



## METROPOLITAN COUNCIL

Metro Council Office

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director  
Metropolitan Council Office

DATE: **May 7, 2013**

RE: **Analysis Report**

Balances As Of:	<u>5/1/13</u>	<u>4/11/12</u>
<u>GSD 4% RESERVE FUND</u>	*\$24,914,746	\$12,359,151
<u>GENERAL FUND UNDESIGNATED FUND BALANCE</u>		
GSD	\$54,109,178	\$44,378,057
USD	\$8,478,089	\$8,556,677
<u>GENERAL PURPOSE SCHOOL FUND UNRESERVED FUND BALANCE</u>		
	\$52,117,890	\$34,449,193

**\* Assumes estimated revenues in fiscal year 2013 in the amount of \$25,514,400**

**– BILLS ON PUBLIC HEARING –**

**ORDINANCE NO. BL2013-402** (WEINER) – This ordinance amends the Metro zoning code to rename various waste uses and to modify the regulations pertaining to construction/demolition (C&D) landfills. C&D landfills are permitted with conditions in the intensive commercial and industrial districts, and are permitted as a special exception use in the agricultural and the intensive mixed use districts.

This ordinance would first rename the following waste-related terms in the zoning code to be more consistent with the solid waste code:

1. "Recycling facility" to be renamed "recycling processing facility"
2. "Collection center" to be renamed "convenience center"
3. "Recycling collection center" to be renamed "recycling drop-off"

Second, this ordinance would remove C&D landfills as a use permitted with conditions in the commercial zoning districts (CL and CS districts), and as a special exception use in the mixed-use intensive district. C&D landfills would only be permitted with conditions in the industrial zoning districts and as a special exception use in the agricultural (AG and AR2a) districts.

The bulk of the ordinance would modify the conditions applicable to C&D landfills. The ordinance clarifies that these facilities cannot have access to a local street if it is bordered by a residential zoning district from the driveway access point to the street's intersection with a collector or arterial street. The ordinance also adds operating hour restrictions for C&D landfills. These facilities would only be permitted to operate between the hours of 7:00 a.m. and 6:00 p.m. Further, the ordinance would allow a convenience center as a permitted accessory use on C&D landfill property. Convenience centers (previously called "collection centers") are defined in the zoning code as staffed facilities open to the public that have waste receptacles on site to receive household waste and recyclable material. Finally, the ordinance would require C&D landfills to be at least 500 feet from the property line of a platted subdivision containing at least 25 single or two-family dwellings.

This ordinance has been referred to the planning commission. The ordinance is to be deferred prior to the public hearing.

**ORDINANCE NO. BL2013-403** (JOHNSON) – This ordinance amends the Metro zoning code to limit the amount of exterior lighting covering building roofs and/or front facades. The code currently provides that all property lighting must be shielded so that substantially all directly emitted light falls within the property line, and the illumination cannot exceed "one-half footcandle" across the boundary of any adjacent residential property or a public street. Assuming these illumination requirements are satisfied, there is nothing in the code that limits the amount of building surface area that can be covered with lights.

This ordinance would prohibit rope lighting, string lighting, or other forms of illumination from covering more than 25% of the front façade or roof area of a building for more than 30 days in any one calendar year. The 30 day limitation is essentially to ensure that holiday lights do not run afoul of the provision.

This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2013-418 (HUNT & CLAIBORNE)** – This zoning text change makes a number of changes pertaining to automobile related uses and sign requirements. Primarily, the ordinance would repeal the zoning code provisions requiring various automotive uses in commercial areas to be approved individually by the council as part of a specific plan (SP) district. Rather, such uses would be permitted with conditions (PC). In 2006, the council amended the zoning code to prohibit automotive uses such as automobile repair, service, and used car sales, as well as car washes and wrecker services, from being located in the commercial zoning districts (CS and CA). Car washes were a use permitted with conditions before the 2006 change to SP, while the other uses were permitted by right. The intent of the SP requirement was to give the council more control over the location of automotive-related uses. There are no set conditions included in the code applicable to these uses countywide. The conditions applicable to these facilities, if any, are presumably to be included in the individual SP plan itself.

Based upon the council office's calculation at the time, the 2006 ordinance requiring these facilities to be part of a SP district created more than 500 nonconforming uses. In addition, the ordinance distinguished among used car sales and new car sales. The sale of new cars is permitted by right in the commercial districts but used car sales must be part of a SP district. The council office cautioned against distinguishing among similar types of uses such as car sales, but this distinction was included in the bill approved by the council.

This ordinance deletes the SP requirement for automotive uses in commercial districts (primarily CS) in lieu of uniform conditions such establishments would have to satisfy. The proposed conditions for automobile repair; automobile sale, used; and vehicular sales and services, limited are as follows:

1. A physical separation between automobile display/parking areas and the right-of-way in the form of a wall or fence not to exceed 3 feet in height.
2. No chain link fencing could be erected within 25 feet of the right-of-way.
3. Service doors facing residential districts must be screened by a solid wall or opaque fence.
4. All buildings, vehicle storage, and repair must take place at least 25 feet from a residential district, and must be screened from residential districts.
5. Inoperable vehicles, outdoor storage, and auto repair activities must be located to the rear or side yard, and cannot be visible from the right-of-way.
6. No billboards or digital signs would be permitted on the property.

This ordinance re-inserts the previous specific conditions applicable to car washes, which include:

1. The same physical separation from the right-of-way as noted above.
2. Car wash structures must be at least 50 feet from a residential district.
3. All washing facilities must be within an enclosed structure, and must be separated from the adjacent property by a masonry wall between 6 and 8 feet in height.
4. Operating hours would be restricted to 8:00 a.m. to 10:00 p.m. if the facility is within 100 feet of a residential district.
5. No outdoor speakers would be allowed on the property.
6. No vehicles could be stored or offered for sale.
7. Billboards and digital signs would be prohibited.

This ordinance also adds vehicular rental/leasing as a PC use in the core frame (CF) district. This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2013-419** (CLAIBORNE) – This zoning text change amends the bulk standards for single-family structures on lots containing less than the minimum required lot area. The residential and agricultural zoning districts are based upon lot size. For example, the RS10 district is for single-family dwellings on lots at least 10,000 square feet in size. However, it is common for there to be legally nonconforming lots within these zoning districts that do not meet the minimum lot size requirements, such as an 8,000 square foot lot that existed at the time the current zoning was approved. The zoning code currently provides that the side and rear setback requirements of the base zoning districts apply in such instances. This often results in long, narrow structures on these lots.

