



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: October 17, 2017

RE: Analysis and Fiscal Notes

Unaudited Fund Balances as of 10/11/17:

4% Reserve Fund	\$39,816,604*
Metro Self Insured Liability Claims	\$6,472,093
Judgments & Losses	\$4,164,025
Schools Self Insured Liability Claims	\$4,415,429
Self-Insured Property Loss Aggregate	\$6,932,160
Employee Blanket Bond Claims	\$664,446
Police Professional Liability Claims	\$2,414,096
Death Benefit	\$1,595,505

*This assumes unrealized estimated revenues in FY18 of \$29,305,131.

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

– RESOLUTIONS –

RESOLUTION NO. RS2017-889 (VERCHER & GILMORE) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-900 (ROBERTS, VERCHER, & OTHERS) – This resolution, approving a housing incentive grant, was deferred at the October 3, 2017 Metro council meeting at the request of the Administration in order to correct various details in the grant agreement. However, it is anticipated that this resolution will be withdrawn and Resolution No. RS2017-909 will be introduced in its place to approve the grant agreement.

RESOLUTION NO. RS2017-909 (VERCHER & ALLEN) – In September 2016, the Metro Council approved Ordinance No. BL2016-342 to create a grant program to assist the funding of affordable and workforce housing developments. The ordinance was codified as Chapter 2.213 (Affordable and Workforce Housing Incentive Grants) of the Metro Code of Laws (MCL).

Under Section 2.213.010 of the Code, “affordable housing” is defined as housing that costs 30% or less than the estimated median household income for households earning 60% or less than the median household income in Davidson County. “Workforce housing” is defined as housing that costs 30% or less than the estimated median household income for households earning more than 60% and not more than 120% of the median household income in Davidson County.

The resolution under consideration would approve a housing incentive grant agreement between Metro and Miken Development, LLC for the construction of workforce housing units located at 5010 Illinois Avenue. Miken Development has agreed to construct two (2) units of workforce rental units at this location, pending approval of a Housing Incentive Pilot Program Grant Agreement to subsidize the costs of housing the workforce residents.

This resolution is expected to replace Resolution No. RS2017-900, deferred on October 3, 2017. This subsequent resolution corrects the address of the development and clarifies that these rental units are new construction rather than conversions of existing units.

MCL Sec. 2.213.020 limits the amount of any annual grant to 50% of the difference between the annual post-development and pre-development real property ad valorem tax assessment for the calendar year. Additionally, incentive amounts offered under Chapter 2.213 consist of “the difference between the average rent for an occupied unrestricted rental housing unit and the average rent for an occupied affordable or workforce housing unit.” (MCL Sec. 2.213.020 and .040).

The annual amount of all current and previous grants awarded under this incentive program is capped at two million dollars (\$2,000,000), exclusive of other grants or contributions. (MCL, section 2.213.070).

Fiscal Note: According to the grant calculation method provided in Ordinance No. BL2016-342, Miken Development would be eligible to receive a grant not to exceed \$18,204 per year (\$9,102 per unit). The ending date of this grant would be at the end of the affordability period of fifteen (15) years for rental development.

RESOLUTION NO. RS2017-910 (SLEDGE & VERCHER) – This resolution would approve the issuance of revenue bonds by the Sports Authority, authorize the pledge of certain Metropolitan Government revenues as security for those bonds, and further authorize an official statement to be distributed in connection with the bonds – all for the purposes of financing a Major League Soccer stadium proposed for development on the Fairgrounds Nashville site. The resolution would further authorize the issuance of General Obligation bonds by the Sports Authority, pending satisfaction of several conditions, for improvements to the existing fairgrounds and infrastructure associated with the stadium.

Under Section 1 of the Resolution, the Metropolitan Council would approve the Sports Authority's issuance and sale of bonds for the limited purposes of paying:

- i. costs to acquire, construct, improve, renovate and equip the stadium and its facilities;
- ii. capitalized interest and debt service reserves;
- iii. professional services costs (architectural, engineering, legal and consulting); and
- iv. costs incurred in the issuance and sale of the bonds.

The Resolution further approves the sale of these bonds by the Sports Authority, subject to several conditions:

- a. The bonds must be sold in one or more series on a taxable or tax-exempt basis with fixed rates of interest;
- b. The maturity date of the bonds cannot exceed 30 years with no balloon indebtedness on the principal;
- c. The aggregate principal of the bonds cannot exceed \$225,000,000 (In a separate Fact Sheet, the Mayor's Office states that only \$200,000,000 is anticipated.);
- d. An initial resolution must be published in one or more newspapers, and a detailed bond resolution must then be adopted; and
- e. The pricing terms of the bonds sale must be approved by the Finance Director.

The Resolution provides in section 2 that the bonds would be payable from three sources:

- a. lease payments made to the Sports Authority by the Team (identified as "Nashville Soccer Holdings, LLC");
- b. diverted state and local sales tax collected at the stadium; and
- c. ticket tax proceeds (minus amounts set aside for capital expenditures. The accompanying Intergovernmental Project Agreement (IPA) would make the debt service

portion of the ticket tax available to the Sports Authority to be used to pay debt service on the bonds.)

Though not specifically referenced in the Resolution or IPA, a Fact Sheet provided by the Mayor's Office, as well as subsequent media reports, identify a commitment by the "MLS ownership group" to submit an additional cash contribution of \$25,000,000 for construction of the stadium.

Under Section 3, the Council would pledge "Non-Tax Revenues" to the Authority. These revenues are defined under section 2(g) of the IPA Agreement as including all Metro income and revenues that are derived from any source other than taxes. Examples of such revenues include payments in lieu of taxes; licenses and permits; franchise fees (cable, gas, and telephone); fines, forfeitures and penalties; revenues from the use of money or property (investment interest and lease payments); commissions and fees (e.g., court clerk fees, register of deeds, etc.); charges for services (e.g., golf course green fees); compensation from the sale of or damage to Metro property; and other miscellaneous revenue (e.g., vending machines). As defined in the IPA, non-tax revenues would exclude property and sale tax revenues, State-shared taxes, revenues of any Metro Government agency that become assets of any enterprise fund or proprietary fund, certain payments by the Department of Water Services, Nissan Stadium lease payments and parking revenues, or Bridgestone Arena ticket surcharges.

Section 4 would approve the terms of the Intergovernmental [Project] Agreement and authorize the Mayor to execute it on behalf of the Metro Government, though not necessarily in the precise form currently before the Council. ("...in substantially the form now before this meeting, with such changes and additions to and omissions from such draft of such agreement as the Metropolitan Mayor shall approve as necessary or appropriate...")

The Resolution would further authorize the Mayor or Finance Director to enter into a "continuing disclosure agreement". These are standard bond issuance agreements to provide owners of bonds with detailed financial information and notices, as required by the Securities Exchange Commission.

