



METROPOLITAN COUNCIL

Metro Council Office

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director
Metropolitan Council Office

DATE: **July 16, 2013**

RE: **Analysis Report**

Balances As Of:	<u>7/10/13</u>	<u>7/11/12</u>
<u>GSD 4% RESERVE FUND</u>	*\$44,276,427	\$36,942,714
<u>GENERAL FUND UNDESIGNATED FUND BALANCE</u>		
GSD	Unavailable	Unavailable
USD	Unavailable	Unavailable
<u>GENERAL PURPOSE SCHOOL FUND UNRESERVED FUND BALANCE</u>		
	Unavailable	Unavailable

*** Assumes estimated revenues in fiscal year 2014 in the amount of \$26,373,400**

– RESOLUTIONS –

RESOLUTION NO. RS2013-767 (MATTHEWS & BENNETT) – This resolution appropriates \$3,400,000 in supplemental appropriations from the undesignated fund balance of the GSD general fund to the office of emergency management grant fund and the police department impound fund. These two funds are carrying a negative balance, which are not expected to be fully recouped in the normal course of operations during the current fiscal year. This is essentially a shift of money between funds for accounting purposes. No new actual dollars are being spent, although it will reduce the amount of funds available in the GSD undesignated fund balance. Prior to this action, the estimated undesignated fund balance at the end of fiscal year 2014 was expected to be \$56,200,000, which is 7.5% of the total GSD general fund budget. This \$3,400,000 appropriation would reduce this percentage by approximately 0.45%.

The resolution first appropriates \$2,400,000 to the police impound fund. In December 2011, the council approved a contract with United Road Towing (URT) for the administration and operation of the Metro impound lot. The impound lot is an enterprise function within Metro, meaning it is supposed to operate on the revenues it generates. However, the impound lot had been consistently losing money prior to the privatization of the lot, accumulating a deficit of \$3,000,000 in 2011. This negative balance has been reduced by \$600,000 and the impound lot is no longer losing money under the current contract. However after a full year under the contract, it has been determined that the volume of vehicles auctioned is lower than what is needed to fund the remaining accumulated deficit during the 2013-2014 fiscal year. This supplemental appropriation will zero out the negative impound lot fund balance. Revenues from auctioned vehicles exceeding expenses in future years will be returned to the general fund undesignated fund balance.

Second, this resolution appropriates \$1,000,000 to the grant fund of the office of emergency management (OEM). A preliminary financial review indicates that the OEM grant fund may have a significant negative balance when the books are closed out for fiscal year 2013 if no action is taken. This \$1,000,000 appropriation to the fund will place the OEM grant fund in a positive financial position while management files additional grant reimbursement requests and continues its financial review. The resolution provides that any funds recovered from outside sources for expenses incurred in this fund will be returned to the general fund undesignated fund balance.

These appropriations have been submitted for council approval as a result of a letter from the state comptroller's office noting various deficit balances that may not comply with state law.

RESOLUTION NO. RS2013-768 (MATTHEWS, DOWELL, JOHNSON & BEDNE) – This resolution approves the issuance of taxable public improvement revenue bonds in a principal amount not to exceed \$15 million to finance the construction of a new hockey facility at Global Mall at the Crossings (formerly Hickory Hollow mall). This 86,000 square foot facility is to be operated and maintained by the Nashville Predators. The facility will consist of two multi-purpose ice rinks, eight team rooms, five meeting rooms, and an ice skate repair and rental area. The Predators will use the building as a practice facility, but it will also be open for use by area sporting leagues. The building will be owned by the Metro sports authority on land owned by the Metro government and leased to the sports authority. The Predators are to have a 20 year lease for the operation and maintenance of the facility. It is anticipated that the Predators will pay rent in the amount of \$250,000 to \$350,000 annually for use of the building, which amount will be applied toward payment of the debt on the facility.

