

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director
Metropolitan Council Office

DATE: **May 18, 2010**

RE: **Analysis Report**

Balances As Of:	<u>5/12/10</u>	<u>5/13/09</u>
<u>GSD 4% RESERVE FUND</u>	* \$13,232,956	\$5,912,251
<u>GENERAL FUND UNDESIGNATED FUND BALANCE</u>		
GSD	\$20,566,186	\$19,520,967
USD	\$22,180,965	\$13,510,632
<u>GENERAL PURPOSE SCHOOL FUND UNRESERVED FUND BALANCE</u>		
	\$27,354,569	\$52,554,640

* Assumes estimated revenues in fiscal year 2010 in the amount of \$23,023,700

– RESOLUTIONS –

RESOLUTION NO. RS2010-1200 (PAGE) – This resolution approves the election of certain notaries public for Davidson County. This is a housekeeping resolution that by council rule is typically approved at council zoning public hearing meetings. This resolution is appearing on the May 18 agenda due to the cancellation of the May 4 meeting.

RESOLUTION NO. RS2010-1201 (STEINE) – This resolution authorizes the issuance, sale, and payment of general obligation improvement and refunding bonds in a principal amount not to exceed \$775 million. The primary purpose of this transaction is to achieve debt savings over the next couple of years, thus freeing up funds to be used to pay a portion of the operational costs of the Metropolitan Government. As the council is aware, the current economic recession has had a dramatic impact on our tax revenues. At the same time, the Metropolitan Government has certain obligations, including pension and contractual obligations, that it must meet. This leaves the government with essentially three options: (1) cut services; (2) increase taxes; (3) or restructure a portion of our debt to free up some operating money on a short term basis. The mayor is proposing the third option in order to fund his proposed fiscal year 2011 operating budget, which has resulted in the filing of this bond resolution.

The bond resolution has two primary components. The first is a restructuring of approximately \$190 million in Metro debt. The plan is to refund a portion of the bonds issued between 1996 and 2008. This refunding will result in a debt savings over the next three years as follows:

2010	\$77,246,085
2011	\$54,443,822
2012	\$9,494,121
Total	\$141,184,028

In order to achieve these upfront savings, Metro will obviously be increasing the debt the government has to pay later. The amount of increased debt payments for fiscal years 2014 through 2020 as a result of this restructuring is as follows:

2014	\$16,975,537
2015	\$37,081,022
2016	\$33,592,442
2017	\$40,839,500
2018	\$40,167,000
2019	\$43,141,750
2020	\$16,760,500
Total	\$188,390,751

Thus, the net cost to Metro for this restructuring plan is \$47,459,429 (including a savings in 2021 of \$722,625). This debt restructuring plan will not have a material impact in the overall life of the debt. In fact, the plan will increase the average life of the debt by less than one year.

The second component of this plan is to issue approximately \$400 million in bonds to retire outstanding commercial paper and to finance some new projects that were authorized by the council as part of the 2009 capital spending plan. Metro issues commercial paper as a form of (continued on next page)

RESOLUTION NO. RS2010-1201 (continued)

short term financing to provide funds for design and construction costs incurred prior to the issuance of the long term bonds. This program allows Metro to issue variable rate tax-exempt commercial paper with varying maturity dates ranging from 1 day to 270 days. Metro's commercial paper program was amended in 2007 to increase the amount of commercial paper that can be outstanding at any one time from \$200 million to \$400 million. This resolution will refund approximately \$150 million in tax exempt commercial paper using general obligation bonds. The resolution will also authorize the issuance of Build America Bonds (BABs) in the amount of \$252 million to retire commercial paper issued after the date the Build America Bond Program was authorized by Congress as part of the American Recovery and Reinvestment Act (the federal stimulus plan). BABs are taxable bonds that are issued at a higher interest rate than tax exempt bonds. However, the federal government pays 35% of the interest payments on the bonds, which makes the true interest cost to Metro lower than standard tax exempt bonds. The council approved the issuance of BABs for a large portion of the convention center debt in January 2010. The Build America Bonds program has been very popular among states and municipalities, but it is subject to modification by Congress at any time, including a reduction or elimination of federal funding for the program.

Although this resolution authorizes the issuance of bonds up to \$775 million, the bond issue will most likely be approximately \$581 million, unless interest rates are even more favorable at the time the bonds are to be issued in early June and it becomes advantageous to Metro to refund additional bonds.

