



METROPOLITAN COUNCIL

Metro Council Office

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director
Metropolitan Council Office

DATE: **April 1, 2014**

RE: **Analysis Report**

Unaudited Fund Balances as of 3/26/14:

4% Reserve Fund	\$22,292,406*
Metro Self Insured Liability Claims	\$4,718,180
Judgments & Losses	\$2,191,658
Schools Self Insured Liability Claims	\$2,421,749
Self-Insured Property Loss Aggregate	\$6,293,252
Employee Blanket Bond Claims	\$637,547
Police Professional Liability Claims	\$2,858,602
Death Benefit	\$975,753

* Assumes unrealized estimated revenues in fiscal year 2014 of \$9,705,712

– BILLS ON PUBLIC HEARING –

ORDINANCE NO. BL2014-714 (HUNT, WESTERHOLM & ALLEN) – This ordinance amends the Metro zoning code to require new developments within the urban zoning overlay (UZO) or an urban design overlay (UDO) district to include designated bicycle parking facilities. The requirement would apply to all new commercial and multi-family construction, as well as the addition or enlargement of an existing building of more than 50% of the floor area. At least two spaces would be required, which would increase based upon the size and use of the development. One of the required vehicular parking spaces could be used to provide bicycle parking. The bicycle parking must be located within 50 feet of an entrance, unless another location is approved by the zoning administrator and public works. All bicycle parking facilities must permit the bicycles to be locked.

This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2014-715 (BLALOCK) – This ordinance amends the Metro zoning code to provide a waiver of the zoning application fee and public hearing notice costs for zoning applications initiated by members of council. The zoning code includes several limited situations where the zoning application fee can be waived for applications filed by members of council:

1. Rezoning the property from a greater intensity residential use to a lesser intensity residential use (i.e., an "R" district to an "RS" district);
2. Rezoning the property from an office, commercial, or industrial district to a residential or residential single-family district;
3. Rezoning ten or more parcels from a specific plan district to another base zoning district;
4. Applying the urban design overlay district, historic preservation district, neighborhood conservation district, or urban zoning overlay district; or
5. Cancelling a planned unit development district that has been determined by the planning commission to be inactive.

This ordinance would basically waive all fees for applications initiated by members of council, and would require the planning department to absorb the costs for the printing and mailing of written notices, as well as the preparation of public notice signs. The director of finance has refused to sign this ordinance as to availability of funds. The planning department has estimated that this ordinance would have an annual impact to the department's budget of approximately \$122,000. Copies of the finance director's letter and the planning department's analysis are attached to this analysis.

There is a proposed substitute for this bill that would limit council members to one "free" zoning bill per year per council member. The planning department has estimated that the substitute would still result in an increased cost to the department of roughly \$90,000. Copies of the finance director's letters and the financial analysis from the planning department are attached to this analysis.

This ordinance has been referred to the planning commission. Since less than 30 days has elapsed from the date of referral to the planning commission, this ordinance must be deferred by rule to the May public hearing.

– RESOLUTIONS –

RESOLUTION NO. RS2014-1031 (STEINE) – This resolution appropriates \$9,043,300 in supplemental appropriations from the undesignated fund balance and other sources to various departments and programs to balance their fiscal year 2013-2014 operating budgets. A supplemental appropriation resolution is typically filed each spring to cover departmental cost overruns. The specific appropriations are as follows:

- \$327,200 to the election commission for:
 - Satellite city elections - \$175,000
 - Poll worker recruiting - \$48,900
 - Legal fees - \$43,300
 - Early voting sites - \$60,000

- \$1,000,000 for the judgments and losses fund to cover a shortage in the funds used to settle claims and lawsuits against Metro

- \$969,200 to the police department for salary and fringe benefit costs

- \$213,400 to the state fair for:
 - Employee costs and overtime - \$72,000
 - Security services - \$76,400
 - Repair and maintenance - \$65,000

- \$714,900 to the farmer's market for:
 - Janitorial costs - \$250,000
 - Repair, maintenance and supplies - \$151,700
 - Utilities - \$96,600
 - Security services - \$198,500
 - Landscaping - \$8,300
 - Refuse collection - \$9,800

- \$415,000 to municipal auditorium for:
 - Regular payroll - \$153,000
 - Utilities - \$179,000
 - Temporary services - \$58,000
 - Repair, maintenance and supplies - \$25,000

- \$19,000 for the planning department's NashvilleNext consultant

- \$175,500 to the social services commission for the How's Nashville and Homeless Connect projects to be funded out of private contributions for these programs

- \$5,227,100 for the hospital authority. A good portion of this supplemental appropriation is to cover the transition payments to the employees of Bordeaux Hospital and the Knowles Home as a result of the privatization of the facilities approved by the council at the last meeting. The privatization agreements will ultimately result in \$1,300,000 to Metro for the sale of the bed licenses plus \$1,400,000 for the sale of the Bordeaux property to Vision Real Estate. From a practical standpoint, this will help offset the amount of this supplemental appropriation to the hospital authority.

