

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director
Metropolitan Council Office

DATE: **April 21, 2009**

RE: **Analysis Report**

Balances As Of:	<u>4/15/09</u>	<u>4/9/08</u>
<u>GSD 4% RESERVE FUND</u>	* \$28,317,051	\$21,891,153
<u>GENERAL FUND UNDESIGNATED FUND BALANCE</u>		
GSD	\$19,998,867	\$23,429,103
USD	\$13,510,632	\$15,945,572
<u>GENERAL PURPOSE SCHOOL FUND UNRESERVED FUND BALANCE</u>		
	\$52,554,640	\$61,509,540

* Assumes estimated revenues in fiscal year 2009 in the amount of \$3,812,069

– RESOLUTIONS –

RESOLUTION NO. RS2009-687 (MATTHEWS, FORKUM & GOTTO) – This resolution appropriates \$125,000 in grant funds from Bells Landing Partners, LLC to the Metropolitan planning commission for a transportation study and economic analysis for the proposed May Town Center development. Bells Landing Partners, LLC, the developer on the project, has agreed to reimburse the planning department for the \$85,000 cost for the economic impact study to be performed by Dr. William Fox of the UT Center for Business and Economic Research, as well as the \$40,000 cost for the transportation study to be performed by RPM Associates.

The planning commission has the authority under the Metro Charter to “receive gifts for planning purposes.” However, the Council must act to appropriate the funds. Further, since these funds are specifically for the planning commission study, the action is more in the form of a grant requiring council approval.

RESOLUTION NO. RS2009-696 (STEINE) – This resolution formalizes the election of Mr. Richard Fulton to the industrial development board for a term expiring February 5, 2012. This resolution is the official record to confirm the election that took place on April 7, 2009.

RESOLUTION NO. RS2009-697 (FORKUM) – This resolution approves an interlocal agreement between the Metropolitan Government and the industrial development board (IDB) for administrative, financial and legal services. The IDB’s legal counsel, who also provided all of the administrative and financial services for the board, resigned in February 2009 after several material deficiencies were raised regarding some of the IDB’s transactions and the lack of segregation of duties. The director of finance has recommended to the board that the Metropolitan Government take over the legal, financial and administrative functions of the IDB, at least temporarily.

Pursuant to this contract, Metro will provide the following services for the IDB:

- The director of the mayor’s office of economic and community development or his designee will provide administrative support for the IDB as directed by the board and will act as executive director of the IDB.
- The finance department will maintain accounts and funds for the IDB, and will handle all other financial matters as directed by the board.
- The department of law will provide general legal counsel to the board. The department of law will be compensated for its legal services upon future negotiation between the board and the director of law.

The term of this agreement will be from the date this resolution is approved by the council through February 28, 2010. This agreement may be terminated by either party upon 90 days written notice.

RESOLUTION NO. RS2009-698 (FORKUM) – This resolution approves an intergovernmental agreement between the Metropolitan Government and the Metropolitan development and housing agency (MDHA) for the pre-development activities associated with the proposed new convention center in downtown Nashville. In August 2007, the council enacted Ordinance No. BL2007-1557 authorizing the collection of four tourist accommodation taxes to create a funding mechanism for the construction of a new downtown convention center. This legislation essentially incorporated the provisions of the state enabling legislation for these four taxes into the Metro Code. These four tourist accommodation taxes may only be used for the construction of a convention center with a construction cost in excess of \$400 million. Summaries of the four additional tourist accommodation taxes are as follows:

- An increase in the hotel/motel tax from five percent to six percent, with two cents being designated specifically for the construction of a convention center. An additional cent is for tourist-related activities, which includes funding a convention center.
- A new \$2.00 tax upon the occupancy of each hotel room within the area of the Metropolitan Government for the purpose of paying construction costs, operation, promotion, management and marketing of a new publicly-owned convention center.
- A new \$2.00 tax was imposed on contracted vehicles exiting the Nashville airport, including taxis, limos, and shuttle vans.
- A new one percent tax on the gross proceeds derived from the lease or rental of any passenger vehicle, truck or trailer for a period of five days or less.