Goldman Sachs will act as the lead underwriter on the bonds, which basically means they will be marketing the bonds for sale to investors. Metro's financial advisor, Wayne Placide of First Southwest Company, does not anticipate that this debt restructuring will negatively impact the government's AA bond rating. Under state law, all such refunding bond plans must be submitted to the director of state and local finance who has 15 days to issue a report. The refunding plan was submitted to the state on April 30, 2010, so the council will have the report prior to acting on the bond resolution May 18th.

As noted above, the savings from this debt restructuring is appropriated for use in the mayor's proposed fiscal year 2011 operating budget. Therefore, this resolution should be considered by the council at the May 18th meeting so that the bonds can be sold prior to final consideration of the operating budget in June.

RESOLUTION NO. RS2010-1202 (STEINE) – This resolution authorizes the submission of an application for a foreign trade zone site expansion. The mayor's office of economic and community development is the local agency that manages foreign trade zone #78 in the Nashville area. These zones are established under federal law for the purpose of stimulating and expediting international commerce by exempting goods from the payment of U.S. customs tariffs while they are in the zone. Such zones are designated by the U.S. department of commerce and must be within 60 miles or 90 minutes driving time from a U.S. customs and border protection port of entry.

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RESOLUTION NO. RS2010-1202 (continued)

This resolution approves an application for expansion of the foreign trade zone to include the following new sites:

- 300 and 407 New Sanford Road in LaVergne, TN – 55.07 acres
- Clarksville Commercial Park in Clarksville, TN – 1,546 acres
- River Chase on 41-A Bypass in Clarksville, TN – 139 acres
- Nystar on Zinc Plant Road in Clarksville, TN – 500 acres
- Gallatin Industrial Center in Gallatin, TN – 451 acres

There is no cost to the Metropolitan Government for administering the foreign trade zone program, as all costs are borne by the private companies operating the zones. Metro actually receives monthly payments from the private companies. Nashville's foreign trade zone #78 was established in 1983.

RESOLUTION NOS. RS2010-1203 & RS2010-1204 – These two resolutions appropriate community development block grant (CDBG) funds for improvements in the Bordeaux Hills and Chestnut Hill neighborhoods. CDBG funds are designated by federal law to be used for affordable housing activities and for neighborhood community improvement projects. Plans for these improvements are available for review at the offices of the Metropolitan development and housing agency.

Resolution No. RS2010-1203 (Matthews & Moore) – appropriates \$550,000 in CDBG funds for the Bordeaux Hills neighborhood strategy area. These funds will be used for the construction of new sidewalks on portions of Panorama Drive and Hinkle Drive, installation of signage throughout the neighborhood, and improvements to Bordeaux Gardens Park.

Resolution No. RS2010-1204 (Moore) – appropriates \$65,000 in CDBG funds for the installation of bus benches and to establish a community garden in the Chestnut Hill neighborhood.

RESOLUTION NO. RS2010-1205 (BAKER & STEINE) – This resolution approves an application for a grant in the amount of \$199,900 from the U.S. department of justice to the state trial courts to reduce recidivism rates among felony offenders with mental health and substance abuse disorders. These funds will be used to support the state trial courts' community corrections program. This program provides alternative punishments for non-violent offenders consisting of offender supervision, residential programs, and day reporting center programs. Specifically, these funds will be used to contract with a contract family nurse practitioner to provide physical assessments and medication management. The funds will also provide out-patient services and case management. There would be a required in-kind local match of \$49,975.

RESOLUTION NO. RS2010-1206 (STEINE) – 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 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. RS2010-1207 (STEINE & BAKER) – This resolution approves an application for a grant in the amount of \$399,999.54 from the state department of transportation to the Metropolitan police department to enhance enforcement of driving under the influence (DUI) laws. This is a continuation grant that is to provide funds for the police department to pay overtime wages for officers conducting enhanced DUI enforcement at targeted locations between the hours of 7:00 p.m. and 3:00 a.m. on Thursdays, Fridays and Saturdays, and on those holidays historically associated with heavy alcohol consumption. The funds will also be used to staff strategically placed sobriety check points on these holidays.

RESOLUTION NO. RS2010-1208 (STEINE & BAKER) – This resolution approves a grant in the amount of \$10,000 from the national Sheriff's Association (NSA) to the Davidson County sheriff's office for an iris biometric identification system. This grant is being provided on behalf of the U.S. department of justice, office of community oriented policing services, who awarded funding to the NSA to provide these biometric identification systems to 45 sheriff's offices and law enforcement agencies across the nation. This technology uses a camera system to convert pictures of the eye into digital templates that can be used to better identify registered sex offenders and to enhance the identification of inmates.

