

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Donald W. Jones, Director  
Metropolitan Council Office

DATE: **February 4, 2003**

RE: **Analysis Report**

Balances As Of:  
**1/30/02**

**1/29/03**

<u>GSD 4% RESERVE FUND</u>	\$9,596,703	\$5,859,215
 <u>CONTINGENCY ACCOUNTS</u>		
GSD	\$50,000	\$35,000
USD	\$50,000	\$50,000
 <u>GENERAL FUND</u>		
GSD	\$35,400,789	\$61,597,770
USD	\$13,909,890	\$16,682,399
 <u>GENERAL PURPOSE</u>		
<u>SCHOOL FUND</u>	\$53,181,288	\$22,665,382
 <u>SOLID WASTE</u>		
<u>DISPOSAL FUND</u>		
Solid Waste Activities	\$2,318,359	\$865,517

**- RESOLUTIONS -**

**RESOLUTION NOS. RS2003-1309 & RS2003-1310** (WALLACE) – These two resolutions provide two proposed amendments to the Metropolitan Charter related to the filling of vacancies in certain elected offices. The council, pursuant to the Charter, may only adopt two resolutions during the term of the council that submit amendments to the voters for ratification. One resolution has already been adopted during this term at the September 17, 2002, council meeting, which submitted proposed amendments for ratification at the November 2002 election. The last date that a resolution could be filed submitting proposed amendments for ratification at the August 2003 general election is Monday, May 19, 2003, with a council approval deadline of June 3, 2003. This resolution needs to be deferred indefinitely in order that it may be placed on the agenda with subsequent proposed amendments filed prior to May 19<sup>th</sup>.

**Resolution No. RS2003-1309** proposes that the Charter be amended to provide that vacancies for an unexpired term in the offices of mayor, vice mayor, district councilmember, and councilmember-at-large be filled by an election held by the council. The Charter currently provides that when there is a vacancy in the office of mayor of more than nine months, such vacancy is to be filled by a special election of the voters. The Charter further provides that vacancies in the office of vice mayor, district councilmember, and councilmember-at-large are to be filled at the next general election. The charter amendment would require that such vacancies be filled by the council.

**Resolution No. RS2003-1310** is identical in subject matter to that of Resolution No. RS2003-1309, except that it does not include the office of mayor.

**RESOLUTION NOS. RS2003-1313 THRU RS2003-1319** (JENKINS) – These seven resolutions appropriate funds from the general fund reserve fund (4% fund) to various departments. Four percent funds may only be used for the purchase of equipment and repairs to buildings. The required information sheets detailing these expenditures have previously been provided to this council.

The Council Office would note that these appropriations are a continuation of the mayor's 2002-2003 capital spending plan from October 2002. These four percent fund appropriations were held until the present time to remain in keeping with the council's longstanding policy of not appropriating four percent funds until Metro actually receives the tax revenue to support the appropriations.

**Resolution No. RS2003-1313** appropriates \$161,250 from the general fund reserve fund to purchase various telecommunications, computer, and work equipment for the sheriff's department.

**Resolution No. RS2003-1314** appropriates \$357,000 from the general fund reserve fund to purchase office equipment, computer hardware/software, furniture, and work equipment for the department of parks and recreation.

**Resolution No. RS2003-1315** appropriates \$2,486,200 from the general fund reserve fund to purchase books and a book mobile for the public library.

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**RESOLUTION NOS. RS2003-1313 THRU RS2003-1319** (continued)

**Resolution No. RS2003-1316** appropriates \$283,892 from the general fund reserve fund to purchase radio units for the department of general services.

**Resolution No. RS2003-1317** appropriates \$221,000 from the general fund reserve fund for roof repairs to Bordeaux Hospital for the Metro hospital authority.

**Resolution No. RS2003-1318** appropriates \$1,274,706 from the general fund reserve fund for the purchase of a \$425,000 fire boat, computer equipment, paramedic equipment, and replacement of HVAC units for the fire department.

**Resolution No. RS2003-1319** appropriates \$236,000 from the general fund reserve fund for the purchase of system upgrades for the justice information system.

**RESOLUTION NO. RS2003-1340** (JENKINS) – This resolution authorizes the mayor to submit a grant application to the state commission on children and youth for residual funds from the juvenile accountability incentive block grant program for purchase of computer equipment and software for the juvenile court. The application is for grant in the amount of \$59,242, with a Metro match of \$6,583. The grant funds will be used to purchase laptop computers, printers, and software to be used by probation officers in the field. The need for the new equipment is related to the implementation of the new juvenile information management system (JIMS).