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RESOLUTION NO. RS2014-1031, continued

The fiscal year 2014 operating budget did not include any subsidy for the municipal auditorium, but did include \$259,600 for the farmer's market and \$200,000 in reserve for the state fair, which has already been appropriated.

The Metro general fund will maintain a 5.9% fund balance after these appropriations. The government's policy approved by the council is to maintain a fund balance of at least 5%.

RESOLUTION NO. RS2014-1032 (STEINE, MAYNARD & LANGSTER) – This resolution approves a grant in the amount of \$1,298,099 from the U.S. department of health and human services to the Metro board of health to enhance access to community-based care for low income individuals and families with HIV. These grant funds are used to provide a number of medical and support services for HIV patients under the Ryan White HIV/AIDS Treatment Extension Act of 2009. The grant is for a term of March 1, 2014, through February 28, 2015.

RESOLUTION NO. RS2014-1033 (STEINE & MAYNARD) – This resolution approves an amendment to a grant from the state department of health to the Metropolitan board of health for bioterrorism preparedness services. These federal pass-through funds are primarily used to pay the salaries of the health department personnel responsible for Metro's public health emergency preparedness program, as well as for program supplies. This amendment reduces the amount of the grant by \$55,500 for a new grant total of \$848,800, and reduces the amount of the required local match by \$5,600.

RESOLUTION NO. RS2014-1034 (MAYNARD & LANGSTER) – This resolution approves a contract between the Metropolitan board of health and TriStar Centennial Medical Center to provide licensed medical professionals to distribute antibiotics, vaccines, and antivirals (mass prophylaxis) through a worksite POD in the event of a public health emergency. The health department will be responsible for obtaining the mass prophylaxis from the state and delivering them to the worksite POD during a public health emergency. Centennial Medical Center will be responsible for distributing the prophylaxis, and will not receive any form of compensation for providing these services. This contract is for a term of two years, but may be extended for two additional one-year terms.

The council has approved similar agreements with other area hospitals.

RESOLUTION NO. RS2014-1035 (MAYNARD & LANGSTER) – This resolution approves a clinical affiliation agreement between the Metropolitan board of health and Vanderbilt University to provide clinical internship experience. Pursuant to this contract, the Metro health department will provide clinical training experience to students to be negotiated on a semester-to-semester basis. 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 with 30 days written notice.

Metro participates with several colleges and universities to provide clinical experience to students.

RESOLUTION NO. RS2014-1036 (MAYNARD & LANGSTER) – This resolution approves an agreement between the Metro board of health and Vanderbilt University Medical Center to host the New Life Program Boot Camp for New Dads workshops. Vanderbilt agrees to provide space to the health department to perform the workshops for a 2-4 hour class period every fourth Saturday. There is no cost to Metro associated with the use of the space. The term of this agreement is from October 1, 2013 through September 30, 2014.

RESOLUTION NO. RS2014-1037 (MAYNARD) – This resolution approves an agreement between K & G Men's Store and the Metro board of health to provide workshops for job readiness training participants in the New Life Program. K & G will provide space at its 100 Oaks store at no charge to Metro for the "Dress to Impress" workshop every second Sunday from 9:00 a.m. to 11:00 a.m. The term of this agreement is through September 30, 2014.

RESOLUTION NO. RS2014-1038 (STEINE, TYGARD & HUNT) – This resolution approves an amendment to a lease agreement between Metro and the state for the lease of 102 acres of state-owned property located at 3000 Morgan Road in Joelton that is used as a public park. Metro began leasing this state property, formerly known as the Tennessee Youth Center, in 2004 for a 20 year term. Metro is not required to pay any rent as part of the lease agreement. This lease amendment will allow the state to construct and operate a communications tower on a portion of the property.

