



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: March 19, 2019

RE: Analysis and Fiscal Notes

Unaudited Fund Balances as of 3/13/19:

4% Reserve Fund	\$18,423,425*
Metro Self Insured Liability Claims	\$4,075,208
Judgments & Losses	\$2,722,303
Schools Self Insured Liability Claims	\$4,274,695
Self-Insured Property Loss Aggregate	\$7,639,584
Employee Blanket Bond Claims	\$684,703
Police Professional Liability Claims	\$2,199,342
Death Benefit	\$1,525,877

*This assumes unrealized estimated revenues in FY19 of \$8,655,433.

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

– RESOLUTIONS –

RESOLUTION NO. RS2019-1617 (ROSENBERG & COOPER) – This resolution would propose three amendments to the Metropolitan Charter.

The Council, pursuant Metro Charter Sec. 19.01, may only adopt two resolutions during the term of the Council that submit amendments to the voters for ratification. Each proposed amendment to the Charter must be adopted by 27 affirmative votes of the Council, and the resolution itself submitting the amendment must be adopted by 27 affirmative votes in order to become effective. The Council has previously exercised their ability to place Charter amendments on the ballot once this term, through Resolution No. RS2018-1314.

Metro Charter Sec. 19.01 requires that a resolution to amend the Charter must prescribe a date not less than eighty (80) days subsequent to the date of its filing for the holding of a referendum election to vote to ratify or reject the proposed amendments. Under state law, the resolution as *adopted by Council* must be filed with the Election Commission 75 days before the election. (Tenn. Code Ann. § 2-3-204(b)) (“Resolutions...requiring the holding of elections on questions submitted to the people which are to be held with the regular November election...shall be filed with the county election commission not less than seventy-five (75) days prior to such election.”) (See *also* Tenn. Op. Att’y Gen. No. 08-171, Nov. 5, 2008, construing T.C.A. § 2-3-204). The resolution provides that the date for holding the referendum election on the proposed Charter amendments is to be August 1, 2019.

The three proposed amendments to the Metropolitan Charter are as follows:

- Amendment A would allow for ranked choice voting in elections for mayor, vice-mayor, councilmember-at-large, and district councilmember. A new Section 15.11 would be added to the Metro Charter to govern ranked choice voting, which would allow voters to rank candidates in order of preference. A candidate who receives a majority of first-preference votes for a given office would win the election. If no candidate receives a majority, the lowest-scoring candidate would be eliminated and the votes would be redistributed to remaining, non-eliminated candidates based on the eliminated candidate’s voters’ order of preference. This would continue until one candidate received a majority of the votes. For councilmembers-at-large, votes would be redistributed until all vacancies are filled. A new Section 15.12 would be added to govern runoff elections. If ranked choice voting became repugnant to state law, this amendment would provide for a reversion to the current system of electing mayor, vice-mayor, councilmember-at-large and district councilmember.
- Amendment B would eliminate runoff elections after special elections for vice mayor and district councilmember and instead institute ranked choice voting for these offices. A candidate who received a majority of first-preference votes for the office would win. If no candidate receives a majority, the lowest-scoring candidate would be eliminated and the votes would be redistributed to remaining, non-eliminated candidates based upon the

eliminated candidate's voters' order of preference. This would continue until one candidate receives a majority of the votes.

- Amendment C would require certain additional information to be included with the annual operating budget. Currently, the Charter requires estimates of fund balances, revenues, and proposed expenditures. This amendment would require additional disclosures of the total debt of the Metropolitan Government, to be stated cumulatively and per capita, and the annual percentage increase or decrease of such debt. The annual operating budget would also be required to include performance and efficiency measures for departments, boards, commissions, and agencies funded by the Metropolitan Government. The Director of Finance would have discretion to determine the appropriate measurements, as well as the discretion to omit departments, boards, commissions and agencies whose functions are not conducive to quantifiable measurements.

It is anticipated that this Resolution will be deferred at least one (1) meeting. The Charter Revision Commission convened March 8, 2019 for initial review of the amendments proposed in this Resolution, and an additional meeting is anticipated. A motion for approval could be proposed as early as April 16, 2019. The Council office therefore recommends that any additional Charter amendment requests be submitted by April 2, 2019.

RESOLUTION NO. RS2019-1631 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of USAA General Indemnity, Co. (USAA), as subrogee of Richard Nelson, against the Metropolitan Government in the amount of \$10,000.

On September 23, 2017, an officer of the Metropolitan Nashville Police Department was driving on Bell Road near Zelida Avenue. The officer activated his blue lights but not his siren and began making a u-turn. The officer struck the vehicle driven by Mr. Nelson, damaging the front fender and wheel. Both the officer's vehicle and Mr. Nelson's vehicle required towing.

Mr. Nelson sought treatment for lumbar and cervical disc herniation, resulting in several rounds of physical therapy. USAA paid for an emergency visit, which included x-rays and a CT scan. A total of \$13,313.92 in medical expenses were incurred, of which USAA paid \$10,000. USAA has agreed to accept a total of \$10,000 in full settlement of this case.

The Department of Law recommends settlement of this claim for \$10,000.

Disciplinary action against the employee consisted of a written reprimand and monitored driving for four weeks.

Fiscal Note: This \$10,000 settlement would be the twenty-ninth payment from the Self-Insured Liability Fund in FY19 for a cumulative total of \$1,266,424.44. The fund balance would be \$4,075,208 after this payment.

RESOLUTION NO. RS2019-1632 (VERCHER) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1633 (VERCHER & GILMORE) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1634 (VERCHER, SYRACUSE, & PRIDEMORE) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1635 (VERCHER, GILMORE, & PULLEY) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1636 (VERCHER, GILMORE, & PULLEY) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1637 (VERCHER, GILMORE, & PULLEY) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1638 (VERCHER, GILMORE, & OTHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1639 (PULLEY) – This resolution would approve a contract between the Metropolitan Board of Health (Metro) and NashvilleHealth to create and implement the Nashville Health and Well-being survey to assess the health status of Davidson County residents.

The contract to be approved by the resolution sets out the details of conducting the survey. The survey information collected would be used to measure the health and well-being prevention, behavior, and practices of Davidson County residents. It would also support the development of Davidson County's community health improvement plan and assist non-profit, business, government and other community organizations in understanding community needs that can promote service development and improvement and allocation of resources toward health. NashvilleHealth would agree to serve as the project's fiscal sponsor and would be responsible for fundraising efforts and payment of project expenses. NashvilleHealth would serve as primary lead on the development and launch of public awareness efforts and outreach efforts to media in consultation with Metro. Metro would serve as the primary contact with vendors on the sampling plan, data collection plan and fielding of the survey and support data analysis. Metro would further implement the process to review and approve all community requests for the Nashville Health and Well-being Survey database.

