

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director  
Metropolitan Council Office

DATE: **February 21, 2012**

RE: **Analysis Report**

Balances As Of:	<u><b>2/15/12</b></u>	<u><b>2/9/11</b></u>
<u>GSD 4% RESERVE FUND</u>	*\$25,836,951	\$23,996,590
<u>GENERAL FUND UNDESIGNATED FUND BALANCE</u>		
GSD	\$44,378,057	\$34,451,559
USD	\$8,556,677	\$24,263,010
<u>GENERAL PURPOSE SCHOOL FUND UNRESERVED FUND BALANCE</u>		
	\$34,449,193	\$27,099,790

**\* Assumes estimated revenues in fiscal year 2012 in the amount of \$24,098,500**

– RESOLUTIONS –

**RESOLUTION NO. RS2012-163** (MCGUIRE) – This annual resolution calls the Metropolitan board of equalization (MBE) into regular session convening June 1, 2012, and adjourning June 18, 2012, and calls the MBE into special session convening June 18, 2012, to complete any unfinished business regarding appeals on pro-rated assessments. The special session is not to extend beyond May 31, 2013. The MBE always meets during the month of June to hear appeals of assessments on real property. Historically, the MBE has been required to have special sessions to conclude its work due to the large number of appeals.

State law authorizes county legislative bodies to fix the number of days the board of equalization is to sit in regular session and to call the board into special session to complete unfinished business.

**RESOLUTION NO. RS2012-164** (MCGUIRE) – This resolution approves an application for a grant in the amount of \$100,000 from the state arts commission to the Metropolitan arts commission for general operational support. The arts commission typically receives an annual state grant to help cover its operating costs. If awarded, there will be a required local match of \$100,000.

**RESOLUTION NO. RS2012-165** (MCGUIRE) – This resolution approves an application for a grant in the amount of \$20,000 from Piedmont Natural Gas Foundation to the Metropolitan arts commission to create an educational curriculum for a flood-inspired art series. The arts commission has approved a project known as “Watermarks” to provide public art at six locations near neighborhoods most impacted by the 2010 floods. Six regional artists were chosen in January 2012 for this project. If awarded, these grant funds will be used to develop a K-5 school curriculum using the Watermarks project as source material to tie the public art in with the science curriculum.

**RESOLUTION NO. RS2012-166** (MCGUIRE) – This resolution approves a grant in the amount of \$90,652 from the state bureau of investigation to the office of the district attorney general to provide resources to review, coordinate, and prosecute gun-related crimes. These funds are used to cover the salary and benefits of an assistant district attorney. The grant letter attached to this resolution indicates that this grant is to cover a funding period of August 1, 2009 through July 31, 2012.

**RESOLUTION NO. RS2012-167** (MCGUIRE) – This resolution approves a grant in the amount of \$662,595.17 from the Tennessee emergency management agency to the Metropolitan Government for homeland security preparedness activities. These federal pass-through funds are used to implement the state homeland security strategy and the national preparedness goals through the purchase of equipment and training activities, including the support of first responders for medical emergencies.

The term of the grant is from October 1, 2011 through June 30, 2014.

**RESOLUTION NO. RS2012-168** (LANGSTER & MCGUIRE) – This resolution approves a grant in the amount of \$4,473,500 from the state department of health to the Metropolitan board of health to provide family planning services. Local health departments are required by state law to provide family planning services consisting of contraceptive supplies and information to all persons eligible for free medical services. The term of the grant is from July 1, 2012 through June 30, 2017. This grant has previously been awarded on an annual basis, but the state is now awarding the grant for a term of five years. This grant award consists of \$4,273,000 in federal funds and \$200,500 in state funds.

**RESOLUTION NO. RS2012-169** (LANGSTER & MCGUIRE) – This resolution approves an eleventh amendment to a contract for services 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 the 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. The funds paid to United Way under these contracts are federal pass-through funds provided for the program. The amendment increases the amount United Way is to be paid for providing these services by \$217,885, for a new total of \$4,438,469, and adds language required by the Federal Funding Accountability and Transparency Act.

