

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director
Metropolitan Council Office

DATE: **June 2, 2009**

RE: **Analysis Report**

Balances As Of:	<u>5/27/09</u>	<u>5/14/08</u>
<u>GSD 4% RESERVE FUND</u>	* \$5,842,251	\$3,740,451
<u>GENERAL FUND UNDESIGNATED FUND BALANCE</u>		
GSD	\$17,889,167	\$23,429,103
USD	\$13,510,632	\$15,945,572
<u>GENERAL PURPOSE SCHOOL FUND UNRESERVED FUND BALANCE</u>		
	\$41,740,740	\$61,509,540

* Assumes estimated revenues in fiscal year 2009 in the amount of \$2,194,641

– BILLS ON PUBLIC HEARING AND SECOND READING –

ORDINANCE NO. BL2009-456 (FORKUM) – This ordinance is the operating budget of the Metropolitan Government for the Fiscal Year 2009-2010. The budget filed by the mayor provides for the following proposed funding:

• General Fund of the General Services District	\$ 664,769,300
• Schools Fund of the General Services District	620,762,100
• Schools Debt Service Fund	54,900,500
• Debt Service – General Services District	<u>84,946,800</u>
TOTAL GENERAL SERVICES DISTRICT BUDGET	\$1,425,378,700
• General Fund of the Urban Services District	\$ 102,964,000
• Debt Service – Urban Services District	<u>13,820,000</u>
TOTAL URBAN SERVICES DISTRICT BUDGET	\$ 116,784,000
TOTAL OPERATING BUDGET	\$1,542,162,700

The substitute budget adopted by the council for the current fiscal year is \$1,570,199,400. The mayor's proposed budget is an overall decrease of \$28,036,700 (-1.8%). The GSD general fund provides the funding for the majority of the general government operations.

No increase in the GSD general fund nor the USD general fund property tax rate has been proposed by the mayor. The companion ordinance that will specify the tax levy for FY 2009-2010 will reflect the reduction in the tax rates due to the reappraisals that were completed this year.

The amount of \$35,996,400 is appropriated from the total GSD unappropriated fund balance, compared to a total of \$31,394,900 in the current year's budget. This consists of an appropriation from the unappropriated fund balance in the amount of \$12,431,400 from the schools fund and \$23,565,000 from the schools debt service fund. No funds are appropriated for use from the unappropriated fund balance of the GSD general fund nor from the USD fund balance, as was the case in the current year's budget.

Resolution R89-959 established a policy that the GSD General Fund, the USD General Fund, and the General Purpose School Fund maintain a fund balance equal or greater than 5% of the budget. This policy was expanded per OMB Policy #8 on July 1, 2006 to include the three primary budgetary debt funds in addition to these operation funds. The mayor's proposed budget is projected to result in the following fund balance percentages by June 30, 2010:

• General Fund of the General Services District	2.2%
• Debt Service – General Services District	0.5%
• Schools Fund of the General Services District	4.9%
• Schools Debt Service Fund	25.4%
• General Fund of the Urban Services District	10.4%
• Debt Service – Urban Services District	17.2%

The proposed budget does not fund any pay increases for Metro employees, except for the funding of incremental step raises that were given during the current year for employees who do not fall within open range classifications. The budget includes \$503,500 in the GSD General Fund and \$13,800 in the USD General Fund for these incremental increases. In order to freeze the incremental step raises

for the next fiscal year as proposed in the mayor's budget, the council must adopt Resolution Nos. RS2009-802 through RS2009-804. In addition, the mayor's budget also proposes to freeze longevity pay for the next fiscal year, which is the subject matter of Resolution No. RS2009-805.

The budget provides that \$2,150,000 of the appropriations is contingent upon increases in parking meter rates to be approved by the traffic and parking commission.

One of the most substantive changes initiated in the substitute FY2008-2009 budget was the elimination of certain "internal service fees". The remaining internal service fund functions are proposed to be continued in the budget for FY2009-1010. These remaining internal service fund functions are as follows:

- Information Technology Services
- Fleet Management
- Facilities Maintenance
- Radio Shop
- Postal
- Surplus Property (e-Bid)

Another important change in the substitute budget for FY2008-2009 was a new system for appropriating most grants to non-profit organizations, known as community enhancement grants. The proposed budget for FY2009-2010 would also provide funding to be awarded to those agencies that best meet the priorities of the city, but would provide ten percent less funding than the FY2008-2009 budget. The three community enhancement grant categories and the corresponding proposed funding are as follows:

- Domestic violence agencies \$675,000
- Education and afterschool care \$675,000
- Miscellaneous community agencies \$450,000

The budget includes reductions averaging approximately 10% for many of the general fund departments, with a few exceptions. The reductions for the police department and fire department are 0.88% and 1.84%, respectively. The overall budget reductions were originally projected to result in the elimination of as many as 125 filled positions, but the final number is still to be determined.

All travel, tuition, and registration budgets are being eliminated from departmental budgets. A new appropriation of \$350,000 is being added as an administrative appropriation to pay for essential travel that may occur during the year. All travel would be required to be approved by the finance director's office to access these funds. The net effect expected by this travel reduction is \$800,000 in the GSD.

With the passage of the new stormwater fees which go into effect on July 1, 2009, the budget provides for an increase in the stormwater funding from \$11,435,100 in FY2008-2009 to \$14,827,700 in FY2009-2010.

This budget includes a subsidy of \$41,690,700 for the hospital authority. This is a reduction of \$4,730,700 from the subsidy for the current fiscal year. In addition, \$885,800 for hospital security costs is being transferred to the sheriff's office. Also, the budget proposes to forgive the current balance of approximately \$32 million that the hospital authority owes from previous lines of credit.

This will result in a direct savings to the authority of the interest payments for this amount in addition to the principal amount being forgiven.

