



## METROPOLITAN COUNCIL

Metro Council Office

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director  
Metropolitan Council Office

DATE: **August 6, 2013**

RE: **Analysis Report**

Balances As Of:	<u>7/31/13</u>	<u>8/1/12</u>
<u>GSD 4% RESERVE FUND</u>	*\$44,745,372	\$37,313,524
<u>GENERAL FUND UNDESIGNATED FUND BALANCE</u>		
GSD	Unavailable	Unavailable
USD	Unavailable	Unavailable
<u>GENERAL PURPOSE SCHOOL FUND UNRESERVED FUND BALANCE</u>		
	Unavailable	Unavailable

**\* Assumes estimated revenues in fiscal year 2014 in the amount of \$26,373,400**

– RESOLUTIONS –

**RESOLUTION NO. RS2013-785** (MATTHEWS) – This resolution authorizes the submission of an application to request a subzone status with manufacturing authority for DHL as part of foreign trade zone #78. The mayor's office of economic and community development manages foreign trade zone #78 in Tennessee. Foreign trade 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.

This application requests the federal government to grant subzone status to DHL Global Forwarding located at 317 Air Freight Boulevard, Suite 318 in Nashville. The resolution also approves an agreement between Metro and DHL for the operation of the foreign trade subzone. There is no cost to the Metropolitan Government for administering the foreign trade zone program. Metro is to receive an administrative fee from the DHL if the subzone status is granted. The agreement to be approved by this resolution provides that the amount of the administrative fee to be paid to Metro is to be attached to the agreement as an exhibit. However, no such exhibit was attached to the agreement when it was filed with the Metro clerk.

**RESOLUTION NO. RS2013-786** (MATTHEWS) – This resolution approves a second amendment to the intergovernmental agreement between the Metropolitan Government and the sports authority related to the Bridgestone arena for the benefit of the Nashville Predators. The initial agreement provided that the bonds backed by ticket tax revenues were issued for the purpose of paying the inducement fee to the Predators when the team first came here, but the agreement did not contemplate the issuance of future debt.

The bond resolution approved by the council on July 16, 2013 for the construction of the new hockey facility in Antioch provided that the bonds were to be secured by the arena ticket tax revenue. It is necessary that the intergovernmental agreement be amended to provide for the use of the ticket tax revenues for the payment of the additional bonds to be issued for the construction of the hockey facility. This is essentially a housekeeping change to provide for the application of revenues to the payment of debt service on all bonds issued under the trust indenture.

**RESOLUTION NO. RS2013-787** (MATTHEWS & DOWELL) – This resolution approves an intergovernmental agreement between the Metropolitan Government and the sports authority related to the construction of a new hockey facility to be located at Global Mall at the Crossings (formerly Hickory Hollow mall). On July 16, 2013, the council approved the bond resolution to fund the construction of the new hockey facility. The department of general services is currently overseeing the construction of a new library and community center on the property. This agreement will allow Metro general services to also oversee and manage the construction of the hockey facility through Metro's contract with American Constructors. The term of the agreement is to extend through the completion of the project, which is estimated to be the third quarter of 2014. Once completed, the hockey facility will be managed by an LLC owned by the Predators through a license and lease agreement with the sports authority.

(continued on next page)

**RESOLUTION NO. RS2013-787** (continued)

This agreement sets forth Metro's duties regarding the construction management for the hockey facility. Either party may terminate this agreement with 30 days written notice. The agreement was approved by the sports authority on July 18, 2013.

**RESOLUTION NO. RS2013-788** (MATTHEWS & BENNETT) – This resolution approves an application for the Edward Byrne Memorial Justice Assistance Grant in the amount of \$490,328 from the U.S. department of justice to the Metropolitan police department for equipment and supplies for direct support for basic police, in-service, or specialized training. These funds would be used in part to purchase a crime scene scanner, a tactical management system, and body armor, as well as to cover travel and training expenses.

