

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director
Metropolitan Council Office

DATE: **March 19, 2013**

RE: **Analysis Report**

Balances As Of:	<u>3/13/13</u>	<u>3/14/12</u>
<u>GSD 4% RESERVE FUND</u>	*\$24,914,746	\$25,836,951
<u>GENERAL FUND UNDESIGNATED FUND BALANCE</u>		
GSD	\$61,358,778	\$44,378,057
USD	\$8,478,089	\$8,556,677
<u>GENERAL PURPOSE SCHOOL FUND UNRESERVED FUND BALANCE</u>		
	\$54,933,590	\$34,449,193

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

– RESOLUTION ON PUBLIC HEARING –

RESOLUTION NO. RS2013-618 (LANGSTER) – This resolution approves an exemption for Viener Fest Restaurant & Bar located at 117 28th Avenue North from the minimum distance requirements for obtaining a beer permit. The Metro code prevents a beer permit from being issued to an establishment located within 100 feet of a church, school, park, daycare, or one or two family residence. However, the code was amended in September 2010 to exempt restaurants that already have a state on-premises liquor consumption license from Metro’s minimum distance requirements to obtain a beer permit upon the adoption of a resolution by the council. A public hearing must be held by the council prior to voting on this resolution.

– RESOLUTIONS –

RESOLUTION NO. RS2013-619 (MATTHEWS) – This resolution authorizes the issuance, sale, and payment of general obligation bonds in a principal amount not to exceed \$405 million. The purpose of this bond resolution is to retire outstanding commercial paper that was issued to fund preliminary costs for capital projects from previous spending plans, and to provide funding for new capital projects. The Metropolitan Government maintains a commercial paper program that is used to provide short term financing to commence construction prior to the sale of long term bonds. This bond issuance will retire \$250 million in commercial paper for projects approved in 2009, 2010, 2011, and 2012, and will provide approximately \$150 million for new projects approved as part of previous capital spending plans. Approximately \$39 million has been spent to date on the projects approved as part of the mid-year 2013 capital spending plan approved by the council in January of this year.

These bonds will be sold at a negotiated sale with Goldman Sachs & Co. serving as the lead underwriter. The other underwriters for the bonds are JP Morgan Securities, Inc., Piper Jaffray & Co., Rice Financial Products Company, Jeffries, LLC, Raymond James & Associates, Duncan-Williams, Inc., and Fifth Third Securities Inc. Metro’s debt management policy provides that the preference of the Metropolitan Government is to issue bonds by competitive sale, but bonds may be issued at a negotiated sale if it is deemed to be in the best interest of the government. All but one of the bond issues over the past four years have been via negotiated sale. This resolution provides that a negotiated sale for this bond issue is in Metro’s best interest “because of the flexibility it affords in a fluctuating market environment.”

As these are general obligation bonds, they are paid out of property tax revenues and are backed by the full faith and credit of the Metropolitan Government. The bonds will have a final maturity of 2033. The structure of this bond deal provides for a deferral of the principal on the bonds for seven years. The preliminary bond debt service estimate indicates that approximately \$94.6 million in interest will be paid before any principal is paid on the bonds. The resolution notes this principal deferral is for the purpose of “alleviating pressure on property tax rates.”

This resolution also approves the form of the bond purchase agreement and the preliminary official statement, which is used to market the bonds.

RESOLUTION NOS. RS2013-620 & RS2013-621 (MATTHEWS) – These two resolutions authorize the issuance of water and sewer revenue bonds to provide the long-term financing for improvements to the water and sewer system. In March 2009, the council approved Ordinance No. BL2009-407, commonly referred to as the Clean Water Infrastructure Program ordinance, to provide a water and sewer rate increase necessary to rehabilitate Metro’s aging water and sewer infrastructure to meet federal and state environmental requirements. Subsequently, in October 2009, the council approved the issuance of water and sewer revenue bonds in the amount of \$500 million and bond anticipation notes in the amount of \$200 million for capital improvements to the water and sewer system. This enabled Metro water services (MWS) to issue commercial paper to commence work in furtherance of the clean water infrastructure program. In November 2010, the council authorized the issuance of additional bonds to fund approximately \$250 million in new water/sewer projects.

