

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Donald W. Jones, Director
Metropolitan Council Staff

DATE: **July 17, 2001**

RE: **Analysis Report**

Balances As Of: 7/12/01 7/13/00

GSD 4% RESERVE FUND \$14,376,729 \$8,860,855

CONTINGENCY ACCOUNTS

GSD	Unavailable	\$50,000
USD	Unavailable	\$50,000

GENERAL FUND

GSD	Unavailable	Unavailable
USD	Unavailable	Unavailable

GENERAL PURPOSE

<u>SCHOOL FUND</u>	Unavailable	Unavailable
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SOLID WASTE
DISPOSAL FUND

Solid Waste Activities	Unavailable	Unavailable
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- RESOLUTIONS -

RESOLUTION NO. RS2001-647 (BEEHAN & 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.

This lease amendment has been approved by the Metro planning commission.

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 has been approved by the Metropolitan planning commission.

RESOLUTION NO. RS2001-677 (FERRELL) – This resolution appropriates \$200,000 in urban development action grant (UDAG) fund repayments received from payment of the capital mall UDAG to Metro development and housing agency (MDHA) to be used by the Nashville housing fund to provide affordable housing opportunities within Nashville’s “pocket of poverty” area. Council has previously adopted an ordinance that allows payments received from the UDAG grant utilized in the convention center project to be used for affordable housing and economic development for the benefit of residents in the “pocket of poverty”.

Under this resolution the Nashville housing fund, which is a not-for-profit affiliation of MDHA, will use the \$200,000 for affordable housing. The funds allocated by this resolution will be used to increase housing ownership opportunities for low and moderate-income persons and for development of rental property for low-income persons.

RESOLUTION NO. RS2001-678 (WATERS, GENTRY & HOLLOWAY) – This resolution approves an annual grant in the amount of \$130,200 from the state department of health to the Metro board of health relative to referral and case management services relating to alcohol and drug abuse treatment. This grant commences on July 1, 2001, and extends through June 30, 2002. Under this grant Metro will monitor agencies on case management services and referral of patients that are in need

of alcohol and drug abuse treatment, and provides payment to providers for both outpatient and hospitalization.

RESOLUTION NO. RS2001-679 (GENTRY & HOLLOWAY) – This resolution appropriates a grant in the amount of \$75,000 from the state department of health to the Metro board of health to provide primary dental services to the homeless at the Downtown Clinic. This grant is for a term of one year beginning July 1, 2001, and expiring June 30, 2002. The funds will cover the partial salary for an attending dentist from Meharry School of Dentistry to supervise dental care providers and to treat some dental clinic patients. The funding will also be used to employ an office assistant. It is estimated that services will be provided to approximately 1,200 patients.

RESOLUTION NO. RS2001-680 (HOLLOWAY & GENTRY) – This resolution approves an annual contract between the Metro health department and the state department of health to provide for laboratory services for testing particulate matter and other environmental tests. The federal Clean Air Act requires that local governments test for particulate matter using licensed testing facilities. The state's facility is a licensed facility. This contract is for one year beginning July 1, 2001, and extending through June 30, 2002. The state will charge Metro a rate of \$24.00 per test. This is an annual contract for this service.

RESOLUTION NO. RS2001-681 (HOLLOWAY & GENTRY) – This resolution approves an annual grant between the Metro board of health and Kids on the Block of Middle Tennessee, Inc., relative to the implementation of the Governor Don Sundquist's community prevention initiative for children program. The grant is for one year beginning July 1, 2001, and expiring June 30, 2002. The funding of \$62,650 for this grant is provided by the state of Tennessee. The program is designed to target children under the age of 13 years by providing community intervention to facilitate the development of protective factors for at-risk youth before high-risk behavior develops.

RESOLUTION NO. RS2001-682 (HOLLOWAY & GENTRY) – This resolution approves an annual grant in the amount of \$254,500 from the state department of health to the Metro board of health relative to referral and case management services relating to alcohol and drug abuse treatment. This grant commences July 1, 2001, and extends through June 30, 2002. Under this grant Metro will monitor agencies on case management services and referral of patients that are in need of alcohol and drug abuse treatment. This grant funds the five positions in the health department that provide these services.

RESOLUTION NO. RS2001-683 (HOLLOWAY & GENTRY) – This resolution approves a grant between the board of health and the U.S. environmental protection agency in the amount of \$138,785 for the Ozone mapping project under the environmental protection agency's quality monitoring program. The term of this continuing grant is extended through September 30, 2002.