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RESOLUTION NO. RS2013-768 (continued)

These bonds will be secured by the Bridgestone arena ticket tax revenues, though the debt service will be payable in part from the lease payments paid by the Predators. Beginning in 2015, it is estimated that the annual debt service for the bonds will be approximately \$985,000 annually, assuming a true interest cost of 3.575%. In the event the ticket tax revenues are insufficient to pay the debt service on these revenue bonds, Metro is pledging its non-tax revenues. These revenues include permit fees, franchise fees, fines, court clerk fees, forfeitures and penalties, charges for services, and revenues from the sale of surplus property. This is the same backstop revenue pledge for the convention center debt and for the previously issued arena and stadium revenue bonds, although the pledge of the non-tax revenues for the convention center bonds is subordinate to the pledge for the sports authority bonds. Metro is not pledging its full faith and credit as security for these bonds.

It is unlikely that the ticket tax revenues will be sufficient to cover the approximately \$600,000 per year debt service deficit on the bonds. Thus, the council would need to annually appropriate funds to the sports authority as a subsidy through the operating budget ordinance.

This resolution also approves a supplemental trust indenture and authorizes the director of finance to prepare and distribute a preliminary official statement for the bonds, which is a document used by the underwriter (Piper Jaffray) to sell the bonds to investors.

RESOLUTION NO. RS2013-769 (MATTHEWS) – This resolution approves the issuance of taxable public improvement revenue refunding bonds in a principal amount not to exceed \$47 million. In February 1996, the council authorized the issuance of revenue bonds by the sports authority to pay the costs of constructing LP Field. A portion of this debt was refunded in 2004. The sports authority now desires to once again refund the outstanding portion of these bonds to obtain a more favorable interest rate.

This bond issue does not pledge the property tax revenues of the Metropolitan Government, but instead pledges certain revenues consisting of payments in lieu of taxes, parking revenues, lease payments from TSU for its football games, and certain non-tax fees and revenues of the Metropolitan Government. The resolution provides that the minimum present-value savings from the refunded bonds shall not be less than three percent. If it is determined after negotiations for the sale of the bonds that the savings will not be sufficient to make the sale worthwhile, then the refunding bonds will not be issued by the sports authority.

In addition to approving the issuance of the refunding bonds and pledging the revenues as security for the bonds, this resolution approves Metro's execution of a supplemental trust indenture and authorizes the distribution of a preliminary official statement in connection with the sale of the bonds. Piper Jaffray will be the lead underwriter in the sale of the refunding bonds.

RESOLUTION NO. RS2013-770 (MATTHEWS) – This resolution appropriates a total of \$1,800,000 to 28 nonprofit organizations selected to receive funding through the community enhancement grants. The fiscal year 2013-2014 operating budget for the Metropolitan Government appropriated \$675,000 for domestic violence programs, \$675,000 for education and (continued on next page)

RESOLUTION NO. RS2013-770 (continued)

after school programs, \$450,000 for community service programs, and \$350,000 for literacy programs. This is the fifth consecutive year in which nonprofit organizations are funded through a competitive process as opposed to simply being named in the budget ordinance with little or no documentation as to how the funds are to be spent.

The review panels considered and scored the applications received and have recommended that 28 agencies receive funding. A list of the nonprofit agencies receiving the funding and the amount each agency is to receive is included below.

State law provides that the Metropolitan Government may appropriate funds to qualifying nonprofit organizations either as part of the annual operating budget or by resolution of the council. All such organizations must enter into a contract with the Metropolitan Government outlining how the funds will be expended.

From the \$675,000 for domestic violence programs:

- \$178,600 to Legal Aid Society of Middle Tennessee and the Cumberlandands for legal services and court advocacy
- \$108,600 to Morning Star Sanctuary, Inc. for shelter, legal advocacy and counseling
- \$278,500 to Nashville Young Women's Christian Association (YWCA) for shelter and support services
- \$65,800 to Tennessee Coalition to End Domestic and Sexual Violence for legal advocacy and representation for immigrants
- \$43,500 to The Mary Parrish Center for transitional housing and support services

From the \$675,000 for education and after school programs:

- \$66,600 to Boys and Girls Club of Middle Tennessee for afterschool and summer enrichment programs
- \$28,400 to Center for Refugees and Immigrants of Tennessee for afterschool programs for refugee students
- \$98,400 to Fannie Battle Day Home for Children, Inc. for before, afterschool, and summer programs
- \$54,900 to Hearing Bridges for afterschool and summer programs for hearing impaired students
- \$100,000 to Martha O'Bryan Center for afterschool programs
- \$58,700 to McNeilly Center for Children for afterschool and summer programs
- \$88,000 to Oasis Center, Inc. for afterschool and summer programs
- \$100,000 to PENCIL Foundation for afterschool and summer programs
- \$80,000 to Vanderbilt University (Center for Health Solutions) for afterschool programs

From the \$450,000 for miscellaneous community agencies/services:

- \$51,800 to Fifty Forward for case management and meal provisions
- \$50,100 to Nashville CARES for financial assistance, case management for persons with HIV/AIDS
- \$89,400 to NeedLink Nashville for emergency financial assistance
- \$172,500 to Second Harvest Food Bank of Middle Tennessee, Inc. for food distribution
- \$66,000 to The Arc of Davidson County for emergency financial assistance for disabled persons
- \$20,200 to United Way of Metropolitan Nashville for emergency financial assistance

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RESOLUTION NO. RS2013-770 (continued)

From the \$350,000 for literacy programs:

- \$26,800 to Big Brother Big Sisters of Middle Tennessee for proficiency reading skills
- \$4,500 to Book'em for literacy skills
- \$30,000 to Catholic Charities of Tennessee, Inc. for English language proficiency
- \$43,200 to Homework Hotline for reading tutoring
- \$55,000 to Nashville Adult Literacy Council, Inc. for adult reading or speaking/understanding levels
- \$120,000 to Nashville International Center for Empowerment for English proficiency and pre-GED instruction
- \$34,400 to Nashville Public Library Foundation for literacy workshops
- \$36,100 to Urban League of Middle Tennessee for student reading, language development for adults

RESOLUTION NO. RS2013-771 (S. DAVIS) – This resolution authorizes the mayor to submit a third amendment to the action plan for community development block grant (CDBG) disaster recovery funds designated for recovery needs as a result of the May 2010 floods by reallocating \$8,377,321.73 in funding. Immediately following the flood, Metro and the Metro development and housing agency (MDHA) sought to reallocate approximately \$6 million in previously awarded CDBG funds to assist homeowners affected by the flood. MDHA also entered into an agreement with Metro to spend another \$5,000,000 in anticipation of federal funds. In February 2011, the U.S. department of housing and urban development (HUD) made \$10,731,831 in funds from the 2010 federal supplemental appropriations act available to the Metropolitan Government for disaster recovery. Subsequently, HUD released an additional \$22,357,982 of CDBG disaster recovery funds to Metro in August 2011.

This amendment to the action plan reallocates funds from certain housing, planning, and recovery activities to riverfront development, new construction, and administrative activities. The amendment also cancels the following activities: down payment assistance, rebuild/new construction assistance, lead hazard evaluation and reduction, and emergency rehab. The plan amendment states that many housing and recovery needs have been addressed through the earlier federal funds and other resources, and therefore the CDBG disaster recovery funds are no longer needed for these activities.

The original plan allocated \$9,400,000 to repair owner-occupied homes damaged by the flood. While activity was initially high, no applications for funding have been submitted in recent months. The revised plan reallocates \$1,000,000 of these funds for the other uses noted above. The 2010 plan allocated \$1,000,000 to be used for loans to landlords for the repair of flood damaged homes used as rental properties. However, only one loan in the amount of \$22,000 was processed. The remaining \$978,000 will be reallocated in the revised plan. The amended plan increases the amount of available funding for multifamily home new construction by \$1,193,750 for a new total of \$3,193,750. These funds will be used by MDHA for the development of 35 multifamily units along Jefferson Street.

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RESOLUTION NO. RS2013-771 (continued)

The primary change in the revised plan is to allocate \$7,129,081.73 for projects identified in the West Riverfront master plan. According to the plan, these projects include the transformation of the west bank of the Cumberland River in downtown Nashville into a civic open space consisting of a "promenade serving as a flood wall, event space, lawns and plazas, piers, a greenway, and related improvements".