**RESOLUTION NO. RS2013-789** (MATTHEWS & BENNETT) – This resolution approves a grant in the amount of \$240,000 from the Tennessee office of criminal justice programs to the mayor's office to fund a family justice center site coordinator. This position will be responsible for overseeing the planning, development, and establishment of a family justice center at the Metro courthouse that would provide a place for domestic violence victims to talk to police and prosecutors, and to discuss a safety plan. The family justice center will be a collaborative effort among the police department, the district attorney's office, legal aid attorneys, and domestic violence shelters to provide a coordinated community response to domestic violence victims and victims of elder abuse. The term of the grant is from August 15, 2013 through June 30, 2016.

**RESOLUTION NO. RS2013-790** (MATTHEWS & BENNETT) – This resolution approves an annual grant in the amount of \$450,000 from the state department of mental health and substance abuse services to the Davidson County drug court. The drug court is a diversionary program that provides supervision and treatment for non-violent drug offenders. The grant funds are used primarily to cover the salaries and benefits of drug court employees. The term of the grant is from July 1, 2013 to June 30, 2014.

**RESOLUTION NO. RS2013-791** (BENNETT & MATTHEWS) – This resolution approves a grant in the amount of \$67,000 from the Tennessee administrative office of the courts to the state trial courts for interpreter services for indigent defendants with limited English proficiency. The interpreter services to be provided through this grant will only be available to those indigent defendants involved in a legal proceeding in which they have a constitutional or statutory right to appointed counsel. The term of the grant is from July 1, 2013 through June 30, 2014.

**RESOLUTION NO. RS2013-792** (WEINER & MATTHEWS) – This resolution approves a grant in the amount of \$301,000 from the state department of human services to the Metro social services commission for homemaker services. The services to be provided include assistance with personal care, help with simple healthcare routines, assistance in obtaining medical care, the performance of essential shopping and household tasks, meal preparation, and caregiver assistance and instruction. The homemaker program is for elderly persons and adults with mental and/or physical disabilities who need assistance in performing daily living activities. The term of this grant is from July 1, 2013, through June 30, 2014. There is a required local match of \$75,250 to be provided from the operating budget of the department of social services.

**RESOLUTION NO. RS2013-793** (WEINER & MATTHEWS) – This resolution approves a grant in the amount of \$799,200 from the state department of health to the Metro health department to provide TENnderCare community outreach services for enrolled children. These funds will be used to pay the salaries of health department employees engaged in the community outreach plan for early periodic screening, diagnosis, and treatment of children, including a new Welcome Baby Project to screen for family and child risks for infant mortality at the time of a child's birth. The term of this grant is from July 1, 2013 through June 30, 2014.

**RESOLUTION NO. RS2013-794** (WEINER & MATTHEWS) – This resolution approves amendment three to a grant from the Greater Nashville Regional Council to the Metropolitan social services commission for congregate meal sites, meal delivery services, and transportation for eligible seniors and disabled residents. This amendment increases the amount of the grant for home delivered meals by \$2,388, for a new grant total of \$993,862 for fiscal year 2012-2013. The amendment also increases the amount of the local match by \$265.33.

**RESOLUTION NO. RS2013-795** (WEINER & MATTHEWS) – This resolution approves an amendment to a grant in the amount of \$3,480,000 from the state department of health to the Metropolitan health department to provide school based oral disease prevention services to children that qualify for TennCare. These funds are used to retain dental personnel to provide oral disease prevention services to school children in grades K-8 attending schools with a high population of low income students. The purpose of this amendment is to comply with a recent law change allowing auxiliary dental personnel to assist in dental evaluations, sealant screenings, fluoride varnish, and sealant applications. The term of the grant extends through June 30, 2016.

**RESOLUTION NO. RS2013-796** (WEINER & MATTHEWS) – This resolution approves an amendment to a grant from the U.S. department of health and human services to the Metro board of health to enhance access to community-based care for low income individuals and families with HIV. This grant is used to provide a number of medical and support services for HIV patients. This resolution approves an increase in the amount of the grant by \$2,681,124, for a new grant total of \$4,389,557.

**RESOLUTION NO. RS2013-797** (WEINER & MATTHEWS) – This resolution approves an amendment to a contract between the Metropolitan board of health and Vanderbilt University for the health department's participation in the Tuberculosis Trials Consortium. Vanderbilt received a grant from the U.S. Centers for Disease Control and Prevention, through the U.S. Veteran Affairs Medical Centers, for this tuberculosis project. The health department's responsibilities under this contract are to provide space and equipment for the project, as well as consultation and support services.