Section 7 establishes conditions that must be satisfied before the Sports Authority would be authorized to sell bonds for construction of a stadium.

- a. The Team must be awarded an expansion franchise by Major League Soccer;
- b. The Team and Sports Authority must execute a development agreement that requires the Team to fund any stadium costs not covered by bond proceeds;
- c. The Sports Authority and Metro (through the Fair Board) must execute a long-term ground lease for the stadium "and development sites"; and
- d. The Authority and Team must execute a Team Lease that expires with the term of the bonds.

Subsection 7.d of the Resolution outlines the financial terms of the “Team Lease” that must be executed between the Team and Sports Authority. (References in the Resolution and IPA to a “Team Lease” and “Operating Lease” refer to the “Operating Lease Agreement.”) In a separate Fact Sheet, the Mayor’s Office describes the term of the lease as 30 years – matching the bond term. The terms require the Team to pay an annual rent in an amount equal to the debt service on the bonds (estimated at \$13,000,000 annually) *minus* a calculated “rent reduction” amount. This “rent reduction” consists of the combined total of the sales tax diversion and the debt service portion of the ticket tax. The “rent reduction” amount is further required to total at least \$4,000,000 per year for first 5 years of the Operating Lease Agreement, and \$3,000,000 [per year] for years 6-10.

In the event the combined totals of the sales tax diversion and the debt service portion of the ticket tax fail to total \$4,000,000 or \$3,000,000 (depending on the year of operation), the Metropolitan Government would be obligated to pay the difference from non-tax revenues to the extent other funds are not available. (Under section 2(b)-(e) of the IPA, Metro would agree to submit all stadium sales tax revenues and the debt service portion of the ticket tax to the Sports Authority to be used to pay debt service on the bonds. In the event these funds are insufficient to cover the debt service when due, the Metropolitan Government would pledge to transfer non-tax revenues to cure the deficiency.)

The Team is otherwise responsible for all stadium operating costs, including utilities, security, routine repairs and maintenance and insurance. However, long-term capital expenses for the stadium would be the obligation of the Metropolitan Government.

The Team would be entitled to all revenues generated at the stadium, including ticket sales, parking fees, naming rights, seat licenses, and rent for use of the stadium. (The IPA Agreement further lists, in its 14th recital, the sale of food and drink and the sale of franchise goods and products associated with the Teams’ operations. Internet sales of franchise merchandise could also be included, though state law governs franchise sales within the county.)

The Metropolitan Government would be entitled to twenty (20) public use days of the stadium. (These use days are intended to recur “per year” and to exclude Fair events). Scheduling would be coordinated between the Team and Fair Board executive director to ensure the Fairgrounds are able to conduct all activities required under the Charter (the fair, expo center events, flea markets, automobile racing). The Nashville Fairgrounds would also be entitled to use of the stadium concourse for Fairgrounds events.

Lastly, subsection 7.d requires the execution of a guaranty by the Team owners guaranteeing payment of the lease payments for the duration of the Development Agreement and Team Lease. Although the Team is identified as “Nashville Soccer Holdings, LLC”, the entity providing such guaranty (*i.e.*, individuals, LLC, corporation, trust, *etc.*) is not yet specifically identified. The ninth recital clause of the IPA Agreement similarly does not identify the entity, known therein as the “Team Guarantor”. Additionally, the commitment referenced in the Fact Sheet -- whereby

the “MLS ownership group” would submit an additional cash contribution of \$25,000,000 for construction of the stadium -- does not appear to be secured under this guaranty.

Subsection 7.e would approve a ticket tax allowed pursuant to state law upon an escalating scale:

- \$1.75 per ticket for years 1 – 5;
- \$2.25 per ticket for years 6 - 7;
- \$2.50 per ticket for years 8 and thereafter.

Of these amounts, \$1.75 would be dedicated to payment of debt service on the bonds. After year five, proceeds from the ticket tax above \$1.75 would be held in a reserve account by the Finance Department to be used for long-term capital expenditures at the stadium. (The IPA Agreement would establish a “Capital Fund” to be kept separate from all other Metro funds for this purpose.)

Events under the control of the Fair Board would be excluded from ticket taxes. (The IPA Agreement, in its 16th recital, references a ticket tax on admission to “all events at the Stadium” with no express exemption for events under the control of the Fair Board. But it is believed Fair Board events can be excluded from the ticket tax under State law.)

Under subsection 7.f, the Council would authorize issuance of General Obligation Bonds of up to \$50,000,000 as part of a capital spending plan for improvements to the fairgrounds. Of that amount, \$25,000,000 would be earmarked for infrastructure improvements associated with the stadium, and the remaining \$25,000,000 would be used for improvements to existing fairgrounds buildings and facilities. The recitals in the IPA Agreement identify the \$50,000,000 as financing more generically “Fairgrounds Improvements.”

The \$25,000,000 for improvements to fairgrounds buildings and facilities could be used to cover demolition costs in order to facilitate the stadium construction. And that sum could be combined with \$12,000,000 from a previous capital spending plan allocated to the fairgrounds, generating \$37,000,000 for demolition and construction of new buildings.

The ninth recital clause in the Resolution provides that, as an inducement for the Team to enter into the Team Lease, the Metropolitan Government would enter into a 99-year no-cost lease of approximately ten (10) acres adjacent to the proposed stadium for development. There is no description of the specific site, the development, or the developer; and this lease is not discussed in the Resolution other than a reference to “development sites” in subsection 7.c. The attached IPA Agreement is likewise silent regarding this lease. It is unknown if a single contiguous site is involved, or whether the property -- currently zoned IWD and OR20 -- could accommodate mixed-use development absent prior rezoning. An appraisal of two (2) fairgrounds parcels was submitted to Council members on October 10, 2017. Parcel 1, measuring 8.5 – 10.5 acres (for the proposed stadium) was appraised at \$15,000,000 to

\$18,000,000; and Parcel 2, measuring 28.5 acres sites (the proposed development area) was appraised at \$31,000,000. These values appear generated with no stadium presence assumed.

The Intergovernmental Project Agreement

The Intergovernmental Project Agreement (IPA) attached to the Resolution would only be executed subsequent to the award of an MLS franchise to the Team, and subsequent to the execution of a Lease Agreement, a Stadium Development Agreement, and a Team Lease, and further subsequent to the issuance of \$50,000,000 in general obligation bonds. The IPA would formally engage the Sports Authority to undertake the stadium project.