This ordinance would allow the bulk standards of the equivalent smaller zoning district to apply. In the case of an 8,000 square foot legally nonconforming lot in the RS10 district, the bulk standards of the RS7.5 district would apply.

This ordinance has been approved by the planning commission.

**– RESOLUTIONS –**

**RESOLUTION NO. RS2012-522** (DUVALL, MATTHEWS & OTHERS) – This resolution authorizes the director of public property administration to exercise options to purchase two adjacent parcels of property located at 3132 and 3142 Smith Springs Road for the benefit of the board of education. The first parcel is 12.59 acres in size and the second is 12.6. The value listed on the Metro property assessor’s website for the 12.59 acre parcel is \$312,400. The 12.6 acre parcel was appraised by the property assessor at \$329,000. An outside appraisal obtained by Metro lists the values at \$545,000 and \$543,000, respectively. Metro has obtained an option to purchase these two parcels from Johnny A. Coleman, Jr., for a total amount of \$1,200,000, which is approximately 9% higher than the \$1,088,000 combined appraised value.

Pursuant to the Metropolitan Code, the director of public property administration is authorized to negotiate for the purchase of property for public purposes and to seek to obtain an option to purchase from the owner, which is subject to approval of the council by resolution.

This resolution has been approved by the board of education and by the planning commission, although the planning commission staff expressed some concerns regarding the suitability of this property as a school site due to the property’s location on a dead end street. The planning commission approval letter notes that the location would provide a limited opportunity for children to walk to school and for community access to the site.

Metro had 120 days from October 15, 2012 to exercise the options. Since the options have now expired, the resolution should be amended to incorporate extensions of the options prior to voting on the resolution.

This resolution must be deferred one meeting pursuant to Rule 23 since it has been deferred indefinitely for more than 90 days.

**RESOLUTION NO. RS2013-670** (MATTHEWS) – This resolution establishes the certified tax rate of the Metropolitan Government. State law requires that once the county reappraisal program is completed, a tax rate be set that will result in the same amount of revenue that was received in the previous year based on the old assessment values and tax levy, as a government may not realize greater revenue by means of the reappraisal program. The purpose of the reappraisal program is to ensure that property assessments are “equalized” by having all property appraised at the same time. The present certified tax rate for the GSD is \$4.04 per \$100 of assessed value and \$0.62 for the USD, for a total combined rate in the USD of \$4.66. The new certified tax rate to be approved by this resolution will be lowered to \$3.93 in the GSD and \$0.59 in the USD, for a combined rate of \$4.52. The certified rate must be approved by the state before approval at the local level, so this rate may be modified slightly before being finally adopted.

This resolution should be deferred to track with the operating budget ordinance and tax levy.

**RESOLUTION NO. RS2013-671** (MATTHEWS) – This resolution approves a contract with Donald W. Jones for consulting services to the council on an as-needed basis. Mr. Jones retired as full-time director and special counsel in July 2006, but remained in the director position on a part-time basis until 2008. Since 2008, Mr. Jones has served as part-time special counsel. Instead of utilizing an employment contract, this contract specifies that Mr. Jones will act as a consultant to the council at the request of the vice mayor, member of council, or council office director. The compensation for such services will remain at \$125 per hour, and the total services cannot average more than eight hours per week. The term of the contract is through June 30, 2014.

**RESOLUTION NO. RS2013-672** (MATTHEWS) – This resolution approves an agreement with the convention center authority for heating and cooling the new Music City Center (MCC). The Metropolitan Government owns a steam and chilled water energy generating facility known as the district energy system (DES) that provides heat and cooling to a number of downtown buildings, including buildings owned and used by Metro. The DES facility took the place of the decommissioned thermal plant. The funding for the construction of the \$66.7 million DES system was approved by the council in 2002.

Metro provides an annual subsidy to DES to cover the debt deficit and the unsold capacity of the facility. The fiscal year 2013 operating budget included \$2,315,700 as Metro's subsidy for DES. The new MCC was designed and engineered to be compatible with the DES system. Having the MCC as a DES customer should significantly reduce Metro's subsidy in the future. The mayor's proposed fiscal year 2014 budget includes \$1,958,300 for the DES subsidy.

This resolution approves a DES service agreement with the MCC for a term of 30 years. During the first year, the MCC will be paying a steam annual charge of \$175,364, a chilled water annual charge of \$445,449, a steam fixed operating charge of \$36,527, and a chilled water service fixed operating charge of \$75,986, for a total charge of \$733,326. This amount is to be adjusted annually based upon the percentage change in the consumer price index. In addition, the MCC will pay an energy charge representing the actual natural gas costs paid by DES for the service, as well as other pass through charges, estimated to be \$1,738,554 for fiscal year 2014. This brings the total fiscal year 2014 MCC budget for DES heating and cooling services to \$2,471,880.

The 2002 DES ordinance provides that customer agreements are to be approved by resolution.

**RESOLUTION NO. RS2013-673** (MATTHEWS) – This resolution approves a fourth amendment to a grant from the Southeast Energy Efficiency Alliance to the mayor's office of environment and sustainability to increase residential energy building retrofits. This program is designed to increase residential energy efficiency building retrofits, including financial incentives to homeowners and community outreach programs. This amendment extends the term of the grant through September 30, 2013, and revises the program budget.

**RESOLUTION NO. RS2013-674 (CLAIBORNE)** – This resolution approves the fee schedule for the issuance of commercial solicitation permits and identification badges. Substitute Ordinance No, BL2012-283 approved in March 2013 established new permitting criteria for commercial solicitations. The ordinance provided that the clerk is to charge permitting fees necessary to recover the administrative costs associated with issuing the permits. The ordinance further provided that such charges must be approved by resolution of the council prior to becoming effective.

The clerk has recommended the following fee schedule:

Commercial Solicitation Company Permit Fee	\$50.00
Individual Commercial Solicitor Badge Fee	\$20.00
Renewals of Commercial Solicitation Company Permit Fee prior to expiration date	\$40.00

This resolution simply ratifies this fee schedule.