This amendment replaces the budget for the October 1, 2012 to September 30, 2013 grant period with a revised budget in the amount of \$54,933. The resolution provides that it is approving amendment four to the contract, though it appears this would actually be the fifth amendment to the agreement.

**RESOLUTION NO. RS2013-798** (WEINER & LANGSTER) – This resolution approves a clinical affiliation agreement between the Metropolitan board of health and Tennessee State University to provide clinical experience to students enrolled in the master of public health program. Students will not receive any compensation and there is no cost to the Metropolitan Government for participating in this program. The term of the agreement is for five years, but may be terminated by either party upon 90 days written notice. TSU is required to instruct participating students to obtain professional liability insurance, and the school agrees to assume responsibility for all of its students participating in the program.

**RESOLUTION NO. RS2013-799** (WEINER) – This resolution approves a clinical affiliation agreement between the Metropolitan board of health and the University of Tennessee to provide clinical experience to students enrolled in various health profession programs. Students will not receive any compensation and there is no cost to the Metropolitan Government for participating in this program. The term of the agreement is for one year, but may be renewed for four additional one year periods. The agreement may be terminated by either party upon 90 days written notice. UT is required to provide professional liability insurance for all participating students, and will provide proof that all students are covered by appropriate health insurance.

**RESOLUTION NO. RS2013-800** (HUNT) – This resolution accepts certain incomplete road and storm water infrastructure located within the Fields of Brick Church subdivision. The infrastructure within this subdivision was left incomplete as a result of the downturn in the housing market. In order to address the health and safety concerns associated with such unfinished subdivisions, the council enacted Ordinance No. BL2011-82 in February 2012 to create a mechanism for the acceptance of incomplete infrastructure. The ordinance allows Metro, upon the adoption of a resolution by the council, to accept incomplete roads, streets, sidewalks, water/sewer lines, storm water lines, and other similar infrastructure, along with the related property interests, for subdivisions platted between November 23, 1999 and January 17, 2008 if certain conditions are met. The vacant lots in these four subdivisions are owned by Affordable Housing Resources.

This resolution accepts all infrastructure associated with the roads and storm water system in this subdivision, including the curbs and gutters and necessary property interests. The costs of completion are estimated to be \$291,638, which represents \$184,000 in road work and \$107,638 in storm water improvements. Metro received a check in the amount of \$9,479.54 from the developer of the subdivision towards the completion of the infrastructure, which was supposedly the full amount of his remaining assets in the subdivision.

These infrastructure completion projects will be paid out of capital funds previously appropriated by the council for such purpose. The planning, public works, water, and finance departments have all reviewed the application for the acceptance of this incomplete infrastructure and recommended its approval.

**RESOLUTION NO. RS2013-801** (MATTHEWS & GILMORE) – This resolution approves a grant in the amount of \$51,900 from the state library and archives to the Nashville public library system to target library materials to persons that have difficulty using the library and to the disadvantaged. These funds are for general library services and for materials for the disadvantaged. The grant is comprised of \$45,500 in federal funds and \$6,400 in state funds. The term of this grant is from July 1, 2013, through May 30, 2014.

**RESOLUTION NOS. RS2013-802 and RS2013-803** – These two resolutions authorize the director of public property administration to exercise an option to purchase properties for use in the parks system. The Metro code allows for the acquisition of property through the exercise of a negotiated option to sell at a fixed price, which is subject to approval of the council by resolution. The funding for these purchases will be from capital funds appropriated by the council for open space acquisition. The park board has approved these acquisitions.

**Resolution No. RS2013-802** (Baker, Matthews & Others) authorizes the acquisition of a 0.4 acre parcel of vacant flood plain property located on Delray Drive for a purchase price of \$700.

**Resolution No. RS2013-803** (Matthews, Gilmore & Claiborne) authorizes the acquisition of two parcels of property on Old Glenrose Avenue. The cumulative size of these two parcels is 4.99 acres. The parcels are to be acquired at a combined purchase price of \$45,000.

