



## METRO COUNCIL OFFICE

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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: July 17, 2018

RE: Analysis and Fiscal Notes

Unaudited Fund Balances as of 7/11/18:

4% Reserve Fund	\$41,641,211*
Metro Self Insured Liability Claims	\$5,005,180
Judgments & Losses	\$2,435,965
Schools Self Insured Liability Claims	\$4,309,264
Self-Insured Property Loss Aggregate	\$8,025,911
Employee Blanket Bond Claims	\$676,977
Police Professional Liability Claims	\$2,278,789
Death Benefit	\$1,304,266

\*This assumes unrealized estimated revenues in FY18 of \$32,088,043.

Note: No fiscal note is included for legislation that poses no significant financial impact.

– RESOLUTIONS ON PUBLIC HEARING –

**RESOLUTION NO. RS2018-1288** (KINDALL & HURT) – This resolution would approve an exemption for Jefferson Street Café, located at 1821 Jefferson Street, from the minimum distance requirements for obtaining a beer permit.

The Metro Code of Laws (MCL) prevents a beer permit from being issued to any 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. For example, 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 such facilities to obtain beer permits upon the adoption of a resolution by the Council. (See, Code section 7.08.090(E)). Restaurants are no longer required to have state on-premises liquor consumption licenses in order to obtain such exemption.

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

– RESOLUTIONS –

**RESOLUTION NO. RS2018-1289** (MENDES, HAYWOOD, & VERCHER) – This resolution would authorize the Metropolitan Development and Housing Agency (MDHA) to enter into an agreement to accept payments in lieu of taxes (PILOT) for a multi-family housing project known as Preserve at Highland Ridge, located at 3474 Dickerson Pike. In 2016, Ordinance Nos. BL2015-1281, BL2016-334 and BL2016-435 authorized MDHA to negotiate and accept PILOT payments from operators of low income housing tax credit (LIHTC) properties, capped at \$2,500,000 annually. If approved, this would be the eleventh such PILOT program overall, and the fifth for MDHA in 2018 totaling \$1,319,249 in tax abatements this year.

PILOT agreements essentially provide tax abatements for real and/or personal property taxes that would otherwise be owed to the Metropolitan Government. PILOTs have previously been utilized by Metro to provide incentives through the Industrial Development Board (IDB) to large employers to create job opportunities. Under Tenn. Code Ann. § 13-20-104, MDHA now has the authority to enter PILOTs to create affordable rental housing.

MDHA developed their PILOT program to provide additional financial incentives to developers considering construction or rehabilitation of affordable housing units through a federally funded Low Income Housing Tax Credit (LIHTC) program. Subsidized LIHTC developments serve those at or below 60% of the average median income (AMI) for the Nashville area, which translates to an income cap of \$31,500 for individuals and \$44,940 for families of four in 2018. Once negotiated by MDHA, each PILOT agreement must be approved by the Council by resolution.

The maximum term for the PILOT payments under this program is 10 years. The PILOT would only be available for additional tax liability over and above the pre-development assessed value of the property. The program is available for both existing and new developments, based on financial need. The PILOT lease is to be terminated if the property sits vacant for two years.

MDHA is required to file an annual report with the Council, Assessor of Property, and State Board of Equalization identifying the values of the properties subject to PILOTs, the date and term for each PILOT, the amount of PILOT payments made, and a calculation of the taxes that would otherwise be owed.

Nashville Leased Housing Associates I, LP plans to acquire land located at 3474 Dickerson Pike and build an apartment project consisting of approximately 261 units restricted to individuals and families earning no more than 60% of the AMI and operate it as an LIHTC property. The application for this project, as well as the associated PILOT agreement, have been approved by the MDHA Board of Commissioners.

The Planning Commission recommended approval of this project on March 30, 2018, advising that the project is consistent with T3 Suburban Neighborhood Evolving, T3 Suburban Mixed Use Corridor policy, and Conservation policies of the Nashville Next general plan.

*Fiscal Note: This PILOT request would require the developer to make a first-year payment of \$22,765 in lieu of property taxes, with a 5% annual increase through the remainder of the 10-year period.*

*In addition to the PILOT payments, the developer would be required to pay a monitoring and reporting fee to MDHA. This fee would be set by MDHA not to exceed five percent (5%) of the amount of the PILOT payment due each year.*

*The final assessed value of this project will not be known until completion. However, the value of the project when completed is estimated at \$34,690,495. For purposes of this analysis, this number can be used as a reasonable estimate of the final project value.*

*Over the 10-year life of this PILOT agreement, a total of \$3,536,560 would be abated, although Metro would still receive \$286,333 in new property taxes from this project. The following table shows the details of this PILOT:*

**Real Property Tax (New)**

<u>Year</u>	<u>Total Value</u>	<u>Standard Tax</u>	<u>Still Pay</u>	<u>Abatement</u>	<u>Abatement %</u>
1	\$34,690,495	\$382,289	\$22,765	\$359,524	94.0%
2	\$34,690,495	\$382,289	\$23,903	\$358,386	93.7%
3	\$34,690,495	\$382,289	\$25,098	\$357,191	93.4%
4	\$34,690,495	\$382,289	\$26,353	\$355,936	93.1%
5	\$34,690,495	\$382,289	\$27,671	\$354,618	92.8%
6	\$34,690,495	\$382,289	\$29,054	\$353,235	92.4%
7	\$34,690,495	\$382,289	\$30,507	\$351,782	92.0%
8	\$34,690,495	\$382,289	\$32,032	\$350,257	91.6%
9	\$34,690,495	\$382,289	\$33,634	\$348,655	91.2%
10	\$34,690,495	\$382,289	\$35,316	\$346,973	90.8%
<b>Totals</b>		<b>\$3,822,893</b>	<b>\$286,333</b>	<b>\$3,536,560</b>	<b>92.5%</b>

*After the property tax abatement from this project, \$1,180,751 would still be available within MDHA's annual cap of \$2.5 million for other PILOT projects in 2018.*

**RESOLUTION NO. RS2018-1290** (VERCHER) – This resolution would approve an agreement between the Metropolitan Government and CEVA Freight LLC (CEVA) for the operation of a foreign-trade zone site and for approval of amendments to the agreement by resolution.

In 1981, the U.S. Foreign-Trade Zones Board authorized the establishment of a Foreign Trade Zone in Nashville through the now-defunct Metropolitan Port Authority (MPA). Afterward, foreign trade zone no. 78 was established in 1983. The MPA was subsequently dissolved in 1999,

whereupon the power to establish and operate foreign trade zones passed to the Metropolitan Government. Currently, the Mayor's Office of Economic and Community Development (ECD) manages Foreign Trade Zone (FTZ) No. 78.