Only revenues generated by water and sewer customers are used to pay the obligations on these bonds. The bonds do not constitute a debt of the Metropolitan Government that would compel the use of sales or property tax revenues. The revenue pledge will be subordinate to the prior pledges of the water and sewer revenues for other outstanding bonds.

Resolution No. RS2013-620 approves an initial resolution providing for the issuance of up to \$500 million in water and sewer revenue bonds. This initial resolution will allow the Metropolitan Government to issue commercial paper to provide for the short-term financing of water and sewer projects, which will postpone the need to issue additional bonds until a later date.

Resolution No. RS2013-621 supplements Substitute Resolution No. RS2010-1442 to authorize the issuance of water/sewer revenue bonds in an amount not to exceed \$300 million, and to authorize the defeasance of the remaining outstanding Series 2008B taxable bonds. Substitute Resolution No. RS2010-1442, adopted by the council in November 2010, approved a new “master resolution” that authorizes Metro, through supplemental resolutions, to issue water and sewer revenue bonds. This supplemental resolution will allow Metro to retire approximately \$125 million in outstanding commercial paper issued for water/sewer projects and to issue \$125 million in new debt to finance improvements to the system.

These bonds will be sold via a negotiated sale. The lead underwriter on the bonds will be Morgan Stanley & Co. LLC, with Jeffries LLC, Piper Jaffray & Co., Rice Financial Products Company, Raymond James & Associates, Inc., and Wiley Bros.-Aintree Capital, LLC as the other underwriters. These bonds will have a final maturity of 2043. Principal payments on these bonds will be deferred until the year 2023, which, according to the preliminary debt service estimates, will result in the payment of approximately \$100 million in interest before any of the principal is paid down. This will have the effect of allowing construction on the new water/sewer projects to commence without requiring an increase in water and sewer rates at the present time.

RESOLUTION NO. RS2013-622 (WEINER, MATTHEWS & LANGSTER) – This resolution approves a grant in the amount of \$767,100 from the state department of health to the Metropolitan board of health to provide care coordination services for the children’s special services program. This grant funds the salaries of health department personnel in the children’s special services program whose duties include providing care coordination services, comprehensive pediatric and developmental assessments, audiology services, and speech pathology services. The grant consists of \$334,200 in state funds and \$432,900 in federal funds. This is the same amount as the grant for the current fiscal year. The term of the grant is from July 1, 2013 through June 30, 2014.

RESOLUTION NO. RS2013-623 (WEINER & MATTHEWS) – This resolution appropriates \$51,438 in grant funds from the Tennessee department of human services to the Metropolitan action commission (MAC) to provide after school meals and snacks for at-risk students. MAC has the authority to accept grant awards, but such funds must be appropriated by the council by resolution if the funds were not recognized as revenue in the operating budget ordinance.

RESOLUTION NO. RS2013-624 (WEINER & MATTHEWS) – This resolution approves an amendment to a grant from the state department of health to the Metropolitan board of health for bioterrorism preparedness services. The original grant was for \$854,300 in federal pass-through funds to be used to pay the salaries of the health department personnel responsible for the public health emergency preparedness program for Metro, as well as for program supplies. There is a required local cash match in the amount of \$85,400 to be provided by the department of health.

This resolution approves a \$106,400 increase in the amount of the grant, with no increase in the local match amount.

RESOLUTION NOS. RS2013-625, RS2013-626 & RS2013-627 – These three resolutions approve intergovernmental agreements to distribute state grant funds to assist with investigations of internet crimes against children. The Metropolitan police department was awarded a grant in the amount of \$480,000 from the state department of finance and administration, office of criminal justice programs, for the Internet Crimes Against Children (ICAC) unit. These funds are to be used solely for equipment, training, and travel related to ICAC investigations, and may be sub-granted to other law enforcement agencies. The terms of these agreements are from February 1, 2013 through June 30, 2013.

Resolution No. RS2013-625 (Bennett & Matthews) approves an agreement with the Cookeville police department for the distribution of \$15,000 of the grant funds.

Resolution No. RS2013-626 (Bennett & Matthews) approves an agreement with the Dickson County Sheriff’s office for the distribution of \$30,000 of the grant funds.

Resolution No. RS2013-627 (Bennett, Matthews & Langster) approves an agreement with the Tennessee Association of Chiefs of Police for the distribution of \$15,000 of the grant funds.