**RESOLUTION NO. RS2003-1345** (WALLACE, BRILEY & OTHERS) – This resolution appropriates \$350,000 from the reserve for minority development loan fund account to Nashville Minority Business Development Loan Fund, Inc., to provide partial funding for its program services. The Metropolitan Council appropriated \$350,000 in the current 2002-2003 operating budget to a reserve account for minority business development loan funds. This amount was placed in reserve to allow the agency to receive the funding to qualify for such local governmental

funding. State law enables the Metropolitan Government to make grants to nonprofit organizations that have obtained an internal revenue 501(c)(3) tax exempt status, provided that such funds be used to promote the general welfare of the residents of the Metropolitan Government. The Nashville Minority Business Development Loan Fund, Inc., has filed with the Metropolitan Clerk evidence of its federal tax exempt status; a statement of the proposed use of the funds; and a letter from a certified public accountant regarding an annual audit. As this organization is newly formed, an audit was not performed for the year ending December 31, 2002. However, an audit will be completed for the year ending December 31, 2003.

The mission statement of Nashville Minority Business Development Loan Fund, Inc., is to serve as an alternate and supplemental funding source for small and disadvantaged businesses. This resolution expressly provides that none of the funds appropriated by this resolution may be used to actually make loans, as it is not legally permissible for funds of the Metropolitan Government to be used for the purpose of making loans to private individuals and businesses. Instead, the funds are to be used only for normal operating and management expenses of the program. A separate grant agreement must be entered into with terms consistent with this resolution and the plan filed. Additionally, \$50,000 appropriated in this year's operating budget will be included in the grant agreement.

**RESOLUTION NO. RS2003-1346** (MCCLENDON & SONTANY) - This resolution would permit council infrastructure funds designated for one council district to be combined with the funds designated for another district to be used for projects that would benefit both districts. Resolution No. RS2002-920, as amended, appropriated \$2,000,000 from the council infrastructure improvement program reserve account, as provided in the 2001-2002 operating budget, for council infrastructure improvements, with not more than \$57,142.85 to be spent in any one council district. An additional \$350,000 was appropriated to the council infrastructure reserve account in the 2002-2003 operating budget for council infrastructure improvements. This additional amount was appropriated by Resolution No. 2002-1125, with not more than \$10,000 to be spent in any one council district. This resolution would amend the restrictions on use of the funds to permit funds for one council district to be combined with funds for another district to allow for joint infrastructure improvements.

**RESOLUTION NO. RS2003-1347** (JENKINS) - This resolution authorizes the mayor to submit an application to the National Organization on Disability for the Accessible America Award Competition. The winner of the competition will receive an award of \$25,000. According to the information submitted by the mayor in the grant application, approximately 104,939 of the city's 565,352 residents are disabled. If Metro is declared the winner of this competition, the \$25,000 will be used to further the city's Americans with Disabilities Act (ADA) program.

**RESOLUTION NO. RS2003-1348** (WALLACE & JENKINS) - This resolution approves the second amendment to a memorandum of understanding between the Metropolitan Government, the Metropolitan development and housing agency (MDHA), and the Nashville housing fund regarding use of budget funds approved in this year's operating budget. The initial memorandum of understanding was approved by ordinance in 2000, which provided that amendments could be approved by resolution of the Metropolitan Council. The Nashville housing fund is a nonprofit affiliate of MDHA created to assist MDHA in obtaining grants, gifts, and loans to assist in providing safe and sanitary housing to low income elderly citizens. The current operating budget appropriated \$183,200 to MDHA for the Nashville housing fund. This resolution amends the memorandum of understanding to set forth the terms and conditions for the use of these budget funds. This amendment provides that \$45,000 of the 2003 budget funds shall be used by Nashville housing fund to provide administrative support to the Nashville Homestead Corporation in awarding lots through the Urban Homestead Program. The remaining \$138,200 is to provide administrative support to the Front Door, Downpayment Assistance, and Development Loan programs that serve low and moderate income persons seeking to become homeowners. The term of the amended memorandum of understanding extends through June 30, 2003.

**- BILLS ON SECOND READING -**

**ORDINANCE NO. BL2002-1286** (HALL & SHULMAN) - This ordinance closes an unnamed street, approximately 155 feet in length, extending north from Warfield Drive to its terminus. This closure is requested by Kurt Denny on behalf of himself and the Royal Arms Apartments as abutting property owners. Metro has determined that there is no future need for this unnamed street for governmental purposes.

