenue beginning at the intersection of 42nd Avenue North to the western terminus. This closure is requested by John W. Moore, Jr., appellant, on behalf of Lumberman’s Wholesale Distribution, Inc., the abutting property owner. This closure has been approved by the planning commission and the traffic and parking commission.

ORDINANCE NO. BL2001-725 (WALLACE) – This ordinance closes the remaining portion of Alley No. 111 from 9th Avenue North to its terminus, and closes the remaining portion of Alley No. 110 beginning at Alley No. 111 and terminating at parcel 180 on map 93-5. These closures are being requested by Mr. Charles W. Cook on behalf of Christ Episcopal Church, the abutting property owner, and the properly executed petition is on file with the Metro clerk. These closures have been approved by the planning commission and the traffic and parking commission.

ORDINANCE NO. BL2001-726 (WALLACE) – This ordinance abandons a portion of Alley No. 269, from South Third Street to its terminus at I-65. This closure is being requested by Mr. Greg Gillespie on behalf of Philip Metals, Inc., the abutting property owner, and the properly executed petition is on file with the Metro clerk. This closure has been approved by the planning commission and the traffic and parking commission.

ORDINANCE NO. BL2001-749 (BROWN) – This ordinance abandons excess right-of-way at the present cul-de-sac terminus of Jackson Meadows Drive for the purpose of extending the road. This abandonment is being requested by Ms. Doris Constantino of Dale & Associates, appellant. This abandonment has been approved by the planning commission, but has not yet been considered by the traffic and parking commission.