RESOLUTION NO. RS2013-628 (GILMORE) – This resolution approves an amendment to an agreement between the Metropolitan Government and Stahlman Redevelopment Partners, LLC, for the use of up to 175 parking spaces in the courthouse garage. In August 2001, the Council declared the Stahlman Building to be surplus property and transferred ownership of the building to the Metropolitan development and housing agency (MDHA) for the purpose of converting the building to an apartment housing complex. MDHA entered into a development agreement with Stahlman Redevelopment Partners, LLC, to redevelop the building for retail and residential use. Since the building does not have adequate parking, Metro entered into a 40 year agreement with the developer beginning July 1, 2006 to ensure a sufficient amount of parking is available in the courthouse garage to serve the needs of the residents. According to the finance department, the monthly rental rate is currently \$110 per space, subject to an annual adjustment based upon the percentage increase or decrease in the consumer price index.

Stahlman Partners used a federal housing administration (FHA) loan to finance the building conversion, which necessitated that the parking agreement be for a term of forty years. Stahlman Partners is in the process of refinancing this loan, which will result in the extension of the expiration date for seven years. The FHA is requiring that the proof of sufficient parking be extended for seven years to match the term of the new loan. MDHA has recommended that the parking agreement be amended to extend the term of the agreement through June 30, 2053.

This amendment simply approves an extension of the term of the agreement for seven years. All other provisions in the lease agreement remain the same.

The ordinance approving the initial parking agreement approved by Ordinance No. BL2005-522 provided that amendments to the agreement may be approved by the council by resolution. This amendment to the agreement has been approved by the traffic and parking commission and the planning commission.

RESOLUTION NO. RS2013-629 (MOORE, GILMORE & OTHERS) – This resolution approves an amendment to a lease agreement between the state and the Metropolitan Government for use of a portion of the Tennessee Preparatory School campus located at 1250 Foster Avenue. Metro currently leases 136,653 square feet of space at the facility at a monthly rental rate of \$34,163. This property has been used by Metro schools (MNPS) for the Nashville School of the Arts magnet since 2003. The lease was subsequently extended in 2010.

This amendment adds 14,000 square feet of space in the old high school building on the property for the purpose of subletting the premises to STEM Preparatory Academy charter school. Subsequent legislation approving the sublease will be submitted for approval by the council before STEM Preparatory Academy could actually occupy the premises. The additional space increases the amount of the monthly lease payment to \$37,402.16, which is an increase of approximately \$3,200 per month.

This lease amendment has been referred to the planning commission.

RESOLUTION NO. RS2013-630 (A. DAVIS) – This is a routine resolution that approves the election of certain notaries public for Davidson County. There is a proposed amendment to add one notary to the list of applicants to be approved under this resolution.

– BILLS ON SECOND READING –

ORDINANCE NO. BL2013-380 (GLOVER) – This ordinance amends the Metro Code regarding the amount of notice that must be provided to residents whenever excavation work is being done that impacts their property. The code currently provides that property owners/occupants are to be notified in writing at least 10 days prior to the excavation work if the work is to last more than 72 hours. Notice is also to be given to each resident on the block and to the district councilmember. For work lasting less than 72 hours, there is no notice requirement as long as the department performing the work determines that the excavation will not cause significant inconvenience to any owner/occupant of property abutting the right-of-way or to the owner of the property where the easement is located.

This ordinance would add a separate provision in the code applicable only to residential property that would require 48 hours written notice prior to commencement of excavation work, regardless of the duration of the work. The notice would be required to be given to the resident occupying the private property where the work is to take place and/or to all residents whose ingress/egress is impacted. The notice requirement would be waived in the event the excavation work is needed to perform an emergency repair.

There is a proposed substitute for this ordinance that will combine the notice requirements.

ORDINANCE NO. BL2013-381 (TYGARD) – This ordinance amends the Metro code to require periodic reports regarding the energy and water savings associated with government buildings that were constructed using sustainable building design standards as required by chapter 16.60 of the building code. In June 2007, the council enacted Substitute Ordinance No. BL2007-1374 to require all new construction and renovations of Metro facilities in excess of 5,000 square feet or exceeding \$2 million to pursue LEED certification through the U.S. Green Building Council (USGBC) and to develop a strategy for LEED Silver certification. LEED is an acronym for Leadership in Energy and Environmental Design, which uses a green building rating system developed by the USGBC. The rating system contains prerequisites and credits in six categories: sustainable site planning, improving energy efficiency, conserving materials and resources, embracing indoor environmental quality, safeguarding water, and innovation in design.