RESOLUTION NO. RS2001-684 (MCCLENDON) – This resolution amends a previous grant agreement between the state emergency management agency and the Metropolitan Government relating to disaster assistance for the May 2000 severe weather damage. This resolution will amend the grant

being approved to a total of \$197,771.36, with the bulk of the amount of the increase being for removal of debris.

RESOLUTION NO. RS2001-685 (GENTRY) – This resolution approves the second amendment to a grant agreement between the state department of military, emergency management agency, and the Metropolitan Government for funds to be used by Metro Government for disaster assistance. The original grant agreement was approved by Ordinance No. BL2000-522 in the amount of \$792,554.02. The term of that grant was for five years beginning May 1, 1999, and was to provide funds for large projects, debris removal, and also for emergency protection measures. The ordinance that approved that grant provided it could be amended by resolution of the council adopted by twenty-one (21) affirmative votes.

The first amendment increased the funding amount to be received from the state by \$291,218.30, bringing the total amount of the grant to \$1,083,722.32. This amendment reduces the grant to a final total amount of \$1,051,723.57.

RESOLUTION NO. RS2001-686 (FERRELL) – This resolution authorizes the Metropolitan Government to enter into a licensing agreement with CSX Transportation for the purpose of constructing a sewer line in the railroad right-of-way located near Drummond Drive as part of the Mill Creek trunk sewer upgrade project. Ordinance No. O98-1393 authorizes the approval of such licensing agreements to locate Metro utility lines in the Metro right-of-way owned by CSX Transportation by resolution.

This licensing agreement would be in perpetuity provided, however, should the railroad need the property Metro would be required to remove the lines from the right-of-way. The licensing agreement approved by this resolution provides for a one-time charge of \$5,700, which will be paid from the water and sewer extension and replacement fund.

RESOLUTION NO. RS2001-687 (GENTRY) – This resolution authorizes the department of law to compromise and settle Metro's claim against BellSouth in the amount of \$7,186.80. This claim is the result of an automobile accident which occurred on November 13, 2000, when an automobile owned by BellSouth pulled into the path of a Metro police car which had the right-of-way. This claim is for property damage to our vehicle.

- BILLS ON SECOND READING -

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. BL2001-715 (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 recommended approval of this ordinance.

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 has been disapproved by the traffic and parking commission.

ORDINANCE NO. BL2001-751 (MCCLENDON & GENTRY) – This ordinance approves the assignment of a lease agreement previously entered into by the Metropolitan Government and Viacom Cablevision, and assigned to Intermedia Partners Southeast, by permitting the assignment to Comcast Cable Communications, Inc., the new company holding the franchise agreement for cable television. The agreement approved the lease of a portion of land located at Tudor Lane for use of a tower and a concrete block equipment building for use of the franchise cable system. This original lease, which was entered into in 1982, runs with the franchise term. Viacom's cable franchise agreement was renewed in 1995 for a period of fifteen years, and was recently transferred to Comcast Cable Communications, Inc., when it purchased Intermedia's cable television operation.

This ordinance has been approved by the CATV special committee.

ORDINANCE NO. BL2001-752 (PONDER & KNOCH) – This ordinance authorizes the acquisition, by negotiation or condemnation, of four utility easements and the lease or acquisition of 0.075 acres of property in relation to the Peninsula Phase 1 pump station and sewer line project of the water and sewer department. The estimated acquisition cost is \$1,000, which will be funded from the water and sewer extension and replacement fund. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2001-753 (GREER, KNOCH & HAUSSER) – This ordinance authorizes the acquisition, by negotiation or condemnation, of three utility easements in relation to the Ashwood Avenue at 15th Avenue South sanitary sewer project of the water and sewer department. The estimated acquisition cost is \$1,500, which will be funded from the water and sewer extension and replacement fund. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2001-754 (GREER, MCCLENDON & GENTRY) – This ordinance approves a lease agreement between the board of fair commissioners and Senior Citizens, Inc., for the lease of approximately 2.451 acres of property located on the state fair grounds property at the southeast intersection of Byrum Avenue and Rains Avenue.

The term of this lease is for 40 years and rental is in the amount of \$40 for the term of the lease. Senior Citizens, Inc., will erect, operate and maintain a senior citizens center and civic and activity center for senior citizens on this site. Parking spaces constructed at the site will be made available to the fair board during weekends in October while the flea market is being held, and during the Tennessee State Fair. Additionally, for other events parking may be made available subject to negotiation. This ordinance has been approved by the Metro planning commission.