This ordinance also abandons all easements held by Metro, including the right of utility companies from entering onto the property to construct or maintain existing or future utilities. There will be an amendment offered to this ordinance that will provide that Metro will retain a sewer easement, but that all other easements are abandoned.

Documentation showing affected property owner consent is on file with the planning commission.

This closure has been approved by the planning commission and the traffic and parking commission.

**ORDINANCE NO. BL2002-1287** (HALL & BEEHAN) - This ordinance closes a portion of alley #258 from South 4<sup>th</sup> Street to South 5<sup>th</sup> Street. Metro has determined that there is no future need for this alley. This closure is requested

by St. Ann's Episcopal Church for the Nashville Baptist Association, the abutting property owner. Easements are to be retained by the Metropolitan Government.

Documentation showing affected property owner consent is on file with the planning commission.

This alley closure has been approved by the planning commission, but was again deferred by the traffic and parking commission to their February 2003 meeting for the applicant to work with the public works staff regarding options for ensuring that Metro trucks will have adequate turn-around space once the alley is closed.

**ORDINANCE NOS. BL2002-1292, BL2002-1293, BL2002-1294, & BL2002-1295**

- These four ordinances approve lease agreements between the Metropolitan juvenile court and the Metropolitan development and housing agency (MDHA) for the lease of properties in various housing developments for the purpose of providing juvenile court services. This practice has been in effect for some time and these lease agreements require no rental payments on the part of the Metropolitan Government. Pursuant to the lease agreements, MDHA will be responsible for paying utility charges and maintaining the exterior of the premises, the HVAC system, the electrical wiring, and the plumbing system. Metro will be responsible for providing janitorial services and maintaining the interior of the premises. All of the lease agreements include an option to renew the lease for an additional year, and they provide that any amendments to the agreements are to be approved by resolution of the Metro Council receiving 21 affirmative votes.

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**ORDINANCE NOS. BL2002-1292, BL2002-1293, BL2002-1294, & BL2002-1295**

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**Ordinance No. BL2002-1292** (Wallace & Jenkins), as amended, approves a lease agreement for property located at 1611 Jo Johnston Avenue for a truancy reduction program and suspension school in the John Henry Hale Housing Development. The term of the lease is for two years beginning October 1, 2001, and extending through September 30, 2003.

**Ordinance No. BL2002-1293** (Wallace & Jenkins), as amended, approves a lease agreement for property located at 83 University Court for a truancy reduction and suspension school in the Tony Sudekum Housing Development. The term of the lease is for two years beginning October 1, 2001, and extending through September 30, 2003.

**Ordinance No. BL2002-1294** (Jenkins) approves a lease agreement for property located at 2306 26<sup>th</sup> Avenue North for a truancy reduction program, housing of a probation officer, and supervising of children at the Cumberland View Housing Development. The term of this lease is for three years commencing October 1, 2000, and extending through September 30, 2003.

**Ordinance No. BL2002-1295** (Hall & Jenkins) approves a lease agreement for property located at 302 Foster Street for juvenile court probation purposes in the Sam Levy Homes Housing Development. The term of this lease is for one year beginning October 1, 2002, and extending through September 30, 2003.

These ordinances have been approved by the planning commission.

**ORDINANCE NO. BL2003-1297** (WALLACE) – This ordinance closes alley #98 between Division Street and alley #196. Metro has determined that there is no future need for this alley. Metro will retain all easements. This closure has been requested by Judith A. Swindell for Norman & Judith Kale Co., LLC, the abutting property owner.

Documentation showing consent of the affected property owners is on file with the planning commission. This ordinance has been approved by the planning commission but was deferred by the traffic and parking commission to their February 2003 meeting to obtain further information from the applicant regarding this alley closure.

**ORDINANCE NO. BL2003-1299** (WILLIAMS) – This ordinance abandons alley #1534 from Westboro Drive to its terminus. Metro has determined that there is no future governmental need for this alley. This closure has been requested by St. John's United Methodist Church. Metro has agreed to abandon all easements.

Documentation showing consent of the affected property owners is on file with the planning commission. This ordinance has been approved by the planning commission but was deferred by the traffic and parking commission to their February 2003 meeting to obtain further information from the applicant regarding this alley abandonment.

Section 2 of this ordinance should be amended to simply state that all easements held by Metro are abandoned.