In February 2008, the Council approved Resolution No. RS2008-143 authorizing MDHA to undertake predevelopment activities necessary to move toward the construction of the convention center, and provided that such predevelopment activities not exceed the amount of the convention center tourist accommodation taxes collected.

The intergovernmental agreement approved by this resolution essentially authorizes MDHA to undertake the convention center pre-development project, and provides the mechanism for MDHA to issue debt to undertake these activities. The term “pre-development project” in the agreement includes: (1) the acquisition of property upon which the convention center will be constructed (including the convention center parking garage and hotel); (2) the relocation of the businesses located on the property to be acquired; (3) the demolition of buildings; (4) the relocation of utilities, including the NES substation; and (4) infrastructure projects. The Metropolitan Government agrees to collect the tourist accommodation taxes described above (pledging only one cent of the six-cent hotel occupancy tax) and transfer the revenues to MDHA to be used to complete the pre-development project. MDHA has the authority under state law to acquire property by negotiation or condemnation for the purposes stated in the redevelopment district plans. Ordinance No. BL2009-436, currently on first reading, amends the Arts Center Redevelopment Plan and the Capitol Mall Redevelopment Plan to place all of the convention center property within the Capitol Mall plan.

The agreement also approves MDHA’s issuance of debt in an amount not to exceed \$75 million to finance the pre-development project, which will be backed by the tourist accommodation taxes collected. MDHA has the authority to issue debt under state law to finance the costs associated with its projects. The agreement contemplates that the MDHA debt will be paid off within three years upon the issuance of the convention center bonds by the Metropolitan Government (or a convention center authority). In the event Metro does not prepay or redeem the MDHA debt prior to its maturity, the agreement authorizes MDHA to issue refunding bonds secured by the convention center tax revenues with a final maturity not to exceed twenty years.

The agreement also approves MDHA's use of any operating revenues (such as rent and parking revenues) generated from the property acquired for the pre-development project prior to construction of the convention center.

The agreement may be terminated by Metro at anytime if no MDHA debt is outstanding on the project. Thus, we must pay off the MDHA debt in order to terminate the contract. Further, the agreement expressly provides that the Metropolitan Government will not repeal or amend the ordinances that created the tourist accommodation taxes as long as the debt is outstanding.

Although this resolution and the companion ordinance authorizing the acquisition of the property are not the final authorization for the construction of a convention center, the council office would point out that acquiring the property and then deciding not to approve the eventual financing for the construction of the convention center would raise several procedural and legal issues. State law requires that the tourist accommodation taxes, which are being pledged for the property acquisition, be used for the "the modification or construction of a publicly owned convention center in excess of four hundred million dollars (\$400,000,000) in costs..." Thus, once the property is acquired, it is doubtful that the property could be used for another purpose while the debt is outstanding, and that any sale of the property would have to be applied towards the debt service. Upon further discussions with the finance director and Metro's bond counsel, the council office has requested an opinion from bond counsel regarding this matter to clarify Metro's options if this scenario were to arise.

This resolution should be deferred to track with Ordinance No. BL2009-437, which authorizes the acquisition of the property for the convention center project.

RESOLUTION NO. RS2009-699 (FORKUM) - This resolution sets a public hearing to be held at the Tuesday, May 19, 2009, council meeting for a proposed amendment to the Arts Center and the Capitol Mall redevelopment plans as necessitated by the plans for the new downtown convention center. State law requires that a public hearing be held prior to final approval of an amendment to a redevelopment plan. This resolution directs the Metropolitan clerk to publish the notice of public hearing for three consecutive weeks in *The Tennessean*.

Ordinance No. BL2009-436, which is on first reading, provides for the amendments to the redevelopment plans. An analysis of the amendments will be provided when the ordinance is on second reading.