There are several appropriations from the hotel occupancy tax that are included in the proposed budget. These appropriations are as follows:

• Adventure Science Center	\$200,000
• Arts Commission	\$100,000
• Convention Center	\$631,900
• Country Music Hall of Fame and Museum	\$150,000
• Farmers Market	\$119,700
• Historical Commission Conference	\$25,000
• Metropolitan Transit Authority (MTA)	\$1,400,000
• Municipal Auditorium	\$668,400
• Nashville Convention And Visitors Bureau	\$425,100
• Nashville Sports Council	\$100,000
• Opryland Tourist Development Zone	\$399,600
• Partnership 2010	\$300,000
• Police – Special Events Overtime	\$850,000
• Regional Transit Authority (RTA)	\$1,164,900
• Sister Cities	\$40,000
• Sommet Center	\$7,351,500

In addition to the hotel occupancy tax appropriation, there is a proposed increase of \$2.3 million for MTA resulting in a general fund subsidy of \$17,512,600.

The proposed budget for the Schools General Purpose Fund is \$620,762,100, which is the same as the current year's budget. There is also a separate line in the ordinance appropriating \$648,700 for administrative support for Metro schools, down from \$750,300 in the current budget. \$12,431,400 of the proposed increase in the Schools General Purpose Fund budget would come from their unappropriated fund balance. Even with this appropriation, the reserve fund is projected to have a balance of \$30,309,300 at the end of FY2009-2010, or 4.9% of the operational budget. According to state law, this balance must remain above 3%.

The budget ordinance is amendable on third reading.

ORDINANCE NO. BL2009-466 (FORKUM & GOTTO) – This ordinance adopts the capital improvements budget for 2009-2010 through 2014-2015. A separate analysis is being emailed to the council for the capital improvements budget, which includes a list of projects by council district. The capital improvements budget is a planning document and does not in itself appropriate any money. All capital projects must be provided for in this document before a capital improvement can be approved by the council, except in the case of a public emergency.

This budget is amendable on third and final reading. The Charter requires the council to adopt the capital improvements budget not later than June 15th of each year. An adjourned meeting of the Council will be held June 9, 2009 at 6:30 p.m. for the purpose of approving the capital improvements budget within the time limit required by the Charter. Once adopted, future amendments to the capital improvements budget must be approved by the planning

commission, be recommended by the mayor, and then be adopted by resolution of the council receiving twenty-seven (27) affirmative votes.

– RESOLUTIONS –

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 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.

Metro's bond counsel has provided an opinion, which the council office is in agreement with, stating that the debt on the MDHA bonds may continue to be paid from the tourist accommodation taxes if the council later decides not to build a convention center, provided the property is not used for non-convention center purposes while the debt is outstanding. The property could be sold at real value to retire the debt, at which point it could be used for another purpose. This resolution expressly provides that the council "has determined that it is in the public interest to construct a new convention center." Thus, as long as the council has expressed its intent to build a convention center at the time the MDHA debt is issued to finance the acquisition of the property, bond counsel is of the opinion that the tourist accommodation taxes could continue to be collected to pay off the debt even if a convention center is never built. The central point to reiterate is that the property cannot be used for anything else as long as the debt is outstanding.

RESOLUTION NO. RS2009-743 (FORKUM) – This resolution establishes the certified tax rate of the Metropolitan Government. State law requires that once the county reappraisal program is completed, a tax rate be set that will result in the same amount of revenue that was received in the previous year based on the old assessment values and tax levy, as a government may not realize greater revenue by means of the reappraisal program. The purpose of the reappraisal program is to ensure that property assessments are "equalized" by having all property appraised at the same time. The certified tax rate for the GSD is \$3.54 and \$0.56 for the USD for a total rate in the USD of \$4.10.

This resolution may not be adopted until the state board of equalization has approved the certified tax rate. The council office recommends that this resolution be deferred to track with the operating budget.

RESOLUTION NO. RS2009-744 (FORKUM) – This resolution approves an intergovernmental agreement between the Metropolitan Government and the Metropolitan hospital authority for the Davidson County sheriff's office to provide security services at the hospital authority facilities. In June 2008, the hospital authority issued a request for proposal for the privatization of its security services. The sheriff's office expressed interest in providing the security services described in the RFP, since it has provided on-site security for many years at Nashville General Hospital for the inmates receiving medical care at the hospital.

Pursuant to this agreement, the sheriff's office will oversee the management of the hospital authority's security services for fiscal year 2009-2010. This will include the assumption of all responsibilities for providing the security services at Nashville General Hospital, the Bordeaux

Long-Term Care facility, and the Knowles Home. The contract includes a long list of training that must be provided by the sheriff's office to its employees providing the security services, including training for prevention/protection, enforcement, emergency procedures, and special equipment training. Further, the sheriff's office employees must undergo additional annual training.

As compensation for providing the security services, the fiscal year 2010 operating budget proposes to reduce the hospital authority's annual subsidy an additional \$885,800 on top of the ten percent reduction, and transfer this amount to the sheriff's office budget. The term of this agreement is from July 1, 2009 through June 30, 2010, but may be terminated by either party upon 120 days written notice.

State law provides that intergovernmental agreements may be approved by resolution of the council.

This resolution should be deferred to track with the operating budget.

RESOLUTION NO. RS2009-745 (FORKUM) – This resolution terminates the authority of the Metropolitan Government to issue general obligation bonds authorized by previous capital spending plans. Since 1999, the council has authorized the issuance of \$1,941,064,211 in general obligation bonds pursuant to the adoption of eleven G.O. bond resolutions. Of this amount, the Metropolitan Government has actually issued bonds in the aggregate amount of \$1,326,320,000. Thus, there remains \$614,744,211 in authorized bonds that have never been issued. Although long-term bonds may not have been issued, the Metropolitan Government has a commercial paper program, which provides the short term financing for capital projects until the long term debt is issued. Therefore, it has become increasingly difficult to monitor our various capital expenditures given the number of outstanding projects.

This resolution is simply a tool to de-authorize previously-approved projects that have never been started, and to "clean up the books" so that we can have a better handle on our capital expenditures. Pursuant to this resolution, Metro will not have the authority to issue additional general obligation bonds pursuant to these previous eleven bond resolutions except for the purpose of retiring outstanding commercial paper for projects that have been started. This resolution also repeals Resolution No. RS2004-328, which authorized the issuance of bond anticipation notes in the amount of \$109,741,299 for the GSD bonds, and \$32,274,762 for the USD bonds to provide the short term financing for the 2004-2005 mayor's spending plan.

A detailed list of all capital projects to be "de-authorized" by this resolution, as well as a list of projects being reauthorized and new capital projects as part of Resolution No. RS2009-746, are attached to this analysis.

