



METRO COUNCIL OFFICE

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Mike Jameson, Director and Special Counsel
Mike Curl, Finance Manager
Metropolitan Council Office

COUNCIL MEETING DATE: August 1, 2017

RE: Analysis and Fiscal Notes

Unaudited Fund Balances as of 7/26/17:

4% Reserve Fund	\$38,553,426*
Metro Self Insured Liability Claims	\$4,635,644
Judgments & Losses	\$2,948,787
Schools Self Insured Liability Claims	\$4,242,854
Self-Insured Property Loss Aggregate	\$5,266,270
Employee Blanket Bond Claims	\$651,614
Police Professional Liability Claims	\$2,407,913
Death Benefit	\$1,391,697

*This assumes unrealized estimated revenues in FY18 of \$31,103,706.

Note: No fiscal note is included for any legislation without significant financial impact.

– RESOLUTIONS ON PUBLIC HEARING –

RESOLUTION NO. RS2017-804 (A. DAVIS) – This resolution would approve an exemption for Fort Louise, LLC, located at 1304 McGavock Pike, from the minimum distance requirements for obtaining a beer permit.

The Metro Code of Laws prevents a beer permit from being issued to an establishment located within 100 feet of a church, school, park, daycare, or one- or two-family residence. However, several exceptions exist to the distance requirements. Facilities within the USD separated from these protected establishments by state or federal four-lane highways are exempt, as are retailer on-sale beer permit holders in MUL districts and events catered by holders of caterers' permits. (See, Code Section 7.08.090(A)). Additionally, the Code provides a mechanism to exempt (a) restaurants or (b) any retail food store from Metro's minimum distance requirements, allowing each to obtain a beer permit upon the adoption of a resolution by the Council. (See, Code Section 7.08.090(E)). Previously, this Code section further required restaurants to have state on-premises liquor consumption licenses to obtain such exemption. However, Ordinance No. BL2016-454, which was passed on November 15, 2016, eliminated this requirement.

A public hearing must be held by the Council prior to voting on resolutions brought under Section 7.08.090(E).

– ORDINANCES ON PUBLIC HEARING –

BILL NO. BL2017-704 (VERCHER, K. JOHNSON) – This ordinance would amend Section 17.28.100 of the Metro Code of Laws (MCL) by the addition of a new Subsection C.4 to prohibit the use of rope lighting in certain circumstances. Rope lighting consists of a variety of rope-shaped or flexible tubular lighting devices, typically in a single strand.

This ordinance would prohibit the use of rope lighting on any building, sign, or property located next to an arterial or collector street. However, this provision would not apply to properties zoned as DTC.

BILL NO. BL2017-784 (SWOPE) – This ordinance would establish a maximum permitted height for electric fences in those zoning districts where such fences are permitted. The ordinance would amend the zoning code provisions of section 17.12.40 of the Metro Code to allow electric fences to reach a maximum height of ten (10) feet, subject to the restrictions set forth in section 16.04.200.

This is a companion bill to ordinance no. BL2017-688, currently deferred, which would amend the building code (Title 16) to permit the construction and use of electric fences in non-residential zoning districts, and in certain additional zoning districts (AG, AR2a, RS20 thru RS80 and R20 thru R40) under certain conditions, including limits on the allowed electrical charge, a required perimeter fence or wall, warning signs, and locations restricted to storage areas only.

The current ordinance is scheduled for Planning Commission consideration on July 27, 2017. Rule 21 of the Metro Council Rules of Procedure generally precludes a public hearing or Council action on second reading until the recommendation of the Planning Commission has been submitted.

BILL NO. BL2017-799 (LEONARDO) – Section 17.08.030 of the Metro Code of Laws (MCL) presently includes "Construction/Demolition Landfill" as permitted with a Special Exception (SE) in the AG, AR2a, MUI, and MUI-A Districts. The ordinance under consideration would replace this as a use Permitted With Conditions (PC) in these districts.