The 2007 ordinance did not include any performance monitoring requirements once a LEED certified building is completed and occupied. This ordinance would require the Metro department, agency, board, or commission responsible for the construction or renovation of the LEED certified building/facility to provide an annual report to the council that details the building/facility's energy and water usage for the previous fiscal year compared to a non-LEED certified building of similar size and use in Nashville, and the estimated energy and water cost savings compared to a similar non-LEED certified building.

There is a proposed amendment that would base the report on the previous calendar year instead of the fiscal year.

ORDINANCE NO. BL2013-388 (PRIDEMORE & GARRETT) - This ordinance amends the Metropolitan Code to repeal the local residency requirement for applicants for a retail liquor store license. The Metro Code requires all package liquor store applicants to either have been a resident of Davidson County for the previous two years or a resident of Davidson County at any point for ten consecutive years regardless of current residency. Although liquor stores are regulated by state law, applicants must obtain a "certificate of compliance" from the mayor before a state retailer's liquor license can be issued. The state law allows local governments to impose "reasonable residency requirements" for applicants seeking a certificate of compliance. The state law residency provision requires an applicant to have been a resident of the state of Tennessee for the two previous years, or for ten consecutive years at any point.

The Tennessee Attorney General recently opined that the state law residency requirement violates the United States Constitution because it discriminates against interstate commerce. The Attorney General relied on a 2008 6th Circuit Court of Appeals case pertaining to Tennessee's wine residency requirement, which held that the requirement discriminated against out-of-state wine producers and therefore violated the Commerce Clause of the United States Constitution. Since the Metro residency requirement is very similar to the state requirement, continuing to enforce the requirement would expose the government to potential liability under federal law.

This ordinance repeals the local residency requirement for liquor store owners in its entirety.

ORDINANCE NO. BL2013-389 (BENNETT & GILMORE) – This ordinance amends the Metropolitan Code provisions pertaining to animals running at large within the Metro parks. The Code currently provides that no animals are allowed within Metro parks unless they are on a leash. This is contrary to the leash law applicable to areas outside of parks, which specifies that a dog is not considered running at large if it is under the full command of the owner, whether on a leash or not.

This ordinance would make the running at large provisions applicable to parks consistent with the provisions applicable to other public property and rights-of-way. The ordinance would clarify that dogs may be off-leash within designated areas in Metro parks as long as they are under the control of the owner. Based upon a strict reading of the current code provision, dogs technically are not allowed off-leash even in the existing dog parks. However, the Charter grants the parks board the exclusive authority to supervise, control, and operate the park and recreation system, which arguably includes the creation of dog parks on park property.

ORDINANCE NO. BL2013-390 (BENNETT, HARRISON & OTHERS) – This ordinance amends the Metropolitan Code to require that parking lots and garages used for special event parking place a sign indicating the fee to be charged for such special event parking at the entrance of the parking lot or garage. The code currently provides that all public parking lots, parking garages, and other areas used for special event parking for which a parking fee is charged and an attendant is on duty must display a sign at the entrance of the parking lot or garage indicating the fee to be charged. The sign must be of adequate size and design to be clearly visible and legible to the motoring public. This ordinance expands this provision to apply to unattended pay parking lots, as well.

ORDINANCE NO. BL2013-391 (POTTS) – This ordinance abandons 830 feet of eight-inch water main and associated easements, and accepts 196 feet of new eight-inch water line, a public fire hydrant, and a water easement on property located at 4040 Armory Oaks Drive. This ordinance has been approved by the planning commission.

– BILL ON THIRD READING –

ORDINANCE NOS. BL2013-376 & BL2013-377 (GILMORE) – These two ordinances amend the downtown zoning code to add sign regulations and approve corresponding amendments to the various downtown redevelopment district plans. The ordinance creating the DTC district, which was approved with amendments by the council in February 2010, provided that downtown properties would not have to comply with new signage standards until July 1, 2011. The deadline was subsequently extended for two additional one year periods. The planning commission hired a consultant to develop this comprehensive sign code, which was vetted and refined by various stakeholders including the Chamber of Commerce, the Downtown Partnership, and representatives of the commercial real estate industry, as well as staff members from the planning department, codes department, historic commission, and the metropolitan development and housing agency (MDHA).