**RESOLUTION NO. RS2013-675 (MATTHEWS & LANGSTER)** – This resolution approves a memorandum of understanding (MOU) between the Metropolitan agricultural extension board and the University of Tennessee (UT). The agricultural extension board was established by the Metro charter as a continuation of the former Davidson County agricultural extension committee created by state law. The board, in cooperation with UT and Tennessee State University (TSU), provides educational products and services regarding agriculture, gardening, nutrition, and other community resources. UT is designated by state law as the entity that is responsible for implementing the agriculture extension programs in the state. The charter gives the board the authority to employ personnel to perform the duties assigned by the charter, and the board receives funding from Metro and the two universities. The fiscal year 2013 operating budget for Metro includes \$289,100 as a supplement for the agriculture extension board. The mayor's proposed fiscal year 2014 budget includes \$300,600 for the board.

This MOU sets forth the terms and conditions under which the agricultural extension board and the University of Tennessee will operate. There are seven employees that operate the agricultural extension program in Davidson County. The director and two other persons are employed by UT, two persons are employed by TSU under an agreement between UT and TSU, and one is an actual Metro employee. The MOU provides that increases in salaries and benefits for the extension employees will not exceed the increases given to Metro employees. The MOU further provides that Metro is not obligated to pay any costs beyond Metro's agreed upon contribution through the operating budget. None of UT's rights and obligations under the MOU could be transferred to a third party without the written consent of Metro.

The term of the agreement is for one year, which is to be automatically renewed each year thereafter unless terminated by either party.

**RESOLUTION NO. RS2013-676** (WEINER, MATTHEWS & OTHERS) – This resolution approves an annual grant in the amount of \$202,200 from the state department of health to the Metropolitan department of health to enhance the health and well-being of women, infants, and families. These funds are for the fetal-infant mortality review program, which is a program to improve community resources and plan public health services that have a positive impact on the fetal-infant mortality rates. The funds will be used to pay the salaries and benefits of the health department employees implementing the program. The term of the grant is from July 1, 2013 through June 30, 2014.

**RESOLUTION NO. RS2013-677** (WEINER & MATTHEWS) – This resolution approves a seventh amendment to a grant from the U.S. environmental protection agency (EPA) to the Metropolitan board of health for the continued collection of data on the ambient air concentrations for fine particulate matter. The Metro health department is responsible for air quality monitoring within Nashville and Davidson County on behalf of the EPA. This amendment increases the amount of the grant by \$61,201, for a new grant total of \$736,201, and extends the term of the grant through March 31, 2014.

**RESOLUTION NO. RS2013-678** (WEINER & MATTHEWS) – This resolution approves an agreement between the Metro board of health and Progreso Community Center to provide a location where current and potential women, infants, and children (WIC) participants can attend classes. Progreso Community Center, currently located at 2675 Murfreesboro Pike, has agreed to make classroom space available to the health department for a two hour period twice a month. There is no cost to the health department for the use of this space. The term of the agreement is for one year, but may be renewed for four additional one year periods.

**RESOLUTION NO. RS2013-679** (WEINER, MATTHEWS & LANGSTER) – This resolution approves a clinical affiliation agreement between the Metropolitan board of health and Vanderbilt University to provide clinical experience to nursing students. This is essentially an extension of a clinical relationship that has been in place with Vanderbilt for a number of years. The health department will provide clinical training experiences to nursing students as part of their public health training. Students will not receive any compensation and there is no cost to the Metropolitan Government for providing this service.

The term of the agreement is for five years, but may be terminated by either party upon 30 days written notice. Vanderbilt is required to provide assurance that the students are covered by health and professional liability insurance, and the school agrees to assume responsibility for all of its students participating in the program.

**RESOLUTION NO. RS2013-680** (MATTHEWS & BENNETT) – This resolution approves an amendment to an interlocal agreement between the mayor's office of emergency management and the City of Hendersonville to facilitate the purchase of equipment in accordance with the Fiscal Year 2010 Port Security Grant Program funded by the U.S. Department of Homeland Security. The original agreement sub-granted \$250,000 to Hendersonville for the purchase of a fire boat. The Department of Homeland Security has increased the amount to be sub-granted to Hendersonville by \$50,000. This resolution simply approves the amendment to the sub-grant agreement to appropriate the additional \$300,000.

**RESOLUTION NO. RS2013-681** (MATTHEWS) – This resolution appropriates \$6,175,500 from the general fund reserve fund (4% fund) to seven departments. Four percent funds may only be used for the purchase of equipment and repairs to buildings. The balance in the general fund reserve fund as of May 1, 2013, was \$24,914,746. This consists of unrealized revenue for fiscal year 2013 in the amount of \$4,513,085. The resolution provides that “The Director of Finance may schedule acquisitions authorized herein to ensure an appropriate balance in the Fund.” Copies of the supporting information sheets required by Ordinance No. O86-1534 are attached to this analysis. The following departments and agencies are to receive funding:

**Fire** - \$300,000 for new and replacement protective clothing, equipment, and facility maintenance

**General Hospital** – \$500,000 for replacement of a radiology room and equipment

**General Services** – \$2,500,000 for replacement vehicles and radio shop equipment

**Information Technology Services** - \$1,625,000 for computers, software, i-procurement upgrades, and new time and attendance system

**Parks and Recreation** – \$250,000 for new and replacement equipment, furnishings, supplies, and software

**Public Library** - \$1,000,000 for new and replacement books, periodicals, and library materials

**Soil and Water Conservation**- \$500 for replacement of an all-in-one copy/scanner/print/fax machine

**RESOLUTION NO. RS2013-682** (MATTHEWS) – This resolution authorizes the department of law to compromise and settle the personal injury claim of Charles Ivey against the Metropolitan Government for \$16,000. On July 30, 2012, a Metro water services employee was entering onto I-40 West from Stewarts Ferry Pike when he failed to recognize that traffic had slowed in front of him. The Metro employee swerved to avoid the slowing traffic and struck a pickup truck driven by Mr. Ivey causing injuries to Mr. Ivey’s head and arm. Mr. Ivey was treated at Summit Medical Center for his injuries, incurring medical bills totaling \$7,894.

This resolution settles the claim for the amount of medical bills plus \$8,106 for pain and suffering. Disciplinary action is currently pending against the Metro employee. The scope of the discipline has yet to be determined.