RESOLUTION NO. RS2010-1209 (STEINE & BAKER) – This resolution approves a cooperative agreement between the U.S. department of homeland security and the mayor's office of emergency management (OEM) for maritime infrastructure enhancement to prevent, respond and to recover from threats of terrorism. Under this agreement, the department of homeland security will provide \$1,560,071 for security enhancements along the river including a camera system and various waterway equipment. There is a required local match of \$390,017.75. A portion of the funds will be awarded to sub-recipients for specific projects approved by the federal government, but OEM will administer the grant funds. The term of this agreement is from June 1, 2009, through May 31, 2012.

RESOLUTION NO. RS2010-1210 (BAKER & STEINE) – This resolution approves a contract between the Metropolitan Government and Acme Auto Leasing for the lease of a vehicle for the police department gang unit. The police department will be leasing a 2010 Chevrolet Traverse for a three year term to be paid in yearly installments of \$9,409.68. Metro will be able to purchase the vehicle at the end of the lease term for one dollar. The funding for this lease has been made available through a grant.

The Metropolitan Code provides that the lease of equipment in excess of \$5,000 per year must be approved by resolution of the council.

RESOLUTION NO. RS2010-1211 (STEINE & HUNT) – This resolution approves an annual joint funding agreement between the department of water and sewerage services and the U.S. department of interior – geological survey for the continuation of a program of water resources investigation. The federal government will provide \$97,450 for this program, with a local match of \$97,450 to be provided by the department of water and sewerage services. This annual contract provides streamflow monitoring at six sites and continuous water-quality monitors at four sites within the area of the Metropolitan Government. The term of the contract is from July 1, 2010, through June 30, 2011.

RESOLUTION NO. RS2010-1212 (ADKINS, HUNT & OTHERS) – This resolution approves an agreement between the state department of transportation (TDOT) and the department of public works for proposed sidewalk and bikeway enhancements along Harding Place from Timberhill Drive to Danby Drive. TDOT has awarded \$862,840.20 to construct 3,200 linear feet of sidewalk and bikeways along the south side of Harding Place. There is a required local match of \$220,133 to be provided through capital funds. This project is to be completed not later than August 25, 2014. Metro will be responsible for providing all of the necessary right-of-way and easements, and will be responsible for both the engineering and construction phases.

RESOLUTION NO. RS2010-1213 (MATTHEWS & STEINE) – This resolution approves a grant in the amount of \$15,000 from the Metropolitan development and housing agency (MDHA) to the Metropolitan board of parks and recreation for summer enrichment programs for youth. MDHA has funding available for these activities as part of the federal community development block grant program. These funds will be used to provide recreational, educational, social, and cultural art activities for youth in the Cleveland Park neighborhood between June 7 and August 9, 2010. There is a required in-kind match of \$20,400.

RESOLUTION NO. RS2010-1214 (MATTHEWS & STEINE) – This resolution approves a grant in the amount of \$70,000 from the Friends of Centennial Park and the Parthenon to the Metropolitan parks department to provide funding for a full-time Metro parks employee. These funds will be used to pay the salary for the position of President of the Conservancy. There is a required local match of \$25,186 to be provided by the parks department to cover the fringe benefit cost associated with the position.

RESOLUTION NO. RS2010-1215 (STEINE & TYGARD) – This resolution approves an annual grant in the amount of \$550,000 from the state department of health to the Metropolitan board of health for implementation of the state immunization program. The term of this grant is from January 1, 2010, through December 31, 2011. This grant, comprised of \$131,900 in state funds and \$418,800 in federal pass-through funds, will be used to pay the salaries and benefits of health department employees who provide the immunization services.

RESOLUTION NO. RS2010-1216 (STEINE & TYGARD) – This resolution approves a contract between the health department and Matthew Walker Comprehensive Health Center, Inc., for a licensed clinical social worker to provide initial behavioral health evaluations for all new Healthy Start Program participants. The Healthy Start Program supports first time parents by teaching parenting skills and providing information about child health. Matthew Walker is to be paid \$12,100 to perform the behavioral health evaluations. The term of the agreement is one year from the date of approval, with a possible extension of two additional one-year terms. Matthew Walker is required to maintain general and professional liability insurance with minimum policy limits of \$1 million.

RESOLUTION NO. RS2010-1217 (STEINE & TYGARD) – This resolution approves an annual grant in the amount of \$153,000 from the state department of health to the Metropolitan board of health for food safety services. These federal pass-through funds are to be used to pay the 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, 2010, through December 31, 2010.