Under the terms of the IPA, the Metropolitan Government would be under a duty to perform the following:

- a. Issue and sell bonds to be used to fund the Fairgrounds improvements (presumably including public infrastructure related to the stadium);
- b. Submit all sales tax revenues at the stadium to the Sports Authority until the bonds have been fully paid;
- c. Submit all ticket tax revenues (debt service portion only) to the Sports Authority until the bonds are fully paid;
- d. Establish a capital fund to be kept separate from other Metro funds for deposits of the capital improvements portion of the ticket tax;
- e. The Sports Authority would use the stadium sales tax revenues and the debt service portion of the ticket tax to pay debt service on the bonds. But in the event these funds are insufficient to cover the debt service when due, the Metropolitan Government would pledge to transfer non-tax revenues to cure the deficiency.
- f. This pledge of non-tax revenues would be subordinate to prior pledges of these revenues on behalf of the Sports Authority or Convention Center Authority, as well as bond or debt obligations subsequently issued by either Authority.
- g. A definition of non-tax revenues is set forth (described above).
- h. Metro would then authorize the Sports Authority to pledge its rights to the stadium sales tax revenues, debt service portion of the ticket tax, and its non-tax revenues as security for its bond obligations.
- i. Metro would transfer the sales tax revenues, the debt service portion of the ticket tax, and non-tax revenues to the Sports Authority for so long as bonds are outstanding.
- j. Metro would agree not to issue or incur any new indebtedness payable from the non-tax revenues (an "additional secured indebtedness") for so long as the bonds are outstanding, unless all bond indenture payments have been made, the Sports Authority is in substantial compliance with the terms of the indenture, and the total amount of the non-tax revenues collected by Metro is at least twice the amount of bond debt service payable in a calendar year.

The duties of the Sports Authority would be as follows:

- a. cause the bonds to be issued and sold, with the proceeds thereof to be deposited and used solely for the stadium proposal;
- b. cause the construction of the stadium, using the bond proceeds and any funds paid by the Team;
- c. deposit the stadium sales tax revenues and debt service portion of the ticket tax into a revenue fund;
- d. adopt an annual budget that indicates all operating expenses, revenues and capital expenses; submit reports to the Finance Director; and submit annual audits to the Metro Council; and
- e. comply with the terms of the indenture, and reimburse Metro's non-tax revenue fund payments from any surplus revenue fund.

The term of the IPA would extend until the bonds issued under the Indenture are paid in full. Termination would not be permitted if it would impair any party's ability to fulfill any contract or agreement with a third party.

If this Resolution is approved, and a subsequent franchise is awarded to team owners, a subsequent ordinance or Charter amendment would be required to authorize demolition of any premises on the Fairgrounds site. Pursuant to a 2011 amendment to Section 11.602 of the Charter, any such ordinance would require passage by 27 votes of the Council.

On October 10, 2017, the Fair Board adopted a separate resolution requesting that the Metro Council conditionally authorize the issuance of the public facility revenue improvement bonds for a MLS stadium to be constructed on Fairgrounds property. That resolution similarly provided the Sports Authority board chair with the authority to execute the Intergovernmental Agreement in "substantially" the same form, though with "such changes and additions to and omissions from" as the chair deems necessary.

RESOLUTION NO. RS2017-911 (VERCHER) – This resolution would appropriate \$1,000,000 from the Community Partnership Fund to 27 nonprofit organizations.

State law provides that the Metropolitan Government may appropriate funds to nonprofit organizations in accordance with the guidelines of the Metropolitan Government. Tenn. Code Ann. §7-3-314. Metro Code of Laws Sec. 5.04.070 provides that the Council may, by Resolution, appropriate funds for the financial aid of nonprofit organizations. These nonprofit organizations were selected pursuant to criteria set forth by the Mayor's Office and Finance Department. The resolution further authorizes the Metropolitan Government to enter into grant contracts with the listed nonprofit organizations. These contracts will specify the terms and conditions under which the grant funds are to be spent.

The specific categories, organizations, and amounts are shown below.

Domestic Violence (\$294,900)

\$169,000 to Legal Aid Society of Middle Tennessee and the Cumberland for legal services and court advocacy

\$64,200 to Morning Star Sanctuary, Inc. for shelter/support services, counseling and legal assistance

\$30,600 to Tennessee Coalition to End Domestic and Sexual Violence for legal advocacy and representation for immigrant Domestic Violence victims

\$31,100 to The Mary Parrish Center for extended shelter/transitional housing, advocacy and counseling.

Education and After School (\$314,400)

\$29,900 to Boys & Girls Club of Middle Tennessee for afterschool and summer enrichment tutorial assistance

\$44,900 to Hearing Bridges for afterschool and/or summer enrichment tutorial assistance for hearing impaired students

\$45,000 to Martha O'Bryan Center, Inc. for afterschool enrichment programs

\$26,500 to Monroe Harding, Inc. for afterschool and summer programs

\$34,900 to Oasis Center, Inc. for afterschool and summer programs

\$6,100 to Preston Taylor Ministries, Inc. for afterschool programs with emphasis on reading

\$27,100 to Salama Urban Ministries, Inc. for afterschool programs

\$31,900 Vanderbilt University Medical Center (School of Nursing) for afterschool programs

\$8,700 to Conexion Americas to provide middle school Latino students a structured out-of-school program to promote students success

\$30,600 to Fannie Battle Day Home for Children to provide before and after school and summer enrichment tutorial assistance

\$28,800 to Backfield in Motion to provide year-round out-of-school academic enhancement, life skills fitness/recreational program

Misc. Community Agencies/Services (\$180,700)

\$8,400 to Family and Children's Service for emergency financial support for housing, utilities, food and transportation

\$14,300 to Oasis Church for food bags to families of elementary school students

\$47,500 to Nashville CARES for case management in conjunction with housing/financial assistance for persons with HIV/AIDS

\$42,800 to NeedLink Nashville for emergency financial assistance with rent and utilities

\$42,000 to United Way, Inc. for low income families to receive emergency financial assistance for housing and/or utilities

\$25,700 to Southern Word to teach skills in spoken word poetry to prevent violence

Literacy (\$210,000)

\$16,200 to Big Brothers Big Sisters of Middle Tennessee for reading/language art skills

\$46,200 to Teach For America, Inc. to provide English Language Learning literacy program

\$53,700 to Nashville Adult Literacy Council, Inc. for reading and English skills to US-born and immigrant adults

\$54,000 to Nashville International Center for Empowerment for adult English proficiency and GED-preparation programs

\$23,700 to St. Luke's Community House, Inc. for school-age reading skills and "intergenerational" literacy.

\$16,200 to STARS Nashville for educational support to increase fluency in sign language for Deaf or hard-of-hearing students.

Fiscal Note: These appropriations would completely deplete the funding included in the FY18 budget for this purpose.

RESOLUTION NO. RS2017-912 (PARDUE, VERCHER, & RHOTEN) – This resolution would authorize the Director of Public Property Administration to accept a donation of real property along Old Springfield Highway from the City of Goodlettsville for use as part of the parks system.