RESOLUTION NO. RS2009-700 (GILMORE & COLE) – This resolution appropriates \$3,778,640 in housing and community development block grant (CDBG) funds and \$4,051,698 in neighborhood stabilization program (NSP) funds. CDBG funds are federal grant funds designated for affordable housing activities and for neighborhood activity funds for youth initiative programs and community projects. A large portion of the CDBG funds are targeted at specific neighborhood strategy areas (NSAs) and commercial district areas.

These CDBG funds, to be expended in 2009-2010, will be used as follows:

	<u>2009-2010</u>
Administration	\$534,690
Planning	\$434,690

Property Acquisition	\$300,000
Economic Development	\$400,000
Rehabilitation Program	\$1,059,260
Affordable Housing Assistance	\$175,000
Special Neighborhood Activities	\$430,000
Section 108 Loan Repayment	<u>\$445,000</u>
Total	\$3,778,640

The remaining CDBG funds will be appropriated by resolution as the plans for the expenditure of the funds are completed.

This resolution also appropriates the 2008-2009 NSP funds as follows:

	<u>2008-2009</u>
Homeownership	\$2,633,409
Rental Assistance	\$1,012,850
Administration	<u>\$405,139</u>
Total	\$4,051,698

RESOLUTION NO. RS2009-701 (FORKUM & TOLER) – This resolution authorizes the issuance of capital outlay notes in the amount of \$330,000 to provide funding for energy efficiency improvements. In November 2008, the Council approved Metro water services' participation in the Local Government Energy Efficiency Loan Program to be administered by the state department of economic and community development. The Local Government Energy Efficiency Loan Program offers low interest loans to local governments to fund energy efficiency-related projects in government buildings. Metro water services is borrowing \$330,000 for the K.R. Harrington water plant energy savings project. The equipment to be installed will consist of raw water variable frequency drives, which are estimated to save \$42,500 per year in reduced energy consumption.

This resolution authorizes the issuance of \$330,000 in interest-bearing capital outlay notes. The notes are to bear interest at a rate not to exceed three percent per annum, and are to be amortized according to the following schedule:

<u>Year</u>	<u>Principal Amount</u>
2010	\$43,067.10
2011	\$44,359.11
2012	\$45,689.89
2013	\$47,060.58
2014	\$48,472.40
2015	\$49,926.57
2016	\$51,424.35

The Metropolitan Government is required to issue these notes in order to participate in the state loan program. The principal and interest on the notes are to be paid from revenue generated by the department of water and sewerage services.

RESOLUTION NO. RS2009-702 (FORKUM) – This resolution authorizes the mayor to employ John M. L. Brown, Esq. as special counsel to represent the juvenile court in litigation before the

Tennessee court of appeals involving the juvenile court judge and the juvenile court clerk. The Metropolitan Charter allows the mayor to employ special counsel whenever the interests of the Metropolitan Government require it upon the adoption of a resolution by the council. Since the department of law advises both the juvenile court and the juvenile court clerk, it has been determined that it is most appropriate for the department of law to not participate in the litigation.

The contract is for a term of one year, but may be extended for up to four additional one-year terms. Mr. Brown will be compensated at a rate of \$200 per hour during the first year of the contract plus expenses. The total amount to be paid under the contract is not to exceed \$20,000.

RESOLUTION NO. RS2009-703 (FORKUM) – This resolution approves an amendment to an annual grant from the state department of human services to the Davidson County juvenile court to enforce federal and state mandated child support guidelines concerning children born out of wedlock. This resolution extends the term of the grant through June 30, 2010 and increases the amount of the grant by \$951,400, for a total grant award of \$1,902,600. There is a required local match of \$490,115 to be provided from the juvenile court’s operating budget.

