



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: December 19, 2017

RE: Analysis and Fiscal Notes

Unaudited Fund Balances as of 12/13/17:

4% Reserve Fund	\$39,816,604*
Metro Self Insured Liability Claims	\$5,798,362
Judgments & Losses	\$3,514,679
Schools Self Insured Liability Claims	\$4,303,219
Self-Insured Property Loss Aggregate	\$6,973,194
Employee Blanket Bond Claims	\$662,313
Police Professional Liability Claims	\$2,340,747
Death Benefit	\$1,496,588

*This assumes unrealized estimated revenues in FY18 of \$25,580,088.

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

– MOTION TO RECONSIDER –

RESOLUTION NO. RS2017-966 (VERCHER) – This resolution is on the agenda following a motion to reconsider made at the December 5, 2017 council meeting. Pursuant to Rule 35 of the Council Rules of Procedure, this motion must be finally acted upon at the December 19, 2017 regular meeting, and the motion shall not be debatable prior to its consideration.

This resolution would authorize the Mayor to employ the law firm of Lief Cabraser Heimann & Bernstein, LLP to investigate and potentially pursue claims against manufacturers and distributors of prescription opioids that have wrongfully caused drug addiction in Davidson County and resulting economic harm to the Metro Government. Economic impacts of opioid addiction include drug addiction treatment, emergency room visits, law enforcement response, incarceration, child abuse and neglect, and the cost for removing children from parental custody, as well as medical treatment for prenatal opioid exposure.

The law firm would investigate whether Metro should pursue litigation to seek reimbursement for such economic harms. The firm would then provide an opinion letter to the Metro Director of Law recommending whether to bring a lawsuit or potentially join an existing class action lawsuit. The law firm would bear all necessary costs of litigation, but would be reimbursed from any gross recoveries as a result of litigation. The law firm would be contracted on a "contingency fee" basis, meaning Metro would not pay attorney fees during the litigation process. Instead, the law firm would only be paid if they recover a favorable verdict or reach a settlement.

The law firm's contingency fee would vary based on (1) the net recovery of the litigation or settlement and (2) whether the defendant opioid manufacturer or distributor has already admitted to or been found by a judicial proceeding to have wrongfully caused persons to become addicted to prescription opioids.

The contingency fees would be as follows:

For a net recovery of less than \$2,500,000:

- if a defendant had already admitted wrongful actions, the firm would be reimbursed:
 - a) Three percent (3%) of the amount recovered if the case settles prior to litigation being filed
 - b) Fifteen percent (15%) of the amount recovered if the case settles prior to trial or after a jury verdict, final judgment, and collections have concluded
- if a defendant had not previously admitted or been found to guilty of wrongful actions, the firm would be reimbursed:
 - a) Five percent (5%) of the amount recovered if the case settles prior to litigation being filed
 - b) Twenty percent (20%) of the amount recovered if the case settles prior to trial or after a jury verdict, final judgment, and collections have concluded

For a net recovery of greater than \$2,500,000:

- if a defendant had already admitted wrongful actions, the firm would be reimbursed:
 - a) Three percent (3%) of the amount recovered if the case settles prior to litigation being filed
 - b) Twelve percent (12%) of the amount recovered if the case settles prior to trial or after a jury verdict, final judgment, and collections have concluded
- if a defendant had not previously admitted or been found to guilty of wrongful actions, the firm would be reimbursed:
 - a) Five percent (5%) of the amount recovered if the case settles prior to litigation being filed
 - b) Fifteen percent (15%) of the amount recovered if the case settles prior to trial or after a jury verdict, final judgment, and collections have concluded

The Metro Charter Sec. 8.607 provides that the Council may, by resolution, authorize the Mayor to employ special legal counsel and pay a reasonable compensation. State and local procurement laws exempt the Metro Legal Department from procurement procedural requirements. Section 4.04.020(c)(6) of the Metro Code provides that “the department of law shall be exempt from the requirements of this code in the acquisition of ... additional counsel ... and other services required in litigation or other legal representation of the metropolitan government.” Tenn. Code Ann. §12-3-1209 provides that legal services procurements shall not be based upon competitive solicitations, but must be awarded on the basis of recognized competence and integrity. However, this statute does not prohibit local governments from seeking information from eligible firms to determine capabilities.

Any monetary recovery from the proposed litigation would be deposited into the General Fund of the General Services District.

In June 2015, the Council approved Resolution No. RS2015-1512, which contained an agreement to allow this same law firm to investigate and pursue claims on a contingency fee basis against pharmaceutical companies that had illegally suppressed lower priced generic competition to the detriment of Metro’s health insurance plan. That investigation is currently ongoing.

Fiscal Note: With this assistance from outside counsel, Metro is more likely to prevail in these claims against manufacturers and distributors of prescription opioids. However, it would be speculative to predict the potential amounts of the awards (minus contingency fees) from these cases.

– RESOLUTIONS –

RESOLUTION NO. RS2017-779 (ELROD) – Ordinance No. BL2016-235 and Resolution No. RS2016-391 raised various fees charged by the Public Works Department that had not been increased during the last 12 to 27 years and were deemed no longer sufficient to cover the actual costs of providing the services. These fees are codified in the Metropolitan Code of Laws. Section 8 of Ordinance No. BL2016-235, as approved by Council, allowed future amendments to the ordinance to be approved by resolution.

The resolution now under consideration would make additional changes to these fees for the services required for the closure of rights-of-way in high impact areas.

Pursuant to Section 13.20.030.F, permits for the temporary closure within the right-of-way permit high impact area are \$100 per fifty linear feet closed for five days or less. For closures longer than five days, the rate is \$20 per day. The resolution under consideration would double these amounts, charging \$200 and \$40 respectively.