The term of the contract would be twelve months.

Fiscal Note: There would be no cost to the Metropolitan Government under the terms of the proposed contract and no other charges or fees for the performance of the contract.

RESOLUTION NO. RS2019-1640 (GILMORE & PULLEY) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1641 (VERCHER, O'CONNELL, & OTHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1642 (O'CONNELL & BEDNE) —

RESOLUTION NO. RS2019-1643 (O'CONNELL & BEDNE) —

These resolutions would each authorize the construction, installation and maintenance of the following aerial encroachments by LC Sobro I, LLC at two separate locations:

- Five canopies, two blade signs, and two fabricated signs at 700 3rd Avenue South (RS2019-1642); and
- One canopy, one blade sign, and one fabricated aluminum sign at 723 2nd Avenue South (RS2019-1643).

In each instance, the resolution requires the applicants to indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the signs, and to provide a \$2 million certificate of public liability insurance with the Metropolitan Clerk naming the Metropolitan Government as an insured party. The applicants must also hold the Metropolitan Government harmless from all claims connected with their installations.

In each case, the Metropolitan Government retains the right to pass resolutions or ordinances regulating the use of the surrounding streets, including the right to construct and maintain utilities, and to order the relocation of facilities at the expense of the applicants. Metro further retains the right to repeal the approvals of the encroachments without liability.

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

Construction of the signs and canopies must be carefully guarded and completed promptly, so as to cause the least inconvenience to the public.

The Planning Commission has approved these proposals

RESOLUTION NO. RS2019-1644 (VERCHER) – This resolution would approve an economic and community development incentive grant to be made to the Industrial Development Board for the benefit of Amazon, Inc.

Amazon is an online retailer and web services company headquartered in Seattle, Washington, with thousands of employees worldwide and over 200,000 employees in the U.S. It has announced its intention to build an Operations Center of Excellence within Davidson County.

Pursuant to Chapter 2.210 of the Metropolitan Code of Laws (MCL), 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. Under MCL section 2.210.010, a “qualified project” means a corporate headquarters or a technology firm located on property controlled by the Industrial Development Board. The proposed project would consist of approximately 500,000 square feet of office and associated space at the intersection of Church Street and 10th Avenue North. The Amazon operations center is described as a “regional headquarters” in the resolution and grant Agreement.

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. Pursuant to the Metro Code, the actual amount and duration of the grant should be determined by 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 considerations. (Section 2.210.020).

This resolution would approve a grant to Amazon in the amount of \$500 per year per qualifying job at their new office as a tenant at Nashville Yards within Davidson County. The term of the grant would be for seven years from the commencement of the project. Amazon has projected the creation of 5,000 jobs in Nashville, with 90-95% of those jobs above the median annual wage in Metro’s metropolitan statistical area (MSA). (The annual median wage for Metro’s MSA is \$47,110.) For purposes of this grant, the qualifying jobs total would include individuals who have worked for Amazon, any of its successors, or any entities controlled by it (an “Amazon Entity”) for at least 26 weeks during the grant year, working an average of 36 or more hours per week, and who are based at the Project. In addition, the qualifying jobs total would include individuals who have performed services for an Amazon Entity through employment outsourcing or similar arrangement for at least 26 weeks during the grant year, working an average of 36 or more hours per week performing services for an Amazon Entity, who are based at the Project, and who are paid in excess of the most recently published average wage for “All Occupations” in Metro’s MSA according to the U.S. Bureau of Labor Statistics. However, jobs performed for functions previously filled by an individual based at another Amazon Entity in Davidson County as of November 2, 2018 would not be included.

Pursuant to recent revisions to Section 2.210.030 of the Code, the Mayor's Office of Economic and Community Development must solicit from companies seeking grants a "project proposal" that addresses:

- (1) the type and number of jobs created, including whether those jobs will be temporary or permanent, and the number that will be filled by Davidson County residents;
- (2) a workforce plan disclosing whether the project will involve use of temporary or staffing agencies, the Nashville Career Advancement Center, or other third parties; whether individuals hired will be employed by the company or by subcontractors or others; and the wages and benefits offered, with a comparison of those wages to average wage levels in Davidson County;
- (3) whether the project will involve use of apprentices from programs certified by the U.S. Department of Labor; and
- (4) the number and type of violations assessed by OSHA or TOSHA, as well as any employment or wage-related legal actions filed against the company or any contractor or subcontractor.

Under the Metro Code, this information must be presented to Council prior to the Council's vote on any incentive. (Section 2.210.030.B). The Amazon Project Proposal is attached as Exhibit E to the ordinance and is likewise attached to this Analysis. The requisite information appears to be included, although Amazon does not explicitly state whether employees will be employed through subcontractors. Construction phase information is deemed inapplicable because Amazon will lease rather than construct their facilities location at Nashville Yards.

Fiscal Note: The terms of the proposed agreement would give an economic incentive grant of \$500 to Amazon per qualifying job per year for the term of seven (7) years through the IDB, as authorized by Ordinance No. BL2010-806. The value of the incentive package, assuming creation of 5,000 new jobs for each grant year, could total \$2,500,000 per year, with a cumulative seven-year total of \$17,500,000.

Amazon would have the right to specify the date on which the grant term would commence. It is presumed that Amazon would not trigger the start of the proposed grant period until the number of qualifying jobs has substantially reached this number. This would maximize the amount of the grant dollars they would receive pursuant to this agreement.

It should be noted that the projected five thousand new jobs in no way constitutes a cap to the potential grant amounts. If the number of qualifying new jobs is higher than 5,000, the grant amount would also be increased, using the same \$500 per new job valuation.

RESOLUTION NO. RS2019-1645 (O'CONNELL & WEINER) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1646 (LEE) – Section 1.08 of the Metropolitan Charter requires the Mayor to personally address the Council in a public facility at a specially called meeting regarding the state of the Metropolitan Government no later than May 25th of each calendar year. The date and time of such meetings are to be set by the Council by resolution.

This resolution sets the date and time for the 2019 “State of Metro” address. If adopted, the address will take place April 30, 2019 at 10:00 a.m. at the Downtown Public Library.