**RESOLUTION NO. RS2013-683** (MATTHEWS) – This resolution authorizes the department of law to compromise and settle the personal injury claim of Michelle Wiggins against the Metropolitan Government for \$31,957. On July 13, 2011, a Metro police officer was attempting to turn left into a gas station at the corner of 12<sup>th</sup> Avenue South and Wedgewood Avenue in response to a call for backup when he collided with a vehicle driven by Ms. Wiggins. The officer had his emergency equipment activated, but crossed into the path of the oncoming vehicle, which had the right-of-way. Ms. Wiggins sustained injuries to her knee requiring surgery and physical therapy. Her medical bills total \$22,624.68, and she incurred lost wages in the amount of \$5,582.98.

This resolution settles the claim for the amount of medical bills and lost wages, plus \$3,749.34 for pain and suffering. The police officer received disciplinary action consisting of a written reprimand.

**RESOLUTION NO. RS2013-684** (A. DAVIS) – This resolution approves the election of notaries public in accordance with state law.

**– BILLS ON SECOND READING –**

**ORDINANCE NO. BL2012-291** (STANLEY) – This ordinance amends the Metro zoning code to provide that the conversion of material into a fuel product or asphalt is not a permitted function as part of a recycling facility, and to prohibit such activity on construction/demolition (C&D) landfill property. The zoning code permits recycling facilities with conditions in the industrial (IWD, IR, and IG) zoning districts. C&D landfills are permitted with conditions in the intensive commercial and industrial districts, and are permitted as a special exception use in the agricultural and the intensive mixed use districts. The zoning code does not specifically address the conversion of material into a fuel product, but this type of activity would likely be considered as a heavy manufacturing use, which is only permitted in the IG zoning district. So, the zoning administrator would sign off on this type of manufacturing activity in conjunction with the operation of a C&D landfill or recycling facility only if it was located in the more intensive IG zoning district.

This ordinance would expressly prohibit the conversion of construction debris, biomass, or other material (such as roofing shingles) into a fuel product or asphalt through an incineration process at a recycling facility or in conjunction with a C&D landfill, regardless of the zoning district the facility was located in.

The department of public works submitted a letter to the planning commission in opposition to this ordinance since a C&D landfill would not be permitted to have an incinerator under the state regulations, anyway. The public works letter further asserts that the bill would not be consistent with the Davidson County regional solid waste plan recommendations pertaining to recycling activity.

There is a proposed amendment to this ordinance that would provide that the conversion, transformation, or reduction of material into a liquid substance that is to be used, re-used, or refined on-site or off-site would only be considered as a permissible recycling activity when it is conducted on property zoned Industrial General (IG)

This ordinance has been disapproved by the planning commission.

**ORDINANCE NO. BL2013-408** (MOORE) – This ordinance amends the official street and alley acceptance and maintenance map by abandoning the Alley No. 1800 right-of-way from Merritt Avenue northward to Alley No. 187. This closure has been requested by Jon Kemp, an adjacent property owner. This section of right-of-way is no longer needed by the Metropolitan Government. All affected property owners have consented to the proposed right-of-way abandonment. The ordinance also abandons all utility easements.

This ordinance has been approved by the planning commission and the traffic and parking commission.

**ORDINANCE NO. BL2013-420 (MAYNARD, TYGARD & OTHERS)** – This ordinance amends the Metro code to create a small business economic development incentive grant program. Over the past several years, the council has approved various economic development incentive packages for a number of larger businesses in the area to encourage the creation of new jobs in Davidson County and/or to prevent businesses from leaving Davidson County. This ordinance is a collaborative effort between Members of Council and the administration to provide a mechanism for smaller businesses to obtain economic development incentives.

This ordinance would create two pilot incentive grant programs for small businesses. The first program is similar to the existing program that provides financial incentives to large companies in the form of a \$500 grant per job created in the county. The existing program is limited to corporate headquarter relocations and large technology companies that create a minimum of 500 new jobs over a five year period. This ordinance would create a new category of incentive that would provide \$500 per new job (\$750 for veterans of the Armed-Forces) for companies that have fewer than 100 total employees and create at least 20 new full-time jobs in Davidson County within a one year period. Such jobs must pay a salary that is at least as much as the annual wage rate average for all occupations within Nashville's metropolitan statistical area, as published by the U.S. department of labor. The incentive would not be available to certain types of businesses such as retail, restaurants, nightclubs, cash advance, check cashing, title loan, pawnshops, adult entertainment, and automotive-related businesses. There would be a maximum annual payment of \$50,000 for a single company. The grants would be made by Metro to the industrial development board (IDB), who in turn would grant the funds to the qualifying companies on a first-come-first-served basis. In conjunction with the IDB, the mayor's office of economic and community development would be responsible for administering the grant program.

The second small business economic development incentive program would provide cash grants to businesses that invest in blighted areas. This program is modeled after state legislation enacted last year that allows local governments to make grants directly to developers who invest in blighted property "to encourage the repair, rebuilding and renovations of existing facilities and structures in neighborhoods whose stability depends upon the elimination of blight and the upgrading of structural needs of a facility." These grants could only be used for the purpose of constructing or rehabilitating the exterior portions of commercial property located within a redevelopment district approved by the council. The value of the property could not exceed \$1,000,000 at the time the grant application is made in order for a business to be eligible to receive the funds. The amount of the grant would be ten percent of the documented investment of the business to fix up the property upon to a maximum grant amount of \$50,000. This grant program would be managed by the mayor's office of economic and community development, and the grants would be awarded on a first-come-first-served basis.

Both grant programs are specifically conditioned upon the appropriation of funding by the council through the operating budget. The mayor's proposed fiscal year 2014 operating budget includes a combined \$1,000,000 for these two programs.

This ordinance should be deferred one meeting to track with the budget ordinance.

**ORDINANCE NO. BL2013-421** (PARDUE) – This ordinance amends the Metro code provisions applicable to open burning. The code currently contains two conflicting requirements pertaining to open burning. One section provides that the fire marshal shall determine when conditions are acceptable to allow open and recreational burning. Using this authority, the fire marshal has determined that open burning is rarely appropriate. However, another section of the code purportedly allows open burning on residential property. That section, included under the air pollution chapter, provides that fires in the urban services district used for disposing of leaves, yard clippings, and small tree limbs grown on single-family or two-family property are permitted without approval of the director of health, provided the property owner has notified the public works department to pick up such material and it has not been picked up within 30 days. There is no such notice requirement and waiting period for residential property outside of the urban services district. This code section provides that burning under certain other circumstances may be approved by the director of health.