Section 2.68.030.F authorizes a permit fee of \$30. This resolution would double this permit fee to \$60 within the right-of-way permit high impact area. The administrative fee of \$100 would remain the same in the high impact area, but be reduced to \$50 outside of the high impact area.

Section 2.62.040.F authorizes a permit fee of \$230 for special events. This resolution would double this to \$460 in the high impact area. The administrative fee of \$100 would remain the same in the high impact area, but be reduced to \$50 outside the high impact area.

A minor amendment is anticipated on behalf of the sponsor.

Fiscal Note: Public Works is required to charge fees no higher than necessary to recover the costs of performing a specific function or service. It should be noted that no study has yet been performed to confirm the need for increasing the fees as proposed by this resolution.

RESOLUTION NO. RS2017-780 (ELROD) – This resolution would amend Ordinance No. BL2016-235 to add a new Subsection 13.20.030.I. to the "Permits" Section of the Metro Code of Laws. This would specify requirements for a right-of-way site management plan permit. Under this new subsection, permits requiring the temporary closure or obstruction of any right-of-way in Metro for a period longer than twenty (20) calendar days would require a right-of-way site management plan permit.

Such site management plans would be required to include the following:

- a. Dates and/or times the right-of-way would be closed and/or obstructed;
- b. Reasons for the duration of the closure and/or obstruction;
- c. Considerations for using covered scaffolding in areas with high pedestrian traffic and commercial uses;

- d. Description of the equipment to be used and justifications for its use;
- e. Plan for coordinating site deliveries;
- f. Plan for communicating updates and changes to the closure;
- g. Plan for regular removal and clean-up;
- h. Plan for signage and re-routing of pedestrians, cyclists, and vehicles; and
- i. Description of the fencing type to be used.

Public Works currently issues closure permits in five-day increments. It is possible that a twenty-day permit could increase right-of-way disruptions if permit holders felt less impetus to clear the right-of-way when projects were completed early.

The ordinance would further require that film permits and special events permits requiring closure or obstruction of rights-of-way for more than twenty (20) days further obtain site management plan permits.

The new Subsection 13.20.030.I would require a fee of fifty dollars (\$50) for a right-of-way site management plan permit.

Subsection 2.62.030 of the MCL specifies the duties and powers to regulate film activities. A new Subsection H would be added to require a right-of-way site management plan permit and a fee of fifty dollars (\$50) for film permits requiring the temporary closure or obstruction of a right-of-way within Metro for a period of longer than twenty (20) calendar days.

Subsection 2.62.040 of the MCL specifies the duties and powers to regulate special events. A new Subsection H would be added to require a right-of-way site management plan permit and a fee of fifty dollars (\$50) for special event permits requiring the temporary closure or obstruction of a right-of-way within Metro for a period of longer than twenty (20) calendar days.

Fiscal Note: Public Works is required to charge fees no higher than necessary to recover their costs for performing a specific function or service. It should be noted that no study has yet been performed to confirm the need for increasing the fees as proposed by this resolution.

RESOLUTION NO. RS2017-986 (O'CONNELL & VERCHER) – This resolution would approve an economic and community development incentive grant to the Industrial Development Board for the benefit of Philips Holding USA, Inc. (Philips).

Philips is an indirect, wholly-owned subsidiary of Koninklijke Philips N.V., a publicly-traded company with more than 71,000 employees worldwide. They provide health-care technology as well as prevention, diagnosis, treatment, and home care. Philips has announced its decision to build an administrative and technology center that includes commercial operations, customer service operations, finance, human resources, information technology, marketing, procurement, quality, and regulatory compliance within Davidson County (the Project). In connection with the Project, Philips projects the creation of over 500 new jobs in Nashville within the next five years.

Pursuant to Chapter 2.210 of the Metro Code of Laws, the Metropolitan Government is authorized to make incentive grants to “qualified projects” and “qualified companies” if the location of such qualified project or company is “expected to result in the creation of at least five hundred additional jobs” in Nashville during the first five years of operations or expansion.

The amount of any incentive grant is determined by multiplying the average number of “new full time equivalent employees” within the boundaries of the metropolitan government by an amount “up to” five hundred dollars. (Section 2.210.020). The actual amount and duration of the grant is to be determined taking into account (1) the number of jobs created, (2) the amount of revenue anticipated to be received by Metro as a result of the location and operation of the company, and (3) other economic and community development opportunities the company is expected to create, among other things. (Section 2.210.020).

This resolution would provide a grant for the full amount of \$500 per qualifying job for a period of seven years. For the purposes of this grant, the qualifying jobs total would be the sum of individuals who have worked for a Philips Entity for at least 26 weeks during the grant year, working an average of 32 or more hours per week, and providing services to the Philips Center of Expertise or the Project. In addition, the qualifying jobs total would include individuals who have performed services for a Philips Entity through employment outsourcing or similar arrangement for at least 26 weeks during the grant year, working an average of 32 or more hours per week performing services for a Philips Entity, providing services to the Philips Center of Expertise or the Project, and paid in excess of the most recently published average wage for "All Occupations" in Metro's metropolitan statistical area according to the U.S. Bureau of Labor Statistics. However, jobs performed for functions previously filled by an individual based at another Philips Entity in Davidson County would not be included.

This resolution would approve a grant to Philips in the amount of \$500 per year per qualifying job at their new office of approximately 65,000 square feet in a building located at 511 Union Street. Construction of a permanent facility would take place at a location also within Davidson County. The term of the grant would be for seven years from the commencement of the project.