RESOLUTION NO. RS2019-1649 (HAGAR) – In June 2018, Old Hickory, Tennessee celebrated its centennial anniversary, and the Metropolitan Government prepared banners celebrating the occasion. Metro remains in possession of the centennial banners and has determined that the banners are no longer needed for any governmental purposes. This resolution would authorize donation of the banners to Historic Old Hickory Village, Inc., a non-profit organization.

– ORDINANCES ON SECOND READING –

BILL NO. BL2018-1404 (RHOTEN, O’CONNELL, & M. JOHNSON) – This ordinance would amend Sections 6.80.550 and 12.08.150 of the Metro Code of Laws to remove certain storage fees for recovered stolen vehicles.

As proposed by this ordinance, effective June 30, 2019, if a vehicle stored by a towing or wrecker service licensed under Chapter 6.80 of the Metro Code or by an impound lot designated or maintained by the Metropolitan Nashville Police Department (MNPd) or the Metropolitan Government is determined to be stolen, the owner could have storage fees for the vehicle waived. Individuals requesting the waiver would need to present both a police report or other official documentation from the MNPd confirming that the vehicle was stolen and an affidavit signed by the owner, authorized operator, or lien holder attesting that the storage fees are not eligible for coverage under any applicable insurance policy.

Under state law, towing firms are entitled to a lien upon all vehicles that lawfully come into their possession and are retained in their possession until “all reasonable charges” due are paid. (Tenn. Code Ann. § 66-19-103). The proposed ordinance would not prohibit the assessment of towing fees or fees for required notices by towing firms. But elimination of storage fees should presumably be predicated upon the determination that such a charge is not “reasonable” when a vehicle is stolen.

An amendment from the sponsor is anticipated that would limit the scope of the proposed ordinance, requiring a waiver of storage fees for vehicles required by law enforcement to remain in storage on Metro-owned lots for investigative purposes, unless insurance proceeds cover such costs.

Fiscal Note: Wrecker and towing service fees were last increased in January per Ordinance No. BL2017-984. This was in recognition of the increased costs of operations experienced by the companies providing these services. These new rate schedules still allowed companies to charge owners fees related to services provided regarding stolen vehicles.

Storage fees for tow-in lots under the jurisdiction of the MNPd are currently waived for owners of stolen vehicles. However, fees are currently charged for vehicles at private towing and impound lots. The ordinance under consideration would waive fees at both Metropolitan Government lots and private lots, beginning on June 30, 2019.

The waived fees would have no financial impact on Metro, as fees are currently waived at lots under the jurisdiction of the MNPd. This ordinance may impact the revenues of private towing and wrecker companies.

BILL NO. BL2019-1476 (HASTINGS, VERCHER, & OTHERS) – This ordinance would declare as surplus and approve the disposition of an 11.3 acre parcel of real property owned by the

Metropolitan Nashville Board of Public Education located at 0 Brick Church Pike in Council District 2.

The Metropolitan Nashville Board of Public Education has determined that this parcel is no longer needed for any governmental purpose. The property is adjacent to a larger undisturbed parcel. Although there were indications of potential interest in the property by the Metro Parks and Recreation Department, that department is unable to pay the estimated market value for the property and no other departmental requests were submitted during the Mandatory Referral process.

Section 2.24.250 of the Metropolitan Code of Laws requires the Director of Public Property Administration to make all surplus property available to Metro departments, boards, and commissions. The Board of Education may determine that any property held by it is no longer suited or needed for school purposes and may direct the Director of Public Property to sell the property, subject to the approval of the Metropolitan Council and the Mayor, with the proceeds being credited to the unappropriated school fund of the Metropolitan Government. (See, MCL Sec. 2.24.250.C.1.) An appraisal report has been provided pursuant to Section 2.24.225 of the Metro Code, a summary of which is attached to this Analysis.

Fiscal Note: Per the appraisal provided by the Department of Finance (attached to this Analysis), the estimated market value for the property as of November 13, 2018 is \$720,000. The proceeds from the sale of the Property would be credited to the unappropriated school fund of the Metropolitan Government.

BILL NO. BL2019-1518 (O'CONNELL) – This ordinance would make various amendments to Chapter 6.81 of the Metropolitan Code of Laws regarding Booting Services.

This ordinance would add a definition for “residential parking areas,” a phrase used twice in this Chapter, but which is currently undefined.

The regulations for obtaining a booting permit would be amended in several ways. There is currently a requirement that all employees of booting services obtain a permit from the Metropolitan Transportation Licensing Commission (MTLC). Under the current provision, applicants must be at least twenty-one years of age. This ordinance would lower the age to eighteen. The current provision allows employee permits to remain valid for two (2) years at a fee of one hundred fifty dollars, plus forty dollars for a background check. The proposed ordinance would reduce the duration of permits to one (1) year, but at a fee of only fifty dollars, plus forty dollars for a background check. This ordinance would also require all persons engaged in the act of booting to wear a uniform containing the name and/or logo of the booting company on either the left or right chest of the employee’s shirt or jacket.

Booting services would be required to maintain a phone number staffed by a live operator 24 hours a day, 365 days per year. Additionally, if the immobilization device (sometimes called a

“boot”) were to damage a vehicle, the service would be liable for the cost of repairs. However, if damage was caused by the driver of the immobilized vehicle attempting to operate or remove the device, the service would not be liable. The driver would be liable for any damage to the device. Further, a booting service would be required to have a valid written contract with the owner of the property, the lessee, managing agent, or other person in control of the property on which the service engages in booting.

The maximum fee for boot removal would be increased from fifty dollars to seventy-five dollars.

New requirements for booting services would be added. A service would be required to remove a boot within 15 minutes after full payment is received. A service would also be required to obtain a license in order to operate. (This is already implied in Chapter 6.81, but this amendment would make it an explicit requirement).

Existing signage requirements would further be required to be inspected for compliance by the MTLC.

Finally, the MTLC Director would be authorized to suspend, revoke, restrict, or refuse to renew licenses or permits for failure or refusal to comply with Chapter 6.81. The maximum fine imposed by the MTLC would be set at \$1,000.

An amendment is anticipated to delete the references to booting service and driver liability and the maximum fine being set at \$1,000.

Fiscal Note: Section 3 of the proposed changes to the MCL concerning booting services would change the permit fees for booting companies. Presently, these companies pay \$150 for a two-year permit. The new fee would be \$50 for a one-year permit. Since there are presently only three permitted booting companies operating in Nashville, the net change of \$50 per permit per two years would have no significant impact on the revenue of the TLC.