The same section also presently includes "Sanitary Landfill" as a use permitted with a Special Exception (SE) in the AG, AR2a, IWD, IR, and IG Districts. This would be replaced as a use Permitted With Conditions (PC) in these districts.

This ordinance would also modify Section 17.16.110.A. to add the requirement for the Council to approve Construction/Demolition and Sanitary Landfills in accordance with Tennessee Code Annotated (TCA) 68-211-701, *et seq.* These changes are the result of the Council's previous adoption of the so-called Jackson Law (T.C.A. 68-211-701, *et seq.*) on May 2, 2017, thereby requiring Council approval of landfills and solid waste disposal and processing facilities.

Also, Section 17.16.110 of the MCL would be amended by adding Section E. This new section would add the following requirements for sanitary landfills:

1. The minimum lot area would be one hundred (100) acres.
2. All buildings, structures, storage containers and areas, and vehicle loading/unloading areas would be required to be a minimum of one hundred (100) feet from any property line, two hundred fifty (250) feet from any residential zoning district boundary, five hundred (500) feet from any residential structure, and two thousand (2,000) feet from the property line of any school or park.
3. Screening in the form of a landscape buffer yard would be required along common property lines in all residential zone districts and districts permitting residential use.
4. Driveway access would be, at a minimum, from a collector street, not bounded by any residential zoning district from the driveway access point to the street's intersection with an arterial street. A traffic impact study would be required to demonstrate that traffic generated to/from the site would only use streets where the existing level of service is "D" and is forecasted to remain at "D" or better with the proposed landfill traffic.
5. Approval of the Metro Council would be required (per adoption of the Jackson Law.)

Finally, Section 17.40.280 would be modified to remove the existing requirement for the location of a sanitary landfill or waste transfer facility to be approved by Council *resolution* prior to the public hearing by the Board of Zoning Appeals (BZA). (Upon adoption of the Jackson Law, that requirement was replaced with a requirement for approval by *ordinance* with public hearing.)

BILL NO. BL2017-827 (O'CONNELL) – This ordinance would add minor updates to the Downtown Code regulating plan, originally adopted in 2010. Ordinance No. BL2009-586 created the new zoning district known as the “Downtown Code” (DTC), applicable to 823 acres of downtown Nashville. Most downtown properties were previously zoned commercial core (CC) or core frame (CF), permitting an array of high intensity uses, although a small number of parcels were zoned for industrial and mixed-uses. BL2009-588 consolidated these parcels into one zoning district governed by a comprehensive development plan.

The DTC comprehensive development plan is a 99-page document that governs the development of downtown. The objectives of the DTC are to allow a broad range of residential and non-residential uses, reduce reliance on automobiles, create better pedestrian streetscapes, create more open spaces, and promote infill development. To accomplish these goals, the DTC provides greater development rights, allows additional uses, and grants height bonuses for developments that incorporate open space, workforce housing, and other DTC priorities. The DTC divides the downtown area into 15 sub-districts, with each sub-district having its own set of guidelines for setbacks, height, width, and depth.

The ordinance under consideration would update the DTC standards under Chapter 17.37 of the Metro Code of Laws (MCL) by inserting two bullet points under the "Regulating Plan":

- Sub-district boundaries would extend to the centerline of all abutting public street right-of-ways. Any properties not within the sub-district boundaries of the regulating plan including, but not limited to, rail and river corridors would be considered an open space sub-district.
- Unless otherwise regulated by the DTC sub-district standards, property that is within more than one sub-district could apply for a minor modification to use the standards of either sub-district. If the Executive Director of the Planning Department finds that additional consideration is warranted, then the modification request may be submitted to the Downtown Code / MDHA Design Review Committee as a major modification.

Also, this ordinance would insert the phrase "or modifications explicitly noted herein as minor" after the words "percent or less" in the first bullet point under "Modifications to the Standards".

- RESOLUTIONS -

RESOLUTION NO. RS2017-803 (COOPER) – This resolution would authorize the Mayor to submit the 2017-2018 annual update to the 2013-2018 Consolidated Plan for Housing and Community Development the U.S. Department of Housing and Urban Development (HUD).