The City of Goodlettsville has agreed to transfer a fee simple interest in three parcels of no less than fifteen (15) acres to Metro at no cost. In return, Metro agrees to construct and maintain a public park on the parcels, to use the property only as a public park, to cover all costs associated with the transfer of the property, and to begin construction on the park within thirty (30) months from date of deed. If the property ceases to be used as a public park, the title would revert back to the City of Goodlettsville.

This donation has been approved by the Metro Nashville Board of Parks and Recreation and the Planning Commission.

Section 5.04.120.B. of the Metro Code of Laws allows donations to Metro exceeding \$5,000 to be accepted and appropriated by resolution.

Fiscal Note: The total appraised value of these three parcels as shown on the Assessor or Property's web site is \$249,300. The Parks Department estimates it will cost no more than \$1,000,000 to construct and maintain a park at this location.

RESOLUTION NO. RS2017-913 (VERCHER & RHOTEN) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-914 (O'CONNELL & M. JOHNSON) – Resolution No. RS2016-427 approved a license agreement between the Nashville Farmers' Market and the Tennessee Department of General Services. That agreement allowed the use of parking spaces in a lot owned by the state to be used to accommodate vendors of the Farmers' Market.

Under that agreement, use was limited to the front of the grass lot adjacent to 6th Avenue as well as the connecting alleyways, 24 hours per day, 7 days per week. The Farmers' Market agreed not to impair or otherwise interfere with Tennessee employee parking. The Farmers' Market also agreed to be responsible for clearing and maintaining the lot and keep the lot clean of debris.

No license fee was included. However, the agreement included a provision that there must be no charge for parking at the lot.

The resolution under consideration would amend this agreement. Under this amendment, use by the Farmers' Market's vendors would now be allowed to access the lot south of the Farmers' Market near 7th Avenue and Harrison Street as well as the public parking spots on 6th Avenue adjacent to Bicentennial Mall.

As with the prior agreement, access to the lot would be available 24 hours per day, 7 days per week, but there cannot be any impairment or other interference with Tennessee employee parking. The State would provide the Farmers' Market vendors with up to 60 parking tags that must be displayed while parked in the lot.

The term of this amendment would begin on October 1, 2017. It would end on or about June 30, 2018. All other terms of the original agreement would remain unchanged.

RESOLUTION NO. RS2017-915 (VERCHER & WITHERS) – This resolution would approve a sole-source contract with Workbay LLC to provide an integrated workforce development platform for the Opportunity Now Internship Program.

Sole-source contracts may be awarded under the Metro procurement code when it is determined that there is only one source for the supply or services rendered. Metro Code of Laws (MCL) Section 4.12.060 requires all sole-source contracts having a total value in excess of \$250,000 to be approved by the Council by resolution. Workbay LLC has been identified by the Finance Department as the sole source for this platform.

The platform is scheduled to be updated by December 20, 2017. Workbay would be retained for ongoing maintenance, support, and development through September 30, 2019 and potentially through September 30, 2021, based on the original contract term of three (3) years plus two optional extensions of one (1) year each. Continuance of the agreement would require Council approval.

Fiscal Note: Metro would pay Workbay \$195,000 for services related to the Opportunity NOW platform for the term ending September 2017 (already complete). An additional \$195,000 would be paid for the term ending September 2018 with another \$195,000 for the term ending September 2019.

The contract would cover the first 10,000 applicants (+/- 5,000 users allowance) using the platform. For each additional 5,000 applicants, an additional annual fee of \$90,000 would be charged.

The first optional year would cost \$208,650. The second would cost \$223,254. If the contract is extended for this full five-year period, the total cost would be \$1,016,904 (assuming it is not necessary to buy capacity for additional applicants).

RESOLUTION NO. RS2017-916 (VERCHER & WITHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-917 (HUEZO, VERCHER, & WITHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-918 (HUEZO, VERCHER, & WITHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-919 (HUEZO, VERCHER, & WITHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-920 (VERCHER & ROBERTS) – This resolution would approve two agreements between the United States Department of Justice (DOJ), Drug Enforcement Administration (DEA) and the Metro Nashville Police Department. These agreements would govern the participation of DEA Nashville District Office Task force participants in the United States Department of Justice Equitable Sharing Program.

The Comprehensive Crime Control Act of 1984 authorized federal officials to implement a national asset forfeiture program. One provision of asset forfeiture is the authorization to share federal forfeiture proceeds with cooperating state and local law enforcement agencies.

The Metro Nashville Police Department participates in two separate task force groups with the DEA, each governed by a separate agreement. One Metro officer is assigned to each of these two groups. Group #1 has five additional officers from other agencies in addition to the Metro

officer. Group #2 has eight additional officers. The function and operation of the two groups are similar.

These two agreements would formalize Metro's participation in the DOJ Equitable Sharing Program. The proceeds from these asset forfeitures would be split evenly among the task force members, subject to approval and at the discretion of the Attorney General of the United States.

This sharing would not be awarded in a case where the victims have not been fully compensated. For these purposes, state, local, or federal government entities can be considered as victims.

The even split of forfeited assets may be modified in cases where a participating agency has either an unexpected financial burden or a unique or indispensable contribution related to the investigation and/or seizure. Additional adjustments may be necessary so as to ensure the DEA receives a minimum of 20%.

Fiscal Note: This is a renewal of the agreements between Metro and the DEA concerning the equitable sharing program. MNPd estimates the annual amount received from this program is approximately \$165,000.

RESOLUTION NOS. RS2017-921 THROUGH RS2017-925 (VERCHER & ROBERTS) – These five resolutions would approve intergovernmental agreements to distribute state grant funds to assist with investigations of internet crimes against children.

The Metropolitan Police Department was awarded a grant per Resolution No. RS2016-193 in the amount of \$240,000 from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs, for the Internet Crimes Against Children (ICAC) unit with the understanding that a portion of the grant funds would be sub-granted to other local law enforcement agencies in the Middle Tennessee area.

This grant has since been amended per Resolution No. RS2017-878 to add \$960,000 for a new grant total of \$1,200,000. Metro remains responsible to distribute a portion of these grant funds to surrounding Middle Tennessee ICAC agencies.

These funds are to be used solely for equipment, training, and travel related to ICAC investigations. The terms of these agreements would be from July 1, 2017 through June 30, 2018.

- **Resolution No. RS2017-921** would approve an agreement with the Tennessee Association of Chiefs of Police for the distribution of \$10,000 of the grant funds.
- **Resolution No. RS2017-922** would approve an agreement with the Spring Hill Police Department for the distribution of \$15,000 of the grant funds.