It should be noted that Ordinance No. BL2017-983 will be considered on second reading at this meeting. That ordinance would require certain information be included in the project proposal for economic incentive grants such as the one contained in this resolution.

Fiscal Note: During the seven-year term, the potential annual grant amount would be \$250,000, based on \$500 for each of the 500 anticipated qualifying jobs. Based on Philips plans to ultimately employ 815 people, the value of the incentive payment would be \$407,500 per year.

The most recent average wage for "All Occupations" in Metro's metropolitan statistical area was published for May 2016. This average was \$22.01 per hour, compared to the national average of \$23.86.

RESOLUTION NO. RS2017-987 (LEONARDO, VERCHER, & OTHERS) – This resolution would authorize the Director of Public Property to exercise option agreements for the purchase of three (3) flood-prone properties for Metro Water Services.

The properties would each be acquired for their fair market value. Section 2.24.250.F of the Metro Code of Laws allows the Director of Public Property Administration to negotiate the purchase of such property, subject to approval of the Metro Council by resolution.

The addresses and purchase price of these three properties are as follows:

- 3911 Buena Vista Pike (District 1) - \$43,000
- 3010 West Hamilton Avenue (District 1) - \$151,000
- 3018 West Hamilton Avenue (District 1) - \$202,000

These proposed purchases have been approved by the Planning Commission.

Fiscal Note: The total purchase price for the options on these three (3) properties is \$396,000. The cost of acquisition for these properties would be paid from the FY17 Capital Projects Fund.

RESOLUTION NO. RS2017-988 (VERCHER) – This resolution would authorize the Department of Law to settle the property damage claim of Efrain Montes de Oca against the Metropolitan Government in the amount of \$8,700.

On October 20, 2016, an employee of the Davidson County Sheriff's Office attempted to carry out an eviction order at the residence of Mr. Montes de Oca. However, the eviction notice was for a different address. As a result of the mistake, many contents of Mr. de Oca's home, including personal items and cash, were removed or disturbed. By the time the mistake was discovered, \$8,700 in cash was missing from his residence.

Mr. Montes de Oca has agreed to accept a total of \$8,700 in full settlement of this case. The Department of Law recommends settlement of this claim for that amount.

Disciplinary action against the employee consisted of a written reprimand.

Fiscal Note: This settlement would reduce the balance of the Self-Insured Liability Fund by \$8,700.

RESOLUTION NO. RS2017-989 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of Carol Slate against the Metropolitan Government in the amount of \$125,000.

On April 21, 2011, Ms. Slate was walking on the sidewalk next to the International Market on Belmont Boulevard when she stepped in a crevice on the edge of the sidewalk, causing her to fall. This section of the sidewalk had cracks that led to crumbling spots along the curb edge where pieces had broken away in several places.

The owner of the International Market claimed that this curb edge had been crumbling for at least several months before this incident. The owner also claimed she had complained about the condition of the sidewalk to Metro employees before the incident. Public Works' records reflect a telephone service request in September, 2009 from the owner of the market concerning potholes and cracking in the roadway next to this sidewalk. A repair crew was sent out the next day. Public Works does not have any record of any other service requests at this location.

Ms. Slate sought treatment for a left distal radius fracture suffered as a result of her fall. Ms. Slate has agreed to accept a total of \$125,000 in full settlement of this case, based upon \$53,384 for reimbursement of her medical expenses, an additional \$15,000 to \$30,000 for expected future medical expenses, and the balance for pain and suffering.

The Department of Law recommends settlement of this claim for \$125,000.

Fiscal Note: This settlement would reduce the balance of the Self-Insured Liability Fund by \$125,000.

RESOLUTION NO. RS2017-990 (SYRACUSE, WITHERS, & OTHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-991 (VERCHER & GILMORE) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-992 (VERCHER & GILMORE) – Resolution No. RS2017-888 accepted a grant not to exceed \$90,000 from the Tennessee Department of Health (TDOH) to the Metropolitan Board of Health to promote the control and surveillance of mosquito-borne diseases such as West Nile and Zika Virus transmission in Tennessee.

Under the initial terms of this grant, Metro was to be allowed to submit invoices for reimbursement of allowable costs "upon progress toward the completion of the Scope, as described in Section A." The amendment now under consideration would change this to specify that: "Payment to the Grantee shall be a lump sum made in advance upon approval of this Grant Contract Attachment 3". This is the actual invoice for reimbursement that Metro would submit to TDOH. This amendment would also delete section C.5 of the current Grant Contract regarding invoice requirements and replace section C.7 to require that grant disbursement reconciliation reports adhere to the specified requirements.

Fiscal Note: There would be no change to the amount that would be reimbursed by TDOH. This would just enable a lump-sum payment up to the full grant amount.

RESOLUTION NO. RS2017-993 (VERCHER & WITHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-994 (VERCHER & WITHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-995 (VERCHER & WITHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2017-996 (O'CONNELL, BEDNE, & ELROD) - This resolution would authorize Industrial Strength Marketing to construct, install, and maintain an aerial encroachment at 1401 5th Avenue North. The encroachment would consist of a double-faced, non-illuminated, projecting 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 certificate of public liability insurance of at least \$4 million 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.

The 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 the applicant. 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.

– ORDINANCES ON SECOND READING –

BILL NO. BL2017-865 (ELROD, FREEMAN, & OTHERS) – This ordinance would amend Chapter 2.48 of the Metropolitan Code of Laws (MCL) by adding a new Section 2.483.040 establishing new reporting requirements by the Department of Public Works. The ordinance is modeled after state legislation for managing Tennessee Department of Transportation projects.