RESOLUTION NO. RS2014-1039 (BEDNE, STEINE & OTHERS) – This resolution authorizes the director of public property to exercise an option to purchase three parcels of property located on Pettus Road for use as Metro park land, and accepts a grant in the amount of \$190,000 from the Land Trust for Tennessee to be applied toward the total purchase price of \$688,000. These three floodplain parcels totaling approximately 60 acres are to be purchased from Jeffrey Ackerman. Mr. Ackerman acquired two of the parcels in 2005 for \$220,000 and the third parcel in 2006 for \$185,000. These parcels will connect the two existing greenways in the area and protect a 200 foot stretch of Mill Creek.

This acquisition has been approved by the planning commission and the board of parks and recreation.

RESOLUTION NO. RS2014-1040 (STEINE, DOMINY & HUNT) – This resolution approves an intergovernmental agreement between the state department of transportation and Metro whereby Metro surrenders any claim it might have to some unused remnant right-of-way adjacent to Old Hickory Boulevard where it intersects with Lebanon Pike, and accepts \$36,750 as payment for the property interest. This right-of-way was acquired by the state in the name of the Metropolitan Government years ago when Old Hickory Boulevard was constructed by the state and Metro as a local interstate connector project. The state recently concluded that this portion of right-of-way was no longer needed and agreed to sell the property to the adjacent property owner. As part of this process, it was determined that the fair value of the property is \$73,500. This right-of-way is not shown on Metro's maps, and Metro never considered the property to be ours. However, in order for the state to sell the property, Metro must give up any claim it might have to the property.

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RESOLUTION NO. RS2014-1040, continued

The state has agreed to divide the purchase price equally with Metro in exchange for Metro quitclaiming any interest it may have in the property. This agreement simply provides for the execution of the quitclaim deed and the acceptance of the \$36,750 by Metro.

RESOLUTION NO. RS2014-1041 (BEDNE, DUVALL & OTHERS) – This resolution approves a contract with the state department of transportation for the resurfacing of 6.7 miles of Old Hickory Boulevard between Bell Road and Burkitt Road. The state has agreed to provide \$848,250 for this project, with a required Metro match of \$282,750. The paving project is to be completed no later than November 30, 2016. This is a typical contract with the state for road resurfacing authorized under the state-aid highway system program.

RESOLUTION NO. RS2014-1042 (PRIDEMORE, STEINE & DOMINY) – This resolution approves an intergovernmental agreement between the state department of transportation and the Metro department of public works for miscellaneous safety improvements along Gallatin Pike from Old Hickory Boulevard to Anderson Lane. The safety improvements will include the installation of new signs, refurbishment of pavement markings, sidewalk/crosswalk upgrades, and traffic signal modifications. Metro will be responsible for maintaining the traffic signals once they are installed.

RESOLUTION NO. RS2014-1043 (MOORE, STEINE & DOMINY) – This resolution approves an intergovernmental agreement between the state department of transportation and the Metro department of public works for the installation and maintenance of new traffic signals at the I-65 northbound and southbound ramps at Wedgewood Avenue. Metro agrees to take over the maintenance and electricity costs for the signals once they are installed by the state.

RESOLUTION NO. RS2014-1044 (STEINE & DOMINY) – This resolution approves a contract with the state department of transportation for the resurfacing of 2.4 miles of Woodmont Boulevard between Harding Pike and Golf Club Lane. The state has agreed to provide \$1,484,700 for this project, with a required Metro match of \$494,900 to be provided out of capital funds. This paving project is to be completed no later than November 30, 2016.

RESOLUTION NOS. RS2014-1045 & RS2014-1046 (STEINE) – These two resolutions authorize the department of law to settle the personal injury claims of Gabriel Hines, Colleen Hines, and James Allen Palmer against the Metropolitan Government for a total amount of \$247,500. On February 8, 2012, a Metro water services (MWS) employee driving a Metro truck ran a stop sign on Tennessee Avenue and struck the side of a tree-trimming truck owned by Wolf Tree, Inc., causing the truck to hit a NES pole. The driver of the MWS truck was putting a drink in the cup holder when the cup holder broke. The MWS employee took his eyes off the road to catch the cup and ran the stop sign colliding with the tree-trimming truck. Mr. Hines was driving the tree-trimming truck at the time of the accident with Mr. Palmer riding as a passenger.