RESOLUTION NOS. RS2009-704 through RS2009-706 (FORKUM) – These three resolutions approve federal economic stimulus grants from the state department of labor and workforce development to the Nashville career advancement center (NCAC) to prepare adults, youth and dislocated workers for re-entry into the labor force, and to provide training for those facing serious barriers to productive employment. These grant funds are to be used to provide activities that increase the employment, retention, and earnings of program participants. The purpose of the stimulus funding is to preserve and create jobs, promote economic recovery, and assist those persons most impacted by the recession. The grant terms are from February 17, 2009 through June 30, 2011.

Resolution No. RS2009-704 approves a youth worker grant in the amount of \$2,732,945.

Resolution No. RS2009-705 approves a dislocated worker grant in the amount of \$2,921,765.

Resolution No. RS2009-706 approves an adult worker grant in the amount of \$1,047,111.

RESOLUTION NO. RS2009-707 (FORKUM & BAKER) – This resolution approves a grant in the amount of \$55,000 from the state department of labor and workforce development to the Nashville career advancement center (NCAC) to upgrade the skills of twenty apprentices participating in the Heat and Frost Insulators Local No. 86 apprenticeship program. The grant funds will be used to purchase trainer units and insulation materials, as well as funding for the instructors.

The incumbent worker program is administered by NCAC for workforce area 9, which includes the counties of Davidson, Rutherford, Wilson and Trousdale Counties. The term of the grant is from February 18, 2009 through December 31, 2009.

No Metropolitan Government funds will be used for this training program.

RESOLUTION NO. RS2009-708 (FORKUM & BENNETT) – This resolution approves an application for a grant in the amount of \$599,344 from the U.S. department of homeland security to the mayor’s office of emergency management (OEM) to enhance fire prevention education. If awarded, these funds will be used to enhance the fire department’s education program by making the public aware of the importance of smoke detectors. OEM will create a questionnaire to evaluate the number of homes that have smoke detectors. OEM will also use the funds to install smoke detectors and fire extinguishers, and to provide demonstrations about the equipment.

RESOLUTION NO. RS2009-709 (FORKUM & BENNETT) – This resolution approves a federal pass-through grant in the amount of \$173,000 from the Tennessee emergency management agency to the Metropolitan Government to subsidize the Metro emergency management program. These funds will be used to conduct training programs and disaster exercises. The term of the grant is from October 1, 2008, through September 30, 2009. There is a required Metro match of \$173,000.

RESOLUTION NOS. RS2009-710 (BENNETT & FORKUM) – This resolution approves an intergovernmental agreement between the U.S. department of justice drug enforcement administration (DEA) and the Metropolitan police department for assistance with the organized crime drug enforcement task force. The DEA agrees to reimburse the police department for \$19,000 in overtime payments made to fifteen Metro officers participating in this organized crime drug enforcement task force. The term of this contract is from October 1, 2008 through September 30, 2009.

State law allows the Metropolitan Government to enter into intergovernmental agreements with federal agencies with approval of the council by resolution. Similar agreements with the DEA for overtime reimbursement have been approved by the council in recent years.

RESOLUTION NO. RS2009-711 (MCGUIRE & FORKUM) – This resolution approves a grant in the amount of \$943,700 from the state department of health to the Metropolitan board of health for sexually transmitted disease services and HIV/AIDS prevention and surveillance. This is an annual grant that pays the salaries of the health department employees that provide these services. Pursuant to the grant agreement, the funds are to be used for HIV prevention, active surveillance of HIV/AIDS cases, diagnostic and treatment services, and disease intervention services.

The term of this grant is from January 1, 2009 through December 31, 2009. This grant consists of \$864,300 in federal funds and \$79,400 in state funds.

RESOLUTION NO. RS2009-712 (MCGUIRE & FORKUM) – This resolution approves a grant in the amount of \$42,500 from the state department of health to the Metropolitan health department for tobacco use prevention services. These federal pass-through funds are used to pay the salary of a program coordinator to help prevent initiation of tobacco use among young people, promote quitting among adult and youth tobacco users, and partner with community organizations to implement counter-marketing campaigns. The term of the grant is from March 30, 2009 through March 29, 2010. There is a required local match in the amount of \$7,300 to be provided through the health department’s operating budget.