Paragraph A would require the Director of Public Works to be responsible for the day-to-day management of the department and to keep a detailed record of all business of the department.

Paragraph B would require the Director to prepare a Projects Report describing each significant capital project of Public Works. This would include construction and repair of sidewalks, streets, bridges, bikeways, pedestrian enhancements, and other such infrastructure improvements that are to be started, completed, or which will be ongoing within the ensuing three (3) years. For the purposes of this section, a "significant Public Works capital project" is defined as any public works project with a total cost over \$150,000.

This report would be submitted annually with each proposed budget to the Council, and these reports would be required to include the following additional information:

- a. the date or projected date upon which each project would be started and completed;
- b. the physical location of each project, designating the Council district(s) involved;
- c. the stage of work the project is in, such as designing, engineering, right of way acquisition, excavation, construction, clean-up, etc.;
- d. the final, projected, or anticipated cost of each project; and
- e. a designation of the priority of each project relative to the other listed projects.

These reports would be publicly accessible at all times after submission to the Council on the Metro Open Data portal in a format established by the ITS Department.

A publicly accessible online map of these projects would also be maintained. Each project would be denoted on the map, including information required in the Projects Report. The map would include at least:

- a. projects in the Projects list;
- b. projects that have been allocated money in any capital spending plan that are not completed;
- c. projects for which Public Works has received funding from the Tennessee Department of Transportation or other sources; and
- d. any other significant Public Works capital project that is in progress, has been appropriated funding, had funds spent on it, or is reasonably anticipated in the future to have funds spent on it.

Paragraph C would require a Quarterly Report on District Projects to be submitted to each member of the Council, describing the construction or implementation status of each capital project by Public Works within the members' respective districts.

These quarterly reports would include the following:

- a. the physical location of each project;
- b. the final, projected, or anticipated cost of each such project;
- c. the date or projected date upon which the project would be started and completed, including notation of any delays or accelerations and the reasons therefor;
- d. any changes in previously disclosed project dates, and the reasons for such changes;
- e. notification of all public hearings in which the Department of Public Works is participating regarding such projects; and
- f. any additional information that the Director determines would be of assistance to the Metro Council member to better understand Public Works' operations within the member's district.

Paragraph D would require the preparation of a proposed annual budget for Public Works that discloses the allocation of all anticipated funds for the ensuing fiscal year for each capital project within the Projects Report. This report would also include what projects would be undertaken in the event additional funds are appropriated or otherwise become available. The Director would be allowed to designate funds for unanticipated projects, provided that advance notice of at least thirty (30) days is submitted to the Council.

Paragraph E would clarify that the requirements of this new Section would not apply to projects, funds, or allocations required for purposes of emergency or disaster response.

It is anticipated that the sponsor will introduce a housekeeping amendment to correct minor phrasing errors.

Fiscal Note: The details and costs for implementing these new requirements have not yet been determined. Public Works has already paid for a new system that will provide most of the information specified in this ordinance. Council members should be able to go into the system at any time to see the data. This is the same system demonstrated before the Budget and Finance and Public Works Committees at a special called meeting.

Some of the existing reports might need to be reformatted. The costs for this have not yet been defined, but should be minimal.

BILL NO. BL2017-941 (ALLEN) – This ordinance would amend Chapter 12.42 of the Metro Code of Laws (MCL) regarding permit parking programs to establish a Commercial Permit Parking Program. The Commercial Permit Parking Program would operate similarly to the Residential Permit Parking Program found in Chapter 12.42, Article I of the MCL.

Section 11.905 of the Metro Charter requires ordinances affecting traffic or the use of streets to be submitted to the Traffic and Parking Commission for a recommendation prior to passage on second reading. This ordinance has not yet been considered by the Traffic and Parking Commission, pending potential amendments by the sponsor.

Under the proposed terms of the ordinance, the chief traffic engineer would be authorized to restrict parking in certain commercial areas to vehicles bearing a valid parking permit, subject to approval by the Traffic and Parking Commission. The chief traffic engineer would use the following factors to determine whether an identified area is eligible as a Commercial Permit Parking Area (CPP):

- The desire and need of the tenants for commercial parking and their willingness to bear related administrative costs;
- Proximity (within ¼ mile) of the commercial area to major “parking attractors” such as universities and hospitals;
- Location within the Urban Zoning Overlay;
- Scarcity of convenient off-street parking for tenants;
- Whether persons working in the commercial area cannot be accommodated by the available off-street parking spaces;
- Substantial and extended use of business curb space by non-tenants for parking; and
- Traffic, noise, and safety problems caused by vehicles cruising for parking.

The Council member representing the council district in which the CPP is located would submit a petition requesting the creation of the CPP. The petition would require signatures from seventy-five percent (75%) of the business entities within the geographic limits as stated in the petition. Each petition would require the names of petitioners, which may include the signature of an authorized representative or agent of a commercial entity, the time of day the permits will be required, a clear description of the geographic limits of the area(s) requested, and a maximum time limit that non-permit holders could legally park. The petition, along with a written recommendation from the council member, would be submitted to the chief traffic engineer for review by staff of the traffic and parking commission. The chief traffic engineer must recommend, by a report to the traffic and parking commission, whether to designate the area as a CPP, specifying the time or limitations recommended and the proposed fees.

Once approved, parking signs would be installed on streets designated as the CPP. A designated number of permits would be available, calculated by the chief traffic engineer. A permit would be issued to eligible persons upon application and payment of the application fee. Proof of employment within the CPP would be required. All motor vehicles with permits would be required to have current Tennessee registration, unless the applicant is enrolled as a full-time student in a college or university within the area of the metropolitan government. The permit would be renewed annually upon conditions and procedures specified by the chief traffic engineer.