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RESOLUTION NOS. RS2014-1045 & RS2014-1046, continued

Both Mr. Hines and Mr. Palmer were injured in the accident. Mr. Hines sustained injuries to his back, right knee, and left ankle, requiring surgery and extensive physical therapy. His medical bills total \$69,524.26. In addition, Mr. Hines is claiming \$38,000 in lost wages since he was unable to return to work until the following year. There is a worker's compensation subrogation claim lien totaling approximately \$120,000.

Mr. Palmer sustained injuries to his back and left knee, which also required surgery. Mr. Palmer's total medical bills were \$20,553.95, plus \$11,568 in lost wages for the 16 weeks he was recuperating. There is also a worker's compensation subrogation lien in this case of approximately \$64,000. Mr. Palmer was given a 7% permanent impairment rating to the body as a whole after treatment from the accident.

Since the Metro employee was clearly at fault, the department of law recommends settling these personal injury claims for \$247,500. This includes settling Mr. Hines' claim for \$197,500, which covers the amount of medical bills and lost wages plus \$90,000 for pain and suffering, as well as Ms. Hines' claim for loss of consortium. This resolution also approves the settlement of Mr. Palmer's claim for \$50,000, which represents the amount of medical bills and lost wages, plus approximately \$27,100 for pain and suffering.

The council previously approved the settlement of the property damage claim of Wolf Tree, Inc. against the Metropolitan Government in the amount of \$83,000 in October 2012 for damage to the tree-trimming truck. In addition, the council approved a settlement with NES in December 2012 for the damage to the poles in the amount of \$151,600. Thus, the total cost to Metro to settle the claims associated with the accident will be \$482,100.

The Metro employee that caused the accident received disciplinary action consisting of a two day suspension, and was required to retake a driving course.

Resolution No. RS2014-1045 approves the settlement of the claim of James Allen Palmer for the amount of \$50,000 to be paid out of the self-insured liability fund.

Resolution No. RS2014-1046 approves the settlement of the claims of Gabriel D. Hines and Colleen Hines for the amount of \$197,500 to be paid out of the self-insured liability fund.

– BILLS ON SECOND READING –

ORDINANCE NO. BL2014-696 (CLAIBORNE) – This ordinance amends the Metro code to require the director of finance to submit an annual debt report to the council at the time the mayor’s proposed operating budget is submitted. The annual debt summary is to include the following information:

- The total amount of outstanding revenue and general obligation bonds that are secured by any portion of the general fund. This would include the convention center authority and sports authority debt that is backed by the Metro general fund non-tax revenues.
- The anticipated debt service requirements for the next fiscal year.
- A summary of all outstanding bonds, including the date of maturity, interest rate, projects funded with the bond proceeds, and the amount of principal and interest to be paid on each bond in the upcoming fiscal year.
- A summary of commercial paper activity for the previous twelve month period. The commercial paper program is Metro’s mechanism for funding capital projects on a short-term basis before the long-term bonds are issued. The report is to include each date commercial paper was taken out, the interest rate, the amount of commercial paper used for each capital project, and the maturity date of the commercial paper.

There is a proposed amendment modifying some of the reporting requirements and including some additional provisions found in the state’s indebtedness report.

ORDINANCE NO. BL2014-697 (BLALOCK) – This ordinance amends the Metro code to exempt existing on-premises beer permit holders (restaurants and bars) from the distance requirements regarding the sale of beer near school property when a new school locates within 100 feet of the existing establishment. 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. While existing permit holders are essentially “grandfathered in” when a new school locates next to the establishment, the permit holder may not be allowed to expand the footprint of the establishment. Further, a new owner of the establishment may not be able to get a beer permit because of its proximity to the school.

The ordinance provides that a beer permit holder could not be denied a permit solely because the footprint of the building was expanded to fall within 100 feet of a school that subsequently located near the establishment. The ordinance also provides that a beer permit could not be denied to a new owner of the business solely because of the distance from a school that received an occupancy permit after the initial beer permit for the establishment was obtained.

ORDINANCE NO. BL2014-716 (GILMORE, STEINE & HUNT) – This ordinance authorizes the director of public property to accept the quit claim of a 2.68-acre parcel of property located within the former thermal transfer site from the Metropolitan transit authority (MTA). This property is to be redeveloped as part of the West Riverfront Park improvements and amphitheater. The council approved \$25 million in capital funding for the riverfront improvements and open space acquisition as part of the 2013 capital spending plan in June 2013. MTA will be quit claiming any interest it may have in the property at no cost to Metro.