The five year consolidated plan is prepared by the Metropolitan Development and Housing Agency (MDHA) and is to be administered by MDHA as authorized per Resolution No. R94-1396. The public comment period for this annual update was held between April 17, 2017 and May 19, 2017. Two public hearings were held, at the J. Henry Hale Apartments Community Room and the Levy Place Community Room. Public notices were advertised in English and Spanish. HUD requires these plans from local governments seeking federal assistance through the community development block grants (CDBG), the HOME investment partnerships program (HOME), the emergency shelter grant program (ESG), and the housing opportunities for persons with AIDS (HOPWA).

The resolution under consideration would adopt the 2017-2018 Annual Update to the 2013-2018 Consolidated Plan for Housing and Community Development. A copy of this plan was attached to the resolution. The allocations for the 2017 Program Year are as follows:

CDBG	\$4,637,909
HOME	\$1,881,838
ESG	\$ 410,455
<u>HOPWA</u>	<u>\$1,073,473</u>
TOTAL	\$8,003,675

The proposed allocations for each program are as follows:

CDBG

<u>Project Type</u>	<u>Proposed Budget</u>
Acquisition & Related Activities	\$230,082.00
Administration & Planning	\$950,044.00
Economic Development	\$794,155.50
Housing	\$2,742,577.50
Public Facilities & Infrastructure	\$783,375.91
Public Services	\$635,761.00
Other: Nonprofit Capacity Building	\$50,000.00

HOME

<u>Project Type</u>	<u>Proposed Budget</u>
Administration	\$197,380.00
Homebuyer Programs	\$181,574.00

Homeowner Rehabilitation	\$0.00
Rental Programs	\$1,784,415.00

ESG

<u>Project Type</u>	<u>Proposed Budget</u>
Administration	\$31,000.00
Emergency Shelter & Transitional Housing; Rapid Re-Housing; Street Outreach; Prevention; HMIS	\$370,420.00
	\$15,000.00

HOPWA

<u>Project Type</u>	<u>Proposed Budget</u>
Administration	\$94,200.00
Facility-Based Operations; Short-term Rent, Mortgage & Utilities; Supportive Services	\$847,882.00

The resolution expressly withholds any approval for the expenditure of CDBG funds for capital improvement projects. All requested expenditures for capital improvement projects are subject to future approval of the council by resolution. Also, detailed project plans for capital improvements must be on file in the Community Development Department of MDHA at the time of the filing of such resolution.

CDBG, HOME, ESG, and HOPWA funds cannot be used for any property acquisition for which the power of eminent domain is utilized by MDHA, which is restricted by federal law.

Fiscal Note: The local match required for the Emergency Solutions Grant would be provided by local non-profit organizations that are selected as sub-grantees. The twenty-five percent (25%) local match for the HOME Investment Partnerships Program would be provided by non-federal funds utilized for HOME projects as well as the value of donated land or improvements associated with HOME-funded projects.

Funding amounts in these annual updates are based upon formula allocations released by HUD. Any changes to project budgets greater than twenty-five percent (25%) or the addition of new activities would be considered criteria for a "substantial amendment". This would be subject to the Citizen Participation Plan described in Substantial Amendment #1 to the 2013-2018 Consolidated Plan.

RESOLUTION NO. RS2017-805 (PARDUE, COOPER, & VERCHER) – This resolution would approve the annual interlocal agreement for services performed by Metro for the Emergency Communications District (ECD) relative to the operation of the Enhanced-911 service during Fiscal Year 2018. The contract specifies the services to be provided by the Metro Emergency

Communications Center, the Department of Public Works, and the Department of General Services.

The Department of Public Works would maintain an updated Master Street Address Guide, and the Department of General Services would provide five (5) fleet vehicles as well as the necessary associated maintenance. Metro would also agree to handle the procurement of goods and services upon request by the ECD. In addition, Metro would be responsible for training the Metro employees who would operate the system. Finally, Metro would agree to provide a facility to serve as a backup center for the primary Emergency Communications Center.