Foreign trade zones are established under federal law for the purpose of stimulating and expediting international commerce and exempting goods from the payment of U.S. Customs tariffs while they are in the zone. (19 U.S.C. 81a-81u). Such zones are designated by the U.S. Department of Commerce and must be within 60 miles or 90 minutes driving time from a U.S. Customs and Border Protection Port of Entry. (The Port of Entry in Nashville is located within the Customs Office at the Metropolitan Airport.)

CEVA wishes to operate within FTZ No. 78 from its premises in Mt. Juliet, Tennessee and has requested Metro's assistance in establishing a general purpose subzone. CEVA has prepared and submitted an application to the Foreign Trade Zones Board of the U.S. Department of Commerce and wishes to enter into a Foreign-Trade Zone Operations Agreement with Metro to operate a general purpose subzone. Metro Code of Laws Sec. 6.14.020 authorizes agreements for the operation and maintenance of foreign-trade zones and subzones to be approved by the Council by a resolution receiving at least twenty-one (21) affirmative votes.

The resolution under consideration would approve this agreement. The agreement sets forth the responsibilities for operation of the FTZ site on this property. The company would agree to maintain \$5 million in commercial liability insurance naming Metro as an additional insured and would agree to indemnify Metro from any claims associated with CEVA's operation of the FTZ site. The agreement would remain in effect for a term of five (5) years and could be renewed from year to year for successive one (1) year terms upon written notice from CEVA no less than sixty (60) days prior to the term's expiration. This agreement could be terminated by CEVA without cause upon sixty (60) days prior written notice. Metro could terminate the agreement upon one hundred eighty (180) days written notice to CEVA.

*Fiscal Note: CEVA would bear all costs associated with performing its rights and responsibilities as the FTZ operator and would pay the Office of Economic and Community Development (ECD) \$22,000 per year as a Zone Administration Fee.*

**RESOLUTION NO. RS2018-1291** (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of Lashonda Clayton against the Metropolitan Government in the amount of \$30,000.

Ms. Clayton was driving a rental car on Murfreesboro Pike and came to a complete stop due to traffic. A Metro General Services employee driving a Metro-owned vehicle ran into the rear of Ms. Clayton's stopped vehicle. The rental car, owned by Enterprise Rent-A-Car, sustained damage to the rear, and a property damage claim was previously settled for \$701.58.

Ms. Clayton sought treatment for chest, back, and neck pain and was diagnosed with cervical myofascial strain, back strain, and chest contusion. She has agreed to accept a total of \$30,000 in full settlement of this case, based upon \$22,264.32 for reimbursement of her medical expenses plus \$7,735.68 for pain and suffering.

The Department of Law recommends settlement of this claim for \$30,000.

Disciplinary action against the employee consisted of remedial training.

*Fiscal Note: This \$30,000 settlement would be the second payment from the Self-Insured Liability Fund in FY19, for a cumulative total of \$55,000. The fund balance would be \$5,005,180 after this payment.*

**RESOLUTION NO. RS2018-1292** (VERCHER) – This resolution would approve a third amendment to a contract between the Metropolitan Government and the Tennessee Department of Mental Health and Substance Abuse Services. The amendment would reduce rates for the costs of mental health evaluations and treatments ordered by the General Sessions Court for defendants charged with misdemeanor crimes. Under Tenn. Code Ann. § 33-7-301, *et seq.*, judges are authorized to order defendants charged with misdemeanors to undergo outpatient or inpatient mental health evaluations and treatment.

The original agreement, approved by Resolution No. RS2015-1502, began July 1, 2015 and was to expire June 30, 2016. The State has the option under the contract to extend the term for additional twelve (12) month periods, with the maximum term, including all extensions and renewals, not to exceed a total of sixty (60) months. The first amendment was approved pursuant to Resolution No. RS2016-230. This was essentially a renewal of the agreement whereby the state would provide evaluations and treatment services to be paid for by Metro, with the termination date of the contract extended to June 30, 2017. The second amendment, approved pursuant to Resolution No. RS2017-751, further extended the agreement through June 30, 2018. The resolution under consideration would further extend the term of this contract through June 30, 2019.

The original agreement outlined the services the state would provide and the cost for each service, which ranged between \$100 and \$700 per outpatient service and \$450 per day for inpatient evaluation and treatment. The first amendment increased some reimbursements to \$900.

*Fiscal Note: There would be no change to the rates that would be approved by this amendment. The only effect would be to extend the termination date of the contract.*

**RESOLUTION NO. RS2018-1293** (VERCHER & ROBERTS) – This resolution would approve a contract between the Tennessee Department of Mental Health and Substance Abuse Services and the Metro Nashville Fire Department for the payment of emergency transportation services for patients at the Middle Tennessee Mental Health Institute (MTMHI). Under the contract, the state would pay for ambulance services under the Medicare Part B Fee Schedule or, if a service is not covered by this schedule, then at the lowest negotiated rate.

This agreement would enable the state to continue paying Metro for the services provided. The term of the contract would start July 1, 2018 and end June 30, 2019. This is a recurring contract approved each year. In 2017, the contract was approved pursuant to Resolution No. RS2017-841.

*Fiscal Note: The state would pay Metro for uninsured patients transported from the facility at the rates established by the Medicare Part B fee schedule. The total amount to be paid under the contract is not to exceed \$22,000 for FY19, which is the same as the cap for FY18.*

*The schedule for FY18 only specified payments for "Ambulance Services". The new schedule for FY19 adds a cap of \$1,200 for these services. It also adds a schedule for "Non-Emergency Transportation". The Medicare Part B Fee Schedule or lowest negotiated rate is to be used, not to exceed \$100 per trip.*

**RESOLUTION NO. RS2018-1294** (VERCHER & ROBERTS) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1295** (WITHERS, VERCHER, & ROBERTS) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1296** (KINDALL, VERCHER, & RHOTEN) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1297** (KINDALL, VERCHER, & OTHERS) – This resolution would appropriate funds from the Metropolitan Parks and Recreation Department (Parks) to Creative Parks Nashville to provide Big Band Dances in Centennial Park at no cost to the public.

The Tennessee Arts Commission has awarded a grant not to exceed \$3,350 to Creative Parks Nashville. Parks has recommended the award of \$3,350 to Creative Parks Nashville. These funds would be used to provide Big Band Dances in Centennial Park at no cost to the public.