A document showing the current and revised allocations by activity is attached to this analysis. MDHA will remain the lead agency responsible for implementation of the revised action plan.

RESOLUTION NO. RS2013-772 (MATTHEWS & BENNETT) – This resolution approves an application for a juvenile accountability block grant in the amount of \$60,869 from the state commission on children and youth to the juvenile court. These funds are federal pass through dollars that would be used for the continued funding of two probation officers in the juvenile court's diversion program. The juvenile court would be required to provide a cash match of \$6,763 from its operating budget if the grant is awarded.

RESOLUTION NO. RS2013-773 (POTTS & MATTHEWS) – This resolution approves an annual grant in the amount of \$154,800 from the state department of transportation to the Davidson County sheriff's office for litter and trash pick-up along roads and highways, and litter prevention education. These grant funds will be used to fund a program that has been in place for years that uses misdemeanor offenders under the custody of the sheriff's office to pick up roadside litter. The grant budget provides that \$46,400 of the funds will be used for litter prevention and recycling education programs. The term of the grant is from July 1, 2013 through June 30, 2014.

RESOLUTION NO. RS2013-774 (MATTHEWS) – This resolution approves an amendment to the pay plan for the general employees of the Metropolitan Government to clarify the calculation for the hourly rate of salaried employees. Certain employment classifications in the pay plan are based upon an annual salary as opposed to an hourly wage. This includes those employees in the SR (standard range) and PS (public safety) categories. An estimated hourly rate is included in the pay plan for these categories that assumes such employees work a 40 hour week, even though in reality employees may work more than 40 hours in a week. The June 2012 pay plan resolution inadvertently omitted correctional officers as one of the categories for which the estimated hourly wage applies. This issue has been the subject matter of litigation brought by correctional officers against Metro.

The pay plan resolution approved in June 2013 corrected this omission, but that pay plan does not become effective until January 1, 2014. The civil service commission has recommended that this language be corrected in the current pay plan, as well. This resolution simply adds the correctional officer (CO) job category to the list of employees in classifications that work more than 40 hours for their salaries to clarify that the hourly rate shown in the pay plan is not reflective of the actual hourly rate received.

RESOLUTION NO. RS2013-775 (WEINER & MATTHEWS) – This resolution approves a grant in the amount of \$733,282 from the Greater Nashville Regional Council to the Metropolitan social services commission for meal delivery services. This grant is a combination of federal and state funds that will be used to provide nutritious meals to eligible senior citizens through meal delivery services and congregate meal sites. The term of this grant is from July 1, 2013 through June 30, 2014. There is a required local match of \$71,364 to be provided through the social services commission's operating budget.

RESOLUTION NO. RS2013-776 (WEINER & MATTHEWS) – This resolution approves a second amendment to a contract between the Metropolitan board of health and United Neighborhood Health Services (UNHS) to provide medical services to homeless clients of the health department. The health department receives state and federal grant funds to provide healthcare services for the homeless at the downtown clinic. A contract with UNHS has been in place since 2005 to provide a portion of the medical services, including examinations, diagnosis, and treatment of medical conditions of persons seen at the downtown clinic.

This amendment extends the term of the contract for one year through June 30, 2014. UNHS is to be compensated in an amount no less than \$355,100 for the downtown clinic services during this period.

RESOLUTION NO. RS2013-777 (WEINER, MATTHEWS & LANGSTER) – This resolution approves a grant in the amount of \$610,400 from the state department of health to the Metropolitan board of health for the Healthy Start program. The purpose of the Healthy Start program is to provide a variety of services for pregnant and parenting women regarding child health. This program uses health department nurses and outreach workers to provide prenatal services to mothers, as well as services to their children from birth through three years, to promote child safety, immunizations, child development, and parenting skills. This grant is comprised of \$480,800 in state funds and \$129,600 in federal funds. The grant will be used to fund the salaries and benefits for nine health department employees. The term of this grant is from July 1, 2013 through June 30, 2014.