RESOLUTION NO. RS2010-1218 (STEINE) – This resolution authorizes the department of law to compromise and settle the Metropolitan Government’s property damage claim against Philip Beisswenger in the amount of \$15,451.24. On July 24, 2009, a Metro police officer was stopped in traffic on Woodmont Boulevard when the rear of his patrol car was struck by a vehicle driven by Mr. Beisswenger, causing the officer to collide with the vehicle in front. The impact caused significant damage to the front and rear of the patrol car. This resolution accepts the full amount to repair the patrol car.

RESOLUTION NO. RS2010-1219 (STEINE) – This resolution authorizes the department of law to compromise and settle the Metropolitan Government’s property damage claim against Maury Santulli in the amount of \$12,000. On December 31, 2009, a Metro police officer was stopped on the exit ramp from I-40 East to I-440 helping a stranded motorist when his patrol car was struck by a vehicle driven by Mr. Santulli. According to the accident report, Mr. Santulli was driving too fast for the wet road conditions and lost control of the car. This resolution accepts the fair market value of the patrol car, which was deemed a total loss.

RESOLUTION NO. RS2010-1220 (STEINE) – This resolution authorizes the department of law to settle the lawsuit of Emmanuel C. Akre against the Metropolitan Government for the amount of \$19,500. On May 28, 2009, a Metro parks employee was traveling on I-24 West merging with I-40 West in the lane next to Mr. Akre’s vehicle. Another car with an unknown driver merged in front of both vehicles and slowed. The Metro employee swerved to avoid rear-ending the vehicle and collided with Mr. Akre’s vehicle. Mr. Akre sustained neck and back injuries resulting in medical expenses totaling \$11,903.

The department of law recommends settling this lawsuit for \$19,500 since the Metro employee was at fault for making an improper lane change. This amount is to be paid from the self-insured liability fund.

RESOLUTION NO. RS2010-1221 (STEINE) – This resolution authorizes the department of law to settle the property damage claim of Arnold Bailey against the Metropolitan Government for the amount of \$12,684.18. On September 12, 2009, Metro water services was working to clear a blocked sewer line, which resulted in a sewage back up into Mr. Bailey’s home on Clearlake Drive. This settlement reimburses Mr. Bailey for the amount spent to restore the home. This amount is to be paid from the self-insured liability fund.

RESOLUTION NO. RS2010-1222 (STEINE) – This resolution authorizes the department of law to settle the lawsuit of Edna Tomlin against the Metropolitan Government for the amount of \$9,400. On August 7, 2009, a Metro fire and EMS crew responded to an emergency call at Ms. Tomlin’s home. The 911 call by Ms. Tomlin’s daughter indicated that Ms. Tomlin, who was 86 years-old, had been suffering with stomach problems and chest pain, and that she was unresponsive at times. The EMS and fire employees were unable to get a stretcher into Ms. (continued on next page)

RESOLUTION NO. RS2010-1222 (continued)

Tomlin's home. Instead of using a patient carrier to get Ms. Tomlin out of the house, as they had been trained, two firemen carried Ms. Tomlin out by hand. This caused severe skin tears on her legs and bruising to her arms and legs. Ms. Tomlin incurred medical bills totaling \$3,000 and lost wages in the amount of \$1,351 as a result of the injuries sustained from being carried out of the home.

The department of law recommends settling this lawsuit for \$9,400 since the Metro employees deviated from their training by not using a patient carrier. If the case were to go to trial, Ms. Tomlin would likely be awarded more than the settlement amount. This amount is to be paid from the self-insured liability fund.

– BILLS ON SECOND READING –

ORDINANCE NO. BL2007-64 (STANLEY) – This zoning text change amends the urban design overlay (UDO) provisions in the zoning code to require that the development of UDOs be divided into separate phases, and to require council approval of final UDO site plans. The purpose of the UDO zoning provisions is to allow for the implementation of special design standards for urban settings in a manner that varies from the conventional bulk standards. The zoning code requires a design plan for each UDO, which must be considered by the planning commission and approved by the council by ordinance. Once the preliminary site plan has been approved by the council, the planning commission is responsible for considering the final site plans to ensure that the design standards of the district have been satisfied and that the construction plans are consistent with the preliminary plan.

First, this ordinance would require all UDOs to be divided into separate phases, which must be approved by the council. Although the development of most UDOs are divided into separate phases anyway, there is no express requirement in the zoning code. Second, this ordinance would require all final site plans to be submitted to the council for approval upon being approved by the planning commission. This would involve a separate zoning ordinance for each final UDO site plan to be approved by the council after holding a public hearing on the matter.