- **Resolution No. RS2017-923** would approve an agreement with the Dickson County Sheriff's Office for the distribution of \$15,000 of the grant funds.
- **Resolution No. RS2017-924** would approve an agreement with the Cookeville Police Department for the distribution of \$15,000 of the grant funds.
- **Resolution No. RS2017-925** would approve an agreement with the Williamson County Sheriff's Office for the distribution of \$15,000 of the grant funds.

RESOLUTION NO. RS2017-926 (VERCHER & ROBERTS) – This resolution approves a routine agreement between the U.S. Drug Enforcement Administration (DEA) and the Metropolitan Police Department for assistance with the Middle Tennessee Drug Enforcement Task Force.

The purpose of the Drug Enforcement Task Force is to gather intelligence data and conduct undercover operations related to illegal drug trafficking. The Police Department assigns one officer to the task force. The DEA assigns three special agents to the task force, and provides the necessary funds and equipment to support the activities of the task force.

The DEA agrees to reimburse the police department for overtime costs paid by Metro up to \$18,042 per officer participating in the Drug Enforcement Task Force. The term of this agreement is from October 1, 2017 through September 30, 2018.

RESOLUTION NO. RS2017-927 (O'CONNELL & ELROD) - This resolution would authorize Third and Commerce, LLC and CMT Productions, Inc. to construct, install, and maintain an aerial encroachment at 330 Commerce Street. The encroachment consists of one double-faced, projecting, illuminated sign.

The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the sign, and is required to provide a \$2 million certificate of public liability insurance with the Metropolitan Clerk naming the Metropolitan Government as an insured party. The applicant must also hold the Metropolitan Government harmless from all claims connected with the installation.

Metropolitan Government retains the right to pass resolutions or ordinances regulating the use of surrounding streets, including the right to construct and maintain utilities, and to order the relocation of facilities at the expense of Third and Commerce, LLC and CMT Productions, Inc. Metro further retains the right to repeal approval of the encroachment without liability.

Plans for the encroachment must be submitted to the Director of Public Works for approval, along with all work and materials; and the installation, when completed, must be approved by the Director.

The sign's construction must be carefully guarded and must be completed promptly, so as to cause the least inconvenience to the public.

This proposal has been approved by the Planning Commission.

RESOLUTION NO. RS2017-928 (ALLEN) – Resolution No. RS2016-424 approved a contract between the Metro Board of Health and the Nashville Academy of Medicine to provide access to the Charisma Salus database system for patient tracking and prescription tracking. This contract facilitates the efforts of the Board of Health to link uninsured residents of Davidson County to community healthcare services that serve the uninsured, based upon their ability to pay using the Nashville Academy of Medicine database. Metro paid a total administrative fee of \$3,300 for access to the database.

The current term of the contract is from July 1, 2016 through June 30, 2017. The amendment under consideration by this resolution would extend the end date to June 30, 2018. No other changes would be made to the terms of the contract. All other terms and conditions in the original agreement would remain in effect.

RESOLUTION NO. RS2017-929 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of Ryan Haraway against the Metropolitan Government in the amount of \$10,000.

Mr. Haraway was arrested and charged with various offenses, including burglary. Force was deemed necessary to take him into custody, and Mr. Haraway was subsequently transported by Metro Police to General Hospital. He refused to cooperate with Metro officers upon arrival at the hospital and, though his hands were cuffed behind his back and hobble restraints were placed on his legs, he actively resisted being pushed in a wheelchair. The MNPD officer who was pushing the wheelchair then delivered three knee strikes to Mr. Haraway's back.

Mr. Haraway claims that he immediately felt pain in his back following the knee strikes. He was later diagnosed with fractures to the transverse process (a portion of the vertebrae). There is a question as to whether the knee strikes caused the fractures or if his earlier resistance while he was being arrested caused the injuries.

Mr. Haraway received treatment from Nashville General Hospital costing \$7,019. Nashville General has already written off this amount since Mr. Haraway was in custody at the time, pursuant to an intergovernmental agreement. Mr. Haraway has agreed to accept a total of \$10,000 from Metro and \$1,000 from the officer in full settlement of this case.

The Department of Law recommends settlement of this claim for \$10,000. If this case proceeds to trial, the Metropolitan Government would incur additional outside counsel fees for the officer's

defense, and these fees could easily exceed \$10,000. This amount would be even greater if either side files an appeal after the trial concludes.

The MNPD Office of Professional Accountability found that the officer violated MNPD policies on use of force by delivering the knee strikes and failing to report that they had been delivered. Disciplinary action against the officer consisted of his resignation after a 30 day suspension.

Fiscal Note: This settlement would reduce the balance of the Self-Insured Liability Fund by \$10,000.

RESOLUTION NO. RS2017-930 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of Ivan High against the Metropolitan Government in the amount of \$6,500.

On May 27, 2017, a Fire Department employee was driving a Metro fire truck to an emergency. While attempting to navigate the truck between two stopped vehicles at the intersection of Dickerson Pike and Trinity Lane, the employee struck a 2004 PT Cruiser in which Mr. High was a passenger. Mr. High sought treatment for neck, back, and shoulder pain. He was diagnosed with a sprain of the lumbar and thoracic spine.

The owner of the PT Cruiser has already accepted \$2,450.00 for the vehicle loss. Mr. High has agreed to accept a total of \$6,500 in full settlement of his claims, based upon \$3,405 for reimbursement of his medical expenses, plus \$3,095 for pain and suffering. The Department of Law recommends settlement of this claim for \$6,500.

Disciplinary action against the employee consisted of a verbal reprimand.

Fiscal Note: This settlement would reduce the balance of the Self-Insured Liability Fund by \$6,500.

RESOLUTION NO. RS2017-931 (VERCHER) – This resolution would authorize the Department of Law to settle the property damage claim of Troy and Reba Poole against the Metropolitan Government in the amount of \$37,500.

Troy and Reba Poole (Plaintiffs) had a 40' x 50' concrete outbuilding on their property at 7389 Harper Road. On June 3, 2015, the Codes Department caused it to be demolished by mistake.

In August 2014, a valid demolition order was issued by the Codes Department for a dwelling on this property that had been severely damaged by fire. The order included all "accessory structures", which included the outbuilding in question. In February 2015, Plaintiffs purchased the property from the previous owners. Soon after, an agreement was reached between

Plaintiffs and the Codes Department whereby the Plaintiffs would demolish and remove the fire-damaged dwelling and the outbuilding would remain on the property.

Plaintiffs demolished the dwelling by early April 2015. The Property Standards Division of the Codes Department executed and recorded a full release of the demolition order on April 10, 2015. Plaintiffs were advised in May 2015 that no further cleanup on the property was necessary. By mistake, this property was still included on a list of properties to be demolished and the outbuilding was demolished on June 3, 2015.