This ordinance, which has been filed at the request of the fire marshal, deletes the above-referenced provisions in the code that allow the open burning of leaves and brush on single and two-family residential property. The ordinance also adds a requirement that a permit be obtained from the fire marshal, in addition to other required permits from the health department, for all other open burning.

**ORDINANCE NO. BL2013-422** (MOORE) – This ordinance amends the Metro code to modify the procedure to be followed in designating residential permit parking areas. The residential permit parking (RPP) program has been a part of the Metro code since 1993, and was last amended in 1999. This program allows residents in urban areas to petition to have their streets designated as residential permit parking only during certain times. The purpose of this program is to help facilitate parking for residents who live in close proximity to commercial establishments or sports/entertainment venues. The code provides that a petition requesting residential permit parking signed by 75% of the residents within a geographic area may be submitted to the district councilmember. The petition must include a clear description of the geographic area and the times of day during which residential parking is requested. The code provides that the district councilmember “shall then submit the petition, with a written recommendation, to the chief traffic engineer for review by staff of the traffic and parking commission.” The chief traffic engineer then recommends to the traffic and parking commission whether the area should be designated as a RPP area. Once so designated, residents can obtain an annual permit to park within the RPP area.

This ordinance would give the district councilmember more of a role in the residential permit parking designation process. The ordinance adds a requirement that the chief traffic engineer give the district councilmember at least 30 days written notice prior to placing the matter on a traffic and parking commission agenda. The ordinance also includes provisions whereby a resident or business located within the designated area could appeal the traffic and parking commission’s decision to designate the area as a RPP area in the event of an alleged procedural violation or if the decision was arbitrary or capricious. Such decision must be appealed within 60 days to the circuit or chancery court. Board and commission decisions are appealable in this manner as a matter of right by common law writ of certiorari. This would simply add a provision in the code to that effect. The ordinance also provides that no signs designating the area as a RPP area could be erected until the 60 day appeal period has lapsed.

This ordinance has been referred to the traffic and parking commission.

**ORDINANCE NO. BL2013-423** (MOORE, GILMORE & CLAIBORNE) – This ordinance approves an agreement with the state for an exchange of the old Ben West library property for the Tennessee Preparatory School (TPS) property. The 0.38-acre Ben West library property located at Eighth Avenue and Union Street was donated to the Carnegie Library of Nashville in 1902 by J. Craig McClanahan and his wife, Katherine B. McClanahan. The Carnegie Library of Nashville was a nonprofit corporation created to build a downtown library as a result of a \$100,000 donation from Andrew Carnegie. The property was deeded to the City of Nashville in 1959, and served as the site of the main public library until June 2001. A small collection of books was kept in the basement of the building from mid-2003 through September 2006 while it served as the temporary City Hall during the renovation of the courthouse. The building has not been used since 2006.

Metro has been leasing a portion of the TPS property located at 1250 Foster Avenue for the Nashville School of the Arts magnet high school since 2003. The lease was recently amended to add the old TPS high school building for the purpose of subleasing it to STEM Preparatory Academy charter school. The total lease amount to be paid by Metro after the addition of the building for STEM is approximately \$500,000 per year.

The state desires to evenly "swap" approximately 28 acres of the TPS campus for the Ben West library site. The state cannot engage in a property swap unless the two properties are of equal value, and the appraisers have determined that the Ben West library site is worth more as a parking lot than with the existing structure. Thus, Metro will be required to demolish the building, and pave, stripe, and landscape the property for use as a parking lot at an estimated cost to Metro of \$750,000. The agreement provides that Metro will use its best efforts to have all necessary work completed at the Ben West site within 180 days. If this property exchange is approved, Metro will be able to reduce General Services' budget by \$248,000 since it will no longer have to secure and maintain the property.

A complicating factor in this transaction is a restriction contained in the 1902 deed requiring the property to be used for a library. Specifically, the deed states that the right of title in the property will cease and the property will revert to the heirs of the grantor in the event Carnegie Library or its successors in ownership "fail to maintain perpetually upon said property a free public library for the use of the people of Nashville." The department of law believes Metro has a valid defense that the reversionary clause is no longer applicable for two reasons. First, the intent of the restriction was to ensure that there was a downtown library, and the old Ben West library has been replaced with a much larger and nicer downtown library facility a block away. Thus, it can be argued that Metro complied with the spirit of the donation. Second, an adverse possession defense could be made since the property has not really been used as a public library since 2001. Under state law, if property is adversely possessed for seven years without the true owner making a claim or seeking to oust the possessor, title effectively passes to the possessor can prevent the owner from recovering the property. In any event, the state would be the party to defend such an action if a claim was made after the transfer of the property.

While the agreement does not specifically mention this deed restriction, the agreement includes a provision allowing the state to "repurchase" the TPS property for one dollar at any time prior to November 1, 2026. This would protect the state in the event a claim was made by the heirs of the McClanahan's and they were successful in obtaining the Ben West property. If the state exercised its right to have the ownership of the TPS property back to the state, Metro would have the right under the agreement to lease the property for 20 years at fair market value rent.

This ordinance has been referred to the planning commission.

**ORDINANCE NO. BL2013-424** (DOWELL, MATTHEWS & OTHERS) – This ordinance approves a lease agreement between the Metropolitan Nashville public schools (MNPS) and the state on behalf of Nashville State Community College for the use of 6,596 square feet of space at 5248 Hickory Hollow Parkway for the Academy at Hickory Hollow. The Academy at Hickory Hollow is a program specifically to serve young adults that dropped out of high school in their senior year. The program enables these students to continue outside employment while working toward obtaining their high school diploma in a non-traditional school setting.

The Academy at Hickory Hollow has been using a portion of Nashville State’s Hickory Hollow site as a temporary location for the school while the permanent site was being completed. MNPS will be paying \$4,672.17 per month (\$56,066 per year) in rent for a term commencing March 1, 2013 and extending through March 1, 2017. Either party may terminate the lease at any time after June 30, 2014 with 180 days written notice. The state will be responsible for maintaining the property and for furnishing gas, water, sewer, and electricity.