ORDINANCE NO. BL2001-755 (WHITMORE & GENTRY) – This ordinance authorizes the transfer of approximately 2,910 feet of property from the Metropolitan Government to the Metro development and housing agency (MDHA). Apparently, a portion of the Preston Taylor community center encroaches onto Metro property, which is a part of Boyd Park. To resolve this encroachment the Metro park board has agreed to authorize a transfer of this property to MDHA.

This ordinance has been approved by the park board, however, the planning commission has not yet taken action on this ordinance.

ORDINANCE NOS. BL2001-756 AND BL2001-757 (BROWN & GENTRY) – These two ordinances approve a grant and a contract relative to the replacement of trees and landscaping at The Hermitage. A number of trees on The Hermitage grounds were destroyed by a tornado and Metro has received a grant from the state of Tennessee under the surface transportation program to assist in funding of landscaping of U.S. 70 and Rachel's Lane to an area of 50 feet wide to produce a sound barrier to the historic site. Ordinance No. BL2001-756 approves a grant between the state and Metro for \$250,000 to fund this project. Under the terms of the grant Metro is required to provide \$62,500 as a match. Under the terms of Ordinance No. BL2001-757 The Hermitage will be responsible for Metro's match and will be responsible for the landscaping project.

Ordinance No. BL2001-757 provides the contract between Metro and The Hermitage and states their relationship in the project. In addition to providing funding, The Hermitage will be required to maintain the improvements made and funding for at least ten years, and will be required to provide the necessary insurance.

ORDINANCE NO. BL2001-758 (WATERS & GENTRY) – This ordinance approves a grant between the state department of children's services and Metro juvenile court for a children and family intervention grant not to exceed \$641,674. This grant is for a term beginning July 1, 2001, and expiring June 30, 2002. This grant is to fund a program of the juvenile court to provide for intervention with children by use of case managers and referrals to appropriate agencies, and through education to reduce the number of delinquent children from being placed into the juvenile custody system. The program is designed to identify high-risk children prior to their being placed into a custody program and to reduce continued juvenile delinquency. The ordinance provides that this grant can be amended by resolution adopted by the council with 21 affirmative votes.

ORDINANCE NO. BL2001-759 (HAND & MCCLENDON) – This ordinance accepts a grant from the U.S. department of justice to the Metropolitan Government for use by the police department in acquiring bulletproof vests. This grant provides \$11,178.98 that must be used for the acquisition of bulletproof vests. Metro is required to expend \$11,178.98 as matching funds under this program. The ordinance authorizes that amendments to the grant contract may be approved by resolution of the council receiving 21 affirmative votes. Metro's matching funds will be provided from the police department's operating budget.

ORDINANCE NO. BL2001-760 (HAND) – This ordinance approves an amendment to a lease agreement between the Metropolitan Government and Signature Center, G.P. for the lease of 4,945 feet of office space located in the building known as 1900 Church Street for use by the police advocacy support services (PASS) division. This amendment extends the term for five years beginning July 1, 2001, and ending June 30, 2006. The monthly lease payment in the first year is \$7,570.31, and in the fifth year the payment will be approximately \$8,030.59 per month.

This ordinance provides that this lease agreement may be amended by resolution of the council adopted by 21 affirmative votes. The planning commission has not yet considered this ordinance.

ORDINANCE NO. BL2001-761 (BLACK) – This ordinance changes the name of North Hydes Ferry Road to “John Mallette Drive” and “Hydes Ferry Road”. “North Hydes Ferry Road”, beginning at a junction with Ashland City Highway, to the junction with Hydes Ferry Road be renamed “Hydes Ferry Road” and the remainder, terminating at the intersection of South Hamilton Road and River Drive, to be renamed “John Mallette Drive”. This ordinance has been approved by the planning commission and the E911 board.

ORDINANCE NO. BL2001-762 (WHITMORE) – This ordinance closes Alley No. 642, between Lyle Avenue and Jo Johnston Avenue. This closure is being requested by the public property administrator on behalf of J. M. Head Middle School. This closure has been approved by the planning commission and the traffic and parking commission.

ORDINANCE NO. BL2001-763 (MCCLENDON) – This ordinance closes unbuilt Alley No. 1836, from the terminus of Cruzen Street to the alley’s terminus at parcel 172 on tax map 118-12. This closure is being requested by Glenn Rogers, 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. BL2001-764 (HAUSSER & BALTHROP) – This ordinance closes Alley No. 913, from Vanderbilt Place to its terminus at Alley No. 912. This closure is being requested by Mary Pat Teague on behalf of Vanderbilt University, the abutting property owner. This closure has been approved by the planning commission and the traffic and parking commission.

- BILLS ON THIRD READING -

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 approved this ordinance.

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 and the traffic and parking commission.