**ORDINANCE NO. BL2003-1305** (HAND & JENKINS) – This ordinance closes a portion of alley #1504 from Croley Drive to its terminus. The Metropolitan Government has determined that there is no future need for this portion of the alley for governmental purposes. Metro will retain all easements. This closure has been requested by Robert McGowan, the abutting property owner.

This ordinance has been approved by the planning commission and the traffic and parking commission.

**ORDINANCE NO. BL2003-1306** (BALTHROP, JENKINS & DERRYBERRY) – This ordinance authorizes the Metro fire department to accept a donation of \$600 from Sam’s Club. Sam’s Club has chosen the Metro fire department to receive the 2002 Safe Neighborhood Heroes Grant.

**ORDINANCE NO. BL2003-1307** (BALTHROP & JENKINS) – This ordinance approves the annual contract between the Metropolitan Government and the emergency communications district (ECD) relative to operation of the enhanced-911 service for fiscal year 2002-2003. This contract provides that Metro will operate the system through its public service communications system. The department of public works agrees to maintain an updated street and house number system, and the department of information systems agrees to provide day-to-day staff and support services. The ECD is to pay the public works department \$4,640 for its services, and is to pay \$36,428 for services provided by the department of information systems.

**ORDINANCE NO. BL2003-1308** (JENKINS & HALL) – This ordinance authorizes the department of public works to enter into a participation agreement with Pulte Homes Tennessee Limited Partnership to provide public sewer service in the Chestnut Springs subdivision in Williamson County. This is a typical arrangement whereby a developer wishes to provide sewer service to a new development and agrees to pay a portion of the extension cost. Pursuant to this agreement, Pulte Homes will contribute an amount not to exceed \$126,000 toward the cost of the extension of the Owl Creek Trunk sewer to 63 single family homes in the Chestnut Springs subdivision.

**ORDINANCE NOS. BL2003-1309 & BL2003-1310** (JENKINS) – These two ordinances approve additional lease agreements relative to the temporary housing of the courts at Metro Center while the courthouse is under renovation. The council approved three leases for temporary space for the courts on November 19, 2002. These two ordinances approve agreements for the lease of property to be used as a parking lot and for lease of space to be used for the storage of records. The term of the agreements is from April 1, 2003 through March 31, 2006, with a possible extension of two additional one-year terms. Amendments to the lease agreements may be approved by resolution of the Metropolitan Council. The rental payments required under the lease agreements are to be paid out of the unappropriated fund balance. The two leases have been approved by the planning commission.

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**ORDINANCE NOS. BL2003-1309 & BL2003-1310** (continued)

**Ordinance No. BL2003-1309** approves a lease agreement between the Metropolitan Government and Five Star Investments, L.P. for 3.66 acres of property to be used as temporary parking space for the courts. This temporary parking lot will contain at least 250 spaces. Metro will pay \$59,750 per year in rent for the use of the land and will be responsible for the payment of all utilities. In addition, the lease states that Metro will be responsible for reimbursing Five Star Investments for the construction of the temporary parking lot, although the lease agreement does not give an indication of what these costs are expected to be. This reimbursement amount is to be amortized over three years at a rate of 10.5%. The lease also states that Metro will be required to pay an additional \$11,750 per year, which represents \$30,000 amortized over three years at 10.5%, for reclamation of the land. This payment is to compensate the property owner for having to take up the temporary parking surface at the end of the lease agreement. The Council Office would point out that the 10.5% amortization rate used for these additional rent provisions are higher than the rate at which Metro typically borrows funds. Construction of this parking lot as a temporary lot would relieve the property owner from complying with the tree provisions in the zoning code.

**Ordinance No. BL2003-1310** approves a lease agreement between the Metropolitan Government and Realmark Property Investors Ltd. Partnership for lease of 20,800 square feet of space located at 230 Cumberland Bend Drive to be used as temporary storage space for court records. Metro will pay \$114,396 per year in rent, payable in monthly installments of \$9,533. Realmark Property Investors will be responsible for the build-out of the property at no out-of-pocket expense to Metro. In addition, Realmark Property Investors will be responsible for maintaining the exterior of the premises and all plumbing and HVAC systems. Metro will be responsible for maintaining the rest of the premises, and will be responsible for paying all utilities and janitorial services.

**ORDINANCE NO. BL2003-1311** (SHULMAN) – This ordinance amends the Metropolitan Code of Laws relating to the collection of garbage during certain hours. The Code currently prohibits the collection of garbage between the hours of eleven p.m. and six a.m. within 300 feet of any residential structure that is not located within the CC (Commercial Core) and CF (Core Frame) zoning districts. The ordinance would increase the distance requirement to 900 feet.