ORDINANCE NOS. BL2014-717 & BL2014-718 – These two ordinances approve agreements for the use of Country Music Hall of Fame and the Frist Center for the Visual Arts as part of the Americans for the Arts (AFTA) 2014 convention to be held in Nashville June 12-15. Part of Metro’s agreement with AFTA requires Metro to provide an opening reception and a board and VIP dinner. The Country Music Foundation has agreed to waive the \$33,000 charge for the use of the Country Music Hall of Fame for the AFTA opening reception. The Metro arts commission will be required to pay \$1,140 to cover the cost of the security guards. The Frist Center has agreed to waive the \$5,500 space rental fee for the board dinner, but the arts commission is required to pay a non-refundable deposit of \$2,750 to cover other costs associated with use of the space.

Ordinance No. BL2014-717 (Steine) approves the agreement with Country Music Foundation, Inc. for use of the Country Music Hall of Fame on Friday, June 13.

Ordinance No. BL2014-718 (Steine & Langster) approves the agreement with Frist Center for the Visual Arts for use of the Frist Center on Saturday, June 14.

ORDINANCE NO. BL2014-719 (MITCHELL, DOMINY & HUNT) – This ordinance authorizes the acquisition of easements for properties located at 441 Union Bridge Road, 5954 Pasquo Road, and Pasquo Road (unnumbered) for a stormwater improvement project. There is no anticipated acquisition costs associated with these easements. Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2014-720 (GILMORE, DOMINY & HUNT) – This ordinance abandons 250 linear feet of a 8-inch sanitary sewer main and 450 linear feet of a 10-inch water main, along with the associated easements, for property located at 115 Middleton Street. This abandonment has been requested by the property owner to allow for future development. Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2014-721 (HOLLEMAN, DOMINY & HUNT) – This ordinance abandons easement rights for properties located at 4507, 4509 and 4511 Alabama Avenue and 4506 and 4508 Charlotte Avenue that were retained when a former alley was closed in 1964. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2014-722 (BENNETT, DOMINY & HUNT) – This ordinance authorizes the acquisition of easements for properties located at 315 Broadmoor Drive and 513 and 517 Lemont Drive for a stormwater improvement project. There is no anticipated acquisition costs associated with these easements. Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2014-723 (MOORE, DOMINY & HUNT) – This ordinance abandons a public sewer easement that is no longer in service for property located at 930 8th Avenue South. This abandonment has been requested by the property owner to allow for future development. Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2014-724 (TENPENNY, DOMINY & HUNT) – This ordinance authorizes the acquisition of easements for properties located at 325, 327, and 329 East Thompson Lane and 318 and 320 Wimpole Drive for a stormwater improvement project. There is no anticipated acquisition costs associated with these easements. Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the planning commission.

– BILLS ON THIRD READING –

ORDINANCE NO. BL2014-685 (HUNT) – This ordinance amends the Metro zoning code to shift the responsibility for the posting of council public hearing notices for zoning bills to the applicant. Currently, the applicant is responsible for posting planning commission public hearing signs and must provide a certificate to the planning department verifying that the signs have been posted. This has been the practice for a number of years. However, the code still requires the council public hearing signs to be posted “by the appropriate department of the metropolitan government”.

This ordinance would essentially make the planning department’s practice regarding the posting of planning commission public hearing signs applicable to council public hearings, as well. Private applicants would be required to post the public hearing signs. If a Metro council member or Metro department is acting as the applicant, then the council member or appropriate Metro department would be responsible for posting the signs. According to the planning department staff report, the staff is interpreting this change as giving the council member the option of either overseeing the posting of the signs or returning the signs to the planning department for Metro to post.

ORDINANCE NO. BL2014-695 (STEINE, WESTERHOLM & OTHERS) – This ordinance names the Shelby Street pedestrian bridge in honor of John Siegenthaler. Mr. Siegenthaler was a longtime journalist for *The Tennessean* newspaper, and remains Chairman Emeritus of the newspaper. He served in the early 1960s as an assistant to U.S. Attorney Bobby Kennedy. While working in the Justice Department, Mr. Siegenthaler was the chief negotiator with the governor of Alabama during the Freedom Rides, and was attacked and hospitalized while trying to aid the Freedom Riders. In 1982, Mr. Siegenthaler became the founding editor of *USA Today*, a position in which he served until his retirement in 1991. Upon retirement, Mr. Siegenthaler founded the Nashville-based First Amendment Center.