**RESOLUTION NO. RS2013-804** (MATTHEWS) – This resolution authorizes the department of law to compromise and settle the lawsuit brought by Les "Bud" Buckner against the Metropolitan Government for the amount of \$50,000. Mr. Buckner, an employee of Metro water services (MWS), has been the target of graffiti for several years containing homophobic statements and slurs. Most of the graffiti has been in vehicle bays and a bathroom at the system services division facility located at 1616 3<sup>rd</sup> Avenue North, but it has also been seen in work vehicles and at a gas station. The graffiti continued to appear on numerous occasions between August 2010 and February 2013. The person(s) responsible for the graffiti have yet to be identified.

Mr. Buckner sued Metro for maintaining a hostile work environment under the state human rights act, which allows successful plaintiffs to recover damages for mental and emotional suffering, as well as attorney's fees and costs. In order to recover damages under the human rights act, the harassment must be sufficiently severe or pervasive. The department of law is of the opinion that Metro would be found liable for harassment under the act if the case went to trial since the graffiti messages were posted numerous times over three year period.

Recent court rulings are indicative of the serious weight given to hostile work environment claims. In 2011, the Tennessee Court of Appeals upheld two awards in excess of \$300,000 against the City of LaVergne because of discriminatory jokes and comments made by co-workers that created a hostile work environment. Furthermore, the U.S. 7<sup>th</sup> Circuit Court of Appeals upheld a \$3.8 million verdict in 2012 against Chrysler where an employee had been the target of homophobic and racist graffiti.

This \$50,000 settlement is to be paid out of the judgment and losses fund. Since the offending employees have not been identified, no disciplinary action has been taken in this matter. MWS is working with the Metro police department in an effort to identify those responsible. In addition, MWS leadership will be providing training to help prevent actions that can create a hostile work environment.

**RESOLUTION NO. RS2013-805** (A. DAVIS) – This resolution elects notaries public pursuant to state law.

**– BILLS ON SECOND READING –**

**ORDINANCE NO. BL2013-508** (A. DAVIS) – This ordinance amends the Metro ethics code to require persons making a complaint regarding an alleged violation of the standards of conduct to provide a valid telephone number and/or email address. The code currently only requires complainants to provide a name and mailing address. The Metro clerk's office has had difficulty contacting complainants in the past to notify them of upcoming hearings. The purpose of this ordinance is to make it easier for the clerk's office to provide notice to the complainant.

**ORDINANCE NO. BL2013-509** (HARRISON, GILMORE & OTHERS) – This ordinance declares parcels of Metropolitan Government-owned property to be surplus, and authorizes the director of public property administration to sell the property in accordance with the standard procedures for the disposition of surplus property. The proceeds of the sales will be credited to the general fund. The properties to be sold are as follows:

<b>Address</b>	<b>Council District</b>
423 Roger Williams Avenue	2
920 Sharpe Avenue	5
868 Carter Street	5
166 Thomas Street	17
2 <sup>nd</sup> Avenue North excess right-of-way	19
3 <sup>rd</sup> Avenue North excess right-of-way	19
813 19 <sup>th</sup> Avenue North	21
2525 Delk Avenue	21

**ORDINANCE NO. BL2013-510** (HARRISON, CLAIBORNE & POTTS) – This ordinance authorizes Metro water services to negotiate and accept permanent and temporary easements for the Hydes Ferry Road stormwater improvement project for 21 properties located along Ashton Avenue, Elizabeth Road, Hydes Ferry Road, and John Mallette Drive. This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2013-511** (CLAIBORNE & POTTS) – This ordinance abandons 218 feet of an existing 36-inch storm water pipe and easement on property located at 465 Donelson Pike. This ordinance is contingent upon the installation of a new storm water pipe and the granting of an easement by Mapco Petroleum, Inc. This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2013-512** (HARRISON, CLAIBORNE & POTTS) – This ordinance authorizes Metro water services and the director of public property administration to negotiate and accept permanent and temporary easements on eight properties along Old Matthews Road, Brick Church Pike, and Gwynnwood Road for a stormwater project. This ordinance has been approved by the planning commission.