The ECD would reimburse the Metropolitan Government in the amount of \$4,900 for the services provided by the Department of Public Works. The ECD would also reimburse the Department of General Services for the use of the five (5) fleet vehicles, plus the expenses of certain training costs, rental costs for the backup facility, telephone expenses, and equipment costs.

RESOLUTION NO. RS2017-806 (PARDUE & COOPER) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-807 (PARDUE & COOPER) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-808 (SLEDGE, COOPER, & HENDERSON) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-809 (GILMORE & COOPER) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-810 (GILMORE & COOPER) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-811 (GILMORE & COOPER) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-812 (GILMORE, COOPER, & HURT) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-813 (GILMORE, COOPER, & HURT) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-814 (GILMORE & COOPER) – This resolution would approve a contract between the Metropolitan Board of Health and the University of Georgia College of Veterinary Medicine. The Health Department would provide clinical experience opportunities for the University's graduate veterinary program students, residents, and interns. The students would not be considered employees of Metro and would not receive any compensation.

The term of the agreement would be for five (5) years from April 1, 2017 through March 31, 2022, but may be terminated by either party upon 90 days written notice. The school would be required to provide assurance that the students are covered by professional liability and health insurance. Metro would not be responsible for any accidents or job-related injury or illness incurred by any student as a result of their participation in this program. The school would also agree to assume responsibility for all its students participating in the program.

Fiscal Note: There would be no cost to the Metropolitan Government for participating in this program.

RESOLUTION NO. RS2017-815 (COOPER & MURPHY) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-816 (COOPER & MURPHY) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-817 (ELROD, HAGAR, & GLOVER) – Metro currently operates a sanitary sewer system that includes a service area occupied by some water services customers of the West Wilson Utility District ("District"). The resolution now under consideration would approve an agreement between Metro and the District that would authorize the District to provide water meter readings to Metro for use in charging sewer system service rates and fees to those shared customers. This is similar to agreements Metro has previously entered with other political subdivisions, including Nolensville/College Grove, Goodlettsville, and the Madison Suburban Utility District. Under state law, municipalities are authorized to enter into agreements with other public agencies for joint undertakings, subject to approval by the local legislative body. (See, T.C.A. §12-9-101, *et seq.*)

The term of this agreement would be for ten (10) years, beginning on the approval date by the Council. The agreement may then be extended by the parties on such terms as they may then agree. Either party may terminate the agreement upon 90 days' written notice to the other party.

Fiscal Note: Metro would pay a fee of \$0.45 per month to the District for each joint customer's water meter reading. In addition, Metro would pay any Disconnect and Reconnect fees incurred by the District for complying with a request by Metro to terminate the water service of a customer who has failed to pay any sewer charges owed to Metro.

2,043 customers would be affected by this agreement. At \$0.45 per month per meter, the total cost would be \$919.35 per month or \$11,032.20 per year. However, Metro Water Services typically bills this fee back to the customer, so there would be no actual net cost to Metro.

RESOLUTION NO. RS2017-818 (COOPER & ELROD) – This resolution would approve an agreement between the Metropolitan Government and the U.S. Department of the Army for Phase 6 of a flood preparedness study. This study has been underway for several years to gather data and prepare modeling to develop flood insurance updates.

Phase 4 included real-time simulation modeling, as well as updating the frequency analysis and hydrologic models for 125 miles of streams in Davidson County. Phase 5 provided revisions and enhancements to existing real-time simulation models, the creation and training of new models for Whites Creek and Browns Creek watersheds, training of Metro and National Weather Service (NWS) staff, the transfer of technology to Metro and NWS, and ongoing coordination and communication.