**RESOLUTION NO. RS2012-170** (JERNIGAN, MCGUIRE & HUNT) - This resolution authorizes the acquisition of an easement for property located at 2601 Old Hickory Boulevard for the Lakewood Laterals and Rehabilitation project. The \$2,000 estimated cost for this acquisition will be paid from the sewer extension and replacement fund. Ordinance No. BL2011-36 approved in December 2011 authorized the acquisition of additional easements for this project to be approved by resolution. This easement acquisition has been approved by the planning commission.

**– BILLS ON SECOND READING –**

**ORDINANCE NO. BL2012-93** (CLAIBORNE & MCGUIRE) – This ordinance amends Ordinance No. BL2011-950 to define the owner of the property pertaining to the previously-approved payments in lieu of ad valorem taxes (PILOT) for the benefit of Standard Candy Company (Standard Candy). Standard Candy, located at 715 Massman Drive, in 2009 expanded its operations and facilities by adding fifteen thousand (15,000) square feet to the existing location. The project resulted in an additional two hundred thirty seven (237) employees within the area of the Metropolitan Government, providing significant employment for area citizens. In July 2011, the council approved Ordinance No. BL2011-950 to authorize the industrial development board (IDB) to negotiate a PILOT with Standard Candy to provide a 100% tax abatement for the first year and a 50% tax abatement for years two through five applicable to both the real property and the capital investment of personal property, machinery, and equipment associated with the expansion project.

Subsequent to the council's approval, it was discovered that Standard Candy is technically not the legal owner of the project. Rather, the property is owned by SFL&B, LLC, which is an affiliate of Standard Candy. This ordinance amends Ordinance No. BL2011-950 to add a provision defining "Standard Candy" as either the Standard Candy Company or an affiliate including but not limited to SFL&B, LLC.

**ORDINANCE NO. BL2012-94** (CLAIBORNE & HUNT) – This ordinance abandons approximately 530 feet of a 2-inch water main and easement for properties located at 2801 and 2815 Lebanon Pike at the southeast corner of Lebanon Pike and Donelson Pike. This water main and easement is no longer needed by Metro water services. Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2011-95** (DOWELL) – This ordinance renames Mt. View Parkway as "Crossings Boulevard". Mt. View Parkway is a short street connecting Hickory Hollow Parkway to Mt. View Road and Crossings Boulevard. The purpose of the name change is to assist the public in locating the Crossings area and to help geographically brand the area. This name change was requested by Council Member Jacobia Dowell.

This name change has been approved by the planning commission and referred to the emergency communications district board.

**ORDINANCE NO. BL2012-108** (TYGARD & WEINER) – This ordinance names the General Sessions Courtroom 1A located in the A.A. Birch Building in honor of Judge Leon Ruben. Judge Ruben passed away on October 7, 2011 after serving 30 years as a General Sessions Court judge. This ordinance names Courtroom 1A the "Judge Leon Ruben Courtroom."

The Metropolitan Code provides that no building or structure owned by the Metropolitan Government may be named except pursuant to an ordinance duly adopted by the Metropolitan Council.

**– BILLS ON THIRD READING –**

**ORDINANCE NO. BL2011-91** (WEINER, MITCHELL & OTHERS) – This ordinance amends the Metropolitan Code to require fiscal impact statements to be prepared for legislation pending with the council, other than zoning ordinances and non-binding memorializing resolutions. This ordinance is modeled after the state law requiring fiscal notes to be prepared by the fiscal review committee for state legislation. This impact statement would be prepared and distributed by the council office at least 48 hours before each council meeting. The fiscal note is to include a dollar estimate of the anticipated change in revenue, expenditures, or fiscal liability associated with the resolution or ordinance. The ordinance expressly provides that no opinion will be included in the fiscal statement as to the merits of legislation, although technical or mechanical defects may be noted.

The council office began implementing this policy the second meeting in January of this year. Although much of the information included in the fiscal note is also in the agenda analysis prepared by the council office, this ordinance will provide for a separate document containing information focused on the fiscal impact of the legislation.