Ordinance No. BL2013-376 adds the new sign regulations to the downtown code. The sign regulations will apply for all properties in the downtown area that are not within a historic overlay district. Those properties within the historic overlay districts will be governed by the overlay design guidelines as it relates to signage. The purpose of the regulations is to ensure that businesses are easily identifiable, while at the same time discouraging visual clutter and complementing the downtown architecture. The downtown sign ordinance includes standards for sign materials, size, and the amount of building coverage. Different sign types will be allowed based upon the building's location on the following types of streets: pedestrian, gateway, transitional, and interstate. The ordinance does not include a maximum number of signs a property can have. Rather, the ordinance sets forth a maximum total sign square footage.

The ordinance provides that electronic changeable copy signs are not permitted along interstates or within 100 feet of a residential zoning district or historic overlay. Electronic changeable copy signs must be separated from each other by at least 50 feet. Such signs must remain static for a minimum of eight seconds, which is the same requirement as that set forth in the countywide zoning code outside of the Opryland area.

The ordinance includes a procedure for variations from the base sign provisions for tourist-oriented businesses and signs of "exceptional design". Tourist-oriented businesses may be allowed greater sign area and an expanded use of digital technology.

Ordinance No. BL2013-377, as amended, approves an amendment to the Capitol Mall, Rutledge Hill, Phillips-Jackson Street, and the Arts Center redevelopment project plans to make the signage standards consistent with the new downtown code regulations set forth in Ordinance No. BL2013-376. The redevelopment district plans will now provide that the sign regulations found in the downtown code will govern the use of signs for all parcels within these redevelopment districts that are subject to the downtown code.

These ordinances have been approved by the planning commission.

ORDINANCE NO. BL2013-379 (S. DAVIS, WESTERHOLM & A. DAVIS) – This ordinance, as amended, amends the Metropolitan Code to allow the keeping of chickens on community garden property within the Gallatin Pike specific plan (SP) zoning district. Ordinance No. BL2011-47 approved in January of last year allows domesticated hens on residential property in certain council districts upon obtaining a permit from the department of health. The permit holder is required to occupy the residence where the hens are kept as his/her personal, primary residence. Unless the property is located on residentially-zoned (R or RS) property within the general services district (GSD) on a lot of five acres or greater, the number of hens that can be kept on the property is as follows:

Max. Number Hens	Parcel Area (sq. ft.)	Acreage
2	0 to 5,009	0.00 to .11
4	5,010 to 10,236	.12 to .23
6	10,237 to 87,119	.24 or more

Other conditions included in BL2011-47 pertaining to the keeping of chickens include:

- No roosters
- No hens in the front yard
- The hens must be kept in a predator-proof enclosure that is at least 25 feet away from any residence and 10 feet from the property line

This ordinance would allow up to 6 hens to be kept on community garden property that is located both within the Gallatin Pike SP district and the East Bank redevelopment district. The purpose of this ordinance is to allow East Nashville Cooperative Ministries to raise hens on its property to provide fresh eggs for persons who are being fed at the facility. The Gallatin Pike SP plan does not expressly prohibit chickens, which is why this ordinance is only amending Title 13 of the code. The additional conditions that would be applicable for a community garden within this area include:

- Adequate nearby access to hand washing facilities
- Access to electricity
- Adequate egg handling policy
- Provide a residential address and phone number of three individuals willing to be on call to address any issues with the hens

ORDINANCE NO. BL2013-382 (MATTHEWS & GILMORE) – This ordinance relinquishes the Metropolitan Government’s interest in the old Green Hills branch library property. This property is currently being used to house the Metro archives. This property was donated to Metro in 1966 for the purpose of constructing, maintaining, and operating a public library. The deed contains a reversionary clause providing that if the property ceases to be used as a branch library, then ownership of the property is to revert to the grantors.