*Fiscal Note: This resolution would only appropriate the \$3,350 grant received from the Tennessee Arts Commission. Similar additional grants for these dances are routinely approved.*

**RESOLUTION NO. RS2018-1298** (WITHERS, VERCHER, & ROBERTS) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1299** (VERCHER & RHOTEN) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1300** (VERCHER & GILMORE) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1301** (VERCHER & GILMORE) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1302** (VERCHER & GILMORE) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1303** (VERCHER & GILMORE) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1304** (VERCHER & GILMORE) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1305** (VERCHER & GILMORE) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1306** (VERCHER & GILMORE) – See attached grant summary spreadsheet.

**RESOLUTION NO. RS2018-1307** (GILMORE) – This resolution would approve Amendment 4 to extend the term of a contract with United Neighborhood Health Services, Inc. (UNHS) from its previous termination date of June 30, 2018 to June 30, 2019. This contract authorizes UNHS to provide medical services at two or more clinics in or near downtown Nashville to homeless clients of the Health Department.

A contract with UNHS has been in place since 2005 to provide a portion of the medical services, including examinations, diagnosis, and treatment of medical conditions of homeless persons

seen at the downtown clinic. UNHS is to provide primary medical services to at least 3,500 individuals, which is to include a 24 hour on-call system for emergencies. This contract also includes the provision of dental care for at least 500 patient visits and mental health services to at least 600 homeless clients. UNHS will be responsible for making transportation available to its homeless patients.

*Fiscal Note: UNHS was compensated in the amount of \$355,200 for FY16, FY17, and FY18. This would remain unchanged for FY19. There are no changes being made to the terms and conditions of the contract other than the extension of the termination date.*

– ORDINANCES ON SECOND READING –

**BILL NO. BL2018-1200** (HASTINGS & O’CONNELL) – This ordinance would amend Chapter 6.28 of the Metropolitan Code of Laws regarding hotels, motels, and roominghouses. Section 17.04.060 of the Metro Code defines “hotel” as any commercial establishment whose principal use provides that such structure is occupied by transients for lodging or sleeping purposes, and accepts on-site reservations for accommodations. “Motels” are included within this definition. Under section 16.24.030, a “roominghouse” is defined as a building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

If adopted, the ordinance would require hotels, motels, and roominghouses which accept cash payment to accept at least one (1) other form of payment, such as credit card, debit card, or check payments. The ordinance would also require that, upon payment by a guest for accommodations, a receipt reflecting such payment must be provided to the guest and maintained by the establishment as a record. Section 6.28.010 of the Metro Code requires hotels and roominghouses to maintain a book or register listing the name and address of each guest, including the date of arrival and departure.

**BILL NO. BL2018-1202** (ELROD) – This ordinance, as substituted, would regulate dockless bicycle and scooter operators and establish a permitting system for these operators.

A pilot program would be created to authorize operators to operate a dockless bicycle or scooter system within Metro Nashville. The application would include a \$500 application fee, images and descriptions of the bicycle and mobile application, size of the fleet at launch and any planned fleet expansions, service area launch and planned expansions, a plan for educating users on proper parking, a plan for providing an equitable share service, and a plan for complying with the ordinance and its requirements. Applications would also be required to include a certificate of insurance evidencing a minimum of one million dollars in automobile insurance and two million dollars in commercial general liability insurance.

After meeting all application requirements, operators would also be required to submit a program administrative fee of thirty-five (\$35) dollars per bicycle or scooter, a performance bond of eighty dollars (\$80) per bicycle or scooter with a cap of \$100,000, and five (5) account logins for Metro oversight. One (\$1) dollar from each program administrative fee and one percent (1%) of all other fee revenue would be earmarked to create and improve bike lanes, dividers, curbside parking stalls, and other biking and bike parking infrastructure.

Metro would be prohibited from limiting the number of permitted operators. Permits issued under the pilot program would be issued for one (1) year and could be renewed after reapplication. Operators who operated without a permit after June 15, 2018 would be barred from obtaining a permit for one year from the effective date of the ordinance.

All bicycles, electric bicycles, and electric scooters would be required to follow standards set forth within state and federal law, including the Code of Federal Regulations, the Tennessee Code Annotated, and definitions from the National Highway Traffic Safety Administration. Operators would be required to provide mechanisms whereby users can notify the operator of any safety concerns. A top speed of less than 20 miles per hour would apply to electric bicycles. Bicycles, electric bicycles, and scooters would be affixed with language requiring helmet use, yielding to pedestrians, and compliance with rules of the road. It would also be required to affix information that the bicycle or scooter could not be operated on a sidewalk within a business district, audible signals must be given before overtaking and passing pedestrians, and that a 24-hour service phone number and a unique identifier. Operators would be responsible for regularly educating users on applicable laws relating to operating a bicycle or scooter. All bicycles and scooters would be required to include on-board GPS for locating and retrieving the bicycle or scooter. All bikes would need to be regularly inspected, maintained, and replaced as necessary.

Operators would be required to inform users on property use and parking of bicycles and scooters. Permits issued would be valid only for operations within the public right-of-way within Metro. Additional zones could be established upon coordination with appropriate departments, agencies, and/or property owners. The Department of Public Works would be authorized to remove a bicycle or scooter parked in any one location for more than two (2) days. Bicycles and scooters would be required to be parked upright and could not impede the right of way or access to the right of way. Permitted operators would be required to provide contact information for relocation requests of bicycles and scooters.

Bicycles and scooters could not be operated on a sidewalk within a business district. Users would be required to yield to pedestrians and give audible signals before overtaking and passing pedestrians. Operators would be required to comply with any restrictions developed by Metro regarding where bicycles and scooters could be deployed, parked, and operated. Only one rider could operate a bicycle or scooter, unless equipped with seating for additional users. Bicycles or scooters could only be operated by persons over the age of eighteen. A violation of this ordinance by a user would result in a fine of twenty-five (\$25) dollars assessed on the bicycle or scooter. (Staff is unaware of legal precedent in Tennessee for the assessment of fines upon the vehicle rather than the operator.)

Permitted operators would be required to have a staffed operations center within the boundaries of Metro, and a 24-hour customer service phone number for reports of safety concerns, complaints, and questions. The operators would also be required to maintain a Nashville-specific website or social media platform that includes information on Metro's regulation of dockless bicycles and scooters. Metro would be provided with a direct contact number for staff capable of rebalancing or relocating bicycles or scooters. Any inoperable or unsafe bicycle or scooter would be required to be removed from the right-of-way within 24 hours of notice and any inoperable or unsafe bicycle or scooter would need to be repaired before being placed back onto the right-of-way or into revenue service. Metro would be authorized to take any appropriate steps to compel operators to comply with the ordinance, including cancellation of a permit. Operators would be required to share data with Metro on topics including point location,

location, duration, and distance of trips, type of bicycle or scooter, and demographics of the users.