This lease has been approved by the planning commission. Future amendments to the agreement may be approved by resolution.

**ORDINANCE NO. BL2013-425** (S. DAVIS, CLAIBORNE & POTTS) – This ordinance approves a license agreement between HHKW Properties, LLC and Metro water services (MWS) to allow HHKW to construct a cross-access driveway. Metro owns property located at 805 Cowan Street that is utilized by MWS. HHKW owns properties located 801 and 811 Cowan Street, and desires the right to traverse the Metro property for vehicular and heavy machinery access to its commercial and industrial property. HHKW will be responsible for all construction costs associated with the cross-access drive, and will be required to maintain liability insurance protection naming Metro as additional insured. The agreement is for an indefinite term, but may be terminated by Metro at any time with 30 days written notice.

This agreement has been approved by the planning commission. Future amendments to the agreement may be approved by the council by resolution.

**ORDINANCE NO. BL2013-426** (TODD, POTTS & CLAIBORNE) – This ordinance abandons 930 feet of an 8-inch sewer main and associated easements on five properties located at 4201, 4203 and 4208 Johnstone Court, and at 3801 and 3905 Hobbs Road. This ordinance has been approved by the planning commission. Future amendments to this ordinance may be approved by resolution.

**ORDINANCE NO. BL2013-427** (MCGUIRE, CLAIBORNE & POTTS) – This ordinance abandons a utility and drainage easement retained when the former Alley No. 1706 right-of-way was abandoned by the council in 1995. The easement to be abandoned is on property located at 2708 Wortham Avenue. This ordinance has been approved by the planning commission. Future amendments to this ordinance may be approved by resolution.

**ORDINANCE NO. BL2013-428** (MCGUIRE, CLAIBORNE & POTTS) – This ordinance abandons 115 feet of an existing 8-inch sewer main and associated easements, and accepts 94 feet of a new 8-inch sewer main on property located at 1 Burton Hills Boulevard. This ordinance has been approved by the planning commission. Future amendments to this ordinance may be approved by resolution.

**ORDINANCE NO. BL2013-429** (TENPENNY, POTTS & CLAIBORNE) – This ordinance abandons 85 feet of an existing 8-inch sewer main and associated easements, and accepts 72 feet of a new 8-inch sewer main on property located at 100 Foothill Court. This ordinance has been approved by the planning commission. Future amendments to this ordinance may be approved by resolution.

**ORDINANCE NO. BL2013-430** (LANGSTER) – This ordinance abandons a portion of the 28<sup>th</sup> Avenue right-of-way adjacent to properties located at 336, 337, 341, and 350 28<sup>th</sup> Avenue North. As a result of the construction of the new 28<sup>th</sup> Avenue Connector and realignment of 28<sup>th</sup> Avenue North, this portion of right-of-way is no longer needed. Easements will be retained by Metro water services until the water and sewer mains are relocated. This ordinance has been approved by the planning commission and referred to the traffic and parking commission.

**– BILL ON THIRD READING –**

**SUBSTITUTE ORDINANCE NO. BL2012-292** (BARRY, STEINE & OTHERS) – This substitute ordinance amends the Metro zoning code provisions applicable to home recording studios. The zoning code currently allows a home occupation (including a recording studio) as an accessory use in the residential zoning districts not to exceed 25% of the floor area of the home, with a maximum of 500 square feet. No signage is permitted in association with a home occupation use. Since the adoption of Metro’s current zoning code in 1998, home occupations have been prohibited from serving clients/customers on the property. Only one employee that is not a resident in the home may work in the home. Thus, while home recording studios are technically allowed, such studios cannot have more than one outside musician or technician not residing in the home come to the property to record.

This ordinance adds a new land use specific to home recording studios, and would permit such studios to have up to ten clients, customers, musicians, or other visitors come to the property per day. The studio could be located within the home itself or within a permitted accessory structure on the property. Sufficient off-street parking must be provided for the visitors on a paved or graveled lot not exceeding 25% of the lot area. Home recording studios would be subject to the residential noise restrictions in the Metro code. The ordinance would retain the existing prohibition on signage.

This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2013-404** (CLAIBORNE) – This ordinance designates Music Valley Drive between Rudy Circle and Pennington Bend Road as “Frank Rudy Memorial Road”. The purpose of this ordinance is to recognize the contribution Frank Rudy made to the Pennington Bend area through his work as a farmer and co-owner of Rudy’s Farm Sausage. Ordinance No. BL2012-262 established 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 honorary street signs beneath the official street name sign for any street identified on the official street and alley acceptance and maintenance map.

This ordinance does not officially rename Music Valley Drive, and property owners will not be required to change their address. The designation as “Frank Rudy Memorial Road” is only honorary.

**ORDINANCE NO. BL2013-405** (MOORE, MATTHEWS & CLAIBORNE) – This ordinance approves a sublease agreement between the Metropolitan Government and STEM Preparatory Academy for the use of a portion of the Tennessee Preparatory School campus located at 1250 Foster Avenue. Metro has been leasing space at the facility since 2003 to house the Nashville School of the Arts magnet. In March and April 2013, the council approved two amendments to the lease agreement to add the old high school building on the property for the purpose of subleasing the building to STEM Preparatory Academy. STEM is a public charter school focused on science, technology, engineering, and math. The rent to be paid by Metro for the old high school building is \$7,038 per month.

(continued on next page)

**ORDINANCE NO. BL2013-405** (continued)

This sublease agreement provides that the premises may only be used for a charter school serving fifth through eighth grade students in the South Nashville area. The term of the agreement is to be from July 1, 2013 to June 30, 2023, with a possible extension of two additional five year periods. STEM will be required to pay rent to Metro in the amount of \$6,500 per month, which is to increase by two percent each year. STEM will be responsible for all utility and maintenance expenses. The school will be allowed to make improvements to the property and Metro will give a rent credit to the school for the documented costs of such improvements. The plans for all improvements must be approved in advance by the department of general services. STEM will also have the right to place portable buildings on the property.

The sublease includes the typical insurance and indemnification provisions for the protection of Metro. However, the agreement does not specifically include any provisions that would allow Metro to recover its court costs and attorney fees in the event STEM breached the agreement. Metro would have the ability to terminate the agreement if STEM has not cured any default within 30 days.