Phase 6 would include the following six tasks:

1. Continuing technology transfer between Metro, the U.S. Army Corps of Engineers, NWS, and other agencies;
2. Continued training;
3. Specialized analysis of the Melrose Ares in Browns Creek Watershed;
4. Addition and updates to FIS Modeling;
5. HEC-RTS Modeling; and
6. Development of a GIS Flood Risk Mapping Tool.

The cost of Phase 6 of the study is estimated to be \$800,000, with Metro and the United States Army Corps of Engineers (USACE) each paying one half of the costs over Calendar Year 2018 and 2019. The \$400,000 payable by Metro would come from the Department of Water and Sewer Services' Stormwater Operating Fund (#67431).

RESOLUTION NO. RS2017-819 (COOPER) – This resolution would authorize the Department of Law to settle the personal injury claim of Ms. Tamara Farris against the Metropolitan Government in the amount of \$6,200.

On September 28, 2016, a police officer struck Ms. Farris' personal vehicle while she was stopped at the traffic light at the intersection of West Trinity Lane and Dickerson Pike, causing personal injury to Ms. Farris.

Ms. Farris sought treatment for neck and back pain, diagnosed as cervical, thoracic, and lumbar spine sprains. Ms. Farris has agreed to accept a total of \$6,200 in full settlement of this case, based upon \$5,022.44 for reimbursement of her medical expenses plus \$1,177.56 for pain and suffering.

The Department of Law recommends settlement of this claim for \$6,200. If this case proceeds to trial, the Metropolitan Government would almost certainly be found negligent.

Disciplinary action against the police officer consisted of a written reprimand.

Fiscal Note: This settlement would reduce the balance of the Self-Insured Liability Fund by \$6,200.

– ORDINANCES ON SECOND READING –

BILL NO. BL2017-687 (ELROD) – This ordinance would amend chapter 13.26 of the Metro Code to establish a more formalized process for the naming of public buildings, structures, and spaces within Metro, including provisions for soliciting public input and historical perspective.

Under the proposed process, no public building, structure, or space may be named in honor of any living person. In addition, a waiting period of two (2) years would be required before naming in honor of a person who is deceased.

However, this prohibition would not apply to persons who have made significant and long-lasting contributions to Nashville's history and culture through deeds, words, or inspiration. In addition, in order to encourage philanthropic donations or contributions, the prohibition would not apply to persons who have contributed significantly to a specific public building, structure, or space or the immediate surrounding area through the contribution of land, money, or other resources, provided the proposed naming was stipulated as a condition of the contribution.

A public building, structure, or space would also not be allowed to be named in honor of an elected or appointed public official or employee until such time as they are no longer an official or employee of Metro. Additionally, public buildings, structures, or spaces may only be named after current or former residents of Nashville and Davidson County.

The Metropolitan Historical Commission would administer the process of the naming of any public building, structure, or space. Requests in writing would be submitted to the Historical Commission for consideration. The Historical Commission would establish a formal procedure, including a mechanism for soliciting and measuring public input, and the ordinance specifies six (6) criteria to be considered by the Historical Commission:

1. The articulated preference of the public, particularly from residents in the immediate area;
2. Natural or geographic references;
3. Historic and cultural significance;
4. Civic values or principles embodied by or within the building, structure or space;
5. Common or colloquial names which have previously been applied; and
6. Avoiding duplication of, confusion with, or similarity to existing names.

After their consideration, the Historical Commission would forward their recommendation to the Council.

After receiving and considering such recommendations, the Council would vote to approve the name by resolution receiving at least twenty-one (21) affirmative votes. The Council could also vote to remove an existing name of a public building, structure, or space. This would similarly require a resolution receiving at least twenty-one (21) affirmative votes. The ordinance would not apply to names for items of comparative insignificance (trees, refuse cans, flagpoles, water

fountains, etc.) nor to the Metropolitan Board of Parks & Recreation or to the Metropolitan Board of Education.

BILL NO. BL2017-828 (HURT) – This ordinance would alter references to “sexually oriented business” within Chapter 6.54 of the Metro Code of Laws in favor of “adult entertainment or sexually oriented business” wherever it appears in this chapter. Chapter 6.54 lists the various regulations and restrictions concerning "Sexually Oriented Businesses".

