

TEXT OF PROPOSED CHARTER AMENDMENTS

<p>RS2008-431 (Gotto)</p>	<p>Article 2 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by adding the following new Section 2.03:</p> <p>"2.03. Use of eminent domain.</p> <p>A. The Metropolitan County Council shall be the ultimate authority in determining whether to use the power of eminent domain to acquire interests in real property for the use and benefit of the Metropolitan Government.</p> <p>B. From and after August 5, 2010, no Metropolitan Government department, agency, board or commission shall commence condemnation proceedings to acquire any interest in real property within the area of the Metropolitan Government of Nashville and Davidson County unless the Metropolitan Council specifically authorizes the use of eminent domain to acquire the particular property through the enactment of an ordinance to that effect.</p> <p>C. The provisions of this Section shall apply on a prospective basis to any Redevelopment Plan or Urban Renewal Plan to be administered by the Metropolitan Development and Housing Agency (MDHA) adopted pursuant to Chapter 20 of Title 13 of the Tennessee Code Annotated after August 5, 2010. The Metropolitan Council shall include a provision in each Redevelopment Plan or Urban Renewal Plan adopted after August 5, 2010 specifically reserving the power of eminent domain to the Council.</p> <p>D. The Metropolitan Council may adopt ordinances to further the intent and purposes of this section and aid in its implementation."</p> <p><u>FOR THE BALLOT</u></p> <p>This amendment provides that the Metropolitan Council is the ultimate authority for determining whether to use the power of eminent domain to acquire interests in real property on behalf of the Metropolitan Government. No Metropolitan Government department, agency, board or commission could commence condemnation proceeds to acquire interests in real property unless specifically authorized by the Metropolitan Council by ordinance. Further, the provisions of this amendment would apply prospectively to any Redevelopment Plan or Urban Renewal Plan implemented by the Metropolitan Development and Housing Agency adopted after the effective date of this amendment. The Council would have the authority to adopt ordinances to further the intent and purposes of this amendment and aid in its implementation.</p>
<p>RS2009-989 (Crafton/ Evans)</p>	<p>Article 7 of the Charter of the Metropolitan Government of Nashville and Davidson County, Bond Issues, shall be amended by adding the following new Section 7.21:</p> <p>Sec. 7.21 Referendum required prior to issuance of bonds for capital projects in excess of \$250,000,000.</p> <p>Notwithstanding any other provision of this charter to the contrary, there shall be held a referendum election prior to the issuance of any tax bonds or revenue bonds for the construction of any individual capital project with a total cost in excess of two hundred fifty million dollars (\$250,000,000) if any revenue of the metropolitan government is pledged for any portion of the bonds. The council shall adopt a resolution directing the holding of an election for the purpose of voting for or against the proposed bonds prior to issuance. For purposes of this section, "revenue" includes revenue from the ad valorem property tax, local option sales tax, hotel occupancy tax, tourist accommodation taxes, fines, fees, and/or any other general fund revenue. The referendum election required by this section shall be held in accordance with the procedures set forth in section 7.06 of this charter. The provisions of this section shall not apply to capital projects of the board of public education or the electric power board, nor shall this section apply to bonds issued for essential governmental infrastructure projects of the department of water and sewerage services or the department of public works.</p> <p><u>FOR THE BALLOT</u></p> <p>This amendment would require a referendum election prior to the issuance of any tax bonds or revenue bonds for the construction of any individual capital project with a total cost in excess of \$250,000,000 if any revenue of the metropolitan government is pledged for any portion of the bonds. "Revenue" would include revenue from the ad valorem property tax, local option sales tax, hotel occupancy tax, tourist accommodation taxes, fines, fees, and/or any other general fund revenue. No referendum election would be required for capital projects of the board of public education or the electric power board, or for bonds issued for essential governmental infrastructure projects of the department of water and sewerage services or the department of public works.</p>

	<p>Article 6 of the Charter of the Metropolitan Government of Nashville and Davidson County, Bond Issues, shall be amended by adding the following new Section 6.16:</p> <p>Sec. 6.16 Referendum required prior to pledge of revenue for capital projects in excess of \$250,000,000.</p> <p>Notwithstanding any other provision of this charter to the contrary, there shall be held a referendum election prior to the pledging of any revenues of the metropolitan government for any portion of the debt necessary for the construction of any individual capital project with a total cost in excess of two hundred fifty million dollars (\$100,000,000). The council shall adopt a resolution directing the holding of an election for the purpose of voting for or against the proposed bonds prior to issuance. For purposes of this section, "revenue" includes revenue from the ad valorem property tax, local option sales tax, hotel occupancy tax, tourist accommodation taxes, fines, fees, and/or any other general fund revenue. The referendum election required by this section shall be held in accordance with the procedures set forth in section 7.06 of this charter. The provisions of this section shall not apply to capital projects of the board of public education or the electric power board, nor shall this section apply to bonds issued for essential governmental infrastructure projects of the department of water and sewerage services or the department of public works.</p> <p><u>FOR THE BALLOT</u></p> <p>This amendment would require a referendum election prior to pledging any revenue of the metropolitan government for any portion of the debt necessary for the construction of any individual capital project with a total cost in excess of \$100,000,000. "Revenue" would include revenue from the ad valorem property tax, local option sales tax, hotel occupancy tax, tourist accommodation taxes, fines, fees, and/or any other general fund revenue. No referendum election would be required for capital projects of the board of public education or the electric power board, or for bonds issued for essential governmental infrastructure projects of the department of water and sewerage services or the department of public works.</p>
<p>RS2009-1020 (Wilhoite)</p>	<p>Section 11.502 of Chapter 5 and Section 11.901 of Chapter 9 of Article 11 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended as follows:</p> <p>I. Section 11.502 shall be amended by deleting the second sentence of the first paragraph in its entirety and substituting in lieu thereof the following new sentence:</p> <p>"The mayor shall serve as a member of the commission by virtue of his public office and one (1) member of the metropolitan county council shall be selected by that body from its membership to serve as a member of the commission for a term of two (2) years, provided that the member of council selected to serve on the commission shall not be eligible to serve a consecutive term."</p> <p>II. Section 11.901 shall be deleting the sentence, "One (1) member shall be a member of the council selected by the council for a term of two (2) years.", and substituting with the sentence, "One (1) member shall be a member of the council selected by the council for a term of two (2) years, provided that the member of council selected to serve on the commission shall not be eligible to serve a consecutive term."</p> <p><u>FOR THE BALLOT</u></p> <p>This amendment would prohibit the Members of Council selected by the Council to serve on the Metropolitan Planning Commission and Metropolitan Traffic and Parking Commission from serving a consecutive two-year term on the same Commission.</p>