**ORDINANCE NO. BL2003-1312** (TUCKER & DERRYBERRY) – This ordinance amends the Metropolitan Code of Laws fair employment and housing practices chapter to include “disability” as a class protected from discrimination within the area of the Metropolitan Government. This ordinance relates to the same subject

matter as Ordinance No. BL2002-1274, which was deferred on third reading at the January 21, 2003, council meeting, and Ordinance No. BL2003-1213, currently on second reading. However, this ordinance would only include “disability” as a protected class, not “sexual orientation”. The Code currently prohibits employers, labor organizations, and employment agencies from discriminating or refusing to hire on the basis of race, color, religion, national origin, or sex. The current Metro Code section regarding fair employment practices is taken almost verbatim from the

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**ORDINANCE NO. BL2003-1312** (continued)

federal statute prohibiting employer discrimination. Federal law, under the Americans with Disabilities Act (ADA), does prohibit discrimination on the basis of disability, but the Metro Code provision does not expressly include disability as a protected class. “Disability” is essentially defined as a physical or mental impairment that substantially limits a person’s major life activities. The definition expressly excludes the current use of a controlled substance or the current abuse of alcohol from being considered a disability.

**ORDINANCE NO. BL2003-1313** (FERRELL & BEEHAN) – This ordinance amends the Metropolitan Code fair employment and housing chapter to exempt religious associations from a possible discrimination provision regarding sexual orientation, and to add definitions of “sexual orientation” and “disability”. This is a companion bill to Ordinance No. BL2002-1274 that was deferred on third reading at the January 21, 2003, council meeting. Ordinance No. BL2002-1274 would amend the Code to include “disability” and “sexual orientation” as a protected class, as well as substitute “sex” with “gender”. Ordinance No. BL2002-1274 does not provide for any exemptions for religious institutions, nor does it include any definitions.

First, this ordinance would add a provision that “no part of this chapter is intended to interfere with the free exercise of religion guaranteed by the U.S. Constitution.” Although this provision is an expression of the legislative intent, it in and of itself does not make such an ordinance constitutional. Second, this ordinance adds definitions for “sexual orientation” and “disability”. “Sexual orientation” is defined in this ordinance as “homosexuality, bisexuality, or heterosexuality, whether the orientation is real or perceived.” “Disability” is defined the same as defined in Ordinance No. BL2003-1312, also on second reading. Finally, this ordinance provides that religious corporations, associations, and societies are not prohibited from employment discrimination on the basis of sexual orientation if the individual is to be employed to carry on the religious activity of the institution or, in the case of a religious school or college, to promote the religious principles for which it was established. While this provision certainly addresses some of the constitutional issues regarding religious organizations and

institutions, it is unclear whether it would apply to all potential employees of the institution, or just those whose function is to carry on the religious activity or promote the religious principles of the institution. For instance, a claim could be made that a food service worker at a Christian school is not hired to promote religious principles. Additionally, the exemption would not apply to any individual employer that refused to hire a homosexual because of the individual employer's religious beliefs.

The Council Office is of the opinion that this ordinance should not be adopted on third reading unless Ordinance No. BL2002-1274 is first adopted on third reading. Standing alone, this ordinance would merely add unnecessary provisions to the Code, as sexual orientation is not currently included as a class protected from discrimination.

The Council Office would also point out that the current Metro provisions regarding housing and employment discrimination in no way actually addresses or impacts housing discrimination. While the title of the chapter does include the word housing, none of the provisions included in the chapter include housing discrimination as an unlawful practice. The Code is strictly limited to employers, employment agencies, and labor organizations. Thus, the amendments to the Code offered by Ordinance Nos. BL2002-1274, BL2003-1312, and BL2003-1313 also do not apply to housing discrimination.

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**ORDINANCE NO. BL2003-1313** (continued)

There is a separate legal opinion issued by the Special Counsel to the Metropolitan Council regarding the constitutionality of Ordinance Nos. BL2002-1274 and BL2003-1313 that will be supplied to all Members of Council.