RESOLUTION NO. RS2009-713 (MCGUIRE & FORKUM) – This resolution approves a second amendment to a grant from the U.S. environmental protection agency (EPA) to the Metropolitan board of health for the continued collection of data on the ambient air concentrations for fine particulate matter. The Metro health department is responsible for air quality monitoring within Nashville and Davidson County on behalf of the EPA. This resolution increases the amount of the grant by \$30,000, for a new grant total of \$155,000, and extends the term of the grant through March 31, 2010.

RESOLUTION NOS. RS2009-714 (FORKUM & MCGUIRE) – This resolution approves a clinical affiliation agreement between the Metropolitan board of health and Aquinas College to provide clinical experience to nursing students. Pursuant to this agreement, the Metro health department will provide clinical training to Aquinas nursing students as part of their public health training. Students will not receive any compensation and there is no cost to the Metropolitan Government for providing this training. Aquinas will be required to maintain professional liability insurance for its students participating in the program.

The term of the agreement is for a five year period expiring on June 30, 2013, but may be terminated by either party upon 30 days written notice.

Metro participates with several colleges and universities to provide clinical experience for nursing students.

RESOLUTION NO. RS2009-715 (FORKUM & MCGUIRE) – This resolution approves a fifth amendment to a contract between the Metropolitan board of health and Vanderbilt University for the health department’s participation in the Tuberculosis Trials Consortium. Vanderbilt has received a grant from the U.S. department of health and human services for this project. This resolution extends the term of the contract through September 30, 2009, and increases the compensation for the health department by \$78,376 for a total contract amount of \$455,187. The health department provides office space and administrative/clerical support for this program.

RESOLUTION NO. RS2009-716 (FORKUM & MCGUIRE) – This resolution approves a grant in the amount of \$153,500 from the state department of health to the Metropolitan board of health for food safety services. These federal pass-through funds are be used to pay the \$46,000 salary of an environmental specialist in the food safety division of the health department, plus \$70,000 for survey services. The term of the grant is from January 1, 2009 through December 31, 2009.

RESOLUTION NO. RS2009-717 (FORKUM & MCGUIRE) – This resolution approves a second amendment to an annual grant from the state department of health to the Metro board of health to provide an array of local health services. The term of the grant is from July 1, 2008 through June 30, 2009.

This resolution increases the amount of the award by \$52,700 for a new total award of \$787,900.

RESOLUTION NO. RS2009-718 (BURCH, TOLER & FORKUM) – This resolution approves a grant in the amount of \$731,369 from the state emergency management agency to the Metropolitan Government to fund the purchase and demolition of four homes on Wimpole Drive, which are located in a repetitively flooded area. These homes are being acquired on a voluntary basis. The term of the grant is from March 1, 2009 through February 28, 2012.

There will be a required local match of \$104,481 to be provided from the stormwater division of Metro water services. Metro has acquired a number of flood-prone homes through this buyout program over the past several years.

RESOLUTION NO. RS2009-719 (FORKUM & TOLER) – This resolution approves an amendment to a contract between the state department of transportation and the Metropolitan Government for improvements to the bridge on Chestnut Street over the CSX railroad. The contract for this bridge replacement was approved by the council in 2002 by Ordinance No. BL2002-945 for a total cost of \$1,590,000, of which Metro would pay 20% of the cost (\$318,000) and the federal government would provide the remaining 80%. However, the project was never completed.

Funding has now been made available for this project through the American Recovery and Reinvestment Act of 2009 (the federal economic stimulus package). Pursuant to the amended contract, the federal government will pay 100% of the \$3,110,000 construction cost for the bridge and will pay 80% of the preliminary engineering and right-of-way phases of the project. Metro's 20% share will be \$147,400. Ordinance No. BL2002-945 provided that additional contracts required for this project may be approved by the council by resolution.