**– BILLS ON THIRD READING –**

**SUBSTITUTE ORDINANCE NO. BL2013-476** (MCGUIRE & HARRISON) – This substitute ordinance amends the Metropolitan Code regulations applicable to booting companies. “Booting” devices are used to disable cars that are parked on commercial lots without the permission of the property owner or without paying the required parking fee. In June 2009, the council enacted Ordinance No. BL2009-434 to prohibit private companies from engaging in the practice of booting vehicles. A few months later, the council enacted Ordinance No. BL2009-525 to allow booting, provided the company is licensed and follows the specific requirements of the code. The code sets a maximum booting charge of \$50 and limits the towing of booted vehicles. Unattended commercial parking lots are prohibited from booting a vehicle unless such vehicle has two or more unpaid parking violations on the company’s lots.

This ordinance makes several changes to the booting restrictions. First, the ordinance clarifies that vehicles on any business parking lot can be booted, not just those lots that charge for parking. This would ensure that businesses could contract with booting companies to boot non-customer cars that are parked in an area designated for customer parking. Second, the ordinance removes the prohibition on booting vehicles at pay lots unless the vehicle has two or more unpaid parking violations. Under this ordinance, parking lots would be able to boot after the first unpaid parking violation. Third, the ordinance prohibits booting services from making payments to parking lot owners or operators for the privilege of booting on their property. The ordinance also prohibits parking lot operators from acting as a booting service. Finally, the ordinance sets a maximum 60 day suspension period for violations.

**ORDINANCE NO. BL2013-498** (TYGARD & MOORE) – This ordinance amends the Metropolitan Code to establish a community garden grant program. The substitute operating budget ordinance for fiscal year 2013-2014 included a \$25,000 appropriation for a community garden grant program to be administered by the Davidson County agricultural extension service. This \$25,000 appropriation was expressly conditioned upon the development of the grant program by the Metropolitan Council.

The purpose of the Metropolitan Government community grant program would be to make matching grants to eligible nonprofit organizations that develop and maintain gardens for the use and benefit of the community and/or schools. The program is to be administered under the supervision of the agricultural extension service. Grant funds awarded under the program would be required to be used at school or community gardens for the benefit of children and/or senior citizens with an emphasis on contributing to healthy eating habits, addressing childhood obesity, eliminating food deserts, and/or promoting sustainable food sources. Eligible nonprofit organizations seeking funding would be required to submit an application that includes the following information:

- The name of the garden supervisor/coordinator, and whether the person serves in a paid or volunteer capacity;
- The names of committee members if the garden is to be operated by a committee;
- A garden development and implementation schedule, including the items to be grown and a timeline for harvesting;
- A plan for the ongoing maintenance of the garden and distribution of items harvested; and
- A letter of support from community beneficiaries of the garden. If the garden is to be located on school property, this letter of support must be from the school principal.

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**ORDINANCE NO. BL2013-498** (continued)

The agricultural extension service county director or his designee would review all applications and make recommendations to the council regarding grant recipients. Grants between \$250 and \$5,000 may be awarded to individual nonprofit organizations as a dollar-for-dollar match. In keeping with state law, the council would be required to appropriate the grant funds to the various nonprofits by resolution.

**ORDINANCE NO. BL2013-499** (STEINE & HOLLEMAN) – This ordinance amends the Metropolitan Code to modify the membership composition of the community education commission. The community education commission was created by ordinance in 2009 to replace the community education alliance. The commission consists of seven members appointed as follows:

- Two members appointed by the mayor and confirmed by the council.
- Three members appointed by the council, with one representing a nonprofit adult literacy organization, one representing the community education council, and one representing an education advocacy group.
- One member appointed by the director of schools as his representative.
- One member appointed by the mayor to serve as his representative.

The council has had difficulty finding specific representatives from a nonprofit adult literacy organization, the community education council, and an advocacy group to serve on the community education commission. This ordinance would remove the specific representative criteria for the council appointments to the commission. The council would still be obligated to appoint three citizens to serve on the commission.

**SUBSTITUTE ORDINANCE NO. BL2013-500** (STEINE) – This ordinance amends the Metropolitan Code to allow beer distributors to have more than one place of businesses. The former city of Nashville council enacted an ordinance in 1960 prohibiting beer wholesalers or distributors from maintaining more than one place of business except for those distributing only draft beer. This restriction was retained after the consolidation of the city and county governments in 1963. The provision was recently amended in 2012 to allow beer distributors to have two locations if they are on contiguous properties.