<p>RS2010-1118 (Tygard)</p>	<p>Section 18.08 of Article 18 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by adding the following provision at the end of the first paragraph:</p> <p>"Notwithstanding the foregoing, retail food stores licensed by the State of Tennessee for the sale of wine shall be permitted to sell wine at such retail food stores within the area of the Metropolitan Government, regardless of whether the retail food store is located within the general services district or the urban services district."</p> <p><u>FOR THE BALLOT</u></p> <p>This amendment would allow retail food stores licensed by the State of Tennessee for the sale of wine to sell wine at such retail food stores within the area of the Metropolitan Government, regardless of whether the retail food store is located within the general services district or the urban services district.</p>
<p>RS2010-1119 (Forkum)</p>	<p>Section 12.05 of Article 12 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by deleting the provision of paragraph three and substituting with the following new provisions:</p> <p>"No employee in the metropolitan service may hold more than one position or employment in the metropolitan service except as follows:</p> <ul style="list-style-type: none"> (a) School personnel between school years may be employed to work in other departments; (b) Certificated school personnel may be employed on a part-time basis to teach community education classes; and (c) Employees in the metropolitan service may be employed by the metropolitan board of public education on a part-time basis to lead, teach, or coach students in extra-curricular activities and/or to serve as substitute teachers." <p><u>FOR THE BALLOT</u></p> <p>This amendment would allow employees of the Metropolitan Government to also serve as part-time employees of the Metropolitan Board of Public Education to lead, teach, or coach students in extra-curricular activities and/or to serve as substitute teachers, and would allow certificated employees of the Metropolitan Board of Public Education to teach community education classes on a part-time basis.</p>
<p>RS2010-1270 (Tygard)</p>	<p>Article 12 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by adding the following new Section at the end thereof:</p> <p>"Section 12. __. Council approval of department head salaries.</p> <p>Notwithstanding any other provision of this Charter to the contrary, the mayor shall submit to the council, not later than June 1 of each year, the recommended salaries for the subsequent fiscal year of all department directors appointed by the mayor. The council shall (1) adopt the mayor's salary recommendation by resolution receiving twenty-one (21) affirmative votes, or (2) adopt the same as amended but without modifying the recommendation except by uniform modification of all salaries, or (3) reject the same. If the mayor's department director salary recommendation is rejected by the council, it shall be returned to the mayor who shall thereupon formulate another salary recommendation for department directors for submission to the council in the manner set forth above. The previous fiscal year's salaries for department directors appointed by the mayor shall remain in effect until the mayor's new recommendation is approved by the council.</p> <p>Department director salaries shall not be modified during the fiscal year except in the event of filling a vacancy. If a vacancy in a department director position is filled by the mayor during the fiscal year and the mayor proposes a change in salary for the position, such new salary shall be submitted to the council for approval by resolution receiving twenty-one (21) affirmative votes."</p> <p><u>FOR THE BALLOT</u></p> <p>This amendment would require the mayor to annually submit the recommended salaries of all department directors appointed by the mayor for approval by the metropolitan council by resolution.</p>

<p>RS2010-1318 (Ryman/ Tygard/ Forkum)</p>	<p>Article 12 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by adding the following new Section:</p> <p>“Section 12.14. Residency requirements.</p> <p>Notwithstanding any other provision of this Charter to the contrary, every director, executive director, assistant director, deputy director, chief, assistant chief, and deputy chief of any department, board, commission, or agency of the metropolitan government created by this Charter or by ordinance, other than those who are employees of the electric power board, the metropolitan board of public education, or the airport authority, shall be a resident of the area of the Metropolitan Government and shall continue to reside therein as a condition of his/her employment. Any such director, executive director, assistant director, deputy director, chief, assistant chief, or deputy chief currently residing outside of the area of the Metropolitan Government shall have one hundred eighty (180) days in which to establish residency within the area of the Metropolitan Government.”</p> <p><u>FOR THE BALLOT</u></p> <p>This amendment would require that every director, executive director, assistant director, deputy director, chief, assistant chief, and deputy chief of any department, board, commission, or agency of the metropolitan government, other than the electric power board, the metropolitan board of public education, or the airport authority, be residents within the area of the Metropolitan Government. Persons currently serving in such positions that reside outside the area of Metropolitan Nashville-Davidson County would have one hundred eighty (180) days in which to establish residency within Metropolitan Nashville-Davidson County.</p>
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