RESOLUTION NO. RS2009-746 (FORKUM) – This resolution determines to issue \$500,687,940 in GSD general obligation bonds and \$42,260,511 in USD general obligation bonds to provide funding for various projects contained in the mayor's 2009-2010 capital spending plan. This is the first step in the process toward the ultimate sale of the bonds by public bid to provide the necessary financing for the projects. The general obligation bonds to

be issued provide funding for some 49 GSD projects, and the USD bonds will provide funding for 5 projects. This debt will be paid from the debt service of the GSD and the USD.

Some of the projects to be financed with the bonds include:

- School construction and renovation
- Completion of the Fulton Complex project
- Redevelopment of the downtown riverfront
- Acquisition and installation of a traffic violation management system
- Design and construction of a police crime lab
- Planning funds for a new southeast community center and a new public health facility
- Construction, renovation and equipping of medical facilities at General Hospital
- Construction of a Goodlettsville branch library
- Grant to MDHA to fund \$10 million in capital costs for the African American Museum
- Renovations to the Nashville Children's Theatre, the Frist Center for the Visual Arts, the Adventure Science Center, and the Nashville Zoo, which properties are owned by the Metropolitan Government
- The purchase of vehicles for the Metropolitan transit authority
- Storm water capital projects
- Road construction, repair and maintenance
- Planning and construction of a 28th/31st Avenue connector

A detailed list of all capital projects to be funded by this bond issue, including the estimated cost for each project, is attached to this analysis.

Since some of the new projects included in this spending plan are not in the FY2008-2009 capital improvements budget, this resolution should be deferred to track with the FY2009-2010 capital improvements budget.

SUBSTITUTE RESOLUTION NO. RS2009-769 (GOTTO) – This resolution approves a new fee schedule associated with the review and processing of specific plan (SP) district applications by the planning department. The Metropolitan zoning code provides that standardized fee schedules may be established to partially defray the processing and administration costs for zoning applications. Such a fee schedule must be approved by resolution of the council in order to be effective. In June 2007, the council adopted the current fee schedule, which in part increased the application fee for SP zone changes from \$1,600 to \$6,195. Since this change in 2007, Members of Council and property owners alike have complained about the SP fee being an impediment to development.

The planning department has recommended a new SP fee schedule, which breaks these SP applications down into three categories:

1. The fee for a "minor" SP plan application will be \$1,400. This includes an application to reuse an existing building, to obtain preliminary approval of a development plan for which no final plan is required, to allow an auto-related use on property currently zoned CS, to allow two detached dwelling units on one lot, or to allow alternative sign standards.
2. The fee for a "general" SP plan application will be \$1,400 when the applicant is seeking approval of a preliminary development plan. In addition, the initial final site plan application for the SP would be an additional \$1,100 and a maximum of \$6,195,

depending on whether the applicant is seeking approval of the development plan and the final site plan concurrently.

3. The fee for a "housekeeping" amendment to a SP plan will be \$700.
4. The fee for a "unique" SP plan application will be \$2,500.

RESOLUTION NOS. RS2009-770 through RS2009-782 (FORKUM) – These thirteen 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 total amount of these thirteen resolutions is \$22,474,800. The balance in the general fund reserve fund before these pending appropriations is \$28,317,051. This consists of unrealized revenue for fiscal year 2009 in the amount of \$2,648,426. The resolutions provide that "The Director of Finance may schedule acquisitions authorized herein to ensure an appropriate balance in the Fund." Copies of the supporting information sheets required by Ordinance No. O86-1534 are attached to this analysis.

Resolution No. RS2009-770 appropriates \$79,200 from the general fund reserve fund to the office of the district attorney general for laser printers and computer hardware and software.

Resolution No. RS2009-771 appropriates \$500,000 from the general fund reserve fund to the sheriff's office for a security system software upgrade, hot water heaters, air conditioning units, air filters, chairs, and a boiler.

Resolution No. RS2009-772 appropriates \$215,900 from the general fund reserve fund to the general sessions court for a voice response system and upgrades and maintenance to the online traffic school interface.

Resolution No. RS2009-773 appropriates \$3,528,400 from the general fund reserve fund to the information technology services department for broadcast equipment, the replacement of miscellaneous computer hardware, and the technology revolving fund.

Resolution No. RS2009-774 appropriates \$15,560,000 from the general fund reserve fund to the general services department for major maintenance, miscellaneous roof repairs, green fencing, a GPS pilot program, and replacement vehicles for various Metro departments and buildings. A list by department of the vehicles to be purchased is attached to this analysis along with the 4% fund information sheet.

Resolution No. RS2009-775 appropriates \$5,500 from the general fund reserve fund to the Metro sports authority for a Canon copy machine.

Resolution No. RS2009-776 appropriates \$800 from the general fund reserve fund to the transportation licensing commission for a laminator machine.

Resolution No. RS2009-777 appropriates \$500,000 from the general fund reserve fund to the police department for computer software and hardware, an environmental monitoring system, bullet proof vests, and forty shotguns.

Resolution No. RS2009-778 appropriates \$500,000 from the general fund reserve fund to the fire department for an automated staff schedule program, replacement furniture and

fixtures for various locations, computer equipment, facility maintenance and repair, lawn equipment and training manuals.

Resolution No. RS2009-779 appropriates \$1,500,000 from the general fund reserve fund to the public library for new and replacement books and materials.

Resolution No. RS2009-780 appropriates \$15,000 from the general fund reserve fund to the parks and recreation department for bicycles, locks, racks, and helmets for the bike sharing program.

Resolution No. RS2009-781 appropriates \$50,000 from the general fund reserve fund to the health department for miscellaneous office equipment.

Resolution No. RS2009-782 appropriates \$20,000 from the general fund reserve fund to the public works department for bike racks for the bike sharing program.

RESOLUTION NO. RS2009-786 (FORKUM) – This resolution authorizes the department of law to compromise and settle the Metropolitan Government's claim against Narges Khalil. On May 24, 2008, Makram Boktor was practicing driving a vehicle owned by Narges Khalil in the parking lot at the Metro water services facility located at 1931 Old Murfreesboro Pike when he lost control of the vehicle and struck the pumping station causing \$15,721.86 in damage. This resolution accepts \$15,721.86 to settle the claim.