Permitted operators' fleets would be limited to 400 bicycles or scooters during the first three months of the pilot, 800 bicycles or scooters beginning at the third month of the pilot, and 1,500 bicycles or scooters beginning at the sixth month of the pilot. After the sixth month, permitted operators could expand beyond 1,500, assuming they fulfill the other requirements contained in this chapter and in the permit. Operators could increase their fleet on a monthly basis if their provided data demonstrates their fleet is being used above the average utilization threshold. Any permitted vendors operating systems with more than 1,000 bicycles/scooters would be required to include Nashville Promise Zones in 20% or more of their service area. Service areas of operators could not exceed 340 bicycles per square mile.

Operators would be required to plan to provide equitable access in neighborhoods and communities where users are underserved by mobility and transportation options. This includes providing pricing options for low-income residents, providing discount programs for low income individuals, developing plans that do not require smartphones, providing cash payment options, and providing adaptive bicycles and scooters for operation by people with disabilities.

Metro would be required to establish an application process and guidelines for lock-to-bicycle and/or scooter share systems to operate in Davidson County, similar to these regulations.

Metro would further be required to conduct a study no later than January 1, 2020 to determine if revenue generated by fees are sufficient to cover permitting, administration, compliance and enforcement, determine the impact of dockless bicycles and scooters, and recommend changes to the ordinance, or other Metro ordinances, policies, or practices.

A second Substitute incorporating additional input from stakeholders is anticipated by the sponsor.

Section 11.905 of the Metropolitan Charter requires a recommendation of the Traffic and Parking Commission prior to approval on second reading, unless thirty (30) days has elapsed without such recommendation. No recommendation has to date been received from the Commission, but a special meeting may be convened.

*Fiscal Note: This pilot program would require an application fee of \$500 for each operator as well as a program administrative fee of forty dollars (\$40) per bicycle, electric bicycle, or scooter. The results of this pilot would determine if a modification to the fee structure in the future is appropriate.*

*The ordinance further provides: "If Metro or any Metro department or office incurs any costs as a result of addressing or abating any a permittee operator's violation of these requirements, or incurs any costs of repair or maintenance of public property, upon receiving written notice of the costs, the permitted operator shall reimburse Metro for such costs within thirty days."*

**BILL NO. BL2018-1203** (ROSENBERG) – This ordinance, as substituted and amended, would amend Metro Code of Laws Title 12 by defining scooter and removing certain other requirements.

This ordinance would add a definition for “non-motorized scooters,” defined as a device with front and rear wheels with a footboard between, steered by a handlebar and propelled without the aid of a motor or other propulsion device. All instances of “scooter” would be replaced with “non-motorized scooter.”

Under current Metro law, operators of scooters, in-line skates, and roller skates must wear an approved helmet, as well as wrist guards, elbow pads, and kneepads. This ordinance would remove those requirements delete a prohibition that operators refrain from listening to “a portable radio, compact disc (CD) or tape player” while operating scooters, roller skates, or in-line skates in the roadway.

It should be noted that the new definition for “non-motorized scooters” would mean that the regulations in Chapter 12.58 would not apply to motorized scooters. Ordinance No. BL2018-1202, currently on second reading, would regulate shared dockless bicycle and scooter operators and would impose regulations for bicycles, electric bicycles, and electric scooters subject to that permit program. However, other motorized scooters would not be subject to Metro law.

**BILL NO. BL2018-1246** (VERCHER & WITHERS) – This ordinance authorizes the Mayor to submit the 2018-2023 Consolidated Plan for Housing and Community Development programs for the Metropolitan Government to the U.S. Department of Housing and Urban Development (HUD). This five-year Consolidated Plan was prepared by the Metropolitan Development and Housing Agency (MDHA) and is to be administered by MDHA. The Council most recently approved a consolidated plan in 2013 for the years 2013-2018 (per Ordinance No. BL2013-383).

HUD requires local governments seeking federal funding under the Community Development Block Grant program (CDBG), the HOME investment partnerships program, the Emergency Shelter Grant program (ESG), and the Housing Opportunities for Persons With AIDS (HOPWA) program to submit a consolidated plan for housing and community development.

This plan includes a Needs Assessment, a Housing Market Analysis, and a Strategic Plan that establishes priorities for addressing housing and community development needs. In addition, the Action Plan for 2018 provides for expenditure of CDBG, HOME, ESG, and HOPWA funds to address the Consolidated Plan's priorities.

Funding for the programs in the 2018 Action Plan would be used for the following purposes:

- CDBG - Administration and Planning, Economic Development, Housing, Public Improvements, and Public Services
- HOME - Homebuyer assistance, Multifamily rental new construction, New construction for ownership
- HOPWA - Permanent housing in facilities, Permanent housing placement, Short-term or transitional housing facilities, STRMU, and Supportive services
- ESG - Financial assistance, Overnight shelter, Rapid re-housing (rental assistance), Rental assistance services, and Transitional housing.

Funding for these programs could not be allocated for any property acquisition for which the power of eminent domain is utilized by MDHA, which is restricted under federal law.

*Fiscal Note: The 2018 Action Plan includes the following funding levels:*

**CDBG**

*Allocation - \$5,095,429*

*Program Income - \$250,000*

*The actual expenditure of CDBG funds would be submitted to the Council for approval by resolution at the time the projects are identified. CDBG funds are not to be used for capital improvement projects.*

**HOME**

*Allocation - \$2,581,408*

*Program Income - \$305,000*

*The twenty-five percent (25%) local match for the HOME Investment Partnerships Program will be provided by non-federal funds utilized for HOME projects as well as the value of donated land or improvements associated with HOME-funded projects, or by other eligible methods as provided in the HOME regulations*

**HOPWA**

*Allocation - \$1,216,011*

*This ordinance expressly provides that none of these funds would be used for any property acquisition involving the use of eminent domain.*

**ESG**

*Allocation - \$417,516*

*Local matching funds are required under the ESG program to be provided by the local non-profits that participate in the program as sub-grantees.*

**BILL NO. BL2018-1255** (WITHERS) – This ordinance would amend the Metro Code relative to payroll deductions for benefits administered by the Metropolitan Employee Benefit Board (EBB).

Under current Metro Code Sec. 3.16.020(E), employee contributions for medical and dental care benefits are prepaid by payroll deduction thirty (30) days in advance of the coverage. The EBB has recommended that these employee contributions instead be collected concurrent with benefit coverage, consistent with standard industry practice. This ordinance would make that change.