RESOLUTION NO. RS2009-720 (GOTTO & FORKUM) – This resolution accepts a \$1,000 donation from the University of North Carolina to the Metropolitan planning commission. This donation was provided in recognition of the planning commission's delivering certain on-line reports in a timely manner.

RESOLUTION NO. RS2009-721 (FORKUM) – This resolution authorizes the department of law to compromise and settle the Metropolitan Government's property damage claim against Anthony Flemister in the amount of \$5,010.80. On January 28, 2009, a Metro police officer was traveling on West Trinity Lane when a vehicle driven by Mr. Flemister failed to yield the right-of-way at the Whites Creek Pike intersection and struck the patrol car causing extensive damage

to the front and left of the car. This resolution settles the claim for the amount of the damage done to the 2008 Chevy Impala patrol unit.

RESOLUTION NO. RS2009-722 (FORKUM) – This resolution authorizes the department of law to compromise and settle the Metropolitan Government’s property damage claim against Valeriaro Smith in the amount of \$8,818.02. On December 31, 2007, a Metro fire truck, which en route to an accident, exited off of I-24 East onto Murfreesboro Road when the vehicle was struck by a vehicle driven by Valeriaro Smith. This resolution settles the claim for the amount of the damage done to the 2003 International rescue truck.

RESOLUTION NOS. RS2009-723 and RS2009-724 (JAMESON) – These two resolutions authorize the installation, construction, and maintenance of aerial encroachments over the public right-of-way. The applicants have agreed to indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the encroachments, and are required to post a certificate of public liability insurance with the Metropolitan clerk naming the Metropolitan Government as an insured party. Ordinance No. O87-1890 authorizes aerial encroachments to be approved by resolution rather than ordinance. These resolutions have been approved by the planning commission.

Resolution No. RS2009-723 authorizes the Broadway W&R, LLC, to install three signs and a canopy over the public right-of-way at 300 Broadway for Opry Originals. These signs will include neon lettering mounted to a formed sign cabinet.

Resolution No. RS2009-724 authorizes Ed Smith, lessee, and Lufay Anderson Sweet, II, owner, to install a sign over the public right-of-way at 321 Broadway for Betty Boots. The sign will be seven feet wide and twelve feet-five inches tall.

– BILLS ON SECOND READING –

ORDINANCE NO. BL2009-417 (MURRAY) – This ordinance amends the taxicab provisions in the Metropolitan Code to clarify that cab companies must provide twenty-four-hour-a-day dispatch service. The code currently provides that such businesses must maintain a fixed, central place of business within the area of the Metropolitan Government, which must be kept open twenty-four hours a day “for the purpose of receiving calls and dispatching cabs.” This ordinance makes a slight change to this Code provision to require that such businesses actually provide dispatch services twenty-four hours a day, as opposed to just being open.

This ordinance comes at the request of the transportation licensing commission, which amended its regulations to provide as such in August 2007.

ORDINANCE NO. BL2009-418 (BENNETT & DUVALL) – This ordinance amends the animal cruelty provisions of the Metropolitan Code to specify a minimum length for outdoor pet tethers. In November 2006, the Council enacted Ordinance No. BL2006-1208 to place restrictions on outdoor pet tethering. The ordinance made it unlawful to use a chain, cord or rope to tie up their dog unless the rope, chain or cord is not unreasonably heavy in proportion to the weight of the animal, contains a swivel at both ends, and no choke collar is used. However, the ordinance did not define the appropriate length for outdoor pet tethers.

This ordinance would require that the rope, chain or cord used to tether an animal be at least fifteen feet in length.