All traffic and parking regulations still apply to holders of a commercial parking permit. Service vehicles parked in commercial parking areas while making service calls to businesses and free-floating car sharing vehicles displaying a clearly visible permit would be exempt from the posted time limits.

Persons falsely representing eligibility for a commercial parking permit, or who provide false information in an application for a commercial parking permit, would be in violation of the ordinance, punishable by surrender of their permit and/or a fine of not more than fifty dollars.

BILL NO. BL2017-953 (WITHERS) – Chapter 6.64 of the Metro Code of Laws (MCL) provides various regulations regarding commercial solicitation.

The ordinance under consideration would create a new Section 6.64.035 to prohibit door-to-door commercial solicitation after sunset or before sunrise.

As substituted, the ordinance would also amend Section 6.64.080 which prohibits certain persons from eligibility for issuance of a permit or identification badge, including persons who have been “convicted, pled guilty, placed on probation or parole, pleaded nolo contendere, or been released from incarceration within a period of five years prior to the date of application of a crime of moral turpitude.” For purposes of determining permit eligibility by the Metro Clerk, the references to “nolo contendere” are unnecessary. Additionally, the definition of “moral turpitude” provided within this section is not a consistent definition in Tennessee law.

The ordinance under consideration would remove the varying disposition levels and the reference to crimes of moral turpitude. Instead, persons who have been convicted of “a felony or any crime involving theft, dishonesty, or any crime of a sexual nature in any jurisdiction” would not be eligible for the issuance of a permit or identification badge. Persons who have had a permit or identification badge revoked by the clerk under Sections 6.64.130 or 6.64.140 would remain ineligible.

A second substitute is anticipated that would slightly alter the proposed time restrictions by prohibiting door-to-door solicitation after sunset or 7:00 pm, whichever occurs later. The second substitute may also revise permit eligibility provisions based upon prior criminal activity.

BILL NO. BL2017-983 (A. DAVIS, BEDNE, & OTHERS) – This ordinance would amend Section 2.210.030 of the Metropolitan Code of Laws (MCL) pertaining to economic and community development incentive grants and payment in lieu of taxes (PILOT) incentives.

Section 2.210.030 currently requires that economic and community development incentive grant agreements must be approved by a vote of 21 members of the Metropolitan Council. In addition, these grant agreements must provide that Metro’s financial obligations are subject to the annual appropriation of funds by the Council.

As currently drafted, the ordinance under consideration would retain these requirements regarding economic and community development grant agreements and amend the section to also apply to agreements for PILOT incentives. In addition, companies seeking either economic and community grants or PILOT incentives would be required to submit a project proposal that includes certain information. Project proposals would be required to address the following:

(1) The type and number of jobs that would be created by the company, including whether the jobs are temporary or permanent, and how many identified jobs will be filled by Davidson County residents;

(2) The establishment of a workforce plan disclosing whether temporary or staffing agencies, the Nashville Career Advancement Center, or other third parties would be used to identify, recruit, or refer job applicants, whether the individuals hired for the identified jobs would be employed by the company, subcontractors, or other third parties, and the wages and benefits offered for the identified jobs, along with comparisons to average wage levels for comparable jobs in Davidson County;

(3) Whether the project would use apprentices from programs certified by the U.S. Department of Labor; and

(4) The number and type of OSHA or TOSHA violations; or employment or wage-related legal actions filed within federal or state courts against the company or any contractor or subcontractor of the company.

Companies receiving a grant or PILOT would also be required to submit quarterly certificates of compliance with the agreement to the Mayor's Office of Economic and Community Development (ECD). Annually, the ECD would be required to submit a report, approved by the Industrial Development Board, to the Council relaying compliance data (consistent with Section 2.190.010). If a report shows noncompliance with the agreement, the Council would have the authority to prospectively suspend an incentive or terminate an incentive agreement upon a vote of at least 21 members.

An amendment revising multiple provisions in the current ordinance is anticipated from the sponsor.

BILL NO. BL2017-984 (HAGAR & VERCHER) – This ordinance would approve an increase in towing and recovery rates in Section 6.80.550 in the Metro Code of Laws (MCL).

These changes would be in recognition of the fact that business expenses for equipment, insurance, taxes, and fuel have increased since the rates were last set in 2012. The Transportation Licensing Commission approved an increase in the wrecker and towing services rates on June 22, 2017.

An attachment to this Analysis compares the rates under the current ordinance and the proposed rates. In addition to the increased rates, this ordinance would remove the fees charged for “Driven vehicles” under Section 6.80.550.B.1 of the MCL. Additionally, the relevant length of a recreational vehicle for the purposes of determining the fee would be changed from twenty-six (26) feet to twenty-five (25) feet. Also, a new fee of fifty dollars (\$50) would be allowed for any winching performed over 50 feet from the roadway.

The ordinance would also remove a \$25 fee authorized for vehicles stored on a company lot for 10 days. In its place, there would be a new one-time \$35 fee authorized for any car remaining in storage on a company lot for 24 hours and a \$25 administration processing fee for each additional notification sent to the owner or lienholder as required by law. Wrecker companies would be authorized to charge a one-time fee of \$40 for materials and labor associated with wrapping a salvaged vehicle to protect interiors.

A housekeeping amendment is anticipated that will remove an erroneous entry of "\$270.00" in Section 15 of the ordinance.

Future amendments to this ordinance may be approved by Council resolution.

Fiscal Note: These changes will have no financial impact on Metro government. The only changes are to the rates that can be charged by towing companies.