There is a housekeeping substitute for this resolution that corrects a typographical error in the amount of the settlement.

RESOLUTION NO. RS2009-794 (FORKUM) – This resolution approves an application for an annual grant in the amount of \$50,585 for the Arts Build Communities program. These funds will be used to make grants to non-profit organizations for community arts projects. These funds are provided in conjunction with the \$1,900,000 million in the mayor's proposed fiscal year 2010 operating budget to provide arts grants. There is a required local match in the amount of \$50,585 to be provided from the Metro arts commission budget.

RESOLUTION NO. RS2009-795 (FORKUM & BENNETT) – This resolution approves a grant in the amount of \$200,000 from the state department of finance and administration to the juvenile court to provide funding for a juvenile drug court case manager and a family drug court case manager. This funding is being used to prevent the loss of these positions that would otherwise occur due to budget reductions. The term of the grant is from July 1, 2009 through June 30, 2011.

RESOLUTION NO. RS2009-796 (FORKUM & BENNETT) – This resolution approves an application for a grant in the amount of \$9,000 from the state commission on children and youth for the benefit of the juvenile court. These funds will be used to provide training opportunities to juvenile court staff.

RESOLUTION NO. RS2009-797 (FORKUM) – This resolution appropriates \$9,000 in grant funds from Nashville Electric Service (NES) to the Metropolitan action commission (MAC) for the Watt Ads Energy Fund program. This program was established by NES to provide assistance with emergency repairs for heating and cooling equipment. MAC received a three-year grant from NES last year, from which \$27,000 was appropriated in the fiscal year 2009 budget. However, NES has sent \$9,000 more to MAC under this program than was estimated. Thus, the council needs to appropriate the funds to MAC by resolution.

RESOLUTION NO. RS2009-798 (FORKUM) – This resolution approves two amendments to, as well as an extension and renewal of, a contract between the Metropolitan health department and the United Way of Metropolitan Nashville to arrange for assistance in the planning, development and delivery of services for individuals infected with or affected by HIV/AIDS. Under the terms of this contract, the United Way provides a number of planning, administrative, and direct HIV/AIDS services under the provisions of the Ryan White Treatment Modernization Act of 2006.

First, this resolution approves two amendments to the existing contract increasing the amount United is to be paid from \$2,328,143 to \$3,161,675. Second, the resolution approves an extension of the contract through February 28, 2010, with an additional payment to United Way of \$1,009,211 for the extended term.

The funds paid to United Way to perform the services under this contract are federal pass-through funds provided for the program.

RESOLUTION NO. RS2009-799 (FORKUM & BENNETT) – This resolution approves an application for a grant in the amount of \$1,500 from the Wal-Mart Foundation to the Metropolitan police department for the EI Protector program. This is the police department's Hispanic outreach program that includes educational presentations and informational materials to engage the Hispanic community. These funds will be used to purchase promotional items for the Hermitage and South precincts.

RESOLUTION NO. RS2009-800 (BENNETT & FORKUM) – This resolution approves a federal stimulus grant in the amount of \$56,000 from the U.S. department of justice, acting through the Tennessee department of finance and administration, to the Metropolitan police department for the victim intervention program. These funds will be used to pay for translators through the Tennessee Language Institute, to print program brochures in English and Spanish, and to purchase materials for victims of crime and their families. The term of the grant is from July 1, 2009 through June 30, 2011.

RESOLUTION NO. RS2009-801 (FORKUM & BENNETT) – This resolution approves an Edward Byrne Memorial Assistance grant in the amount of \$56,000 from the U.S. department of justice to the district attorney to fund a part-time victim witness coordinator position for two years. The victim witness coordinator makes contact with victims of crime as soon as possible after an arrest is made. The term of the grant is from July 1, 2009 through June 30, 2011.

RESOLUTION NOS. RS2009-802 through RS2009-804 – These three resolutions amend the pay plan for the employees of the Metropolitan Government, with the exception of the board of education, to delay increment raises for one year beginning July 1, 2009, in accordance with the mayor's proposed fiscal year 2010 operating budget. The existing pay plan for Metro employees was approved by the council in June 2005. The pay plan currently provides that during the first five years of employment, incremental raises are to be provided on an annual basis of about 3%. After five years, incremental step raises occur every two years for a maximum of ten incremental steps.

As part of the fiscal year 2008 operating budget, the previous mayor proposed that the pay plan be modified to provide a 2% across-the-board raise for all Metro employees, as was provided in the 2005 plan, but to eliminate the incremental step increases for fiscal year 2008. The substitute budget adopted by the council in June 2007 fully funded the pay plan for 2008 to give the 2% across-the-board raise plus the incremental step increases for eligible employees, as was promised in the 2005 pay plan.

Given the significant reduction in sales taxes and other revenues anticipated for next fiscal year, the mayor has proposed freezing the increment pay increases and longevity pay for one year. In order to implement this proposal, the council must amend the pay plan to delay the increment raises. This will result in a savings to the Metropolitan Government for fiscal year 2010 of approximately \$4.5 million for the increment delay.

These resolutions provide that the increments will be reinstated effective July 1, 2010. The pay plans may not be amended by the council except by making uniform changes by increasing or decreasing the percentage of pay increases, as the relationship between pay grades must remain the same.

These resolutions have been approved by the civil service commission or the health board and the mayor. These resolutions should be deferred to track with the budget ordinance.

Resolution No. RS2009-802 (Forkum & Moore) approves the amendment to the pay plan to delay increment step increases for general employees of the Metropolitan Government.

Resolution No. RS2009-803 (Forkum, Bennett & Moore) approves the amendment to the pay plan to delay increment step increases for employees of the fire and police departments.

Resolution No. RS2009-804 (McGuire & Forkum) approves the amendment to the pay plan to delay increment step increases for the board of health.

RESOLUTION NO. RS2009-805 (MOORE & FORKUM) – This resolution repeals the payment of longevity pay for fiscal year 2010. In previous years, longevity pay has been granted to employees with more than five years service in an annual amount ranging from \$110.00 to \$935.00, based upon the total number of years of service. The mayor's proposed fiscal year 2010 budget proposes that longevity pay be postponed for the next fiscal year, which will result in a savings to the general fund of \$3.1 million.