BILL NO. BL2019-1524 (VERCHER & HALL) – This ordinance would amend the definition of “qualified company” and “qualified project” and amend the eligibility criteria for economic and community incentive grants.

Chapter 2.210 of the Metropolitan Code of Laws authorizes the Industrial Development Board to make economic and community incentive grants to qualified companies for qualified projects. The ordinance under consideration would amend the definition of “qualified company” and “qualified project” to limit the eligible companies and projects to those which have not applied for or received any other publicly funded incentive grant or tax relief benefit offered by or through the Metropolitan Government or the State of Tennessee. This would include payment-in-lieu-of-taxes (PILOT), tax increment financing (TIF), or participation agreements providing publicly funded incentives. In addition, the project proposal required by MCL Section 2.210.030 would be required to address

whether the applicant has applied for or received other publicly funded incentive grants or tax relief.

Fiscal Note: This ordinance would only affect the eligibility of specific companies and projects. Separate legislation would still be required for the approval of any specific future companies and projects.

BILL NO. BL2019-1525 (VERCHER & HALL) – This ordinance would amend Section 4.12.010 of the Metropolitan Code of Laws regarding the definition of competitive bidding, in accordance with Tennessee State law.

Tennessee Code Annotated § 12-3-1212 enables local governmental entities with a full-time purchasing agent to increase the threshold over which public advertisement and sealed competitive bids or proposals are required for purchases to an amount not to exceed twenty-five thousand dollars (\$25,000).

MCL Sec. 4.12.010 sets forth requirements for purchases by the Metropolitan Government, ranging from oral and written quotations to competitive sealed bids, with different requirements based upon the dollar amount of the purchase. Under the current section, “competitive bidding” is defined as follows:

<u>Dollar Amount of Purchase</u>	<u>Requirements</u>
Up to \$999.99	One oral or written quotation required.
\$1,000.00 to \$3,999.99	A minimum of three verbal quotations required.
\$4,000.00 to \$9,999.99	A minimum of three written quotations required.
\$10,000.00 and above	Competitive sealed bids or request for proposals.

These thresholds have not been adjusted since 2002. In 2018, the Metropolitan Office of Internal Audit recommended that the threshold over which competitive bidding is required for purchases should be increased to the maximum amounts permitted by state law. The ordinance under consideration would eliminate oral quotations, adjust the various requirement thresholds, and otherwise amend the definition of “competitive bidding” to read as follows:

<u>Dollar Amount of Purchase</u>	<u>Requirements</u>
Up to \$2,499.99	A minimum of one written quotation required
\$2,500.00 to \$25,000.00	A minimum of three written quotations required
Above \$25,000.00	Competitive sealed bids or request for proposals

Fiscal Note: This ordinance would streamline the procurement process by reducing the number and type of quotations required for specific purchase dollar amounts and by increasing the threshold at which competitive bids are required. By reducing the number of required quotations,

the chances of receiving the lowest possible cost are likewise reduced. This proposal would accept that possibility in exchange for reduced administrative costs and simplified processing.

BILL NO. BL2019-1526 (MURPHY) – This ordinance would amend Metropolitan Code of Laws Chapter 6.80 to require commercial parking lots to display certain signage if towing occurs on the premises.

This ordinance would require signage at a commercial parking lot before towing can occur. This would require a permanently affixed sign measuring not less than 24-inches in height and 18-inches in width be placed on all point of vehicular ingress to the lot. The sign would be required to include the name and a 24-hour phone number for the towing company. Signs would be required to be not less than 42 and not more than 72 inches from the ground.

No vehicle parked at a commercial parking lot shall be towed unless signage compliant with these requirements is in place. Owners and operators of unattended commercial parking lots from which a vehicle is properly towed may require vehicle owners to pay applicable towing fees and unpaid parking fines in order to have the vehicle returned.

BILL NO. BL2019-1527 (BLALOCK) – This ordinance would require nutritional labeling of restaurant menus.

Current federal regulations promulgated under the U.S. Food & Drug Administration require restaurants and retail food establishments that are part of a chain with 20 or more locations to provide certain food nutritional labeling, including the number of calories contained in each standard menu item. 21 C.F.R. § 101.11 (2016).

This ordinance would amend Title 10 of the Metropolitan Code of Laws to create a new section regarding the nutritional labeling of restaurant menus. Effective May 1, 2020, any restaurant within the jurisdiction of the Metropolitan Government would be required to label all standard menu items with the number of calories in the item. Schools would be exempt from this labeling requirement. “Standard menu item” would include food that is routinely included on a menu, but not those items offered less than a total of 60 days per calendar year. This requirement would not apply to alcoholic beverages.

Tennessee Code Annotated § 68-14-704(3) prohibits non-elected bodies of a metropolitan government from enacting legislation pertaining to the provision of nutritional information or otherwise regulating menus at food service establishment. But this prohibition does not apply to elected bodies (e.g., the Metropolitan Council, etc.). However, legislation currently pending before the Tennessee General Assembly (SB431/HB1021) would amend Tenn. Code Ann. §7-51-2001 to prohibit local governments from regulating the wholesale or retail sale, manufacture or distribution of any food or drink and would grant the state exclusive jurisdiction for such regulation.

(This legislation would further prohibit local governments from enacting restrictions or fees on single use containers, bags, or eating implements (straws)).

BILL NO. BL2019-1528 (O'CONNELL, WEINER, & HURT) – This ordinance would approve a temporary “Special Event Zone” for specified areas of downtown Nashville, in conjunction with the 2019 National Football League (NFL) Draft scheduled for April 24 through April 28, 2019. Similar zones have previously been approved by the Council for the New Year’s Eve Celebration (BL2018-1386), CMA Fest (BL2018-1160), July 4th (BL2018-1206), and the NCAA Women’s Final Four (BL2014-687).

The boundaries of the Special Event Zone established under this ordinance would be Interstate Drive heading south from James Robertson Parkway to Shelby Avenue; across Shelby Avenue to include 501 South 2nd Street Parking lot; Korean Veterans Blvd southwest to 4th Avenue South; north to Demonbreun; west to 6th Avenue South; north on 6th Avenue South to Broadway; west on Broadway to Rosa L Parks Blvd; 7th Avenue North from Broadway to Commerce Street; Commerce Street east to 2nd Avenue North; 2nd Avenue North to Union Street; Union Street west to 3rd Avenue North; west on 3rd Avenue North to James Robertson Parkway; east on James Robertson Parkway to Main Street.

Activity restrictions within the Special Event Zone would begin at midnight (12:00 a.m.) on Wednesday, April 24, 2019, and ending at eight o'clock (8:00) a.m. on Sunday, April 28, 2019.

