

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Donald W. Jones, Director
Metropolitan Council Staff

DATE: **August 7, 2001**

RE: **Analysis Report**

Balances As Of: 8/2/01 7/26/00

GSD 4% RESERVE FUND \$14,472,648 \$6,320,249

CONTINGENCY ACCOUNTS

GSD	\$50,000	\$50,000
USD	\$50,000	\$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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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. RS2001-694 (HALL & BEEHAN) – This resolution appropriates \$500,000 in community development block grant funds to provide streetscape improvements on Main Street, between 5th Street and 11th Street. The concept plan includes on-street parking, landscaping, sidewalk improvements, and pedestrian crosswalks.

RESOLUTION NO. RS2001-695 (WATERS & MCCLENDON) – This resolution approves an amendment to a grant between the state department of children’s services and the Metro juvenile court for participation in the juvenile accountability incentive block grant program. The amount of the grant is \$436,603 with a Metro match of \$48,511 which was provided in the budget for juvenile court. The term of the grant is from March 1, 2001, and expires September 30, 2001. The purpose of this amendment is to provide that the grant amount will be paid in one lump sum payment.

Ordinance No. BL2001-678 provided that the grant may be amended by resolution of the council receiving 21 affirmative votes.

RESOLUTION NOS. RS2001-696 AND RS2001-697 (GENTRY & WATERS) – These two resolutions authorize the mayor to enter into an agreement with the state department of labor and workforce development to provide funding for the Nashville career advancement center (NCAC). These grants are funded under the Workforce Investment Act of 1998. The term of each grant is for two years beginning July 1, 2001, and expiring June 30, 2003.

Resolution No. RS2001-696 provides funds in the amount of \$132,494.69 and is to cover administrative services of NCAC.

Resolution No. RS2001-697 provides \$1,192,452.19 for programs that provide in school youth and out of school youth preparation to re-enter the labor force.

RESOLUTION NO. RS2001-698 (HOLLOWAY & WATERS) – This resolution approves a grant between the National Healthcare for the Homeless Council (NHHC) and the Metro health department for \$49,800. The NHHC will fund a TennCare shelter coordinator full-time. The annual grant

previously funded this as a part-time position. The term of this agreement is for one year beginning July 2, 2001, and expiring June 30, 2002. The contract provides that it may be extended for annual terms at the option of the health department.

RESOLUTION NO. RS2001-699 (HOLLOWAY, GENTRY & WATERS) – This resolution approves a grant agreement between the Metro board of health and the Alcohol and Drug Council of Middle Tennessee relative to the implementation of Governor Don Sundquist’s community prevention initiative for children program. This grant is for one year beginning July 1, 2001, and expiring June 30, 2002. Funding for this grant in the amount of \$152,000 is provided by the state of Tennessee. The program is designed to provide that community intervention facilitates the development of protective factors for at-risk youth before high risk behavior develops by targeting children under the age of 13 years.

RESOLUTION NO. RS2001-700 (HOLLOWAY & WATERS) – This resolution authorizes the mayor to enter into a contract, on behalf of the Metro board of health, with the state department of health. The term of this contract begins August 17, 2001, and expires December 31, 2001. Under the terms of this contract the state will provide \$96,000 which will be used by the board of health to provide training courses which will include training of individuals to provide other training courses for approximately 400 individuals of the nutrition, nursing, clerical and health education staff who provide Women, Infants and Children (WIC) services in the following Tennessee health departments: Memphis-Shelby County, Jackson-Madison County, Sullivan County, Chattanooga-Hamilton County, Knoxville-Knox County, and Nashville-Davidson County.

RESOLUTION NO. RS2001-701 (WALLACE) – This resolution authorizes the Frist Center for the Visual Arts to install and maintain three banners on street lamp posts over the right-of-way along Demonbreun Street. The Frist Center will be required to maintain \$300,000 of public liability insurance.

The planning commission has not yet considered this resolution.

RESOLUTION NO. RS2001-702 (WALLACE) – This resolution authorizes Faison’s, Inc., and John M. Ferguson to install and maintain two awnings over the right-of-way of the sidewalk at 12th Avenue North and Porter Street. These installations are being requested by Scott Jones of Crown Tent and Awning on behalf of Faison’s and Mr. Ferguson. The planning commission has approved these installations, and the company will be required to maintain \$300,000 of public liability insurance.

- 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. BL2001-768 (STANLEY) – This ordinance grants the homeowners association of the Villages of Larchwood the authority to construct, install and maintain a sign within the median of Blackwood Drive, which is at the entrance of Villages of Larchwood. This sign is approximately four feet tall and is contained within the 15 foot landscaped median. In addition, the homeowners association will be required to maintain insurance in the amount of \$300,000 for the protection of the Metropolitan Government, which insurance cannot be cancelled without notification to the Metro. The permit to erect this sign can be revoked at anytime by the Metro Government, and if revoked, the sign must be removed at the sole expense of the homeowners association.

This ordinance has been disapproved by the planning commission and has not yet been considered by the traffic and parking commission.

ORDINANCE NO. BL2001-769 (GENTRY) – This ordinance adopts a procedure to specifically provide Metropolitan Government employees to participate in the Metro Employees Consolidated Charities Program through payroll deduction. This practice has been going on for some time, however, it has been deemed appropriate that there be some specific legislative authority to allow such use of payroll deduction for this purpose.

ORDINANCE NO. BL2001-770 (WHITMORE & KNOCH) – This ordinance approves the abandonment of several sewer lines and easements on the Preston Taylor Homes property. The lines and sewer easements are no longer needed, as the Metropolitan development and housing agency, as part of this Hope VI project, has constructed new sewer lines that have replaced these. MDHA is requesting that these easements now be abandoned.

This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2001-771 (LORING) – This ordinance readopts the Metropolitan Code to include all ordinances adopted by the Metro Council on or before March 20, 2001.

ORDINANCE NO. BL2001-772 (GENTRY) – This ordinance amends provisions relative to the excessive noise ordinance by expanding the exemption areas. In 2000 the council amended the excessive noise ordinance to prohibit operation outdoors of musical instruments and other entertainment that used amplification that were within fifty (50) feet of residences, parks or greenway areas unless such use was in a totally enclosed structure. Property lying within the CC and CF zone districts as of November 2000 were exempted along with property in the Music Row and Vanderbilt University areas. This ordinance will extend the expanded areas along 21st Avenue South to Edgehill Avenue to 15th Avenue South, which is similar to the other expanded properties that are outside the CF zone district in the Music Row/Vanderbilt areas.

ORDINANCE NO. BL2001-773 (FERRELL) – This ordinance would amend provisions relative to the ethical standards by council members by amending the recently enacted standards. This year the council amended the provisions to provide that a member of council who receives gifts or benefits that are provided to all members of council or other elected officials, employees of Metropolitan Government, or members of the general public may not be deemed a gift or benefit that is prohibited by ethical standards. This amendment will qualify this exemption by providing that the receipt of such gifts or benefits, if in excess of value of \$100, will not have this blanket exemption.

This is an alternative to Ordinance No. BL2001-710 that relates to disclosures of receipts of gifts and benefits with value of \$100 or more.

- **BILLS ON THIRD READING** -

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. BL2001-751 (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 and the planning commission.

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.