This resolution should be deferred to track with the budget ordinance.

RESOLUTION NO. RS2009-806 (FORKUM & MOORE) – This resolution approves the waiver of pension benefit overpayments made to Daphne Smith, which was caused by an employee benefit board staff error. As a result of this staff error, Ms. Smith received a total of \$250.13 in pension benefits over a one year period in excess of what she was entitled.

The Metropolitan Code permits the benefit board to waive such overpayments provided that the beneficiary was without fault or knowledge of the error and would be deprived of income for living expenses if forced to repay the amount of overpayment. The employee benefit board has approved this waiver based upon the recommendation of the benefit board staff that requiring Ms. Smith to repay this amount would create a financial hardship.

The council office would point out that in the event pensioners are underpaid, the back payments are automatically paid without council approval.

RESOLUTION NO. RS2009-807 (FORKUM) – This resolution appropriates \$15,960,200 in supplemental appropriations from the undesignated fund balance and other sources to various departments to balance their fiscal year 2008-2009 operating budgets.

The amount of \$1,500,300 is to be appropriated from the undesignated fund balance of the general fund of the general services district to the state trial courts as follows:

- o \$3,200 to clean up several grant accounts where more expenses were posted than could be reimbursed from the grant funds.
- o \$870,900 for drug court administration. Over the past couple of years, the drug court has been operating at a deficit, which has grown to the point that a supplemental appropriation is necessary.
- o \$470,000 for general administration of the state trial courts. This is the result of six positions being transferred from the circuit court clerk to the state trial courts without budget authorization. This essentially will have no net effect on the total operating budget, since the circuit court clerk will be able to return this \$470,000 he did not spend to the Metro general fund. However, this technically caused the state trial courts to be over budget, as these positions were not included in their fiscal year 2009 budget.

The amount of \$131,500 is to be appropriated from the undesignated fund balance of the general fund of the general services district to the Nashville career advancement center for some internal service fee adjustments that cannot be recovered.

The amount of \$10,813,900 is to be appropriated from the schools undesignated fund balance to balance the operating budget for the school system. This appropriation is necessary as a result of the sales tax collections being well below budgeted projections.

The amount of \$2,014,500 is to be appropriated to the Metropolitan Nashville public schools from additional state department of education funding to cover the state-required teacher bonuses that were paid earlier this fiscal year.

The amount of \$1,500,000 is appropriated from the state fair undesignated fund balance to cover expenses associated with salaries for state fair employees, temporary services, and advertising/promotion services.

Appropriating these amounts from the undesignated fund balance of the general fund will bring the fund balance further below the five percent minimum policy established by the council.

After these appropriations are approved, the undesignated fund balance of the general fund of the general services district is estimated to be 2.2 percent going in to fiscal year 2010.

Based upon the projections included in the fiscal year 2009 budget, the school's undesignated fund balance after this supplemental appropriation will be 8.6 percent. However, the schools have proposed using \$12,431,400 to balance their fiscal year 2010 budget, resulting in an estimated balance of 4.9 percent.

RESOLUTION NO. RS2009-808 (BENNETT) – This resolution accepts a donation of a Charmglow gas grill from various individuals and businesses to the Metropolitan police department for the use and benefit of the East Police Precinct. This gas grill is valued at \$500.00.

Pursuant to Ordinance No. BL2006-1015, donations of items valued at less than \$5,000 may be approved by resolution. Donations in excess of \$5,000 must be approved by ordinance.

RESOLUTION NO. RS2009-809 (MOORE, TOLER & FORKUM) – This resolution approves an agreement between the state department of transportation (TDOT), the Metropolitan Government, and CSX Transportation, Inc., pertaining to the demolition and replacement of the Chestnut Street bridge 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 was to pay 20% of the cost (\$318,000) and the federal government would provide the remaining 80%. This contract was amended in April 2009 to take advantage of some federal stimulus funding, whereby 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.

The contract to be approved by this resolution essentially sets forth the responsibilities of the three parties for the bridge demolition and construction. TDOT will be required to submit the demolition and construction plans to CSX, who in turn will have 60 days in which to raise objections to the plans. TDOT agrees to require that its contractor maintain a performance bond guaranteeing the completion of the bridge. TDOT further agrees to reimburse CSX for its expenses related to the railroad work.

Under a separate contract incorporated as an exhibit to the agreement approved by this resolution, CSX agrees to make a financial contribution of \$371,000 toward the cost of the project, and agrees to transfer any interest it has in the bridge structure and associated easements to Metro. Once this transfer is complete, CSX will no longer have any responsibility for maintenance of the bridge.

Ordinance No. BL2002-945 provided that additional contracts required for this project may be approved by the council by resolution.

RESOLUTION NO. RS2009-810 (FORKUM) – This resolution authorizes the department of law to compromise and settle the Metropolitan Government's property damage claim against Stansell Electric Company for the amount of \$12,500. On October 27, 2007, Stansell Electric hit a water main while digging at the intersection of Third Avenue South and Korean Veterans

Boulevard, causing \$15,038.28 in damage. The department of law recommends settling this claim for \$12,500, as it is unclear whether the safety zone was adequately marked to identify the location of the water main.

– BILLS ON SECOND READING –

ORDINANCE NO. BL2009-457 (FORKUM) – This ordinance adopts the property tax levy for the fiscal year 2009-2010. The Metropolitan Charter requires that the council's next order of business upon adopting the annual operating budget is to adopt a tax levy that fully funds the operating budget. The property tax proposed by the mayor is \$3.54 per \$100 assessed value in the general services district (GSD) and an additional \$0.56 per \$100 assessed value in the urban services district (USD), for a total tax of \$4.10 in the USD. This is a reduction of \$0.50 in the GSD rate and a reduction of \$0.09 in the USD rate as a result of county-wide property reappraisal mandated by the state. State law prohibits local governments from realizing greater revenue by means of the reappraisal program.

Resolution No. RS2009-743 establishes these rates as the certified tax rate of the Metropolitan Government.