Activities on public property or in the public right-of-way within the Special Event Zone would be regulated as follows:

1. The sale of any food, beverages, goods, or merchandise would be prohibited, unless street vendors obtain a “Special Event Zone” permit from the Nashville Convention and Visitors Corporation (CVC) in order to sell within the geographic area listed above.
2. Alcoholic beverages provided, served, or sold from any temporary outdoor would be prohibited, except as authorized.
3. The sale or distribution of merchandise pertaining to the NFL Draft, where it is apparent on its face that the merchandise is not licensed by the NFL, would be prohibited.
4. No tents or membrane structures of any kind would be permitted, except as authorized by the CVC, NFL, or Metro for public safety purposes.
5. The construction, placement, occupation, or use of any temporary structure would be prohibited except those sanctioned and authorized by the CVC and NFL.
6. The distribution, promotional give-away activity, or provision of free products, services, or coupons by persons or entities that are not event sponsors officially sanctioned and authorized by the CVC and NFL would be prohibited, except within any Public Participation Area.
7. Vehicles would be allowed only as directed by Metropolitan Nashville Police.
8. No shared urban mobility devices, as defined by Metropolitan Code of Laws Section 12.62.010, would be permitted within the Special Event Zone.

9. No handguns, rifles, or firearms would be permitted. (Tennessee Code Annotated § 39-17-1359)
10. No knives, swords, or other fighting devices would be permitted.
11. No fireworks, firecrackers, or explosive devices of any type would be permitted.
12. The Special Event Zone would be a “no fly zone.”

This ordinance would establish at least one Public Participation Area within the Special Event Zone while the zone is in effect. This Area would allow for the reasonable expression by the public in a manner that is not disruptive to the 2019 NFL Draft and related activities and events.

Fiscal Note: This ordinance would place restrictions on the activities that would be allowed to take place within the special event zone during the NFL Draft. However, no additional Metro personnel or overtime would be required solely for the enforcement of these restrictions.

BILL NO. BL2019-1542 (O’CONNELL) – This ordinance would authorize 151 Nashville LLC to install, construct, and maintain aerial and underground encroachments in the right-of-way located at 151 1st Avenue South. These would consist of a pedestrian bridge connection, planters, pop-up irrigation, bike racks, trashcans, and a planter wall encroaching the right-of-way.

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

This proposal has been approved by the Planning Commission.

– ORDINANCES ON THIRD READING –

BILL NO. BL2019-1475 (HALL) – This ordinance, as amended, would amend the Metropolitan Code of Laws (MCL) to establish a time period for which grading permits remain valid and would make amendments to the review of grading permits and drainage plans.

This ordinance would make grading permits meeting certain conditions valid for eighteen months from the date of issuance. This limitation would apply to project sites meeting the following criteria:

1. No contemporary building permit or use and occupancy permit has been issued or requested for the project site property;
2. The project site is located upon a local street, minor local street, or arterial or collector street consisting of two (2) lanes or less, according to the Major and Collector Street Plan;
3. The project site is on a lot adjacent to a residential zone district or a district permitting residential use; and
4. The project site is not owned by the Metropolitan Government of Nashville and Davidson County, the Metropolitan Nashville Airport Authority, the Nashville Electric Service, the Metropolitan Transit Authority, or the Metropolitan Development and Housing Authority.

Permits could be renewed for successive eighteen month periods upon adoption of a resolution, after a public hearing, by the Metropolitan Council receiving twenty-one affirmative votes. The expiration or non-renewal of a previously issued grading permit would require the permitted operator to satisfy any requirements deemed necessary by the Metropolitan Department of Water and Sewerage Services for the purpose of ensuring site stabilization and site stormwater management functionality, including stormwater infrastructure and stormwater control measures, within a reasonable time.

The ordinance would also make housekeeping changes to MCL Sec.15.64.140.C regarding the review of a grading and drainage plan. These changes would include clean-up of a numbering sequence and a clarification regarding non-compliance determinations. Section 15.64.140.C.4.a currently provides that a determination of non-compliance with a grading permit and drainage plan requires a finding of at least two of three recited findings. The pending ordinance would clarify that establishment of two findings does not necessarily *require* a determination of non-compliance.

BILL NO. BL2019-1517 (SLEDGE, O'CONNELL, ROSENBERG) – This ordinance would amend the Metropolitan Code of Laws to expand the circumstances in which individuals can request expungement of a Metropolitan ordinance violation.

Currently, Metro Code Sec. 1.24.050 allows a person charged with a violation of a Metropolitan ordinance to have their record expungement only if the charge is dismissed or not prosecuted. The clerk of the court having jurisdiction of such record must remove and expunge the records within sixty (60) days of the entering of the expungement order.

The ordinance under consideration would allow individuals who have pleaded guilty to the violation of a Metro ordinance to have their records expunged if, at the time of filing a petition to expunge, the following are true:

1. The person has never been convicted of any criminal offense (excluding non-moving traffic violations);
2. At least five (5) years have elapsed since the completion of any sentence imposed for the offense; and
3. The person has fulfilled all requirements of any sentence imposed.

Fiscal Note: There would be some administrative costs to the Court Clerk's Office to process expungements as proposed by this ordinance. These costs have not yet been estimated, but should be relatively minor.

BILL NO. BL2019-1519 (ALLEN & O'CONNELL) – This ordinance, as amended, would authorize the closure of streets and alleys located on the Vanderbilt University campus to all but emergency vehicles in order to create walking districts on two streets and otherwise enhance pedestrian and biking safety.

In 1993, Substitute Ordinance no. SO93-740 closed various alleys and streets on the Vanderbilt University campus, conditioned upon Vanderbilt continuing to permit those alleys and streets to be used by members of the public as a right-of-way. That ordinance closed the following streets:

- 24th Avenue South between Alley No. 636 and Vanderbilt Place;
- Vanderbilt Place between 25th Avenue South and its eastern terminus;
- Kensington Place between 24th Avenue South and 25th Avenue South; and
- An unnamed alley extending easterly approximately 180 feet from the intersection of 24th Avenue South and Kensington Place.

These streets and alleys, however, remained open to the public as a right-of-way. The ordinance under consideration would amend SO93-740 to close some streets and alleys to all traffic except emergency vehicles, including closure of the right-of-way. The following would be closed to the public:

- 24th Avenue South between Alley No. 636 and Vanderbilt Place;
- Kensington Place between 24th Avenue South and 25th Avenue South; and,
- An unnamed alley extending easterly approximately 180 feet from the intersection of 24th Avenue South and Kensington Place.