New definitions would be added in Section 6.54.010 to include "adult" or "adult entertainment". These definitions mirror those of the current "sexually oriented" definitions. Other than the name changes, there would be no substantive changes to the regulations in this chapter.

Fiscal Notes: The cost for changing the name on stationery, business cards, and signage would be approximately \$2,500.

BILL NO. BL2017-829 (K. JOHNSON & VERCHER) – This ordinance would add a requirement in Section 10.20.110.C of the Metro Code of Laws (MCL) concerning trash carts. If no functional trash container from Public Works is present on the premises at the time a new owner purchases the property, Public Works would be required to provide a container at no charge if the property owner submits a request within fifteen (15) days of the verified purchase of the property.

Chapter 10.20 of the Metro Code has historically assigned responsibility to the property owner for lost, stolen or damaged carts. But during a ten-year period from 2003 to 2013, the Public Works Department had a contract with a third-party vendor who agreed to provide replacement carts at the contractor’s expense. During that period, an average of 2,550 carts were replaced annually. When the contract ended in 2013, Public Works again began charging for replacement carts pursuant to the original Metro Code. Requests for replacements then plummeted to slightly more than 800 replacement requests per year.

A housekeeping amendment to the caption is anticipated to remove a reference to the replacement of lost, stolen or damaged trash carts.

Fiscal Note: The current cost of replacing a trash cart from Metro is approximately \$46.50 per cart.

BILL NO. BL2017-830 (VERCHER, ELROD, & OTHERS) – This ordinance would authorize the acquisition of certain easements and property rights by negotiation or condemnation for public projects for Antioch Pike / Richards Road Sidewalk Improvements.

This has been approved by the Planning Commission.

Fiscal Note: The final price to be paid for the easements and property rights has not yet been determined. This would be paid from the FY17 Capital Projects Fund.

BILL NO. BL2017-831 (HAGAR, ELROD, & ALLEN) – This ordinance would authorize the acquisition of certain permanent and temporary easements by negotiation for the Mount Vernon Drive Stormwater Improvement Project for four (4) properties located at 3939 and 0 Old Hickory Boulevard, and 116 and 117 Mt. Vernon Drive.

This was approved by the Planning Commission on May 31, 2017. Future amendments to this ordinance may be approved by resolution.

BILL NO. BL2017-832 (WITHERS, ALLEN, & ELROD) – This ordinance would authorize the Metropolitan Development and Housing Authority (MDHA) to install, construct, and maintain aerial and underground encroachments in the right-of-way located at 800 Sylvan Street. These would consist of bio-retention areas, an irrigation system, banners, security cameras (on NES light poles), and handrails encroaching the right-of-way.

MDHA has agreed to indemnify and hold the Metropolitan Government harmless from any and all claims in connection with the installation and maintenance of the encroachments, and would be required to provide a \$2 million certificate of public liability insurance naming the Metropolitan Government as an insured party.

This proposal has been approved by the Planning Commission.

BILL NO. BL2017-833 (COOPER) – The U.S. Department of Housing and Urban Development (HUD) imposes a duty upon all cities and public housing authorities that receive federal funds for housing and community development to “affirmatively further fair housing (or AFFH). This duty includes requirements not to discriminate in housing programs and to address segregation and barriers related to race, color, religion, sex, familial status, national origin, or disability.

To fulfill its obligations as a HUD fund recipient, the Metropolitan Government, along with the Metropolitan Development and Housing Agency (MDHA), is required to conduct an Assessment of Fair Housing (AFH) that includes an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals prior to the next Five-Year Consolidated Plan and Five-Year Public Housing Authority (PHA) Plan.

The next Five-Year Consolidated Plan cycle will begin June 1, 2018. Metro is required to submit an Assessment of Fair Housing to HUD no later than 270 days prior to the start of the next cycle. Therefore, the submission deadline is September 1, 2017.