ORDINANCE NO. BL2009-458 (FORKUM) – This ordinance amends the Metropolitan code to give the sheriff's office the authority to provide security services at hospital authority facilities. The Charter provides that the sheriff has the duties prescribed by general law, except for law enforcement responsibilities. The Metro Code currently provides that the sheriff's only duties are the custody and control of the Metropolitan jail and workhouse.

The sheriff and the hospital authority have reached an agreement, which is the subject matter of Resolution No. RS2009-744, whereby the sheriff's office will provide all of the security services at the hospital authority's three facilities. In order to allow for the implementation of this agreement, the Code needs to be amended to expand the duties of the sheriff to include these hospital security services.

ORDINANCE NO. BL2009-459 (BENNETT) – This ordinance amends the Metropolitan beer code to add the state law requirements under the Responsible Vendor Act of 2006. The state legislature adopted the Responsible Vendor Act with the purpose of reducing the off-premises sale of beer to persons under the age of twenty-one, to encourage vendors to be prudent in their selling practices of beer, and to reduce the sanctions that may be imposed in administrative proceedings by local beer boards against those vendors who voluntarily comply with responsible practices. The state law allows vendors to become certified by the state alcoholic beverage commission as "responsible vendors" in order to obtain favorable treatment when faced with a first offense related to the sale of beer to minors. In order to become certified, the vendor must require all clerks to successfully complete a responsible vendor training program within 61 days of being hired. The vendor must also provide instruction to its employees regarding methods for dealing with underage customers and procedures for refusing to sell to minors.

Once a vendor has been certified by the state as a responsible vendor, the beer board would be limited to assessing a penalty of \$1,000 for a first offense charge of selling to a minor, and would be unable to suspend or revoke the license for the first offense. Suspension or revocation would be an option if a business certified as a responsible vendor has one or more such offenses within a twelve month period. Those vendors that do not participate in the responsible vendor program could be fined up to \$2,500 for a first offense, or have their beer permit suspended or revoked. The state must be notified whenever the beer board takes disciplinary action against a responsible vendor.

This ordinance modifies the Metro beer code to essentially bring the code up to date in light of the Responsible Vendor Act, and to clarify the penalties that can be assessed.

ORDINANCE NO. BL2009-460 (BENNETT) – This ordinance amends the animal provisions of the Metropolitan Code to establish an animal offender school. This school, which would be similar to the traffic school and DUI school currently in existence, would be operated under the supervision of the animal control division of the department of health. This ordinance would give the environmental court the discretion to order a person found to be in violation of any ordinance pertaining to animals to attend the animal offender school in addition to, or in lieu of, any monetary fine. The purpose of the school would be to provide education about proper animal care and cruelty prevention. Persons ordered to attend the school would be responsible for paying a fee up to sixty-five dollars, which would be used to cover the expenses of the school.

ORDINANCE NO. BL2009-461 (TOLER) – This ordinance amends the Metro Code to extend the deadline for the submission of the storm water master planning district plan. In February 2009, the council enacted Ordinance No. BL2009-345 (the “Green Streets” ordinance) requiring the department of water and sewerage services to develop a stormwater master planning district. The purpose of this ordinance was to plan for environmentally friendly stormwater projects within the area of the combined sewer system (CSS), which includes a 14 square mile area consisting predominately of downtown Nashville.

Ordinance No. BL2009-345 required that the initial plan be submitted by the department of water and sewerage services to the council not later than 90 days after the enactment of the ordinance. This ordinance extends the deadline for submitting this plan until November 1, 2009, as requested by the water department.

– BILLS ON THIRD READING –

ORDINANCE NO. BL2009-417 (MURRAY & COLE) – 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 for business.

This ordinance comes at the request of the transportation licensing commission.

ORDINANCE NO. BL2009-433 (TYGARD, FORKUM & OTHERS) – This ordinance, as amended, amends the Metropolitan Code pertaining to the placement of signs within the right-of-way. The code currently prohibits all signs within the public right-of-way, including utility poles. However, enforcement of the existing ordinance is difficult since the person that actually places the illegal sign is often just an employee or contractor of the business being advertised. To address this enforcement problem, the City of Charlotte, NC amended its sign ordinance to make not only the persons that actually place the signs responsible, but to make the ordinance enforceable against the business being advertised.

Using the Charlotte, NC ordinance as a model, this ordinance adds a new section to the code pertaining to the enforcement of the provisions prohibiting signs in the right-of-way. The ordinance designates the following as “responsible persons” for the placement of illegal signs:

1. The person, business, company or other entity hosting the advertised event or selling the services/products being advertised.
2. The person or business responsible for the placement of the illegal signs.
3. The political candidate whose candidacy is supported by the sign.
4. The president of a committee for a campaign for or against a ballot measure being promoted.
5. The person, business, or company whose phone number, address, or e-mail address appears on the sign.

This ordinance also would amend the penalty provisions to allow the court to impose a fifty dollar fine per illegal sign.

ORDINANCE NO. BL2009-434 (CRADDOCK, GOTTO & OTHERS) – This ordinance would prohibit private companies from engaging in the practice of “booting” vehicles within the area of the Metropolitan Government. Certain companies operating within the Nashville area have agreements with businesses to place a disabling device on vehicles parked on their private property without authorization or without paying the required parking fee. The code does not expressly prohibit this activity.

This ordinance would make it illegal to boot a vehicle unless the boot is placed by the vehicle’s lien holder or a police officer/parking patrol officer. Legislation was adopted at the May 19, 2009 council meeting expressly allowing the police department and the parking patrol to place boots on vehicles in certain circumstances.

ORDINANCE NO. BL2009-435 (HODGE & CRADDOCK) – This ordinance adopts the 2005 edition of the National Electrical Code to make it a part of Metro's building code. This ordinance has been recommended by the director of the department of codes administration. The Metropolitan Government adopts the various building codes as they are amended from time to time by the national code organizations, which is typically every three years. Metro is currently operating under the 2002 edition of the National Electrical Code.

This ordinance includes certain amendments to the National Code to reflect urban standards and to assure safety features.