Future amendments to the sublease agreement could be approved by the council by resolution. Ordinance No. BL2013-423 on first reading approves a swap of the old downtown library property with the state of Tennessee for the Tennessee Preparatory School property. This sublease agreement has been approved by the planning commission.

**ORDINANCE NO. BL2013-406** (GILMORE & MATTHEWS) – This ordinance approves a lease agreement between the Metropolitan board of parks and recreation and the Metropolitan development and housing agency (MDHA) for a portion of the Bridge Building located at 2 Victory Avenue. The Bridge Building, formerly known as the NABRICO building, is located next to Cumberland Park and is owned by MDHA. The parks department desires to lease 1,520 square feet of space in the building to use as an office, restrooms, and concessions stand to serve Cumberland Park patrons.

The term of the lease will be for 40 years. There is no rent required as part of the lease, but in lieu of rent, the parks department will be responsible for providing janitorial, trash collection, maintenance and repair of the landscaping, hardscape, and lighting fixtures. The parks department will be responsible for maintaining the premises in a good, clean, and safe condition. This lease agreement has been approved by the planning commission and the board of parks and recreation.

**ORDINANCE NO. BL2013-407** (TODD, GILMORE & MATTHEWS) – This ordinance authorizes the director of public property administration to accept the donation of 25.5 acres of property from CRLP Bellevue, LLC and Colonial Properties, Inc., to be used as part of the parks system. This property is located within The Grove at Devon Hills subdivision on Old Hickory Boulevard adjacent to the Warner parks. The estimated fair market value of this property is \$159,500. This ordinance has been approved by the parks board and the planning commission.

**ORDINANCE NO. BL2013-409** (ALLEN, POTTS & CLAIBORNE) – This ordinance abandons 1,320 feet of an 8-inch sewer main and the associated utility easement on property located at 2014 Bernard Circle. This sewer main is no longer needed and the abandonment is necessary for the construction of the Bruin Hills phase 1 development on the Belmont University campus. This ordinance has been approved by the planning commission.

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
GENERAL FUND 4% RESERVE FUND  
INFORMATION SHEET  
(As Required By Ordinance 086-1534)**

**Fire Department  
4th Quarter – FY 2013  
Various Business Units**

Object Code	Item	Qty.	Estimated Cost	Replace or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
32214600 503640	Logistics - Personal Protective Clothing Ensembles	1 Lot	\$ 96,000	Replace	7	7
32215100 503610	Suppression - firefighting equipment	1 Lot	29,000	New	--	10
32216300 507450	Fire Prevention - Plotter	1	17,000	Replace	6	5
32260100 507450	Fire IS - Server replacement	2	30,000	Replace	5	5
32260200 503400	EMS - Durable Medical Equipment	1 Lot	28,000	Replace	5	5
32260200 503600	Facility Maintenance – contractors	1	100,000	Replace	10	10
	<b>TOTAL</b>		<b>\$300,000</b>			

Is this expenditure federal or state reimbursable? ..... No  
Can this equipment be used year around? ..... Yes  
Has the price been verified by Division of Purchases?..... Yes  
Have you checked Public Property Division for usable surplus equipment? ..... Yes  
Is equipment absolutely necessary at this time?..... Yes  
Will equipment reduce present cost? ..... Yes  
Is equipment to extend services? ..... Yes  
Is equipment to reduce manpower? ..... Yes  
Will equipment require new manpower? ..... No  
Will equipment increase productivity? ..... Yes  
Will equipment promote public health?..... Yes  
Will equipment promote public safety?..... Yes

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required?..... Yes  
If not, do you expect to expend funds and the date expected for the expenditure? ( June 2013 ) ..... Yes

COMMENTS: \_\_\_\_\_

Department Head John W. Styrish  
Date 4-25-13

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
 GENERAL FUND 4% RESERVE FUND  
 INFORMATION SHEET  
 (As Required By Ordinance 086-1534)**

**General Hospital  
 4<sup>th</sup> Quarter – FY 2013  
 67201000**

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
530200	Siemen RAD & FLUORO Digital Room	1	\$340,000	Replace	10+	10+
530200	GE C-ARM (Surgery)	1	122,000	Replace	10+	10+
530200	Replacement OR Instrumentation (Various)	1	38,000	Replace	10+	10+
	<b>TOTAL</b>		<b>\$ 500,000</b>			

- Is this expenditure federal or state reimbursable?..... No
- Can this equipment be used year around?..... Yes
- Has the price been verified by Division of Purchases?..... Yes
- Have you checked Public Property Division for usable surplus equipment?..... No
- Is equipment absolutely necessary at this time?..... Yes
- Will equipment reduce present cost?..... Yes
- Is equipment to extend services?..... Yes
- Is equipment to reduce manpower?..... No
- Will equipment require new manpower?..... No
- Will equipment increase productivity?..... Yes
- Will equipment promote public health?..... Yes
- Will equipment promote public safety?..... Yes
- Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required?..... Yes
- If not, do you expect to expend funds and the date expected for the expenditure? ( June 2013)..... Yes

COMMENTS: \_\_\_\_\_

Department Head / *Robert M. Lomis / CFO.*  
*Designer*  
 Date 4/23/2013

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
GENERAL FUND 4% RESERVE FUND  
INFORMATION SHEET  
(As Required By Ordinance 086-1534)**

**General Services  
4<sup>th</sup> Quarter – FY 2013  
Various Business Units**

Object Code	Item	Qty.	Estimated Cost	Replace or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
10201001 507480	OFM – Fleet Replacements	1 Lot	\$2,000,000	Replace	5+	5+
10201000 503853	Radio Shop – Radio Equipment	1 Lot	500,000	Replace	8+	8+
	<b>TOTAL</b>		<b>\$ 2,500,000</b>			

- Is this expenditure federal or state reimbursable? ..... No
- Can this equipment be used year around? ..... Yes
- Has the price been verified by Division of Purchases? ..... Yes
- Have you checked Public Property Division for usable surplus equipment? ..... No
- Is equipment absolutely necessary at this time? ..... Yes
- Will equipment reduce present cost? ..... Yes
- Is equipment to extend services? ..... Yes
- Is equipment to reduce manpower? ..... Yes
- Will equipment require new manpower? ..... No
- Will equipment increase productivity? ..... Yes
- Will equipment promote public health? ..... Yes
- Will equipment promote public safety? ..... Yes