MDHA's current Five-Year PHA Plan cycle would not begin until October 1, 2019. However, MDHA wishes to be included in a joint AFH with Metro to be submitted to HUD no later than September 1, 2017. This is permissible by HUD, but an agreement formalizing the collaboration and respective responsibilities related to individual goals would be required.

The public comment period on the draft AFH concluded on July 10, 2017. Five public hearings were held throughout Davidson County and an additional public hearing was held before the MDHA Board of Commissioners.

The ordinance under consideration would adopt the 2017 Joint Assessment of Fair Housing (AFH) for Metro and MDHA. It would also authorize the Mayor to submit the AFH to HUD and to execute a memorandum of understanding with MDHA to formalize the collaboration and respective responsibilities related to individual goals under the AFH.

The applicable goals and priorities identified in the AFH would be incorporated into MDHA's next Five-Year Consolidated Plan. Progress on meeting those goals would be reported by MDHA in the Consolidated Annual Performance and Evaluation Reports (CAPER).

Amendments to the AFH related to local government requirements may be adopted by resolution.

– ORDINANCES ON THIRD READING –

BILL NO. BL2017-795 (O'CONNELL & ELROD) – This ordinance would authorize LC Germantown, LLC to install, construct, and maintain underground and aerial encroachments in the right-of-way located at 1226 2nd Avenue North. These would consist of awnings, building cornices, and balconies along Madison Street and the corner of 2nd Avenue, and a ground-mounted transformer and steps on Monroe Street encroaching the right-of-way.

LC Germantown, LLC has agreed to indemnify and hold the Metropolitan Government harmless from any and all claims in connection with the installation and maintenance of the encroachments, and would be required to provide a \$2 million certificate of public liability insurance naming the Metropolitan Government as an insured party.

This proposal has been approved by the Planning Commission.

BILL NO. BL2017-803 (A. DAVIS, ELROD, & ALLEN) – This ordinance would abandon an existing water line and accept a new water line and a fire hydrant for property located at 0 Ward Avenue.

This has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

BILL NO. BL2017-804 (A. DAVIS, ELROD, & OTHERS) – This ordinance would authorize the acquisition of certain easements and property rights by negotiation or condemnation for public projects for Litton Avenue Sidewalk Improvements.

This has been approved by the Planning Commission.

Fiscal Note: The price to be paid for these easements and property rights has not yet been determined. This would be paid from the FY17 Capital Projects Fund.

BILL NO. BL2017-805 (WITHERS, ELROD, & OTHERS) – This ordinance would authorize the acquisition of certain easements and property rights by negotiation or condemnation for public projects for Sevier Street Sidewalk Improvements.

This has been approved by the Planning Commission.

Fiscal Note: The price to be paid for these easements and property rights has not yet been determined. This would be paid from the FY16 Capital Projects Fund.

BILL NO. BL2017-806 (ALLEN, ELROD, & COOPER) – This ordinance would authorize the acquisition of certain easements and property rights by negotiation or condemnation for public projects for Gale Lane Sidewalk Improvements.

This has been approved by the Planning Commission.

Fiscal Note: The price to be paid for these easements and property rights has not yet been determined. This would be paid from the FY16 Capital Projects Fund.

BILL NO. BL2017-807 (ROSENBERG, ELROD, & OTHERS) – This ordinance would authorize the acquisition of certain easements and property rights by negotiation or condemnation for public projects for Bellevue Road Sidewalk Improvements.

This has been approved by the Planning Commission.

Fiscal Note: The price to be paid for these easements and property rights has not yet been determined. This would be paid from the FY16 Capital Projects Fund.

BILL NO. BL2017-808 (A. DAVIS, ELROD, & OTHERS) – This ordinance would approve an agreement between the Metro Department of Water and Sewerage Services and Lincoln Management and Investment Services, LLC.