ORDINANCE NO. BL2009-436 (FORKUM, GARRETT & OTHERS) – This ordinance approves Amendment No. 3 to the arts center redevelopment project plan and Amendment No. 8 to the capitol mall redevelopment project plan, which is necessary to facilitate the construction of the new convention center. The arts center redevelopment plan originally included the old downtown post office, the Union Station Hotel, and Cummins Station. The plan was subsequently amended to add the Music Row area and the area between I-40 and the railroad gulch to the redevelopment plan area. The capitol mall redevelopment plan basically governs the redevelopment of the downtown area. The proposed Music City Center site is currently located within both the arts center and the capitol mall redevelopment districts. The Metropolitan development and housing agency (MDHA) has determined that it is appropriate that the property be consolidated into one plan.

In addition to modifying the areas of the two redevelopment districts, the amendments make a number of textual changes to the plans. First, the capitol mall plan is amended to add the convention center and convention center hotel as the intended use for the convention center tracts, as well as to provide land for a variety of high intensity uses compatible with the new convention center. Second, the duration of the plan is extended through December 31, 2040. Third, the amendment adds the statutory language stating that conditions exist within the area of the Capitol Mall redevelopment district that are detrimental to the health, safety and welfare of the people of Nashville to enable MDHA to acquire property within the district by negotiation or condemnation. Finally, the amendment adopts the master plan for the convention center project, a copy of which is attached to this analysis.

The planning commission will consider this ordinance on May 28, 2009.

ORDINANCE NO. BL2009-437 (FORKUM, GARRETT & OTHERS) – This ordinance, as amended, authorizes the Metropolitan development and housing agency (MDHA) to acquire 15.87 acres of property by negotiation or condemnation for the proposed new convention center project. The ordinance provides that the property to be acquired is for the purpose of building the new convention center facility, the construction of a convention center parking garage, the relocation of the NES substation, the right-of-way for Korean Veterans Boulevard between Fourth and Eighth Avenues South, the right-of-way for improvements to Demonbreun Street, and the construction of the convention center hotel. However, the list of properties to be acquired that is incorporated into the ordinance only includes the area within the convention center footprint itself. A list of the properties to be acquired is attached to this analysis.

This ordinance also authorizes MDHA to provide relocation payments and assistance to businesses displaced as a result of the acquisition of property for the convention center. Further, the ordinance authorizes the director of public property administration to accept the conveyance of the convention center property from MDHA once the project is complete.

The council office would point out that Section 4 of the ordinance approves the master plan for the convention center project, although there is no mention of a master plan approval in the caption of the ordinance. A copy of the master plan is also attached to this analysis.

This ordinance was amended on second reading to require the Metropolitan Government to create a website providing details regarding the collection of the four tourist accommodation taxes, as well as a list of project expenditures.

Resolution No. RS2009-698 approves an intergovernmental agreement between Metro and MDHA to provide for the financing of the property acquisition and relocation assistance not to exceed \$75 million.

ORDINANCE NO. BL2009-438 (TOLER) – This ordinance abandons an 8” sanitary sewer line and corresponding easement and manhole, and accepts a relocated 8” sanitary sewer line, easement and manhole in connection with a utility project located at 4309 and 5309 Weber Road, and 8226 Eva Drive in the Alan Estates subdivision, that are no longer needed by the department of water and sewerage services. The ordinances provide that future amendments may be approved by resolution of the council. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2008-439 (BAKER, TOLER & CLAIBORNE) – This ordinance authorizes the acquisition and acceptance of easements required for use in various stormwater projects to be completed by the department of water and sewerage services. Easements are to be acquired for the following properties:

- Hite Street, unnumbered
- 712 Hite Street
- 714 Hite Street
- 718 Hite Street
- 720 Hite Street
- 736 Hite Street
- 50 Visco Court
- 51 Visco Court

The ordinance provides that future amendments may be approved by resolution of the council. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2008-440 (TOLER, HUNT & OTHERS) – This ordinance authorizes the acquisition and acceptance of 44 easements required for use in public projects to be completed by the department of water and sewerage services. The easements have been executed by the respective property owners for the following properties:

<u>Easement Address</u>	<u>Council District</u>
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608 Claridge Drive	15
612 Claridge Drive	15
613-A Claridge Drive	15
614-A Claridge Drive	15
5024 Trousdale Drive	26
500 Barrywood Drive	26
415 Barrywood Drive	26
412 Barrywood Drive	26
101-A Radnor Street	16
238 Sunrise Avenue	16
811 Carlyle Place	16
813 Carlyle Place	16
Creek Trail Drive	03
4146 Brick Church Pike	03
Coarsey Drive	13
1213 Coarsey Drive	13
1215 Coarsey Drive	13
1217 Coarsey Drive	13
1221 Coarsey Drive	13
1222 Coarsey Drive	13
1226 Coarsey Drive	13
1228 Coarsey Drive	13
1232 Coarsey Drive	13
1216 Ainlay Drive	13
2303 Selma Avenue	15
2305 Selma Avenue	15
2307 Selma Avenue	15
2308 Selma Avenue	15
2309 Selma Avenue	15
2312 Selma Avenue	15
2308 Castlewood Drive	15
2311 Selma Avenue	15
2316 Castlewood Drive	15
1213 Lone Oak Road	25
1215 Lone Oak Road	25
1217 Lone Oak Road	25
1219 Lone Oak Road	25
4421 Lone Oak Road	25
108 Jamesborough Court	25
112 Jamesborough Court	25
2605 Ravine Drive	29

The ordinance provides that future amendments may be approved by resolution of the council. This ordinance has been approved by the planning commission.

ORDINANCE NOS. BL2009-441 (GILMORE, TOLER & OTHERS) – This ordinance authorizes the acceptance of easements for various stormwater projects in Davidson County. These

easements are being acquired at no cost to the Metropolitan Government. This ordinance authorizes the acceptance of 30 easements for the following properties:

<u>Easement Address</u>	<u>Council District</u>
2356 Gallatin Pike	4
4145 Lebanon Pike	11
317 Myatt Drive	9
1201 Murfreesboro Pike	11
648 Grassmere Park	26
2600 Music Valley Drive	15
618 Thompson Lane	17
5711 Granny White Pike	34
2318 Cruzen Street	17
719 Thompson Lane	16
816 Old Hickory Boulevard	9
818 Old Hickory Boulevard	9
820 Old Hickory Boulevard	9
1713 Broadway	19
5144 Hickory Hollow Parkway	32
Pearl Street, unnumbered	19
Cedar Grove Road, unnumbered	2
1701 Cedar Grove Road	2
Cedar Grove Road, unnumbered	2
8267 Collins Road	35
88 Polk Avenue	17
Polk Avenue, unnumbered	17
6030 Dana Way	32
6040 Dana Way	32
Eatons Creek Road, unnumbered	1
Old Hickory Boulevard, unnumbered	32
1320 Rosa L. Parks Boulevard	19
5606 Clarksville Pike	3

This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2009-443 (CRADDOCK) – This ordinance amends the Metro Code to give the transportation licensing commission the authority to regulate the booting of vehicles. This is a companion to Ordinance No. BL2009-434, which would amend the wrecker provisions in the code to prohibit private companies from engaging in booting. Since the transportation licensing commission is responsible for the regulation of wrecker companies, “booting” should be added to the list of services for which the transportation licensing commission has jurisdiction to ensure the effectiveness of BL2009-434.