The cost to replace the building is likely greater than \$50,000. In June 2016, Plaintiffs sold their property for \$32,500 less than its full value. In addition, Plaintiffs incurred \$1,651.00 in cleanup costs associated with the demolition of the outbuilding and attorney's fees and costs related to this claim. The Plaintiffs have agreed to accept \$37,500 to settle their claim. The Department of Law recommends settlement of this claim for \$37,500.

Fiscal Note: This settlement would reduce the balance of the Self-Insured Liability Fund by \$37,500.

– ORDINANCES ON SECOND READING –

BILL NO. BL2017-802 (ELROD) – This ordinance would amend the Metro Code of Laws to revise the penalties for improper right-of-way (ROW) closures.

Section 13.20.040 currently addresses penalties for performing work that requires a permit before the permit is issued. In those cases, the fees for any permits subsequently issued are tripled. The amended language under consideration would replace this with several new penalties, as follows:

1. Any person who digs any excavation or causes any obstruction in the public ROW without a proper permit would pay a penalty of fifty dollars (\$50) per day for each day of such work;
2. Any person who holds a valid permit but fails to provide proper public notice as required by Section 13.20.020.B would be required to pay fifty dollars (\$50) per day for each day such work is done without the proper public notice;
3. Any person who holds a valid permit but performs work in the public ROW exceeding the scope of their permit would be required to pay a penalty of fifty dollars (\$50) per day for each day such work is done. In addition, a separate penalty would be imposed for each individual violation if multiple violations occurred on the same day; and
4. Any person with a valid permit who performed work in a dangerous manner would also be required to pay a similar penalty of fifty dollars (\$50) per day for each day such work is done. In addition, a separate penalty would be imposed for each individual violation if multiple violations occurred on the same day.

In addition to these changes, the Public Works Director would be required to establish a process by which members of the public can electronically submit reports or evidence of any potential violations of this chapter.

Finally, Section 13.20.060 currently requires all such work to be done only within the hours stipulated on their permit. This section currently states that any person found guilty of two or more violations of this section would be disqualified from obtaining further permits for a period not to exceed six (6) months. The amended language would clarify that a person found guilty under this section can also be subject to penalties imposed pursuant to Section 13.20.040.

Fiscal Note: The multiple fifty dollar (\$50) penalties that would be enacted by this ordinance should result in additional revenue within "Fines, Forfeits, and Penalties". However, it would be speculative to predict the amount of this additional revenue. In addition, it is unknown if these fees would be sufficient to cover the additional administrative costs.

BILL NO. BL2017-871 (GLOVER, VERCHER, & OTHERS) – This ordinance would authorize the acquisition of certain right-of-way easements, drainage easements, temporary construction easements, and property rights by negotiation, donations, or condemnation for public projects for Central Pike Improvements.

This has been approved by the Planning Commission.

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

BILL NO. BL2017-872 (GLOVER, VERCHER, & OTHERS) – This ordinance would authorize the acquisition of certain right-of-way easements, drainage easements, temporary construction easements, and property rights by negotiation or condemnation for public projects for Andrew Jackson Parkway Sidewalk Improvements.

This has been approved by the Planning Commission.

Fiscal Note: The 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. BL2017-908 (LEONARDO) – This ordinance would add a new section to the Metro Code of Laws (MCL) to give the Metropolitan Council the ability to review grading activity to determine compliance with the approved grading permit and drainage plan. If the grading activity is not in compliance with the grading permit, the Department of Water and Sewerage Services (WSS) would be authorized to revoke the grading permit.

Section 15.64.140 of the MCL would add a new Subsection C for this purpose. It would include the following:

1. The Council would be authorized, by resolution, to review grading drainage plans or permits issued by WSS.
2. Review of a grading permit and drainage plan could be initiated by the Council member for the affected district by written request to the WSS Director. Within five (5) business days of the initiation of a review, WSS would send written notice to the Zoning Administrator and the owner(s) of the affected property.
3. Within thirty (30) days from the initiation of the review, the Council would hold a public hearing to consider whether grading activity on the site is in compliance with the approved grading permit and drainage plan, including the determination of whether the permit should be suspended.
4. No building permits for new construction could be submitted, reviewed, or issued within the portion of the site for which a review has been initiated until the Council renders a

final action in the matter, a revised plan is submitted and approved, or six (6) months have passed since the initiation of the review with no action by the Council.

In considering whether grading activity is in compliance with the permit, the Council would be required to determine at the public hearing that at least two (2) of the following have occurred:

- i. The grading permit has been active for more than six (6) months.
- ii. No building or use and occupancy permit has been issued by Codes.
- iii. Fill from off-site grading has been brought to and stored on the site.

If the Council determines the grading activity on a site is in compliance with the permit, the review is concluded and grading may commence in accordance with the plan. If the Council determines the grading activity is not in compliance, the permit would be revoked until such time as a revised plan is submitted to WSS for review.

The ordinance would also amend Section 15.64.032.C.4 of the MCL to remove an antiquated reference to "Lakewood" in the list of satellite cities.

BILL NO. BL2017-912 (SHULMAN) – This ordinance would require the Metropolitan Social Services Commission (Social Services) to open a Metro-operated facility at night for individuals when temperatures in Nashville reach 32 degrees Fahrenheit or below.

The ordinance under consideration would require Social Services to open a Metro-operated facility as a shelter from 7:00pm to 7:00am when the temperature in Nashville is projected to be 32 degrees Fahrenheit or below during those hours. This facility would be operated by Metro staff or Metro-contracted parties. The facility would be required to hold at least one hundred and fifty (150) people.

Social Services currently participates in Nashville's Cold Weather Community Response Plan. This Plan was developed by nonprofit organizations and government to provide shelter for the homeless population during cold weather. The Plan defines three levels of response, Cold Weather, Extreme Weather (between 20 and 25 degrees), and Critical Weather (19 degrees or below). Currently, Social Services opens an overflow shelter of 75-90 beds at a Metro location during Extreme Weather. This is used to handle the overflow for people who cannot go to other shelters. \$25,000 was added to Social Services' FY18 budget to provide this overflow shelter.

Fiscal Note: The ordinance does not mention anything about paying for the ancillary services that would be required for operating these shelters. It would be necessary to arrange for food, bedding, security, transportation, and staffing.

The amount that would need to be added to Social Services' operational budget to provide this increased level of shelter services has not been identified. This would possibly cause Social Services to require a supplemental appropriation.

BILL NO. BL2017-913 (WITHERS, ELROD, & ALLEN) – This ordinance would abandon existing sanitary sewer and water mains, sanitary sewer manholes, fire hydrants and easements and to accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrants and any associated easements for properties located at 620 S. 9th Street and 804 Sylvan Street. It has been determined by Metro Water Services that this easement is no longer needed.

Amendments to this legislation may be approved by resolution.

This has been approved by the Planning Commission.

BILL NO. BL2017-914 (KINDALL, ELROD, & ALLEN) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning a portion of 4th Avenue North right-of-way.