This ordinance was disapproved by the planning commission on December 13, 2007, but has been re-referred to the planning commission since the commission's recommendations are only valid for two years.

ORDINANCE NO. BL2010-652 (JAMESON & DOMINY) – This ordinance amends the Metropolitan building code to specifically allow the use of alternative lighting forms in the common halls and stairways of residential buildings. The code requires the common halls and stairways to be lighted at all times with at least a 60-watt incandescent light bulb for each 200 square feet, or equivalent illumination. This ordinance would clarify that "equivalent illumination" includes the use of compact fluorescent lights and light emitting diodes, which use less electricity than standard incandescent bulbs.

ORDINANCE NO. BL2010-676 (BAKER & LANGSTER) – This ordinance authorizes the police department to accept the donation of a Tennessee walking horse named The Autobahn. This horse will be used by the police department's mounted patrol unit. The Autobahn is being donated by Rhonda A. Martocci of Franklin, Tennessee.

ORDINANCE NO. BL2010-677 (BAKER, HUNT & LANGSTER) – This is essentially a housekeeping ordinance to clarify the correct size of a sanitary sewer line abandonment and relocation in connection with the Hill Center project located at 6604 and 6616 Charlotte Pike. Ordinance No. BL2009-453, approved by the council in June 2009, abandoned an 8 inch sanitary sewer line and easement and accepted a relocated 8 inch sanitary sewer line and easement plus 3 manholes. This ordinance repeals Ordinance No. BL2009-453, abandons a 21 inch sanitary sewer line and easement, and accepts a replacement 21 inch sewer line and easement along with three manholes.

This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2010-678 (HUNT) – This ordinance amends the Metropolitan Code pertaining to industrial waste discharges. The department of water and sewerage services (MWS) is required by state and federal regulations to provide limitations on industrial waste discharges and to adjust the limits periodically to meet state and federal pretreatment standards. The purpose of these regulations is to prevent the discharge of harmful pollutants by industrial establishments in the sewer system. In 2005, the U.S. environmental protection agency approved a “pretreatment streamlining rule” in further implementation of the Clean Water Act. This ordinance will make our Code provisions consistent with the latest regulations.

This ordinance includes expanded definitions pertaining to industrial waste discharges and updated pretreatment requirements. The ordinance also includes a mechanism for MWS to file its wastewater plant limits with the Metropolitan clerk’s office as opposed to codifying these limits in the Metro Code. The purpose of this change is to facilitate future changes of the plant limits as the state requirements change. MWS does not expect these changes to have a major impact on industrial customers. This ordinance has been approved by the wastewater hearing authority and the Tennessee department of environment and conservation.

– BILLS ON THIRD READING –

ORDINANCE NO. BL2010-622 (JERNIGAN) – This ordinance, as amended, amends the Metro building code to require that notice be sent to the district councilmember upon the filing of a permit to erect a temporary structure. The building codes require that a permit be obtained from the department of codes administration prior to erecting a tent or other temporary structure greater than 120 square feet in size that is intended for use by ten or more persons. This ordinance would require the codes department to notify the district councilmember by electronic mail whenever a permit for a temporary structure in their district is filed.

SUBSTITUTE ORDINANCE NO. BL2010-637 (HUNT & TOLER) – This ordinance amends the restrictions in the zoning code to allow recycling operations at recycling facilities to be conducted outdoors. The Zoning Code only allows recycling facilities as a use permitted with conditions (PC) use in the industrial districts. A recycling facility is defined in the Zoning Code as any facility that separates, processes, converts, treats, or otherwise prepares non-putrescible waste for recycling. Non-putrescible waste consists of material that is not capable of decomposing. Such facilities are required to meet certain conditions in order to operate as a recycling facility. These conditions include the following:

1. A minimum lot size of one acre;
2. A building setback of at least 150 feet from a residential zoning district or legally occupied residential structure;
3. Driveway access can be from a local street as long as the street is not bounded by any residential zoning district from the driveway to an intersection with a collector or major street;
4. Opaque fencing at least eight feet in height is required along all zoning districts permitting residential uses. For facilities not adjacent to zoning districts permitting residential uses, the entire facility must be enclosed by an eight-foot tall chain link fence;
5. All sorting and separation activity must take place within an enclosed structure;
6. The enclosed areas of recycling facilities must have concrete floors, and high traffic areas around the facilities must be paved;
7. The hours of operation are limited from 7:00 a.m. to 6:00 p.m. for any facility adjacent to a zoning district permitting residential uses; and
8. Light and glare must be directed on-site for facilities adjacent to a zoning district permitting residential uses.