ORDINANCE NO. BL2009-444 (GILMORE, TOLER & OTHERS) – This ordinance authorizes the Metropolitan Government to enter into a utility relocation contract with the state department of transportation (TDOT) to relocate certain department of water and sewerage services’ facilities required by TDOT’s interchange improvement project at Interstate 65 and 8th

Avenue. Metro will be responsible for 100% of the relocation costs, estimated to be \$201,370, which will be paid from the water and sewer extension and replacement fund. This is a typical agreement entered into by Metro and TDOT for the relocation of utilities associated with TDOT improvement projects.

ORDINANCE NOS. BL2009-445 THROUGH BL2009-449 – These five ordinances authorize the acquisition and acceptance of various easements required for use in public projects to be completed by the department of water and sewerage services. The ordinances provide that future amendments may be approved by resolution of the council. These ordinances have been approved by the planning commission.

Ordinance No. BL2009-445 (TOLER & FORKUM) accepts 29 easements for the Holt Road project in council district 31.

Ordinance No. BL2009-446 (GOTTO, TOLER & CLAIBORNE) accepts the following easements to permit construction of various grinder pump projects:

Property Address / Council District

- 2109 Christina Court – 12
- 2001 Rachael's Spring Road – 12
- 2133 Christina Court – 12
- 2149 Christina Court – 12
- 309 Rachael's Meadow Court – 12
- 2423 Pennington Bend Road – 15
- 3813 Leona Pass – 12

Ordinance No. BL2009-447 (FORKUM & TOLER) accepts five easements for the Lovell Street project in council district 9.

Ordinance No. BL2009-448 (MOORE & TOLER) accepts two easements for property located at 100 Athens Way and 2136 Utopia Avenue.

Ordinance No. BL2009-449 (GILMORE & TOLER) accepts an easement for property located at 241 Haynes Park Drive.

ORDINANCE NOS. BL2009-450 & BL2009-451 – These two ordinances authorize the acceptance of easements for various stormwater projects in Davidson County. These easements are being acquired at no cost to the Metropolitan Government. This ordinance has been approved by the planning commission.

Ordinance No. BL2009-450 (EVANS, FORKUM & OTHERS) accepts 19 easements, which have been executed by the respective property owners for the following properties:

Property Address / Council District

- 1809 Dabbs Avenue – 15
- 1815 Dabbs Avenue – 15
- 6670 Charlotte Pike – 20
- 8002 Highway 100 – 35
- 1100 – 4th Avenue North – 19

1114 – 4th Avenue North – 19
2500 Hart Street – 5
900 River Bluff Drive – 9
5701 Old Harding Pike – 23
Elm Hill Pike, unnumbered – 15
6922 Highway 70 South – 23
1716 Rosa L. Parks Boulevard – 19
700 Garfield Street – 19
702 Garfield Street – 19
708 Garfield Street – 19
1705 – 7th Avenue North – 19
1707 – 7th Avenue North – 19
1707-B – 7th Avenue North – 19
1709 – 7th Avenue North – 19

Ordinance No. BL2009-451 (FORKUM, TOLER & OTHERS) accepts 25 easements, which have been executed by the respective property owners for the following properties:

Property Address / Council District

660 Massman Drive – 15
3786 Central Pike – 14
811 Gale Lane – 17
821 Lischey Avenue – 5
823 Lischey Avenue – 5
825 Lischey Avenue – 5
827 Lischey Avenue – 5
1124 Myatt Boulevard – 9
13000 Old Hickory Boulevard – 32
Bellevue Road, unnumbered – 22
103 Bellevue Road – 22
Old Hickory Boulevard, unnumbered – 14
Old Hickory Boulevard, unnumbered – 14
Old Hickory Boulevard, unnumbered – 14
1914 Charlotte Avenue – 19
521 Old Hickory Boulevard – 22
4221 Hurricane Creek Boulevard – 32
5821 River Road – 17
5825 River Road – 17
5827 River Road – 17
6030 Dana Way – 32
75 Lester Avenue – 17
5109 Moss Road – 35 (Easement 1-1)
5109 Moss Road – 35 (Easement 1-2)
McGavock Pike, unnumbered – 15

ORDINANCE NOS. BL2009-452 through BL2009-455 – These four ordinances abandon water and sewer lines, drainage pipes and easements that are no longer being used by the department of water and sewerage services. These ordinances have been approved by the planning commission.

Ordinance No. BL2009-452 (HARRISON & TOLER) abandons a 10 foot public drainage easement and a 35 foot public drainage easement that will be replaced by a variable width easement located at 100 Athens Way.

Ordinance No. BL2009-453 (TOLER & BAKER) abandons an 8 inch sanitary sewer line and easement and accepts a relocated 8 inch sanitary sewer line and easement plus 3 manholes in connection with the Hill Center project located at 6604 and 6616 Charlotte Pike.

Ordinance No. BL2009-454 (MOORE & TOLER) abandons a 10 foot public storm drainage easement and accepts a relocated 15 foot public drainage easement for the Utopia Avenue project located at 2136 Utopia Avenue.

Ordinance No. BL2009-455 (MCGUIRE & TOLER) abandons 181 feet of an existing 8 inch sanitary sewer line and easement, and accepts 326 feet of relocated 8 inch sanitary sewer line and easement in connection with the Echo Hill Drive sewer relocation project.