*Fiscal Note: This proposal would only affect the timing of the payroll deductions. The amounts of the deductions would not be affected going forward.*

**BILL NO. BL2018-1256** (ALLEN, SWOPE, & OTHERS) – This ordinance would amend the Metropolitan Code of Laws to reinstate allowances for properties maintained in a natural state.

Last year, Ordinance No. BL2017-867 amended the Metro Code of Laws (MCL) to reinstate Chapter 10.28, Control of Excessive Vegetation, previously abolished by Ordinance No. BL2016-124. Prior to BL2016-124, MCL Sec.10.28.010 included provisions allowing for properties in a natural state if an intentional design for vegetative growth was on file with the Metropolitan Beautification Commission, provided there was a fifteen feet setback from the front property line and a ten feet setback from any adjacent residential property line.

This ordinance would re-authorize properties in a natural state if an intentional design for vegetative growth is on file with the Metropolitan Beautification Commission. No front or adjacent property line setback would be included.

This ordinance would also amend MCL Sec. 16.24.330.E by removing the reference to the setback requirement for properties in a natural state.

**BILL NO. BL2018-1257** (KINDALL, VERCHER, & OTHERS) – This ordinance would approve a lease agreement between the Metropolitan Government and the Christine P. Nall Living Trust (Trust) for the building located at 337/339 21st Avenue North to be used for an injury-on-duty medical clinic. This building contains approximately 4,814 square feet of space suitable for the operation of a medical clinic to treat employees injured by accident arising out of and in the course of employment.

The term of the lease would be five (5) years, beginning on October 1, 2018 and ending September 30, 2023. The lease could be extended for two additional five (5) year terms at the option of Metro.

Rent payments would be made monthly by Metro. Metro would be responsible for all utilities and janitorial services. Metro could terminate the lease agreement by delivering six (6) months advance written notice to the Trust.

Amendments to this lease agreement could be approved by Council resolution.

*Fiscal Note: The base rent would be \$24.23 per square foot and would increase three percent (3%) annually for the term of the lease. The monthly rent would be as follows:*

10/1/18 - 9/30/19	\$9,719.80
10/1/19 - 9/30/20	\$10,011.39
10/1/20 - 9/30/21	\$10,311.74
10/1/21 - 9/30/22	\$10,377.51
10/1/22 - 9/30/23	\$11,063.83

*If extended beyond the initial term, the rent would be as follows:*

10/1/23 - 9/30/24	\$11,267.91
10/1/24 - 9/30/25	\$11,605.94
10/1/25 - 9/30/26	\$11,954.12
10/1/26 - 9/30/27	\$12,312.74
10/1/27 - 9/30/28	\$12,682.13
10/1/28 - 9/30/29	\$13,062.59
10/1/29 - 9/30/30	\$13,454.47
10/1/30 - 9/30/31	\$13,858.10
10/1/31 - 9/30/32	\$14,273.84
10/1/32 - 9/30/33	\$14,702.06

**BILL NO. BL2018-1258** (ROBERTS, 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 James Avenue Sidewalk Improvements between Robertson Avenue and Morrow Road.

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. BL2018-1259** (ALLEN, 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 25th Avenue South Sidewalk Improvements between West Linden Avenue and Blair Boulevard.

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. BL2018-1260** (A. DAVIS, 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 Stratford Avenue Sidewalk Improvements between Gallatin Pike and Kennedy Avenue.

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. BL2018-1261** (ELROD, 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 between West Longdale Drive and Danby Drive.

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. BL2018-1262** (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 Hobson Pike Sidewalk Improvements between Antioch High School and Lakewalk Drive.

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. BL2018-1263** (O'CONNELL, BEDNE, & ELROD) – This ordinance would abandon existing combined sewer main and easements and accept new combined sewer main, combined sewer manholes and easements for property located at 10 11th Avenue South.

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

**BILL NO. RS2018-1264** (KINDALL, BEDNE, & ELROD) - This ordinance would authorize Pacific 35th & Peoria, LLC to construct, install, and maintain aerial and underground encroachments at 350 22nd Avenue North. The aerial encroachment would consist of building overhangs and the underground encroachments would consist of irrigation for trees and furnishing zone.

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 must be completed promptly, so as to cause the least inconvenience to the public.

This proposal has been approved by the Planning Commission.

**BILL NO. BL2018-1265** (O'CONNELL, BEDNE, & ELROD) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning a portion of Ewing Avenue and Alley Number 197 right-of-way.

The abandonment has been requested by Metro Public Works, applicant.

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

**BILL NO. BL2018-1266** (BEDNE & ELROD) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning a portion of Alley Number 1623 right-of-way.

The abandonment has been requested by Kevin Mann and Jason Fuller, applicant.

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

**BILL NO. BL2018-1267** (SYRACUSE, BEDNE, & ELROD) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning a portion of Blue Hills Drive right-of-way.

The abandonment has been requested by Dale and Associates, applicant.

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

– ORDINANCES ON THIRD READING –

**BILL NO. BL2018-1139** (SYRACUSE, VERCHER, & BEDNE) – This ordinance, as amended, would establish a “transit-oriented redevelopment plan” in Donelson and, if adopted, would be the first implementation of a transit-oriented development district as authorized under recent state legislation.

In May 2017, the Tennessee General Assembly enacted legislation (Tenn. Code Ann. § 13-20-701, *et seq.*) authorizing transit-oriented redevelopment plans in areas where the absence of facilities for high capacity transit options are detrimental to public welfare. Under the state legislation, the local housing authority – in this instance, the Metropolitan Development & Housing Agency or MDHA – is authorized to implement transit-oriented redevelopment projects. In so doing, MDHA would be authorized to:

- Acquire transit-deficient areas and other properties necessary to reduce blight or to allow proper development of the property pursuant to a redevelopment plan;
- Clear acquired areas acquired, including the relocation of utilities, demolition of existing structures, and removal of environmental contaminants;
- Install or construct utilities, public infrastructure, and site improvements, including parks, open spaces, and playgrounds;
- Install or construct privately-owned affordable and workforce housing;
- Pay expenses for relocation, administrative costs, planning and engineering costs, energy efficiency costs, and legal expenses associated with carrying out a plan;
- Pay costs associated with meeting requirements of Leadership in Energy and Environmental Design (LEED), Green Globes, or other similar programs;
- Sell or lease acquired land for uses in accordance with the plan; and
- Borrow money upon its bonds or notes to finance and to carry out a plan.