RESOLUTION NO. RS2013-778 (WEINER, MATTHEWS & LANGSTER) – This resolution approves a grant in the amount of \$353,150 from the U.S. department of health and human services to the Metropolitan board of health for the Healthy Start initiative. The term of the grant is from June 1, 2013 through May 31, 2014.

RESOLUTION NO. RS2013-779 (ALLEN & WEINER) – This resolution approves a clinical affiliation agreement between the Metropolitan board of health and Belmont University to provide clinical experience to nursing students. The health department will provide these clinical training experiences as part of the nursing students' public health training. Students will not receive any compensation and there is no cost to the Metropolitan Government for participating in this program.

The term of the agreement is for five years, but may be terminated by either party upon 90 days written notice. Belmont 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. RS2013-780 (WEINER) – This resolution approves an agreement between the Metro board of health and the Center for Refugees & Immigrants of Tennessee to provide a location where current and potential women, infants, and children (WIC) participants can attend classes. The health department has negotiated agreements with several community organizations and churches to provide space for these classes. The Center for Refugees & Immigrants, located at 295 Plus Park Boulevard, 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. RS2013-781 (WEINER) – This resolution approves a clinical affiliation agreement between the Metropolitan board of health and Columbia State Community College to provide clinical experience to students enrolled in the veterinary technology program. This clinical experience is to take place at the Metro animal control facility. Students will not receive any compensation for participating in this program.

The term of the agreement is for five years, but may be terminated by either party upon 90 days written notice.

RESOLUTION NO. RS2013-782 (GILMORE & MATTHEWS) – This resolution approves an application for a grant in the amount of \$70,000 from the Rotary Club of Tennessee to the Metro parks department, working in partnership with All the Kings Men, to construct a pavilion at Watkins Park. The pavilion would be approximately 600 square feet in size. The parks department would provide an in-kind match of \$5,000 in the form of site planning and project management services.

RESOLUTION NO. RS2013-783 (GILMORE) – This resolution authorizes Track5, LLC, doing business as Pub 5, to install and maintain an aerial sign encroachment at 104 5th Avenue South. This double-faced projection sign is to measure 36" x 40" x 44". The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of this sign, and is required to post a certificate of public liability insurance with the Metropolitan clerk naming the Metropolitan Government as an insured party.

This resolution has been approved by the planning commission.

– BILLS ON SECOND READING –

ORDINANCE NO. BL2013-476 (MCGUIRE & HARRISON) – This ordinance amends the Metropolitan Code regulations applicable to booting companies. “Booting” devices are used to disable cars that are parked on commercial lots without the permission of the property owner or without paying the required parking fee. In June 2009, the council enacted Ordinance No. BL2009-434 to prohibit private companies from engaging in the practice of booting vehicles. A few months later, the council enacted Ordinance No. BL2009-525 to allow booting, provided the company is licensed and follows the specific requirements of the code. The code sets a maximum booting charge of \$50 and limits the towing of booted vehicles. Unattended commercial parking lots are prohibited from booting a vehicle unless such vehicle has two or more unpaid parking violations on the company’s lots.

This ordinance would essentially make three changes to the booting restrictions. First the maximum fee a booting company could charge would be increased from \$50 to \$75. Second, the ordinance clarifies that vehicles on any business parking lot can be booted, not just those lots that charge for parking. This would ensure that businesses could contract with booting companies to boot non-customer cars that are parked in an area designated for customer parking. Finally, the ordinance removes the prohibition on booting vehicles at pay lots unless the vehicle has two or more unpaid parking violations. Under this ordinance, parking lots would be able to boot after the first unpaid parking violation.

This ordinance has been filed at the request of a representative for the booting industry.

ORDINANCE NO. BL2013-498 (TYGARD) – This ordinance amends the Metropolitan Code to establish a community garden grant program. The substitute operating budget ordinance for fiscal year 2013-2014 included a \$25,000 appropriation for a community garden grant program to be administered by the Davidson County agricultural extension service. This \$25,000 appropriation was expressly conditioned upon the development of the grant program by the Metropolitan Council.