The Metro code provides that no Metropolitan Government building or structure can be named except by ordinance adopted by the council.

ORDINANCE NO. BL2014-699 (GILMORE, STEINE & HUNT) – This ordinance approves amendments to the Arts Center, Capitol Mall, Jefferson Street, and Rutledge Hill Redevelopment Plans to extend the duration of the plans through December 31, 2040 and increase the tax increment financing (TIF) capacity. TIF is a form of development incentive whereby the increased property taxes generated by a development are used to pay part of the development costs or pay down a TIF loan. Examples of projects that have been built using TIF as a financing tool include restoration of the Ryman Auditorium, the Viridian, the Bell South Building, the Country Music Hall of Fame, and the Omni convention center hotel. Each of the redevelopment districts includes a maximum TIF capacity, which is basically a cap on the amount of project costs to be financed through TIF within that particular district.

The Arts Center redevelopment district, established in 1998, originally included the old downtown post office, the Union Station Hotel, and Cummins Station. The plan was subsequently amended to add the Music Row area and the area between I-40 and the Gulch to the redevelopment plan area. This amendment extends the term of the plan and increases the TIF capacity from \$25 million to \$60 million.

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ORDINANCE NO. BL2014-699, continued

The Capitol Mall redevelopment district was established in 1978 for redevelopment activities in downtown Nashville. It has subsequently been amended nine times, and currently has an expiration date of 2030. This amendment increases the TIF capacity from \$180 million to \$230 million and extends the duration of the plan.

The Jefferson Street redevelopment district was established in 2005 for a thirty year term. This amendment extends the plan duration and increases the TIF capacity from \$3 million to \$15 million.

The Rutledge Hill redevelopment district was established in 1980 for redevelopment activities in areas south of downtown Nashville. This amendment increases the TIF capacity from \$35.5 million to \$60 million. This plan was already set to expire in 2040.

This ordinance in and of itself does not authorize TIF funding for any particular projects. TIF is basically one tool in the economic development toolbox that can be used for future qualifying projects.

ORDINANCE NO. BL2014-700 (STEINE & HUNT) – This ordinance approves a lease agreement between the Metropolitan Government and Southern Land Commercial Construction, LLC for a portion of the fire hall property located at 2025 Richard Jones Road in Green Hills. Southern Land would be leasing the 6,500 square foot existing storage building and surrounding property to be used as a construction office/storage facility and parking area while the company's new high rise mixed-use development is being constructed at the corner of Hillsboro Pike and Richard Jones Road. The term of the lease is from the date of final council approval through December 31, 2015, but may be renewed on a month-to-month basis after that. After the first nine months, the lease may be cancelled by either party upon 30 days written notice.

Southern Land will pay a total rent amount of \$65,640 during the first year of the lease term. After the first year, Southern Land would only pay utility service charges. Southern Land may make improvements to the property subject to Metro's reasonable approval. All improvements will revert to Metro at the end of the lease term. Southern Land will be responsible for all maintenance costs associated with the property. The lease agreement includes the standard insurance and indemnification requirements typically found in such Metro leases.

Amendments to this lease may be approved by resolution of the council receiving 21 affirmative votes.

ORDINANCE NO. BL2014-701 (GLOVER) – This ordinance renames Hermitage Park Lane from Old Hickory Boulevard to its terminus as "Crosshill Way". The name change is for the stated purpose of preventing confusion with the street named Hermitage Park Drive, which is an access street to an adjacent apartment complex.

This name change has been approved by the planning commission, and referred to the emergency communications district board and the traffic and parking commission.

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



KARL F. DEAN
MAYOR

DIRECTOR OF FINANCE
METROPOLITAN COURTHOUSE
ONE PUBLIC SQUARE, SUITE 106
NASHVILLE, TENNESSEE 37201
(615) 862-6151
(615) 862-6156 FAX

MEMORANDUM

To: Vice Mayor Diane Neighbors

From: Richard M. Riebeling 
Director of Finance

Date: February 21, 2014

Subject: Ordinance amending Chapter 17.40 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to the zoning application fees and public hearing notice costs for amendments to the official zoning map initiated by a member or members of the Metropolitan Council (Proposal No. 2014Z-005TX-001)

I am in receipt of a proposed Ordinance by Council Lady Davette Blalock that amends Title 17 of the Metropolitan Code. The legislation was sent to me for signature certifying the availability of funds. Pursuant to rules of the Metropolitan Council, I am providing you with a brief statement as to why I have determined I cannot sign the proposed legislation at this time.