Lincoln would contract and oversee the abandonment of approximately 270 linear feet of existing two-inch water main and the construction / installation of approximately 300 linear feet of six-inch water main and 1 fire hydrant assembly at or near 1525 Ward Avenue. This would serve the Ward Avenue Development, as shown in Exhibit B attached to the ordinance.

Fiscal Note: Metro would agree to pay the lesser of seventy-seven percent (77%) of the actual project costs or an amount not to exceed ninety thousand dollars (\$90,000). In addition, Metro would be responsible for the ongoing operation and maintenance of the new water main and fire hydrant.

GRANTS AND DONATIONS LEGISLATION – AUGUST 1, 2017

Legislative Number	Parties	Amount	Local Cash Match	Term	Purpose
RS2017-806	From: U.S. Department of Homeland Security To: Office of Emergency Management (OEM)	\$1,658,786	\$414,697 (in-kind)	N/A	This Resolution would approve a Port Security grant application with proceeds to be used to protect maritime critical infrastructure and key resources through deterrence, prevention, mitigation, or neutralization.
RS2017-807	From: Tennessee Emergency Management Agency (TEMA) To: Metropolitan Government	\$173,154	\$0	N/A	This Resolution would approve application for a Homeland Security grant with proceeds to be used to fund costs related to homeland security preparedness activities.
RS2017-808	From: National Recreation and Park Association in affiliation with Disney To: Metropolitan Parks and Recreation Department	\$50,000	\$50,000	N/A	This resolution would approve application for a Play Spaces grant with proceeds to be used to fund park projects that provide access to inclusive play spaces and increased physical activity.
RS2017-809	From: Tennessee Department of Health To: Metro Board of Health	Not to exceed \$99,300	\$0	October 1, 2017 through September 30, 2018	If approved, these grant proceeds would be used to provide food safety services including restaurant inspections, foodborne illness complaints, investigations, and environmental health specialist network assessments.
RS2017-810	From: Tennessee Department of Health To: Metropolitan Board of Health	\$100,000	\$0	N/A	This resolution would approve an application for a mosquito control grant with proceeds to be used to strengthen mosquito control efforts, to control mosquito-borne diseases, and to protect the health of the community.

Legislative Number	Parties	Amount	Local Cash Match	Term	Purpose
RS2017-811	From: PetSmart Charities To: Metropolitan Board of Health	\$50,000	\$0	N/A	If approved, the grant proceeds would be used to provide funding to establish a Safety Net Voucher Program to provide low-cost medical services and behavioral vouchers to assist in decreasing the relinquishment of animals to Metro Animal Care and Control. This would keep an estimated 200 animals from being surrendered to MACC during the grant period.
RS2017-812	From: National Association of County and City Health Officials To: Metropolitan Board of Health	\$20,000	\$12,990 (in-kind)	N/A	If approved, the grant proceeds would be used to develop an implementation plan to prevent HIV and sexually transmitted diseases in youth, using Centers for Disease Control school-based approaches in collaboration with Metro Nashville Public Schools.
RS2017-813	From: U.S. Department of Health and Human Services To: Metropolitan Board of Health	\$2,447,302	\$0	March 1, 2009 through February 28, 2018	A previous grant approved per RS2017-574 applied proceeds of \$2,138,569 to enhance access to a comprehensive continuum of high-quality, community-based care for low-income individuals and families with HIV disease. The current resolution would approve a first amendment to the grant to add \$2,447,302 to the grant proceeds.
RS2017-815	From: Tennessee Department of Labor and Workforce Development To: Nashville Career Advancement Center (NCAC)	Not to exceed \$230,000	\$0	July 1, 2017 through June 30, 2018	If accepted, these grant proceeds would be used in establishing consolidated business programs and services.

Legislative Number	Parties	Amount	Local Cash Match	Term	Purpose
RS2017-816	From: Tennessee Department of Labor and Workforce Development To: Nashville Career Advancement Center (NCAC)	Not to exceed \$11,500	\$0	June 30, 2017 through December 31, 2017	If accepted, these grant proceeds would be used to administer programs and services.