**ORDINANCE NO. BL2003-1314** (SHULMAN) – This ordinance amends Ordinance No. BL2002-974 to extend the termination date of the council's taskforce on afterschool time and youth success from December 31, 2002, to June 30, 2003. Ordinance No. BL2002-974 created the taskforce, which is comprised of members of council, youth, parents, youth professionals, and community organizations. The purpose of the taskforce is to work with the Madeline Project and the Vanderbilt Child and Family Policy Center to develop a strategic plan to increase out-of-school time programming and resources. Pursuant to Ordinance No BL2002-974, the taskforce was to sunset on December 31, 2002, however, the taskforce is still in the process of completing its work. This ordinance simply extends the termination date to June 30, 2003. On January 21, 2003, the council approved an amendment to the contract between Metro and the Vanderbilt Child and Family Policy Center regarding the extension of the termination date of the contract to June 30, 2003.

**ORDINANCE NO. BL2002-1288** (HALL & SHULMAN) – This ordinance, as amended, abandons a 4 foot wide portion of a public utility drainage easement extending approximately 225 feet in length located on property at 1726 Glen Echo Road. This portion of the easement is no longer being used by the department of water and sewerage services and there is no future need for this portion of the easement. This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2002-1289** (WALLACE) – This ordinance closes alley #237 from 15<sup>th</sup> Avenue North to its terminus. Metro has determined that there is no future need for this portion of this alley. Metro will retain all easements. This closure is requested by H. Parker Toler on behalf of Jim Reed Chevrolet and Hillsboro Realty Company, the abutting property owners. Section 2 of this ordinance should be amended to simply state that Metro is retaining all easements. This ordinance has been approved by the planning commission and the traffic and parking commission.

**ORDINANCE NO. BL2002-1290** (WALLACE) – This ordinance authorizes Nashville Enterprises, Inc. to maintain an existing building encroaching 0.76 feet into the alley #113 right-of-way. Nashville Enterprises, Inc. agrees to indemnify the Metropolitan Government from any claims arising from the maintenance of the encroachment and is required to maintain a \$300,000 certificate of public liability insurance naming the Metropolitan Government as additional insured. This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2002-1291** (WALLACE) – This ordinance, as amended, authorizes the mayor to execute a participation agreement with James Edward Scott Lewis for the relocation of a sewer currently lying underneath the building at 415 Chestnut Street near 4<sup>th</sup> Avenue North. As consideration for this agreement, Mr. Lewis will pay a total of \$60,975 in five annual installments of \$12,195. This \$60,975 received as a contribution in lieu of construction will be deposited into the water and sewer extension and replacement fund. Metro will be responsible for all other construction and easement acquisition costs. This agreement will become void if the new sewer is not constructed by January 1, 2004.

This ordinance also provides that further amendments to this agreement may be approved by resolution adopted by twenty-one affirmative votes.

**ORDINANCE NO. BL2003-1296** (WILLIAMS) – This ordinance closes a portion of Boview Lane between Skyline Drive and Wallace Lane. Metro has determined that there is no future governmental need for this portion of Boview Lane. Metro will retain all easements. This closure has been requested by David Heusinkveld for the abutting property owners.

Documentation showing affected property owner consent is on file with the planning commission. This ordinance has been approved by the planning commission and the traffic and parking commission.

**ORDINANCE NO. BL2003-1298** (WILLIAMS) – This ordinance changes the name of Old Hickory Boulevard to “Annex Avenue” from Charlotte Pike to the existing Annex Avenue. A notification letter from the planning commission was sent to affected property owners in keeping with Metropolitan Code of Laws requirements. This ordinance has been approved by the planning commission and the ECD board.

**ORDINANCE NO. BL2003-1300** (WALLACE) – This ordinance, as amended, authorizes Historic Hotels of Nashville, LLC to install and maintain a granite inlay into the public sidewalk for the Hermitage Hotel located at 231 6<sup>th</sup> Avenue North. Historic Hotels will pay all costs incident to construction and agrees to indemnify Metro from any claims resulting from the installation or maintenance of the inlay. Historic Hotels will also be required to submit a certificate of public liability insurance in the amount of \$300,000 naming the Metropolitan Government as additional insured.

**ORDINANCE NO. BL2003-1301** (JENKINS & BALTHROP) – This ordinance authorizes the Metro police department to accept 27 paintings and drawings by local artists valued at \$23,900 to be displayed in the domestic violence division. This donation was coordinated by a community advocate against family violence. The artwork is being donated to provide comfort to those who are assisted by the domestic violence division.

**ORDINANCE NO. BL2003-1302** (GREER) – This ordinance readopts the code of the Metropolitan Government to include all ordinances enacted on or before August 6, 2002.