ORDINANCE NO. BL2009-419 (BURCH) – This ordinance amends the Metropolitan Code pertaining to the impoundment and booting of vehicles by the Metropolitan Government. The Code already provides that any vehicle which is parked, stopped, or standing in violation of any ordinance, except overtime parking, may be impounded and towed by the police department. However, there are no provisions in the Code addressing the booting of vehicles.

This ordinance makes essentially two major changes to the existing provisions. First, this ordinance would give the police department or meter maid patrol the option of placing a boot on an illegally parked vehicle instead of impounding the vehicle. Obviously, if the illegally parked vehicle was obstructing traffic, the police officer would have the vehicle towed as opposed to booted.

Second, this ordinance would allow for the booting of an illegally parked vehicle (including overtime parking violations) if the vehicle’s owner has three or more unpaid parking citations and/or a civil warrant has been issued by the Metropolitan Government against the person for the collection of unpaid parking violations. As the Council may be aware, over a million dollars is owed to the Metropolitan Government in unpaid parking tickets. Allowing the booting of perpetual parking offenders’ vehicles would hopefully provide an incentive for these delinquent tickets to be paid. The owner of a booted vehicle could have the boot removed upon paying a twenty-five dollar removal fee to the Metropolitan Government. If the court determines that the owner’s vehicle was improperly booted, he/she would be entitled to a refund of the removal fee.

Although this ordinance would allow the Metropolitan Government to boot illegally parked vehicles, capital funds would likely need to be appropriated by the council in the future to purchase the boots in order to fully implement this ordinance.

There may be a housekeeping amendment offered for this ordinance to clean up and clarify some of the existing language in the Code pertaining to the impoundment of vehicles.

ORDINANCE NO. BL2009-420 (GILMORE & COLE) – This ordinance authorizes the mayor to submit an amendment to the 2008-2009 annual update to the consolidated plan for housing and community development programs for the Metropolitan Government to the U.S. department of housing and urban development (HUD). The Metropolitan development and housing agency (MDHA) prepares and submits the five year plan and the annual updates, and is responsible for administering the plan. The plan includes the allocation of funds received from HUD for community development block grants (CDBG), the HOME investment partnerships program (HOME), the emergency shelter grant program (ESG), and the housing opportunities for persons with AIDS (HOPWA).

As part of the American Recovery and Reinvestment Act of 2009 (the federal economic stimulus package), funding was allocated to the U.S. department of housing and urban development (HUD). HUD has in turn made a one-time allocation of \$1,316,347 in CDBG funds and \$2,112,994 in homelessness prevention funds to MDHA. The plan amendment provides that the CDBG funds will be used for a wide range of activities intended to create suitable living environments and to provide decent affordable housing, and create economic opportunities for low and moderate income persons with an emphasis on job creation. The homelessness prevention funds will be used to provide financial assistance to prevent homelessness and to help those who are currently homeless.

ORDINANCE NOS. BL2009-421 (FORKUM) – This ordinance approves six 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 juvenile court's truancy reduction program. The terms of these lease agreements are from October 2, 2008 through September 30, 2009, with a one year renewal option. Metro pays rent in the amount of \$50 per month for each location. MDHA is responsible for paying utility charges and maintaining the exterior of the premises, the HVAC system, the electrical wiring, and the plumbing system, excluding the plumbing fixtures. Metro is also responsible for providing janitorial services and maintaining the interior of the premises. Any future amendments to the agreements are to be approved by resolution of the Metro Council receiving 21 affirmative votes.

The lease agreements are for the following units:

1. 614 South 6th Street, Unit 9024 – James A. Cayce Homes
2. 600 South 6th Street, Unit 9017 – James A. Cayce Homes
3. 81 University Court, Unit 5223 – Tony Sudekum Homes
4. 606 North 3rd Street – Sam Levy Homes
5. 948 16th Avenue North, Unit 12100 – Andrew Jackson Courts
6. 2306 26th Avenue North, Unit 16137 – Cumberland View

These lease agreements have been approved by the planning commission.