This ordinance would allow beer distributors to have more than one place of business as long as they have obtained a separate beer permit from the beer permit board for each location. The separate permit requirement would not apply if the properties are contiguous.

**ORDINANCE NO. BL2013-501** (JERNIGAN & HOLLEMAN) – This ordinance names fire station No. 9 located at 601 Second Avenue South in honor of Robert “Bobby” Glenn Connelly. District Chief Bobby Connelly retired on February 28, 2013, after 53 years of service with the Nashville Fire Department, making him the longest serving Metro employee at the time of his retirement. There are no restrictions in the Metropolitan Code regarding the naming of Metro facilities in honor of living individuals, except that such action must be approved by ordinance of the council.

**SUBSTITUTE ORDINANCE NO. BL2013-502** (BAKER & MATTHEWS) – This ordinance relinquishes the Metropolitan Government’s interest in the former West Nashville police precinct property located on Charlotte Pike next to the Nashville West development. The 1988 deed from H.G. Hill Realty Company to Metro included a reversionary clause requiring the property to be used “for public recreation purposes, for the location of a police precinct or for other public purposes to benefit the citizens of the community in which the property is located”. Now that the police precinct has been relocated to the new facility, there is no governmental need for the former precinct property. According to information on the assessor of property website, the entire 8.44-acre parcel has an appraised value of \$1,838,200, although Metro will only be relinquishing 3.62 acres of the tract.

In exchange for Metro relinquishing its future interest in the property, H.G. Hill Realty has agreed to pay \$450,000 for the benefit of the Metro parks department. H.G. Hill Realty has also agreed to relocate the Robertson House to another section on the property and to maintain the existing restrooms for the benefit of visitors to the park. It is important to note that once Metro stops using the property for government purposes, H.G. Hill Realty would have the right to claim the property with no payment to Metro.

**ORDINANCE NO. BL2013-503** (DOWELL, MATTHEWS & OTHERS) – This ordinance approves an agreement with Global Mall Partnership for the exchange of property located at the former Hickory Hollow Mall site. Metro purchased a portion of the mall property in 2011 for use as a community/recreation center, public library, storage, and conversion of the existing parking area to a recreational area. The mayor has proposed the construction of a new hockey facility on the property. The funding for the proposed \$14 million hockey center is the subject matter of Resolution No. RS2013-768. In order to accommodate the construction of the hockey facility, Metro desires to swap 2.62 acres of parking lot property for 2.62 acres of the tract owned by Global Mall Partnership. The two portions of property in question are the same in value.

**ORDINANCE NO. BL2013-504** (MATTHEWS) – This ordinance authorizes the Metropolitan Government to enter into a participation agreement with Battelle Memorial Institute to investigate the performance of sewer rehabilitation liners. Battelle is conducting a study of sewer system pipeline methodologies. As part of this study, Metro will assist Battelle in identifying the locations of four samples to be collected, will excavate and remove the samples for Battelle to test, and will repair the sewers for continued service. Battelle will pay Metro \$2,600 per sample for a total of \$10,400, and will provide the test results to Metro water services once the testing is complete.

**ORDINANCE NO. BL2013-505** (A. DAVIS, POTTS & MATTHEWS) – This ordinance authorizes the acquisition and acceptance of right-of-way easements, construction easements, and other property rights for a public works project at the Riverside Drive and McGavock Pike intersection. The estimated acquisition cost for these easements is \$10,000. This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2013-506** (BAKER, POTTS & CLAIBORNE) – This ordinance abandons the water and sewer easement rights that were retained by Ordinance No. O82-1047 when a portion of the 50<sup>th</sup> Avenue North right-of-way was abandoned on property located at 4915 Louisiana Avenue. Metro water services has no future need for this public utility and drainage easement. This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2013-507** (POTTS, CLAIBORNE & LANGSTER) – This ordinance abandons 150 linear feet of a 15 inch sewer main, 235 feet of an 8 inch sewer main and 1,990 feet of a 10 inch sewer main, as well as all associated easements, on property located at 2500 Charlotte Avenue for construction of the new Lentz public health center. The ordinance also accepts 168 feet of an 8 inch water main and 1,468 feet of a 33 inch public combined sewer main on the property. Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the planning commission.