BILL NO. BL2017-1006 (DOWELL, VERCHER, & OTHERS) – This ordinance would authorize the Director of Public Property Administration to accept a donation of real property located at the intersection of Blue Hole Road and Bell Road. This property would be used as part of the parks system.

This property is owned by Greenways for Nashville Inc. It has been determined to be suitable for use as a public park.

This has been approved by the Board of Parks and Recreation as well as the Planning Commission.

BILL NO. BL2017-1007 (VANREECE, VERCHER, & OTHERS) – This ordinance would approve a lease agreement between the Metropolitan Government of Nashville and Davidson County and the Electric Power Board of Metro (NES) to construct a community solar array at 801 Old Due West Avenue, commonly known as the Old Due West Landfill.

The parcel consists of 35 acres, including approximately 10 acres of usable space for the solar array. The lease term of the agreement is twenty-five (25) years from the commencement date. This term may be extended by amendment to the agreement. Metro would agree to lease to NES the use of the property without payment for the initial 25 year term. The lease may be

terminated at any time upon mutual agreement of the parties. NES is authorized to use the property solely for the solar array.

The solar array, referred to in the agreement as “Music City Solar,” is part of the Tennessee Valley Authority’s Distributed Solar Solutions initiative that offers distribution-scale solar power. It is anticipated that this solar array will produce an estimated 55 million kilowatt-hours over the life of the system.

NES understands that Metro is proposing to sell a parcel adjacent to the array parcel to a third party. In the underlying agreement, Metro agrees that no building, improvement, tree, or landscaping located thereon shall be built on the adjacent parcel such that it casts a shadow on the leased property greater than the shadow cast by a hypothetical vertical wall five (5) feet high located along the property line between the hours of 5:00 AM and 8:30 PM CST.

This has been approved by the Planning Commission on the condition that the Bashaw Cemetery, also on this property, will remain protected with interpretive signage to be erected at a future date.

Fiscal Note: In recognition of the benefit that Music City Solar would provide for the residents of Metro, the lease would be provided at no cost to NES.

BILL NO. BL2017-1008 (FREEMAN, 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 use in public projects, initially for Hartford Drive 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. BL2017-1009 (MURPHY, 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 use in public projects, initially for 37th Avenue North 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. BL2017-1010 (VERCHER, BEDNE, & ELROD) – 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 use in public projects, initially for Edge O Lake Drive 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 FY18 Capital Projects Fund.

BILL NO. BL2017-1011 (PRIDEMORE, BEDNE, & ELROD) – This ordinance would authorize the negotiation and acceptance of permanent and temporary easements for the Neely's Bend Road Stormwater Improvement Project for eleven (11) properties located along Brentmeadow Circle, Chesterfield Circle, Neely's Bend Circle, and Neely's Bend Road.

Future amendments to this ordinance may be approved by resolution.

This has been approved by the Planning Commission.

BILL NO. BL2017-1012 (HAYWOOD, BEDNE, & ELROD) – This ordinance would authorize the negotiation and acceptance of permanent and temporary easements for the Simpkins Road Stormwater Improvement Project for four (4) properties located at 5301, 5302, 5309, and 5340 Simpkins Road.

Future amendments to this ordinance may be approved by resolution.

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

BILL NO. BL2017-1013 (KINDALL, BEDNE, & ELROD) – This ordinance would authorize the negotiation and acceptance of permanent and temporary easements for the Knowles Street Stormwater Improvement Project for two (2) properties located at 1802 Knowles Street and 1411 Dr. DB Todd Jr. Boulevard.

Amendments to this ordinance may be approved by resolution.

This has been approved by the Planning Commission.

BILL NO. BL2017-1014 (SYRACUSE, BEDNE, & ELROD) – This ordinance would authorize the negotiation and acceptance of permanent and temporary for the Woodberry Drive Stormwater Improvement Project for six (6) properties located at 316, 318, and 322 Woodberry Drive, 2300 and 2301 Cloverdale Road, and Whipple Place (unnumbered).

Amendments to this ordinance may be approved by resolution.

This has been approved by the Planning Commission.

– ORDINANCES ON THIRD READING –

BILL NO. BL2017-952 (MENDES, VERCHER, & OTHERS) – This ordinance would amend Chapter 4.48 of the Metro Code of Laws (MCL) regarding public contracting and procurement ethics.

This ordinance would create a new Section 4.48.115 of the MCL, providing that non-employees of the Metropolitan Government who provide services to Metro regarding feasibility, cost, design, implementation, or legislative assistance prior to the Council's approval (if required) of a public project would be prohibited from subsequent participation in the procurement process in connection with that project. In other words, private consultants and contractors who offer services assessing the initial cost, feasibility or adoption of a public project would effectively be prohibited from subsequently bidding on the actual project. The concern is that the objectivity of a consultant's advice may be questioned if the consultant has ulterior motives of generating future work. A violation of this prohibition would be a breach of ethical standards.

The current Code contains a similar provision in section 4.12.095.C which prohibits any person, firm or entity from contracting for privatizing a governmental service if they provided consulting services for Metro in the preceding year. The current ordinance would establish a broader provision regarding public projects and contracts.

Pursuant to Amendment 1 to this ordinance, these restrictions would be subject to waiver by regulations of the Procurement Standards Board.

The remedies for non-employees who breach ethical standards are found in Section 4.48.120 of the MCL. This section also allows the Procurement Appeals Board to impose any one or more of the following remedies:

1. Written warnings or reprimands;
2. Termination of transactions; and
3. Debarment or suspension from being a contractor or subcontractor under contracts with Metro.