Historically, MDHA has served to (1) implement the development and operation of low-income housing and (2) implement economic redevelopment districts. The establishment of transit-oriented development districts would establish a third “hybrid” role for MDHA wherein it implements both economic development and housing within transit corridors.

The plan proposed under the current ordinance is expressly intended to implement the concepts from *Let’s Move Nashville: Metro’s Transportation Solution*, initially released in October of 2017, which was rejected at a county-wide referendum election on May 1, 2018.

Under the new state enabling legislation, MDHA cannot initiate a transit-oriented redevelopment project until the governing body (Metro Council) or MDHA has approved a transit-oriented redevelopment plan. These proposed plans must provide a variety of details, including:

- local objectives regarding land use, improved traffic, public transportation, utilities, recreational facilities and other improvements;

- proposed land uses and building requirements; and
- proposed methods for temporarily relocating those living in such areas, and the means by which safe and sanitary dwellings will be provided to replace substandard dwellings to be cleared.

The ordinance under consideration proposes approval of the "Donelson Transit-Oriented Redevelopment Plan" (the "Plan") which encompasses an area located within 1,320 feet on either side of Lebanon Pike between Park Drive and Stewarts Ferry Pike. MDHA has examined the area and concluded that it lacks facilities for high capacity transit options, to the detriment of public health, safety, morals, and welfare. Facilities for high capacity transit are necessary, according to MDHA, to address traffic hazards and congestion and to improve traffic facilities. In addition to approving the Plan, the ordinance would formally establish that the area is "transit-deficient" as defined under state law; that this condition is detrimental to public safety, health, morals and welfare; and that that the area, or portions thereof, should be acquired by MDHA. Additionally, the use of TIF financing would be approved for activities specified under the Plan.

The Plan, attached as an exhibit to the ordinance, provides a description of the area and its boundaries, and describes the objectives of the Plan – namely: (a) to create a transit-oriented, mixed-use district surrounding the Donelson train station; (b) to enhance the pedestrian environment; and (c) to provide housing for a range of incomes, including affordable and workforce housing. The Plan adopts the development standards in the Downtown Donelson UDO first adopted in 2009. To achieve its objectives, the Plan describes the "main redevelopment actions" proposed for the project area which consist of a variety of goals addressing building design and orientation, construction materials, utility design, water quality techniques, multi-modal travel, pedestrian connections, and other design feature goals.

The state enabling legislation enables MDHA to extend tax increment financing (TIF) for properties within the boundaries of the proposed development plan each year. The proposed Plan specifically calls for use of TIF financing, backed by \$30,000,000 dollars of tax increment debt. Under state law, plans proposing use of TIF must disclose estimates of the cost of the project, sources of revenue to finance the project, the estimated tax increment, estimates of the amount and final maturity date of the bonded indebtedness, and an estimate of the impact of TIF financing on local taxing agencies. The proposed Plan includes the following measures:

- \$33,000,000 - The cumulative assessed value of all real estate within the Redevelopment District.
- \$300,000,000 - The projected future increase in the value of property developed under the Plan.
- \$30,000,000 - The tax increment backed debt provided for by the Plan. Thirty percent (30%) of the projected net new property tax revenues generated by the project area will be required to generate this amount of tax increment backed debt.

- \$10,000,000 – The portion of TIF financing committed by MDHA toward development of affordable and workforce housing units. (The remainder of the \$30,000,000 of tax increment backed debt would be used for infrastructure and economic development.)

The Plan states that the amount of bonds or other indebtedness backed by the tax increment will not exceed \$30,000,000; and the final maturity date on any bonded indebtedness backed by the tax increment would occur on or before December 31, 2048. Upon retirement of all bonds or other indebtedness, all property taxes resulting from the incremental development of the Project would be retained by the Metropolitan Government.

MDHA would be further authorized under state law to borrow money or accept contributions from the federal government to assist in undertaking redevelopment projects.

Under the proposed Plan, land use restrictions and design requirements would be implemented through a Design Review Committee, appointed by the mayor and approved by the council, that must approve all improvements affecting property exteriors that otherwise require building permits. Permitted uses would include residential, institutional, educational, office, medical, commercial, transportation, recreation and entertainment. Certain identified uses would be prohibited (*e.g.*, adult entertainment, *etc.*) while several others would be made conditional uses subject to Design Review Committee approval.

The Plan further proposes a review process administered by MDHA for any new development, redevelopment, or improvement otherwise requiring a building permit. Applicants are likewise required to abide by the existing UDO Final Site Plan and building permit processes through the Metro Planning Department.

Although state law assigns broad powers to housing authorities, MDHA would be specifically prohibited under the state legislation from using eminent domain to eliminate transit-deficient areas (though it may use eminent domain to acquire land for public facilities and infrastructure.) The Plan provides for the acquisition of properties necessary to install infrastructure and improvements essential to the implementation of the redevelopment plan. However, under certain conditions, property designated for acquisition can be exempted – essentially if the exemption will not adversely affect implementation of the redevelopment project.

Under the state enabling legislation, once property is acquired, MDHA would be authorized to make land within the project available to private enterprise and public agencies at “use value” in furtherance of the underlying redevelopment plan. To assure appropriate property use, MDHA would be obliged – upon sale or lease of land – to require its use to be for purposes designated within the plan, or to impose other conditions necessary to effectuate the plan. The proposed Plan provides that MDHA contracts, deeds and other conveyances would include conditions to ensure redevelopment of the area in accordance with the Plan.

As required under state law, the Plan provides for relocation assistance for individuals and businesses displaced by project actions or land acquisition, although the Plan aspires generally to “minimize the need for displacement or relocation of businesses or residents.”

In the event changes in the approved Plan become necessary or desired, the proposed Plan specifies that it may be modified, changed or amended “by MDHA”, with subsequent approval of the Metropolitan Council. In other words, the Metro Council could not *initiate* Plan amendments. Although this is typical of MDHA redevelopment districts, the state legislation enabling transit-oriented redevelopment plans does not prohibit the initiation of plan amendments by Council.

State law requires a public hearing on any redevelopment plan prior to final approval, preceded by a specific schedule for public notice. A public hearing was held on May 15, 2018.