The requirement that the recycling operations take place entirely within an enclosed structure has acted as a barrier to the opening of these facilities, which has likely resulted in more debris being taken to landfills.

This ordinance would delete the requirement in the Zoning Code that the compacting, sorting, processing or storage of materials at recycling facilities take place entirely within an enclosed building unless the facility is located within 1,000 feet of certain residentially-zoned districts. It is important to point out that under this substitute only a small number of sites in Davidson County would be eligible for outdoor recycling. Most of these available sites are located in the Cockrill Bend, Omohundro, and Sidco industrial areas.

This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2010-649 (BAKER) – This ordinance amends the wrecker equipment provisions in the Metro Code to allow emergency wrecker service operators to use their flashing yellow lights while en route to an emergency incident. The code currently only allows the yellow rotating lights to be used when the wrecker is in the process of removing and towing a vehicle. This ordinance would allow the yellow beacon lights to be used prior to reaching the location of the incident if the wrecker operator is responding to an incident called in by the emergency communications center and if traffic has slowed as a result of the accident so as to prevent the wrecker from arriving within 30 minutes after receiving the call. This ordinance does not allow emergency wreckers to ignore speed limits and other traffic laws.

This ordinance has been approved and requested by the transportation licensing commission.

ORDINANCE NO. BL2010-651 (JERNIGAN & CLAIBORNE) – This ordinance amends the Metropolitan Code regarding the parking of large trucks and buses on residential property. The code includes parking restrictions for these vehicles on public streets, but currently does not prohibit them from being parked on private residential property as long as they are parked on a paved or graveled driveway. This ordinance would prohibit vehicles with a maximum axle-load capacity of 1-½ tons and tractor-trailers from being parked on any residential property containing a single or two-family home. The ordinance includes an exemption for school buses, provided the bus is operated by a K-12 public school system or private school, the driver of the bus resides on the premises, and no more than one bus is parked on the property.

This code amendment was prepared with the assistance of the department of codes administration.

ORDINANCE NO. BL2010-653 (TOLER, STEINE & HUNT) – This ordinance authorizes the Metropolitan Government to enter into a participation agreement with Regent Highpoint, LLC to provide public sewer service to the High Point subdivision on Nolensville Pike. In 1998, the department of water and sewer services expanded the Mill Creek trunk sewer lines in anticipation of private developments tying on to the system. Pursuant to this agreement, Regent Highpoint will contribute \$192,000 toward the cost of the project in aid of construction for a total of 96 units of sewer capacity. These funds are to be deposited into the water and sewer extension and replacement fund. This is a typical participation agreement entered into by the department of water and sewerage services whereby private property owners and/or developers contribute a portion of the cost to extend or upgrade public water and sewer service.

ORDINANCE NO. BL2010-654 (COLEMAN, STEINE & HUNT) – This ordinance authorizes the acquisition of three utility easements for the Mill Creek parallel sewer project. The estimated cost for this acquisition is \$15,000, which is to be paid from the water and sewer extension and replacement fund. The acquisition of additional easements for this same project may be approved by resolution.

This ordinance approves the acquisition of easements for the following properties:

1. Honeybrook Homeowner's Association common area
2. Hickory Park Drive, unnumbered
3. Claybrook Lane, unnumbered

This ordinance has been approved by the planning commission.

ORDINANCE NOS. BL2010-655, BL2010-656, & BL2010-657 – These three ordinances abandon portions of right-of-way that are no longer needed for government purposes. These ordinances have been approved by the planning commission and the traffic and parking commission.

Ordinance No. BL2010-655 (McGuire) abandons a portion of Crestview Drive between its terminus and the northeast corner of 3713 Crestview Drive. This closure has been requested by David Lipscomb University. All easements are being retained by the Metropolitan Government.

Ordinance No. BL2010-656 (Jernigan) abandons a portion of Saundersville Road at the northwest corner of Andrew Jackson Parkway and Saundersville Road. This closure has been requested by Virginia and Charles Turner. All easements are being retained by the Metropolitan Government.

Ordinance No. BL2010-657 (Page) abandons a portion of Hill Avenue from the northwest corner of 621 Hill Avenue to its terminus. This closure has been requested by Best One Nashville Realty Partnership. The ordinance also abandons all easements.