The purpose of the Metropolitan Government community grant program would be to make matching grants to eligible nonprofit organizations that develop and maintain gardens for the use and benefit of the community and/or schools. The program is to be administered under the supervision of the agricultural extension service. Grant funds awarded under the program would be required to be used at school or community gardens for the benefit of children and/or senior citizens with an emphasis on contributing to healthy eating habits, addressing childhood obesity, eliminating food deserts, and/or promoting sustainable food sources. Eligible nonprofit organizations seeking funding would be required to submit an application that includes the following information:

- The name of the garden supervisor/coordinator, and whether the person serves in a paid or volunteer capacity;
- The names of committee members if the garden is to be operated by a committee;
- A garden development and implementation schedule, including the items to be grown and a timeline for harvesting;
- A plan for the ongoing maintenance of the garden and distribution of items harvested; and
- A letter of support from community beneficiaries of the garden. If the garden is to be located on school property, this letter of support must be from the school principal.

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ORDINANCE NO. BL2013-498 (continued)

The agricultural extension service county director or his designee would review all applications and make recommendations to the Council regarding grant recipients. Grants between \$250 and \$5,000 may be awarded to individual nonprofit organizations as a dollar-for-dollar match. In keeping with state law, the council would be required to appropriate the grant funds to the various nonprofits by resolution.

ORDINANCE NO. BL2013-499 (STEINE & HOLLEMAN) – This ordinance amends the Metropolitan Code to modify the membership composition of the community education commission. The community education commission was created by ordinance in 2009 to replace the community education alliance. The commission consists of seven members appointed as follows:

- Two members appointed by the mayor and confirmed by the council.
- Three members appointed by the council, with one representing a nonprofit adult literacy organization, one representing the community education council, and one representing an education advocacy group.
- One member appointed by the director of schools as his representative.
- One member appointed by the mayor to serve as his representative.

The council has had difficulty finding specific representatives from a nonprofit adult literacy organization, the community education council, and an advocacy group to serve on the community education commission. This ordinance would remove the specific representative criteria for the council appointments to the commission. The council would still be obligated to appoint three citizens to serve on the commission.

ORDINANCE NO. BL2013-500 (STEINE) – This ordinance amends the Metropolitan Code to allow beer distributors to have two places of businesses. The former city of Nashville council enacted an ordinance in 1960 prohibiting beer wholesalers or distributors from maintaining more than one place of business except for those distributing only draft beer. This restriction was retained after the consolidation of the city and county governments in 1963. The provision was recently amended in 2012 to allow beer distributors to have two locations if they are on contiguous properties.

This ordinance would allow beer distributors to have a second place of business as long as they have obtained a separate beer permit from the beer permit board for each location. The separate permit requirement would not apply if the properties are contiguous.

ORDINANCE NO. BL2013-501 (JERNIGAN & HOLLEMAN) – This ordinance names fire station No. 9 located at 601 Second Avenue South in honor of Robert "Bobby" Glenn Connelly. District Chief Bobby Connelly retired on February 28, 2013, after 53 years of service with the Nashville Fire Department, making him the longest serving Metro employee at the time of his retirement. There are no restrictions in the Metropolitan Code regarding the naming of Metro facilities in honor of living individuals, except that such action must be approved by ordinance of the council.

ORDINANCE NO. BL2013-502 (BAKER & MATTHEWS) – This ordinance relinquishes the Metropolitan Government’s interest in the former West Nashville police precinct property located on Charlotte Pike next to the Nashville West development. The 1988 deed from H.G. Hill Realty Company to Metro included a reversionary clause requiring the property to be used “for public recreation purposes, for the location of a police precinct or for other public purposes to benefit the citizens of the community in which the property is located”. Now that the police precinct has been relocated to the new facility, there is no governmental need for the former precinct property. According to information on the assessor of property website, the entire 8.44-acre parcel has an appraised value of \$1,838,200, although Metro will only be relinquishing 3.62 acres of the tract.