Vanderbilt would be responsible for maintaining the streets and alleys to the same standards applicable to the Metropolitan Government, and would further indemnify Metro for all costs and claims occurring on the closed portions.

BILL NO. BL2019-1520 (ALLEN & O'CONNELL) – This ordinance, as amended, would authorize the complete closure of a portion of 24th Avenue South on the Vanderbilt University campus to all traffic except emergency vehicles in order to create a walking district and to increase pedestrian and biking safety.

Ordinance No. BL2000-278, as amended, closed eight alleys and three streets located on the Vanderbilt University campus, conditioned upon Vanderbilt continuing to permit those alleys and streets to be used by members of the public as a right-of-way. That ordinance closed the following streets:

- Alley #636 from 25th Avenue South to its terminus slightly beyond 24th Avenue South;
- Alley #638 from 25th Avenue South to its terminus at Alley #603;
- Alley #603 from Kirkland Place to its terminus at Alley #638;
- Alley #911 from 28th Avenue South to its terminus at Alley #914;
- Alley #914 from 28th Avenue South to its terminus at Alley #911 and from Alley #913 to its western terminus, but not section over near 29th Avenue South;
- Alley #912 from 28th Avenue South to its terminus at Alley #913;
- Alley #913 from 28th Avenue South to its terminus at Alley #912;
- 24th Avenue South between West End Avenue and its terminus at Alley #636 and between Highland Avenue to its terminus at Garland Avenue;
- Kirkland Place from 25th Avenue South to its terminus; and
- Garland Avenue from 25th Avenue South to its terminus at 24th Avenue South.

BL2000-278 also provided that Vanderbilt would continue to permit Garland Avenue and the portion of 24th Avenue South to be used by members of the public as right-of-way.

The ordinance under consideration would amend BL2000-278 to remove the language that permits the portion of 24th Avenue South to be used by the public as right-of-way, thereby closing that portion of 24th Avenue South to all vehicular traffic except emergency vehicles.

Vanderbilt would be responsible for maintaining the street to the same standards applicable to the Metropolitan Government, and would further indemnify Metro for all costs and claims occurring on the closed portion.

BILL NO. BL2019-1521 (KINDALL) – On March 2, 2019, St. Thomas Midtown Hospital (formerly known as Baptist Hospital) will celebrate its centennial anniversary. This ordinance would establish the honorary designation of “Saint Thomas Midtown Way” for a portion of 20th Avenue North, between Church Street and Patterson Street, adjacent to the hospital.

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

Section 13.08.015 of the Metro Code prohibits street name changes for the purpose of promoting a private business. But such prohibitions do not extend to honorary designations under Section 13.08.025. Neither this ordinance, nor honorary street names in general, officially rename the designated street. Therefore, there would be no change of official street address for any residents or businesses on 20th Avenue North.

Fiscal Note: Pursuant to MCL Sec. 13.08.025, the Department of Public Works will absorb the costs for making and installing up to five (5) honorary street sign designations per calendar year. Any additional honorary signs after these first five must identify a specific funding source for the new signs. The sign for the honorary designation for Saint Thomas Midtown would be the first in 2019.

The historic cost for one of these honorary signs has been estimated to be between \$80 and \$90. If a sign is mounted on a separate post, this would add approximately \$22 to the cost. The total cost would depend upon the number of signs necessary for the number of intersections in the street being so designated.

BILL NO. BL2019-1522 (WEINER, 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 purposes of Highway 70 South Sidewalk Improvements, between Metro Park and Ride and Sawyer Brown 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 FY18 Capital Projects Fund.

GRANTS LEGISLATION – MARCH 19, 2019

Legislative Number	Parties	Amount	Local Cash Match	Term	Purpose
RS2019-1632	<p>From: Tennessee Highland Rim Healthcare Coalition</p> <p>To: Nashville Fire Department</p>	Not to exceed \$8,969.75	\$0	N/A	The grant proceeds would be used to fund the purchase of materials and build-out of a utility trailer.
RS2019-1633	<p>From: Office of Family Safety</p> <p>To: AGAPE, Inc.</p>	N/A	N/A	N/A	This would approve the first amendment to a grant adopted by RS2018-1330. That grant was made to Morning Star Sanctuary, which has since dissolved as a corporation. AGAPE, Inc., has assumed its rights and responsibilities. This amendment would change all references in the grant contract from Morning Star Sanctuary to AGAPE, Inc.
RS2019-1634	<p>From: Tumbler Trak, American Gymnast, Flip Fest Gymnastics Camp, and USAG TN Gymnastics</p> <p>To: Metro Board of Parks and Recreation</p>	Not to exceed \$5,924.00.00	\$0	N/A	The grant proceeds would be used to establish a gymnastics program at the Madison Recreation Center.

RS2019-1635	From: Tennessee Department of Health To: Metro Board of Health	Not to exceed \$1,177,800.00	\$0	January 1, 2019 through December 31, 2019	The grant proceeds would be used to provide HIV/STD/Viral Hepatitis Prevention, surveillance, and PrEP Clinic services.
RS2019-1636	From: Friends of Metro Animal Care & Control To: Metro Board of Health	Not to exceed \$10,000.00	\$0	N/A	The grant proceeds would be used to provide emergency medical care for the animals.
RS2019-1637	From: U.S. Department of Health and Human Services To: Metro Board of Health	Not to exceed \$4,054,928.00	\$0	March 1, 2019 through February 29, 2020	The 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.
RS2019-1638	From: Metro Board of Health To: NashvilleHealth	Not to exceed \$25,000.00	\$0	July 1, 2019 through June 30, 2019	The grant proceeds would be used by NashvilleHealth to coordinate the 2018-2019 Nashville Community Health Survey.

<p>RS2019-1640</p>	<p>From: March of Dimes Foundation To: Metropolitan Board of Health</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>This would approve the first amendment to a grant approved by RS2018-1230. This would no longer require Metro to implement the One Key Question (OKQ) reproductive life planning model and instead implement the evidence-informed Parenthood/Pregnancy, Attitudes, Timing and How (PATH) model of reproductive planning</p>
<p>RS2019-1641</p>	<p>From: The Recycling Partnership To: Metro Public Works Department</p>	<p>Not to exceed \$506,000.00</p>	<p>\$0</p>	<p>March 4, 2019 through February 28, 2021</p>	<p>The grant proceeds would be used to provide funding in support of the planned enhancement of the curbside recycling program.</p>
<p>RS2019-1645</p>	<p>From: Nashville Convention and Visitors Corporation To: the Metropolitan Government of Nashville and Davidson County</p>	<p>\$300,000.00</p>	<p>\$0</p>	<p>N/A</p>	<p>The grant proceeds would be used to help offset special event expenses to cover safety and security needs, traffic control, and emergency management for the 2019 National Football League Draft.</p>

Exhibit E

AMAZON Project Proposal

1) Company Name: Amazon.com Services, Inc.