In addition, Section 4.48.130 of the MCL provides that the value of anything transferred in breach of the ethical standards by a non-employee is recoverable by Metro.

BILL NO. BL2017-980 (BEDNE) – Section 17.16.030 of the Metro Code of Laws establishes residential uses "permitted with conditions" in the zoning code. Subsection 17.16.030.E contains conditions for "Multi-family" uses under that heading.

Subsection 17.16.030.E.1 states: "A maximum of two units per lot shall be permitted as an accessory use to Manufacturing, Artisan use". The ordinance under consideration would simply add "uses accessory to an artisan manufacturing use" after "Multi-family" in the title of the section, making it more consistent with the content of the section.

BILL NO. BL2017-985 (LEONARDO, VERCHER, & OTHERS) – This ordinance, as substituted, would authorize the Director of Public Property Administration to transfer the real property at 1010 Camilla Caldwell Lane to the Metropolitan Development and Housing Agency (MDHA) for the purpose of constructing workforce housing.

This parcel of 5.55 acres is presently owned by the Metropolitan Government. It has been determined to be in the public interest to convey this ownership interest to the MDHA. The Director of Public Property Administration is responsible for the leasing, sale, and disposal of all public property under section 2.24.210 of the Metropolitan Code of Laws.

This proposal has been approved by the Planning Commission.

BILL NO. BL2017-986 (HAYWOOD) – This ordinance would readopt the Metropolitan Code prepared by Municipal Code Corporation (MCC) to include supplemental and replacement pages for ordinances enacted on or before August 16, 2017.

Per their contract with the Metropolitan Government, the MCC provides Metro Code updates four (4) times annually. This ordinance is a routine re-adoption to ensure the Metro Code is up to date.

BILL NO. BL2017-987 (RHOTEN & SLEDGE) – This ordinance would approve an agreement between the Department of Parks and Recreation and Memphis Basketball, LLC to allow Metro to participate in their youth basketball program. Memphis Basketball, LLC owns the NBA Memphis Grizzlies basketball team. They also own and operate the "Junior Grizzlies" youth basketball program.

The only payment per this agreement would be \$35 per basketball participant, built into the registration fee. No other charges or fees are required for performance of the agreement. In addition to being able to play in league games, each participant (including coaches) would receive a Memphis Grizzlies regular season home game terrace-level ticket. Each player would receive a Junior Grizzlies jersey, shorts, a Certificate of Participation, and a Spalding rubber basketball. Discounted tickets for parents, friends, and family members may be offered to certain games. All coaches would be invited to an exclusive clinic hosted by a Grizzlies coach.

This agreement would end June 30, 2018.

Future amendments to this agreement may be approved by a resolution receiving at least twenty-one (21) affirmative votes.

ORDINANCE NO. BL2017-988 (O'CONNELL & BEDNE) - This ordinance would authorize Twelfth Avenue Partners, LLC to construct, install, and maintain underground and aerial encroachments in the right-of-way at 306 12th Avenue South. The encroachments would consist of an entry canopy, below-grade electrical vault, and a patio dining area.

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 the applicant. 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 encroachments' construction must be carefully guarded and completed promptly, so as to cause the least inconvenience to the public.

This proposal has been approved by the Planning Commission.

BILL NO. BL2017-989 (O'CONNELL & BEDNE) – This ordinance would authorize 7th and Taylor Homeowners' Association, Inc. to install, construct, and maintain underground encroachments in the right-of-way located at 701 B Taylor Street. This would consist of landscape irrigation encroaching the right-of-way.

7th and Taylor Homeowners' Association 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 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

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 the applicant. 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 encroachments' construction must be carefully guarded and completed promptly, so as to cause the least inconvenience to the public.

This proposal has been approved by the Planning Commission.

BILL NO. BL2017-990 (RHOTEN, VERCHER, & BEDNE) – 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 use in public projects, initially for Dodson Chapel Road 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. BL2017-991 (HASTINGS, VERCHER, & BEDNE) – 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 use in public projects, initially for Cecilia Avenue 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 FY18 Capital Projects Fund.

BILL NO. BL2017-992 (ROBERTS, VERCHER, & BEDNE) – 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 use in public projects, initially for Burgess Avenue 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. BL2017-993 (VERCHER & BEDNE) – 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 use in public projects, initially for Harding Place 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 FY18 Capital Projects Fund.

BILL NO. BL2017-994 (VERCHER & BEDNE) – 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 use in public projects, initially for Delmas Avenue 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. BL2017-995 (O'CONNELL, VERCHER, & BEDNE) – 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 use in public projects, initially for Herman Street 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. BL2017-996 (HAGAR, VERCHER, & BEDNE) – 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 use in public projects, initially for 9th/11th/Bryan/Livingston/Merritt 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. BL2017-997 (SWOPE, VERCHER, & BEDNE) – 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 use in public projects, initially for Cloverland Drive 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. BL2017-998 (SYRACUSE, VERCHER, & BEDNE) – 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 use in public projects, initially for JB Estille Drive 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. BL2017-999 (VERCHER & BEDNE) – 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 use in public projects, initially for Wauford Drive 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. BL2017-1000 (LEONARDO, VERCHER, & BEDNE) – 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 use in public projects, initially for West Hamilton Avenue 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. BL2017-1001 (VANREECE, BEDNE, & HAGAR) –

BILL NO. BL2017-1002 (VANREECE, BEDNE, & HAGAR) –

These two ordinances would amend the official Geographic Information Systems Street and Alley Centerline Layers by changing the name of a portion of Cheron Road to "Creative Way" (BL2017-1001) and by changing the name of a Frontage Road from Cheron Road to its terminus to "Inspiration Boulevard." (BL2017-1002).