Council members, including the lead sponsor, have been in extensive discussions with MDHA, the Mayor’s office, and other departments and agencies. As a result of those discussions, a substitute ordinance was adopted at the April 17 Council meeting, and an amendment was added at the June 5 meeting, to add provisions to the ordinance and/or underlying Plan that address:

- Clarification that a minimum of \$10 million, but not exceeding \$15 million, of TIF financing will be dedicated to affordable housing, defined as 0%-60% AMI;
- Projects with residential components that apply for TIF financing will be required to allocate 10% of residential units to affordable housing;
- The appropriate balance between affordable and workforce housing will be reassessed periodically (e.g., every 5 years) and submitted to Council for approval;
- The minimum period of affordability for residential units will co-extensive with the life of the TIF financing loan;
- Amendments to the Plan could be initiated by either MDHA or the Metro Council, subject to the other’s approval;
- Recently revised requirements within Metro Code of Laws §§ 5.06.020, 5.06.050 and 5.06.060 regarding economic development districts will be incorporated into the ordinance;
- Prior to approval of the next transit-oriented district, a unified process providing for a one-stop design review and zoning approval process would be implemented by and between MDHA and the Metro Planning Department; and
- Explicit reference would be made to the state legislation’s incentives for LEED design and similar programs, as well as its authorization for the installation of energy use capture and transmittal infrastructure, alternative power systems or alternate power projects that incorporate principles of urban sustainability, eco-efficiency, and global sustainable development;
- Require that the MDHA to establish annual goals for the development and preservation of fixed affordable housing units, as well as an annual scorecard listing all fixed affordable housing units within the Project Area;

- Require that the MDHA and Planning Department determine a best practice service to the public for design review and processing of applications for development. The Council would be authorized to establish such process if none is approved after one year.

This ordinance is amendable on third reading. The Planning Commission approved this ordinance and Plan, as amended by Council, at the June 28, 2018 meeting by a vote of 7-2. MDHA did not consider the Plan as amended by Council at its July 10, 2018 board meeting.

*Fiscal Note: "Tax Increment Financing" (TIF) is a financing mechanism authorized by state law for redevelopment districts whereby the increased property tax revenue generated by a development is used to pay the debt service on loans for the construction of improvements related to the project.*

*The cumulative assessed value of all real estate within the proposed Donelson Transit-Oriented Redevelopment District is approximately \$33,000,000 (thirty-three million dollars). If this plan is approved, the projected value of the property developed in conjunction with the plan is estimated to be approximately \$300,000,000 (three hundred million dollars).*

*It is considered to be necessary to induce investment through available economic development tools. The activities of MDHA would make the area conducive to new private development, resulting in increased tax revenues for Metro. The \$30,000,000 (thirty million dollars) provided for by the plan would require approximately 30% (thirty percent) of the projected net new property tax revenues generated by the project area if development can be induced.*

*MDHA now plans to commit \$10,000,000 (ten million dollars) of tax increment financing to the development of affordable and workforce housing units. The remainder of the \$30,000,000 (thirty million dollars) of tax increment backed debt provided by this plan would be used to support infrastructure and economic development activities.*

*The final maturity date on any bonded or other indebtedness backed by the tax increment from eligible properties shall be on or before December 31, 2048. Upon retirement of all bonds, loans, or other indebtedness incurred and payable from tax increment funds or at such time as moneys on deposit in the tax increment fund or funds are sufficient for this purpose, all property taxes resulting from the incremental development of the project shall be retained by Metro.*

**BILL NO. BL2018-1157** (SYRACUSE & M. JOHNSON) – This ordinance, as substituted, would amend Chapter 15.64 and Section 17.28.040 of the Metropolitan Code of Laws to establish and preserve a fifty foot (50') floodway buffer along the Cumberland River. (Under the Metro Code, a "floodway" consists of the portion of a stream channel, as well as the portion of the flat or lowland area adjoining it, required for the passage or conveyance of a 100-year flood discharge.)

This ordinance would create a fifty foot (50') buffer measured from the floodway along the Cumberland River. No new residential structure could be built within this buffer. Development within the floodway buffer could continue to the same extent as development within the floodway, as determined by Sec. 15.64.170 of the Metro Code.

A substitute ordinance approved at the June 5, 2018 Council meeting deleted language regarding variances. Because Chapter 15 of the Metro Code notes that variances can only be granted from regulations, it has been determined that the language explicitly prohibiting variances was unnecessary.

**BILL NO. BL2018-1197** (COOPER & ALLEN) – This ordinance, as substituted and amended, would approve the plans for a solid waste processing facility at 4649 Ashland City Highway. The facility consists of an organics processing facility or anaerobic digestion facility which processes food waste.

Resource Capture, Inc., located at 3524 Murphy Road, has submitted an application and plans for a processing facility to the Division of Solid Waste Management of the Tennessee Department of Environment and Conservation (TDEC). This application was forwarded to the Department of Public Works.

The location of the proposed facility is zoned AR2A and is not within the 100-year floodplain. This facility would accept up to 30 tons of food waste per day for handling, processing, and/or storage. The maximum storage capacity of the facility would be no more than 30 cubic yards.

The criteria to be considered by the Council for this proposal include the following:

1. the type of waste to be disposed of,
2. the method of disposal to be used,
3. the projected impact on surrounding areas from the noise and odor created.
4. the project impact on property values on surrounding areas,
5. the adequacy of existing roads and bridges to carry the projected increased traffic,
6. the economic impact on the country, city, or both,
7. the compatibility with existing development or zoning plans, and
8. any other factor which may affect the public health, safety, or welfare.

Per Ordinance No. BL2017-646, the Council must approve all solid waste processing facilities and similar facilities prior to their construction. A public hearing of the proposal was conducted at the July 3, 2018 Council meeting. Per the provisions of Tennessee Code Annotated § 68-211-704, final approval must be voted upon within thirty (30) days of the public hearing.

**BILL NO. BL2018-1209** (VERCHER & RHOTEN) – This ordinance would grant the Purchasing Agent the authority to extend the term of the Metropolitan Government's contract with Nelson Byrd Woltz, LLC for the Centennial Park Master Plan Design and Engineering Services.

This contract was the result of competitive procurement and was awarded in 2013 for a term of sixty (60) months. The current contract was set to expire in May 2018. This ordinance would authorize the Purchasing Agent to extend the contract for an additional sixty (60) months if the Purchasing Agent determines such extension is in the best interests of Metro.

This ordinance also provides that any amendment to the contract could be approved by resolution of Council receiving at least twenty-one (21) affirmative votes.

*Fiscal Note: Section 3.2.1 of the initial five-year contract estimated the value to be \$4 million. The summary from the Purchasing Agent states the value of the proposed five-year extension would be an additional \$6 million, for a total of \$10 million.*

**BILL NO. BL2018-1247** (HENDERSON, ROSENBERG, & 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 the Old Hickory Boulevard Sidewalk Improvements between Highway 100 and Devon Valley Drive.