2) Project Description:

Amazon is a publicly traded company that was founded in 1994. Our mission is to be Earth's most customer centric company. We have over 5,000 employees in Tennessee and over 2,000 in the Nashville metro area. We have hired over 1,000 veterans or veterans spouses in Tennessee and over 17,000 nationwide. Since 2011, Amazon has invested over \$160 billion in the U.S. in infrastructure and compensation to our employees.

The new Amazon Operations Center of Excellence will serve as the eastern U.S. hub for our retail operations business, and will include tech and management teams working on customer fulfillment, customer service, transportation, and supply chain management. The Center will be located downtown at the future site of Nashville Yards. We plan to create over 5,000 jobs with an average salary over \$150,000, and lease one million square feet over the next seven years. As part of job creation and lease, we plan to invest over \$280 million.

Education and Amazon in the Community

At Amazon, community engagement is part of our DNA. We are committed to ensuring all children and young adults, especially those from underrepresented and underprivileged communities who reside in communities where we have a physical presence, have the resources and skills they need to build their best and brightest futures. We focus on building long-term and innovative programs that will have a lasting, positive impact in communities around the world. As part of this focus, we work to both inspire and increase access to computer science and Science, Technology, Engineering and Math (STEM) education. Our primary computer science focused initiative is Amazon Future Engineer – a four-part, childhood-to-career program aimed at inspiring and educating 10 million students from underprivileged and underrepresented communities each year to try computer science and coding.

Amazon sponsors Girls Who Code classrooms across the US each year. This seven-week intensive computer science course gives high school girls access to new skills, as well as insights from Amazon speakers, the opportunity to visit Amazon offices and facilities, and the support of their own Amazon mentors. We are also partners with Code.Org.

We also are committed to creating career pathways and we accomplish this in a variety of ways, including our Career Choice program in our fulfillment centers. Career Choice pre-pays 95 percent of the cost of tuition to help provide skills for today's most in-demand fields, regardless of whether those skills are related to jobs at Amazon. Since this program's inception, more than 9,000 associates have participated.

Working at Amazon

We have over 250,000 employees in the U.S. working in a wide range of job categories. We pay all employees (including seasonal and temporary) a minimum of \$15/hour.

Employee Benefits

Amazon recognizes that no two employees are alike and our generous, egalitarian benefits reflect this. We offer comprehensive benefits that support employees and eligible family members, including domestic partners and their children. These include medical, dental, and vision coverage, a 401k savings plan, paid time off, and company paid basic life, accidental death, and short and long-term disability insurance. We also offer a range of fully paid maternity and parental leave options for parents prior to, during, and following the birth or adoption of their child. This includes our “Leave Share” program, which allows Amazon employees to share their parental leave with their spouse if he or she is not eligible for paid parental leave at their place of work. All full-time employees – whether they work in our fulfillment centers or they are senior executives – get the same benefits starting on day one of employment.

Diversity

We are diverse and inclusive at Amazon. We champion individuality and diversity through our affinity groups to bring employees together across businesses and geographies. Our affinity groups bring employees together with shared interests or common goals. With executive and company sponsorship, these groups play an important role in building internal networks for career development, advising Amazon business units, leading in service projects, participating in policy discussions, and reaching out to communities where Amazon employees live and work. Since 2016, enrollment in Amazon's affinity groups has more than doubled in more than 90 chapters worldwide, and include groups focused on diversity and veterans. In 2018, we hosted our first Conversations on Race & Ethnicity (CORE) Conference, a two-day event designed to continue and deepen our internal conversations about racial and ethnic diversity at Amazon. Last year, Amazon received a perfect score of 100 on the Human Rights Campaign's Corporate Equality Index, the national benchmarking for corporate policies and practices as they relate to LGBTQ employees, consumers, and investors. Of our over 200,000 employees in the U.S in 2017, 22% are African American, 14% Asian, 14% Hispanic, and 8% other, with 42% being White. Our diversity statistics are publically posted at amazon.com/diversity.

Construction Phase

N/A. Amazon will not be involved in the development of Nashville Yards; rather we will be a tenant. Nashville Yards had already selected their contractors and project managers of the development prior to our decision. Nashville Yards' developer Southwest Development Partners has presented to Metro Council several times over the last few months and provided a thorough overview of the project. Southwest Development Partners has been engaged in the community and has contracted for \$10.7 million in Disadvantaged Business Enterprise (DBE) spending and is committed to do more.

3) Expected Amazon Jobs

The third column of the table below provides the anticipated percentage of Amazon employees who will earn over the County's median wage rate for the occupation they are hired to perform and the projected number of employees in the proposed categories.

OCC_CODE	OCC_TITLE	County Median Annual Wage	Projected # of Jobs in Nashville	# of Jobs Based in Nashville Above Median	% of Category Expected to Be Residents of Davidson County
00-0000	All Occupations	\$47,110	5,000	90-95%	40%

OCC_CODE	OCC_TITLE	Median Annual Wage	Projected # of Jobs in Nashville	# of Jobs Based in Nashville Above Median	% of Category Expected to Be Residents of Davidson County
11-0000	Management Occupations	\$104,830	50	90-95%	40%
13-0000	Business and Financial Operations Occupations	\$67,370	3,000	90-95%	40%
15-0000	Computer and Mathematical Occupations	\$77,920	1,500	90-95%	40%
23-0000	Legal Occupations	\$92,010	25	90-95%	40%
41-0000	Other (Tech related support, network specialists)	\$39,850	25	90-95%	40%
43-0000	Office and Administrative Support Occupations	\$37,540	400	90-95%	40%

Amazon is committed to creating a local talent pipeline for all positions and will continue to work with local partners on hiring locally. We maintain a website with all of our jobs: www.amazon.com/jobs.

4) Will the ongoing operations of the Project utilize (circle one):

Temporary or Staffing Agencies?

Yes or No

The Nashville Career Advancement Center?

Yes or No

U.S. Dept. of Labor Certified Apprenticeship Programs?