Due to the lack of funding in the Planning Commission budget that would support the cost of the legislation (see attached correspondence from Deputy Director Doug Sloan), I must decline to sign as to the availability of funds.

Please let me know if you have any questions or need additional information on this matter.

Attachment

Copy: Members of the Metropolitan Council
Jon Cooper



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
800 Second Avenue South
P.O. Box 196300
Nashville, Tennessee 37219-6300

**DIRECTOR OF FINANCE
RECEIVED**

FEB 3 2014

January 30, 2014

Richard M. Riebeling
Director of Finance
Metro Courthouse
1 Public Square
Suite 106
Nashville, TN 37201

Re: Costs for the printing and mailing of written notices

Mr. Riebeling:

A Council ordinance has been proposed that would require the costs for public hearing signs and printing and mailing of written notices regarding the public hearing for amendments to the official zoning map initiated by a member or members of the metropolitan council to be borne by the Planning Department.

The Planning Department has analyzed the costs for public hearing signs and printing and mailing of written notices for rezonings proposed by members of the Metropolitan Council for the calendar years of 2012 (\$3,635) and 2013 (\$12,700). However, recent changes in the housing market and overall economy have increased rezoning applications. In just the first month of 2014, \$10,181 was spent on public hearing signs and printing and mailing of written notices for rezonings proposed by members of the Metropolitan Council. Additionally, we believe that a substantial increase in the number of rezoning applications would occur if all costs are borne by the Planning Department. Taking these facts into consideration, the estimated impact on the Planning Department's budget is \$122,172 for the 2014 calendar year.

Additionally, the Metropolitan Clerk's Office would incur additional expenses related to the publication of public hearing notices for each of the rezoning requests.

Please let me know if you have any questions on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Sloan".

Doug Sloan
Deputy Director



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
800 Second Avenue South
P.O. Box 196300
Nashville, Tennessee 37219-6300

February 20, 2014

Richard M. Riebeling
Director of Finance
Metro Courthouse
1 Public Square
Suite 106
Nashville, TN 37201

Re: Costs for the printing and mailing of written notices

Mr. Riebeling:

A revised council ordinance has been proposed that would require the costs and responsibility for public hearing signs and printing and mailing of written notices regarding the public hearing for amendments to the official zoning map initiated by members of the metropolitan council to be borne by the Planning Department, whenever the proposed amendment to the official zoning map falls within the fee waiver exceptions in Section 17.40.740.C of the metropolitan code. This ordinance also proposes that each member of council shall be entitled to no more than one such fee waiver per calendar *in addition to* the application of any urban design overlay district, historic preservation district, neighborhood conservation district, or urban zoning overlay district or the amendment to or cancellation of a planned unit development (PUD) district after the planning commission has determined the PUD to be inactive.

The Planning Department has analyzed the costs for public hearing signs and printing and mailing of written notices for rezonings proposed by members of the Metropolitan Council for the calendar years of 2012 (\$3,635) and 2013 (\$12,700). However, recent changes in the housing market and overall economy have increased rezoning applications. In just the first month of 2014, \$10,181 was spent on public hearing signs and printing and mailing of written notices for rezonings proposed by members of the Metropolitan Council. Additionally, we believe that a substantial increase in the number of rezoning applications would occur if all costs are borne by the Planning Department.

Assuming that each member of council would want to take advantage by rezoning a large area, the Planning Department has estimated a cost \$63,487.32 for the notices and signs for 40 rezonings.

However, in addition to the one rezoning per member of council, this ordinance would require the Planning Department to bear the costs and responsibility for all overlays initiated by members of council. In January 2014, two of the four cases submitted by members of council have been overlays. Although this is likely to increase, using this as a basis to project future cost associated with overlay applications, we estimate that notices and signs for overlays will be an additional \$24,528.24 per calendar year.

Therefore, the total estimate per calendar year is \$93,015.56.

Additionally, the Metropolitan Clerk's Office would incur additional expenses related to the publication of public hearing notices for each of the rezoning requests.

Please let me know if you have any questions on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Sloan", written over a faint circular stamp.

Doug Sloan
Deputy Director