The abandonment has been requested by Ragan Smith Associates, applicant.

This has been approved by the Traffic and Parking Commission and the Planning Commission.

BILL NO. BL2017-915 (SLEDGE, ELROD, & ALLEN) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning a portion of Lester Avenue right-of-way.

The abandonment has been requested by Trevecca Nazarene University, owner and applicant.

This has been approved by the Traffic and Parking Commission and the Planning Commission.

– ORDINANCES ON THIRD READING –

BILL NO. BL2017-870 (VERCHER, ALLEN, & ROSENBERG) – This ordinance would declare the property located at 3410 Knight Drive as surplus and authorize the Director of Public Property Administration to sell the property to KIPP Nashville.

This 19.97 acre property is commonly known as the Ewing Park School. An appraisal of the property prepared in October 2016 by Neiman-Ross Associates, Inc. estimated the then-current market value of the property at three million six hundred thousand dollars (\$3,600,000). The Nashville Board of Public Education has declared the property to be surplus and no other Metro entity has indicated further need for the property or improvements. Under section 2.24.250 of the Metro Code, when property held by the board of education is no longer suited or needed for school purposes, the board may direct the director of public property to sell the property. Per section 9.14 of the Charter, sale proceeds are held by the Metropolitan Government, but are credited to the unappropriated school fund.

An amendment was adopted that includes a revised sales agreement exhibit providing for, among other items, a right of first refusal on behalf of the Metropolitan Government. A second amendment that would require proceeds from the sale to be deposited in the school debt service fund for exclusive use for debt service payments was not adopted.

This has been approved by the Planning Commission.

Fiscal Note: Metro would receive Three Million Four Hundred Twenty Thousand Dollars (\$3,420,000) for the fee simple sale of the property.

BILL NO. BL2017-898 (SWOPE) – This ordinance would modify Section 17.12.040.E.26 of the Metro Code of Laws concerning the use of electric fences. This section currently regulates the maximum permitted height for other types of screening walls and fences, measured from finish grade level on the side of a wall or fence with the greatest vertical exposure.

The ordinance under consideration would amend this section to permit electric fences, though only within IWD, IR, and IG districts, and restrict the height of electric fences to no more than ten (10) feet, subject to the provisions of Section 16.04.200 (general fencing regulations).

BILL NO. BL2017-899 (ALLEN) – This ordinance would modify Section 17.04.060.B. of the Metro Code of Laws (MCL) by adding a definition for "Elderly Housing" as a land use designation. Specifically, "Elderly Housing" would be defined as multi-family housing that is restricted to occupation by an "Elderly Person" as defined by 24 CFR 891.205 or "Elderly Family" as defined by 24 CFR 891.505. Elderly Housing would be subject to the same requirements under the Zoning Code as multi-family housing, except where a specific standard or requirement is otherwise provided.

This ordinance would also amend Table 17.20.030 of the MCL to establish a minimum number of parking spaces for elderly housing at 0.5 spaces per unit.

BILL NO. BL2017-900 (SLEDGE) – Section 17.04.060 of the Metro Code of Laws (MCL) defines many general terms used for legislative terms within Metro. This includes the terms "Commercial amusement, inside" and "Commercial amusement, outside".

Generally, both terms are defined as the provision of entertainment, performances, or games of skill to the general public for a fee. The only significant difference between the terms is whether this provision is wholly enclosed in a building or if any (or all) of the activity takes place outside of a building.

This ordinance would keep the language of these two terms, but would add the additional clause, "or a permanent event space" within the two definitions.

BILL NO. BL2017-904 (ALLEN) – Section 2.210.020 of the Metro Code of Laws lists the specific requirements for economic and community development incentive grants. This currently lists the method for calculating the amount grants during any year by multiplying the average number of full-time equivalent employees within the boundaries of Metro by five hundred dollars (\$500). The actual amount of such grants with respect to each qualified project is determined by taking into account the amount of revenue anticipated to be received by Metro with respect to the location of the qualified company and its operations in the qualified project.

The ordinance under consideration would add a new Subsection C which imposes two additional requirements for a company to receive incentive grants. The first would require written confirmation to be provided by the director of the Metropolitan Transit Authority (MTA) that the qualified company has contacted MTA regarding qualified project participation in the EasyRide MTA-RTA Commuter Program.

The second would require that, for the duration of any economic and community development incentive grants, the qualified company must provide an annual written report to the ECD regarding the participation rate of its full-time equivalent employees in the EasyRide MTA-RTA Commuter Program. Failure to submit timely written reports would be grounds for termination of a grant.

These new provisions would expire on January 1, 2020 unless extended by Council resolution. This "sunset provision" is included to ensure that the effectiveness and necessity of this subsection is reviewed by the Council.

BILL NO. BL2017-905 (WEINER) – This ordinance would add a new Subsection 5.04.130 to the general provisions of Metro's financial policies for providing financial assistance to nonprofit organizations. This new subsection proposes a merit-based grant program.

Metro began a formal process of selecting non-profit organizations for funding in Fiscal Year 2009 with the creation of the "Community Enhancement Fund (CEF) Grant Program". Under the CEF program, organizations were originally evaluated within three major categories – (1) Domestic Violence Programs, (2) Education and After-School Programs, and (3) Miscellaneous Community Agencies/Services. Beginning in FY14, "Literacy" was added as a fourth category. Operating budgets approved by the Council included totals for these categories, but did not select the specific organizations that would receive the funds. Separate evaluation panels for each category scored all non-profit applications for funding to determine which were the best fits for Metro's goals to provide services to the public.

More than \$12 million has been awarded to non-profit groups between FY12 and FY17.

In Fiscal Year 2018, the methodology for non-profit grant awards was changed. The administration changed from the Community Enhancement Fund structure to a new "Community Partnerships Fund (CPF)". According to information provided by the Mayor's Office during the preparation of the FY18 operating budget, the funding previously allocated to the CEF was to be allocated to Metro departments. Those departments would then design and administer grant programs similar to the Arts Commission's management of arts grants. Departments would be required to collaborate with non-profit partners and to identify strategies for allocating the funding to achieve better outcomes or address unmet needs.

Under the new CPF program, Metro departments would identify needed services and work with non-profits to deliver those services. The Finance Department would be responsible for notifying the departments assigned this responsibility in the FY18 budget. These departments would then need to develop proposals for partnering with non-profits wherever there currently are service gaps. The Finance Department would provide technical assistance to these departments in developing their program design. Departments were to negotiate the final agreements with non-profits and monitor, track and report outcomes. The Finance Department's Office of Financial Accountability would continue its role of monitoring performance.

The Metro Council was to continue to approve the grant allocations via Resolution, as has been done in the past. The categories for the FY18 CPF are Homelessness, Literacy (ELL and Youth focus), Youth Employment and Engagement, Afterschool, and Domestic Violence.