Yes or No

* Please note we do use temporary staffing agencies in Nashville currently for our fulfillment operations and agencies for targeted recruiting.

Recruiting a Diverse Workforce

At Amazon, our long-term vision of workforce diversity and inclusion is building a virtuous cycle that leverages our employees' unique perspectives to innovate on behalf of our customers. We are actively working to develop leaders and shape future talent to help us meet the diverse needs of our customers around the world. We believe this focus is one of

the things that makes Amazon great and helps us build better products for our customers. It is an important consideration across everything we do.

We will be announcing a partnership with Tennessee State University which will help drive our mission to hire diverse applicants. We will commit to two job fairs or recruiting events in partnership with the local universities annually, including HBCUs, focused on diverse hiring over the initial two years. We want to ensure our partnerships are effective and will continue to seek innovative and creative means to diversify our hiring. We are also dedicated to hiring veterans and military spouses, as the men and women who have served our country in the armed forces bring invaluable experience and perspective to our fast-paced work environment.

We have recently joined the Black Chamber of Commerce and the LGBTQ Chamber of Commerce and will work with them on job postings. We are also members of Tennessee Thrives, a partnership of businesses committed to building diverse and inclusive workplaces and communities.

Training

We are constantly iterating on programs that help our employees build career pathways and develop new skills. We focus on building upon employees’ existing skills and providing training and tools to ensure that they are prepared for the jobs of today and tomorrow, whether at Amazon or in another industry. One example is our software development program that allows employees to receive a certification for software development. We also offer Friday learning series where employees have the opportunity to learn about the various career pathway programs available to them.

- 5) List the number and type, within the preceding seven (7) years, of (a) violations assessed by the U.S. Department of Labor – Occupational Safety and Health Administration and/or by the Tennessee Occupational Safety and Health Administration against the qualified company, or any contractor or subcontractor of the company retained on the qualified project; or (b) employment or wage-related legal actions filed within federal or state courts against the qualified company, or any contractor or subcontractor of the company retained on the qualified project.

Name	TN OSHA	Dept. of Labor OSHA	Employment or Wage related legal claims
Amazon.com Services, Inc.	None	None	None
Amazon.com.dedc., LLC	1	None	Three employment matters filed in Federal District courts in Tennessee

Scope of reporting: Tennessee (federal and state matters)

An Appraisal Report

Of

**Brick Church Pike Tract
An 11.73 Acre Tract of Land
South of Ewing Drive; east of Polk Forest Circle
Nashville, Davidson County, Tennessee 37207**

Effective Date Of Report
November 13, 2018

Specifically For
Mr. David Proffitt
Executive Director for Facilities, Maintenance and Construction
Metropolitan Nashville Public Schools
2601 Bransford Avenue
Nashville, Tennessee 37204

By
Huber & Lamb Appraisal Group, Inc.
5556 Franklin Pike, Suite 100
Nashville, Tennessee 37220-2132

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Murray W. Huber, RM
James E. Lamb, MAI

November 15, 2018

Mr. David Proffitt
Executive Director for Facilities, Maintenance and Construction
Metropolitan Nashville Public Schools
2601 Bransford Avenue
Nashville, Tennessee 37204

**RE: An Appraisal Report of
Brick Church Pike Tract
An 11.73 Acre Tract of Land
South of Ewing Drive; east of Polk Forest Circle
Nashville, Davidson County, Tennessee 37207**

Dear Mr. Proffitt:

At your request and authorization, we have appraised the above referenced property for the purpose of estimating its market value as of November 13, 2018. The property rights being appraised are the Fee Simple interest in the subject property. It is our understanding that the intended use of the report is to assist in internal decision making.

Based on the inspection of the property and the investigations and analyses undertaken, we have formed the opinion that, as of November 13, 2018 and subject to the Assumptions and Limiting Conditions set forth in the attached report, the market value of the Fee Simple interest in the subject property is:

**Seven Hundred Twenty Thousand Dollars
(\$720,000)**

Exposure Period: The exposure period is estimated to be 6 to 12 months, assuming the subject is placed on the market at the final value estimate conclusion above.

Only one of the three approaches to value was utilized in the valuation process for the subject property. Traditionally, the sales comparison approach is utilized to estimate the market value of the fee simple interest of vacant land. Thus, the cost and income capitalization approaches to value are not applicable.

The narrative appraisal report that follows contains the identification of the property, the assumptions and limiting conditions, pertinent facts about the area and the subject property, comparable data, the results of the investigations and analyses, and the reasoning leading to the conclusions contained herein. Our analysis, opinions, and conclusions were developed, and this report has been prepared in accordance with the Uniform Standards of Professional Appraisal Practice published by the Appraisal Foundation, the

Mr. David Proffitt
November 15, 2018
Page 2

Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute and the Financial Institution Reform Recovery and Enforcement Act of 1989 (FIRREA). The engagement letter for this assignment is presented as an exhibit in the Addenda to the report.

We appreciate the opportunity to be of service to you. Should you have any questions concerning this appraisal, please do not hesitate to contact this office. For further information, your attention is directed to the following report.

Respectfully submitted,
HUBER & LAMB APPRAISAL GROUP, INC



James E. Lamb, MAI
Review Appraiser
State Certified General Real Estate Appraiser
Licensee #CG-557



Michael J. Berg
Associate Appraiser
State Certified General Real Estate Appraiser
Licensee #00003060

Summary of Important Facts & Conclusions

Report Type:	An Appraisal Report
Valuation Conclusion:	
Final Value Estimate:	\$720,000
Value Estimate's Implied Units of Comparison:	
Value/Acre:	\$61,381
Value/Unit:	\$15,000
Estimated Exposure Period:	6 to 12 months, assuming the subject is placed on the market at the final value estimate conclusion above
Interest Appraised:	Fee Simple
Significant Appraisal Dates:	
Date of Appraisal Report:	November 15, 2018
Effective Date Of Appraisal:	November 13, 2018
Date of Inspection:	November 13, 2018
Location:	
Property Name:	Brick Church Pike Tract
Address:	Not Available
Physical Location:	South of Ewing Drive; east of Polk Forest Circle
City:	Nashville
County:	Davidson
Zip Code:	37207
State:	Tennessee
Legal Description:	
Tax Map/Parcel:	060-00-0-070.00
Property Description:	
Land Area:	
Acres:	11.730
Square Feet:	510,959
Zoning:	Rs-7.5: Single Family Residential
Improvements:	
As Is:	Vacant land; none
Highest and Best Use:	
As Vacant:	Medium density single family development