These ordinances have been approved by the Planning Commission and the Emergency Communications District. A recommendation from both, prior to third reading, is required under Section 13.08.015.D of the Metro Code of Laws (MCL).

Pursuant to the requirements of Section 13.08.015.B of the MCL, the Metropolitan Historical Commission has provided a report to the Council regarding the historical significance, if any, associated with the existing street name.

Amendments to these ordinances may be approved by resolution.

GRANTS AND DONATIONS LEGISLATION – DECEMBER 19, 2017

Legislative Number	Parties	Amount	Local Cash Match	Term	Purpose
RS2017-990	<p>From: Tennessee Department of Transportation</p> <p>To: Metro Parks and Recreation Department</p>	Not to exceed \$1,000,000	\$250,000	Federal Highway Administration funding must be authorized by July 1, 2020	<p>The Transportation Alternatives Program (TAP) grant proceeds would be used to construct a multi-modal path and elevated boardwalk from the Cumberland River Pedestrian Bridge to the Opry Mills Complex.</p> <p>The project must be completed by July 1, 2022.</p>
RS2017-991	<p>From: Tennessee Department of Health</p> <p>To: Metro Board of Health</p>	Not to exceed \$941,300	\$0	January 1, 2018 through December 31, 2018	<p>The grant proceeds would be used to provide HIV/STD/Viral Hepatitis Prevention services for the management, surveillance, and reporting of communicable diseases.</p> <p>The total amount of the grant would be given across two fiscal years. Equal amounts of \$470,650 would be given in FY18 and FY19.</p>
RS2017-993	<p>From: Tennessee Department of Labor and Workforce Development</p> <p>To: Nashville Career Advancement Center</p>	Not to exceed \$1,414,224	\$0	October 1, 2017 through June 30, 2019	<p>The proceeds from this grant would be used to establish programs to prepare adult service recipients.</p>

Legislative Number	Parties	Amount	Local Cash Match	Term	Purpose
RS2017-994	<p>From: Tennessee Department of Labor and Workforce Development</p> <p>To: Nashville Career Advancement Center</p>	Not to exceed \$1,705,556	\$0	October 1, 2017 through June 30, 2019	The grant proceeds would be used 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.
RS2017-995	<p>From: Tennessee Department of Labor and Workforce Development</p> <p>To: Nashville Career Advancement Center</p>	\$0	\$0	The end date would be extended to June 30, 2018	<p>The initial \$11,500 grant was approved to administer NCAC programs and services.</p> <p>The amendment under consideration would extend the end date of the grant to June 30, 2018. No change would be made to the financial terms of the grant.</p>

BL2017-984**Towing and Recovery Rate Increases**

<u>Fee Descriptions</u>	<u>Current</u>	<u>Proposed</u>	<u>% Change</u>
Vehicles towed to Metro impound lot within interstate loop	\$ 125.00	\$ 135.00	8%
Vehicles towed to Metro impound lot outside interstate loop	\$ 135.00	\$ 145.00	7%
Vehicles towed to Metro lot from outside Briley Pkwy circle	\$ 145.00	\$ 155.00	7%
Vehicles in accident towed to company lot at direction of police	\$ 145.00	\$ 155.00	7%
All other vehicles towed to company lot at direction of police	\$ 135.00	\$ 145.00	7%
Labor charges per hour after first hour	\$ 115.00	\$ 150.00	30%
Charge per mile for out-of-county miles when towing at police request	\$ 3.50	\$ 4.50	29%
Towed -- Straight trucks and vans	\$ 220.00	\$ 275.00	25%
Towed -- Tandem-Axle, Not Loaded	\$ 265.00	\$ 320.00	21%
Towed -- Tandem-Axle, Loaded	\$ 290.00	\$ 345.00	19%
Towed Recreational Vehicles -- 25 ft & Under	\$ 210.00	\$ 275.00	31%
Towed Recreational Vehicles -- Over 25 ft	\$ 245.00	\$ 375.00	53%
Towed Buses (Large)	\$ 290.00	\$ 375.00	29%
Wrecked -- Straight trucks and vans	\$ 240.00	\$ 350.00	46%
Wrecked -- Tandem-Axle, Not Loaded	\$ 285.00	\$ 395.00	39%
Wrecked -- Tandem-Axle, Loaded	\$ 315.00	\$ 425.00	35%
Wrecked Recreational Vehicles -- 25 ft & Under	\$ 230.00	\$ 340.00	48%
Wrecked Recreational Vehicles -- Over 25 ft	\$ 265.00	\$ 450.00	70%
Wrecked Buses (Large)	\$ 315.00	\$ 450.00	43%
Additional rate when use of air bags is necessary under special circumstances	\$ 3,000.00	\$ 5,000.00	67%
Recovery of vehicle submerged in water (per emergency vehicle)	\$ 215.00	\$ 315.00	47%
Storage rate, per day -- Tractor	\$ 35.00	\$ 60.00	71%
Additional charge for recovery and storage of vehicle burned by fire	\$ 175.00	\$ 250.00	43%
Vehicle drop fee	\$ 55.00	\$ 75.00	36%
C-Class drop fee	\$ 140.00	\$ 175.00	25%
Non-consent towing -- vehicles under 7,000 lbs GVWR	\$ 125.00	\$ 145.00	16%
Non-consent towing -- vehicles over 7,000 lbs GVWR - 25 ft long & under	\$ 200.00	\$ 275.00	38%
Non-consent towing -- vehicles over 7,000 lbs GVWR - over 25 ft long	\$ 350.00	\$ 375.00	7%