In exchange for Metro relinquishing its future interest in the property, H.G. Hill Realty has agreed to pay \$450,000 for the benefit of the Metro parks department. H.G. Hill Realty has also agreed to relocate the Robertson House to another section on the property and to maintain the existing restrooms for the benefit of visitors to the park. It is important to note that once Metro stops using the property for government purposes, H.G. Hill Realty would have the right to claim the property with no payment to Metro.

ORDINANCE NO. BL2013-503 (DOWELL, MATTHEWS & JOHNSON) – This ordinance approves an agreement with Global Mall Partnership for the exchange of property located at the former Hickory Hollow Mall site. Metro purchased a portion of the mall property in 2011 for use as a community/recreation center, public library, storage, and conversion of the existing parking area to a recreational area. The mayor has proposed the construction of a new hockey facility on the property. The funding for the proposed \$14 million hockey center is the subject matter of Resolution No. RS2013-768. In order to accommodate the construction of the hockey facility, Metro desires to swap 2.62 acres of parking lot property for 2.62 acres of the tract owned by Global Mall Partnership. The two portions of property in question are the same in value.

ORDINANCE NO. BL2013-504 (MATTHEWS) – This ordinance authorizes the Metropolitan Government to enter into a participation agreement with Battelle Memorial Institute to investigate the performance of sewer rehabilitation liners. Battelle is conducting a study of sewer system pipeline methodologies. As part of this study, Metro will assist Battelle in identifying the locations of four samples to be collected, will excavate and remove the samples for Battelle to test, and will repair the sewers for continued service. Battelle will pay Metro \$2,600 per sample for a total of \$10,400, and will provide the test results to Metro water services once the testing is complete.

ORDINANCE NO. BL2013-505 (A. DAVIS, POTTS & MATTHEWS) – This ordinance authorizes the acquisition and acceptance of right-of-way easements, construction easements, and other property rights for a public works project at the Riverside Drive and McGavock Pike intersection. The estimated acquisition cost for these easements is \$10,000. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2013-506 (BAKER, POTTS & CLAIBORNE) – This ordinance abandons the water and sewer easement rights that were retained by Ordinance No. O82-1047 when a portion of the 50th Avenue North right-of-way was abandoned on property located at 4915 Louisiana Avenue. Metro water services has no future need for this public utility and drainage easement. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2013-507 (POTTS, CLAIBORNE & LANGSTER) – This ordinance abandons 150 linear feet of a 15 inch sewer main, 235 feet of an 8 inch sewer main and 1,990 feet of a 10 inch sewer main, as well as all associated easements, on property located at 2500 Charlotte Avenue for construction of the new Lentz public health center. The ordinance also accepts 168 feet of an 8 inch water main and 1,468 feet of a 33 inch public combined sewer main on the property. Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the planning commission.

– BILLS ON THIRD READING –

SUBSTITUTE ORDINANCE NO. BL2013-487 (MATTHEWS, WEINER & OTHERS) – This substitute ordinance establishes the Barnes Fund for Affordable Housing, appropriates the initial funds for the Barnes Fund, and establishes a Metro housing trust fund commission. This new affordable housing fund is named after Rev. William Barnes, who has been a longtime advocate for affordable housing in Nashville. The Barnes Fund is being created for the purpose of “assisting in the development and provision of good quality affordable housing for Davidson County residents of limited means.” This ordinance appropriates \$2,279,040 in urban development action grant (UDAG) loan repayments to provide the initial funding for the Barnes Fund. Under the federal UDAG program, which is no longer in existence, funds were loaned to developers and repaid to housing and development agencies for affordable housing and economic development activities. In 1990, the council, by ordinance, designated the use of the Capitol Mall redevelopment district UDAG funds to be for affordable housing and economic development activities, “all to be of benefit to the residents of the UDAG Pocket of Poverty in accordance with federal regulations.” The term “pocket of poverty” apparently is no longer used by the federal government and there is no clear indication as to what the term actually means. The council has approved the appropriation of UDAG funds in recent years for various economic development projects, including HCA, the Loews Hotels shared services center, ServiceSource, and the Nashville Entrepreneur Center. The ordinance provides that the initial funding for the Barnes Fund may be supplemented by “grants, donations and other public and private funds”.