The ordinance under consideration, as amended, would add a new subsection to Chapter 5.04 of the Metro Code of Laws to simply require the Metropolitan Government to maintain an operating merit-based grant program, with grants to be awarded according to established compliance requirements.

This new Subsection 5.04.130 would provide for the initiation and administration of a merit-based grant program awarded by the Administration to Nashville non-profit organizations. Grants would be awarded according to compliance requirements established by the Metropolitan Government. This would change the funding for non-profit organizations back to a structure similar to the classic CEF methodology. The amounts of such grants would be determined as part of the operating budget preparation process subject to approval by the Council.

Fiscal Note: In the FY17 operating budget, a total of \$2,150,000 was appropriated for the four categories of the Community Enhancement Fund. In their place, the FY18 budget includes \$1,000,000 for the Community Partnerships Fund.

BILL NO. BL2017-907 (SYRACUSE) – This ordinance would modify the current minimum distance exemption requirements for obtaining beer permits upon the adoption of a Council resolution.

The Metro Code of Laws prevents a beer permit from being issued to an establishment located within 100 feet of a religious institution, 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)).

The ordinance under consideration would allow an additional exemption for any holder of both a validly issued Brewer's Notice from the United States Alcohol and Tobacco Tax and Trade Bureau and a validly issued on-sale permit from the minimum distance requirements for off-sale permits. As with other exemptions, this would require a public hearing and approval by Council resolution receiving at least twenty-one (21) affirmative votes.

BILL NO. BL2017-909 (O'CONNELL) – This ordinance would establish the honorary designation of "Bridgestone Drive" for a portion of 4th Avenue South.

Section 13.08.025 of the Metro Code of Laws provides a procedure for the use of honorary street signs whereby the Council, by ordinance, can authorize and direct the Department of Public Works to install two (2) honorary street signs – at each end of a street -- beneath the official street name sign for any street identified on the official Street and Alley Centerline Layer map.

Section 13.08.015 of the Metro Code prohibits street name changes for the purpose of promoting a private business. But such prohibitions do not extend to honorary designations under section 13.08.025. Neither this ordinance, nor honorary street names in general, officially rename the designated street. Therefore, there would be no change of official street address for any residents or businesses on 4th Avenue South.

The honorary designation for Bridgestone would be the first such approval of 2017. During each calendar year, up to five (5) honorary designations may be approved. Any additional honorary designations within a year beyond the first five (5) would require the identification of a new funding source to pay for the signs.

Pursuant to an amendment to this ordinance approved October 3, 2017, three (3) honorary street signs would be placed along 4th Avenue at the following intersections: Broadway, Demonbreun and Korean Veterans Blvd.

Fiscal Note: The total loaded cost to manufacture and install each sign has been estimated by Public Works to be between \$75.78 and \$87.79.

If a sign is mounted on a separate post instead of using the post with the regular street sign, there would be an additional cost of approximately \$22.11.

BILL NO. BL2017-910 (VERCHER, WITHERS, & ALLEN) – This ordinance would approve a form Master Telecommunications Facility Licensing Agreement (MLA). This would be used by all Metro departments, agencies, boards, and commissions to license their assets and infrastructure for location of telecommunication facilities on them.

Metro owns assets, both in the public right-of-way and on or consisting of parcels of real property that would be suitable for use as the location of telecommunications facilities. The MLA also provides for Metro to collect reasonable rent for the use of its land, buildings and structures for this purpose.

Pursuant to an amendment adopted on October 3, amendments to the fees and charges listed in Exhibit A to the MLA are subject to approval by the Council by ordinance. All other amendments to the ordinance or the MLA are authorized by a resolution of the Council.

BILL NO. BL2017-911 (PULLEY, ELROD, & ALLEN) – This ordinance would abandon existing easement rights in the former right-of-way of property located at 1930 Castleman Drive and acquire two new sanitary sewer main easements for properties located at 1930 and 2000 Castleman Drive. It has been determined by Metro Water Services that this existing easement is no longer needed.

The abandonment and the acquisition have been requested by Ashley Bosshart and Elizabeth Wilson, owners.

Amendments to this legislation may be approved by resolution.

This has been approved by the Planning Commission.

GRANTS AND DONATIONS LEGISLATION – OCTOBER 17, 2017

Legislative Number	Parties	Amount	Local Cash Match	Term	Purpose
RS2017-889	From: National Association of County and City Health Officials To: Metro Nashville Board of Health	Not to exceed \$20,000	\$9,900 (in-kind)	September 30, 2017 through September 29, 2018	The grant proceeds would be used to provide programmatic activities to expand partnerships to reduce HIV and other STDs among adolescents.
RS2017-913	From: Nashville Public Library Foundation To: Nashville Public Library	Not to exceed \$89,500	\$0	July 1, 2017 through June 30, 2018	The grant proceeds would be used for teens to advocate for the library among their peers and the community at large, plan and implement programs for teens, and represent the library at community events, meetings, and institutions.
RS2017-916	From: Tennessee Department of Labor and Workforce Development To: Nashville Career Advancement Center	Not to exceed \$62,967	\$0	July 1, 2017 through June 30, 2018	The grant proceeds would be used to provide administrative assistance after formula funds were redistributed.
RS2017-917	From: Tennessee Department of Labor and Workforce Development To: Nashville Career Advancement Center (NCAC)	\$119,443	\$0	April 1, 2016 through June 30, 2018	<p>This amendment would increase the total of this federal pass-through grant to \$2,007,888.</p> <p>\$1,819,044 would be used for program funds to provide programs and services for the NCAC Youth Program. The remaining \$188,844 is allowed for administrative costs.</p>

Legislative Number	Parties	Amount	Local Cash Match	Term	Purpose
RS2017-918	<p>From: Tennessee Department of Labor and Workforce Development</p> <p>To: Nashville Career Advancement Center (NCAC)</p>	\$69,400	\$0	October 1, 2016 through June 30, 2018	<p>This amendment would increase the total of this federal pass-through grant to \$1,561,890.</p> <p>\$1,412,642 would be used for program funds to establish programs to prepare adult service recipients for employment. The remaining \$149,248 is allowed for administrative costs.</p>
RS2017-919	<p>From: Tennessee Department of Labor and Workforce Development</p> <p>To: Nashville Career Advancement Center</p>	\$440,836	\$0	October 1, 2016 through June 30, 2018	<p>This amendment would increase this federal pass-through grant to a new total of \$2,445,425.</p> <p>\$2,244,967 would be used for program funds to establish career services for eligible adults, youth, and dislocated workers with barriers to employment, education, training, and support services to succeed in the labor market. The remaining \$200,458 is allowed for administrative costs.</p>