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? ..... No  
If not, do you expect to expend funds and the date expected for the expenditure? (June 2013) ..... Yes

COMMENTS: \_\_\_\_\_

Department Head *Ray Williams*  
Date 4-23-13

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
GENERAL FUND 4% RESERVE FUND  
INFORMATION SHEET  
(As Required By Ordinance 086-1534)**

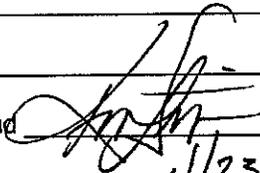
**Information Technology Services  
4<sup>th</sup> Quarter – FY 2013  
Multiple Business Units**

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
14203000 507450	ITS Tech Revolving Fund – Hardware / Software – Desktops and Laptops	1 Lot	\$1,200,000	Replace	4+	4+
14201000 507455	Time & Attendance System	1	350,000	New	-	10
14201000 507455	I-Procurement Upgrades	1	75,000	Replace	4	5
	<b>TOTAL</b>		<b>\$1,625,000</b>			

- Is this expenditure federal or state reimbursable? ..... No
- Can this equipment be used year around? ..... Yes
- Has the price been verified by Division of Purchases? ..... No
- Have you checked Public Property Division for usable surplus equipment? ..... Yes
- Is equipment absolutely necessary at this time? ..... Yes
- Will equipment reduce present cost? ..... Yes
- Is equipment to extend services? ..... Yes
- Is equipment to reduce manpower? ..... No
- Will equipment require new manpower? ..... No
- Will equipment increase productivity? ..... Yes
- Will equipment promote public health? ..... No
- Will equipment promote public safety? ..... No

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? ..... Yes  
If not, do you expect to expend funds and the date expected for the expenditure? (June 2013) ..... Yes

COMMENTS: \_\_\_\_\_

\_\_\_\_\_  
Department Head   
Date 4/23/13

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
GENERAL FUND 4% RESERVE FUND  
INFORMATION SHEET  
(As Required By Ordinance 086-1534)**

**Parks and Recreation  
4<sup>th</sup> Quarter – FY 2013  
Various Business Units**

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
40220100 503850	Paradise Ridge Community Center	1 Lot	\$ 31,500	New	--	10+
40220200 502920	Consolidated Maintenance Equipment and Supplies	1 Lot	100,000	New / Replace	10+	10+
40220100 503900	Regional Centers cameras/DVR, Parthenon Security Assessment, DSL, printer connectivity upgrades at Community Ctrs	1 Lot	20,500	New	--	10+
40220100 503900	Fitness Equipment Regional / Neighborhood Centers	1 Lot	50,000	Replace	10+	10+
40230400 503850	SportsPlex / Wave Pool / Tennis Center	1 Lot	40,000	New / Replace	10+	10+
40230400 507455	Golf Maintenance Irrigation System Software	1 Lot	8,000	Replace	4	5+
	<b>TOTAL</b>		<b>\$ 250,000</b>			

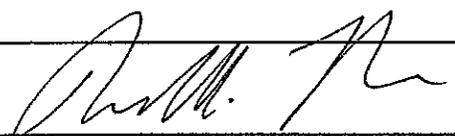
Is this expenditure federal or state reimbursable? No  
 Can this equipment be used year around? Yes  
 Has the price been verified by Division of Purchases? Yes  
 Have you checked Public Property Division for usable surplus equipment? No  
 Is equipment absolutely necessary at this time? Yes  
 Will equipment reduce present cost? No  
 Is equipment to extend services? Yes  
 Is equipment to reduce manpower? No  
 Will equipment require new manpower? No  
 Will equipment increase productivity? Yes  
 Will equipment promote public health? Yes  
 Will equipment promote public safety? Yes

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? Yes  
 If not, do you expect to expend funds and the date expected for the expenditure? ( June 2013 ) Yes

COMMENTS: \_\_\_\_\_

Department Head \_\_\_\_\_

Date \_\_\_\_\_

  
4-23-13

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
 GENERAL FUND 4% RESERVE FUND  
 INFORMATION SHEET  
 (As Required By Ordinance 086-1534)**

**Public Library  
 4<sup>th</sup> Quarter – FY 2013  
 39201000**

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
503330	Books / Periodicals / Library Materials	1 Lot	\$1,000,000	New / Replace	10+	10+
	<b>TOTAL</b>		<b>\$1,000,000</b>			

- Is this expenditure federal or state reimbursable? ..... No
- Can this equipment be used year around? ..... Yes
- Has the price been verified by Division of Purchases? ..... Yes
- Have you checked Surplus Property Division for usable surplus equipment? ..... No
- Is equipment absolutely necessary at this time? ..... Yes
- Will equipment reduce present cost? ..... Yes
- Is equipment to extend services? ..... Yes
- Is equipment to reduce manpower? ..... No
- Will equipment require new manpower? ..... No
- Will equipment increase productivity? ..... Yes
- Will equipment promote public health? ..... No
- Will equipment promote public safety? ..... No

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? ..... Yes

If not, do you expect to expend funds and the date expected for the expenditure? (June 2013) ..... Yes

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Department Head   
 Date 4/23/13

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
GENERAL FUND 4% RESERVE FUND  
INFORMATION SHEET  
(As Required By Ordinance 086-1534)**

**Soil and Water Conservation  
4<sup>th</sup> Quarter – FY 2013  
36201000**

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
503850	All-in-One-Copy / Scanner / Printer / Fax Machine	1	\$ 500	Replace	5+	7
	<b>TOTAL</b>		<b>\$ 500</b>			

- Is this expenditure federal or state reimbursable? ..... No
- Can this equipment be used year around? ..... Yes
- Has the price been verified by Division of Purchases? ..... No
- Have you checked Public Property Division for usable surplus equipment? ..... No
- Is equipment absolutely necessary at this time? ..... Yes
- Will equipment reduce present cost? ..... Yes
- Is equipment to extend services? ..... Yes
- Is equipment to reduce manpower? ..... Yes
- Will equipment require new manpower? ..... No
- Will equipment increase productivity? ..... Yes
- Will equipment promote public health? ..... No
- Will equipment promote public safety? ..... No

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? ..... Yes

If not, do you expect to expend funds and the date expected for the expenditure? ..... N/A

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

Department Head *[Signature]*  
Date 4/24/2013  
*Carol M. [Signature]*