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. BL2018-1248** (HAYWOOD, 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 the Vailview Drive Sidewalk Improvements between Richmond Hill Drive and Parkwood Park.

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. BL2018-1249** (ROBERTS, BEDNE, & ELROD) – This ordinance would abandon and accept sewer and water mains, sanitary manholes, and easements for property located at 685 and 693 Vernon Avenue.

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

**BILL NO. BL2018-1250** (KINDALL, BEDNE, & ELROD) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning a portion of 25th Avenue North right-of-way.

This abandonment has been requested by Catalyst Design Group, applicant.

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

**BILL NO. BL2018-1251** (KINDALL, BEDNE, & ELROD) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning a portion of Alley Number 931 right-of-way.

This abandonment has been requested by Catalyst Design Group, applicant.

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

**BILL NO. BL2018-1252** (HUEZO, BEDNE, & ELROD) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by changing the name of a portion of McGavock Pike (between Murfreesboro Pike and Harding Place) to “Knight Valley Drive”.

The request for the name change has been submitted by Metro Public Works, applicant.

On June 26, 2018, the Historical Commission provided a report of the significance of this proposed name change, as required under section 13.08.015 of the Metro Code. The Commission’s report was electronically distributed to Council members on June 27, 2018 and also attached to the July 3, 2018 Analysis.

This was approved by the Planning Commission on June 14, 2018 and the Emergency Communications District on June 21, 2018. A recommendation from both, prior to third reading, is required under Metro Code Section 13.08.015.D of the Metro Code.

*Fiscal Note: Public Works has estimated the signage costs for this name change would be approximately \$461.04.*

**GRANTS LEGISLATION – JULY 17, 2018**

<b>Legislative Number</b>	<b>Parties</b>	<b>Amount</b>	<b>Local Cash Match</b>	<b>Term</b>	<b>Purpose</b>
<b>RS2018-1294</b>	<p><b>From:</b> Tennessee Highland Rim Health Care Coalition</p> <p><b>To:</b> Nashville Fire Department</p>	\$52,999.94	\$0	N/A	The proceeds from this grant would be used for an AmBubus conversion kit to transform a 2003 Blue Bird bus into a large ambulance capable of treating and transporting multiple patients.
<b>RS2018-1295</b>	<p><b>From:</b> U.S. Department of Homeland Security</p> <p><b>To:</b> Office of Emergency Management</p>	\$699,285.00	\$233,095.00	September 1, 2018 through August 31, 2019	<p>This would approve an application for a Port Security Grant.</p> <p>If approved, grant proceeds would be used to protect maritime critical infrastructure and support overall port resilience and recovery capabilities.</p>
<b>RS2018-1296</b>	<p><b>From:</b> Tennessee Tennis Association</p> <p><b>To:</b> Metropolitan Nashville Parks and Recreation Department</p>	Not to exceed \$60,000.00	\$0	N/A	The grant proceeds would be used to fund the renovation of the Hadley Park Tennis Center.

<b>RS2018-1298</b>	<b>From:</b> Friends of Shelby Park & Bottoms <b>To:</b> Metropolitan Board of Parks and Recreation	Not to exceed \$2,500.00	\$0	N/A	The grant proceeds would be used to provide two door repairs at Hanger One at the Cornelia Fort Airpark to create secure storage space.
<b>RS2018-1299</b>	<b>From:</b> Tennessee Arts Commission <b>To:</b> Metropolitan Arts Commission	Not to exceed \$75,500.00	\$75,500.00	July 1, 2018 until June 30, 2019	The grant proceeds would be used for general operating support to cover program and direct expenses related to art programs, research, and community engagement.
<b>RS2018-1300</b>	<b>From:</b> Greater Nashville Regional Council <b>To:</b> Metropolitan Social Services Commission	Not to exceed \$80,000.00	\$0	July 1, 2018 until June 30, 2020	The grant proceeds would be used to provide Nutrition HCBS (Home and Community Based Services) to eligible seniors throughout Davidson County.
<b>RS2018-1301</b>	<b>From:</b> U.S. Department of Health and Human Services <b>To:</b> Metropolitan Board of Health	Increase by \$1,138,461.00	\$0	N/A	This first amendment to the grant approved by RS2018-1062 would increase the grant amount from \$969,743 to \$2,108,204.  Grant proceeds would be used to enhance access to a comprehensive continuum of high quality, community-based care for low income individuals and families with HIV disease.

<b>RS2018-1302</b>	<p><b>From:</b> U.S. Department of Health and Human Services</p> <p><b>To:</b> Metropolitan Board of Health</p>	Increase by \$2,242,202.00	\$0	N/A	<p>This second amendment would increase the grant amount from \$2,108,204 to \$4,350,406.</p> <p>RS2018-1301 approved the first amendment.</p>
<b>RS2018-1303</b>	<p><b>From:</b> Tennessee Department of Health</p> <p><b>To:</b> Metropolitan Board of Health</p>	Not to exceed \$1,610,200.00	\$0	July 1, 2018 through June 30, 2019	The grant proceeds would be used to achieve sustained tuberculosis control and enhanced tuberculosis prevention to eventually eliminate tuberculosis as a public health threat in Tennessee.
<b>RS2018-1304</b>	<p><b>From:</b> Tennessee Department of Human Services</p> <p><b>To:</b> Metropolitan Board of Health</p>	Not to exceed \$30,519.00	\$0	July 1, 2018 through June 30, 2019	The grant proceeds would be used to conduct immunization record audits for child care centers, drop-in centers, and group child care homes to ensure the safety and well-being of children and families in Tennessee.
<b>RS2018-1305</b>	<p><b>From:</b> Tennessee Department of Health</p> <p><b>To:</b> Metropolitan Board of Health</p>	Not to exceed \$97,500.00	\$0	July 1, 2018 through June 30, 2019	<p>The grant proceeds would be used to improve the health of those residing in or visiting Davidson County through targeted strategies to prevent and control the use of tobacco products.</p> <p>This is a substitute grant to the previous grant of \$373,500.00 approved by RS2018-1200, nullified by the Tennessee Department of Health.</p>

<p><b>RS2018-1306</b></p>	<p><b>From:</b> U.S. Environmental Protection Agency <b>To:</b> Metropolitan Board of Health</p>	<p>Increase by \$79,048.00</p>	<p>\$0</p>	<p>N/A</p>	<p>This fifth amendment to the grant approved by RS2015-1525 would increase the grant amount from \$439,761 to \$518,809.</p> <p>The grant proceeds would be used for the ongoing collection of data on ambient air concentrations of 2.5 fine particulate matter in Nashville.</p>
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