The library board has approved the transfer of the archives to the downtown main library. Since the Green Hills property will no longer be used as a library, this ordinance authorizes the conveyance of the property back to the trustee for the owners of the reversionary interest. As a result of this transaction, the public library foundation will receive a donation of \$654,000. The letter from the trustee attached to the ordinance states that Metro will have 18 months in which to relinquish possession of the property. This ordinance has been approved by the planning commission and the library board.

ORDINANCE NOS. BL2013-383 & BL2013-384 (S. DAVIS, WESTERHOLM & OTHERS) –

These ordinances authorize the mayor to submit the 2013-2018 consolidated plan for housing and community development programs for the Metropolitan Government and the 2013 analysis of impediments to fair housing choice to the U.S. department of housing and urban development (HUD). HUD requires local governments seeking federal funding under the community development block grant program (CDBG), the HOME investment partnerships program, the emergency shelter grant program (ESG), and the housing opportunities for persons with AIDS (HOPWA) program to submit a consolidated plan for housing and community development. This five year consolidated plan was prepared by the Metropolitan development and housing agency (MDHA) and is to be administered by MDHA. The council most recently approved a consolidated plan in 2009 for the years 2010-2015. Although there are two years remaining under the existing plan, MDHA decided to submit a new plan as a result of the 2010 flood, reduced federal funding, and new federal requirements.

The goals of the plan are to increase the supply of affordable housing, increase access to healthy food choices, reduce homelessness, and promote community and economic development. The plan provides for the following allocation by program for 2013-2014:

CDBG

Property acquisition	\$75,000
Administration and planning	\$852,474
Economic development	\$352,057
Homeowner rehabilitation	\$1,000,000
Public facilities	\$1,000,000
Section 108 loan repayment	\$484,842
Total	\$4,262,373
Program income	\$250,000

The actual expenditure of CDBG funds will be submitted to the council for approval by resolution at the time the projects are identified.

HOME

Acquisition	\$52,000
Administration	\$179,694
Homeowner rehabilitation	\$175,000
Home construction	\$250,000
Rental construction	\$635,000
Rental rehabilitation	\$500,000
Total	\$1,791,694
Program income	\$225,000

(continued on next page)

ORDINANCE NOS. BL2013-383 & BL2013-384 (continued)

ESG

Administration	\$29,278
Emergency shelters	\$204,230
Street outreach	\$30,000
HMIS	\$10,000
Housing relocation	\$116,875

Local matching funds of \$368,425 are required under the ESG program to be provided by the local non-profits that participate in the program.

HOPWA

Administration	\$72,798
Support services	\$436,501
Short-term housing	\$247,978
Rent subsidies	\$143,280
Total	\$900,557

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

Ordinance No. BL2013-384 adopts the 2013 analysis of impediments to fair housing choice (AI). HUD requires that local jurisdictions receiving funding through the consolidated plan process update their AI when developing a new consolidated plan. The purpose of the AI is to inform HUD regarding the current fair housing situation in Nashville. Under federal regulations, an impediment to fair housing choice is any action or decision that restricts a person's housing choices or availability because of race, color, religion, sex, national origin, familial status, or disability. The impediments identified in the report approved by this ordinance include a scarcity of affordable rental units, too few housing units available to people with disabilities, a lack of fair housing education, uneven distribution of community resources, and the state's restriction on the expansion of protected classes.

ORDINANCE NO. BL2013-385 (MOORE) – This ordinance abandons 92 linear feet of an 8-inch sewer main and associated easements, and accepts one sewer manhole on property located at 2300 Franklin Pike. This section of sewer line is no longer needed by Metro water services. Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2013-386 (ALLEN) – This ordinance abandons a portion of Ransom Avenue right-of-way between Byron Avenue and Richardson Avenue. The ordinance also abandons all Metro utility easements. This closure has been requested by Anderson, Delk, Epps, and Associates to facilitate a new development and relocate the roadway. Signatures of the affected property owners are included as an attachment to the ordinance. This ordinance has been approved by the planning commission and the traffic and parking commission.

ORDINANCE NO. BL2013-387 (LANGSTER) – This ordinance amends the official street and alley acceptance and maintenance map by abandoning a portion of the Alley No. 555 right-of-way from Dr. D.B. Todd Boulevard northeastward approximately 120 feet. This closure has been requested by Lee Chapel AME Church to facilitate the construction of a new church building. 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.