This ordinance also creates a new commission to oversee the Barnes Fund and to promote affordable housing. The commission would consist of seven members, which is to include one member of council appointed by the vice mayor, one member appointed by MDHA, and five members appointed by the mayor and confirmed by the council. The substitute ordinance provides that the commission would have the authority to enter into contracts with nonprofit agencies, procured through the procurement code, to manage the Barnes Fund, as well as to solicit and accept donations to the fund. The ordinance also provides that the commission would have the responsibility to make recommendations to the council regarding the awarding of grants to nonprofits for affordable housing projects for appropriation by resolution.

ORDINANCE NO. BL2013-488 (MCGUIRE & MATTHEWS) – This ordinance approves a lease agreement between the Metropolitan Government and Grace’s Plaza, Ltd., for the lease of space at 4005 Hillsboro Pike for use by the county clerk. The county clerk has maintained a satellite office at this Grace’s Plaza location for many years, but a recent audit of the clerk’s office noted that no written lease agreement was in place. This ordinance approves a written agreement for the lease of 638 square feet of office space to be used solely for the dispensing of auto license tags, license plates, and transferring auto titles. The premises could not be used for any other purpose. The term of this lease agreement is from June 1, 2013 through May 31, 2017, with an option to terminate as of January 31, 2015 with 60 days written notice. Either party will have the ability to terminate the lease at any time thereafter with 180 days written notice.

The base rent for the office space will be \$805 per month for the first year, which is to increase by three percent each year thereafter. In addition to the base rent, Metro will pay Grace’s Plaza a proportionate share of property taxes, which would currently amount to \$195 per month. Metro will be responsible for the general upkeep of the premises, but Grace’s Plaza will be responsible for repairs to the exterior walls, roof, and HVAC system. If litigation arises out of a dispute regarding the lease agreement, the prevailing party will be entitled to recover reasonable costs and attorney’s fees. This lease agreement has been approved by the planning commission.

APPENDIX A
Current & Revised Allocations by Activity

Program Area	Activity	Current Allocation	Proposed Allocation
Administration	Program Administration	\$ 1,600,000.00	\$ 1,654,490.00
Housing	Buyout Local Match	\$ 1,500,000.00	\$ 1,500,000.00
Housing	Homeowner Rehab Loan/Grant Program	\$ 9,400,000.00	\$ 8,400,000.00
Housing	Rental Rehab Loan/Grant Program	\$ 1,000,000.00	\$ 22,000.00
Housing	Downpayment Assistance	\$ 2,250,000.00	\$ -
Housing	Rebuild/New Construction Assistance	\$ 1,250,000.00	\$ -
Housing	Purchase/Repair Program	\$ 3,500,000.00	\$ 3,500,000.00
Housing	New Construction-Multi-family	\$ 2,000,000.00	\$ 3,193,750.00
Housing	Lead Hazard Evaluation & Reduction	\$ 500,000.00	\$ -
Housing	Emergency Rehab	\$ 1,000,000.00	\$ -
Infrastructure	Parks, Greenways	\$ 1,887,500.00	\$ 1,887,500.00
Infrastructure	Riverfront Development	\$ 3,000,000.00	\$ 10,129,081.73
Infrastructure	Neighborhood Infrastructure	\$ 137,500.00	\$ 137,500.00
Planning	Long Term Recovery Plan	\$ 1,239,813.00	\$ 809,660.00
Planning	OEM Strategic Plan	\$ 250,000.00	\$ 30,831.27
Planning	Housing Research	\$ 250,000.00	\$ 250,000.00
Planning	Downtown Riverfront Plan	\$ 450,000.00	\$ 450,000.00
Recovery	Voluntary Acquisition	\$ 1,000,000.00	\$ 1,000,000.00
Recovery	Neighborhood Cleanup	\$ 875,000.00	\$ 125,000.00
	TOTAL	\$ 33,089,813.00	\$ 33,089,813.00