



METRO COUNCIL OFFICE

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director
Metropolitan Council Office

COUNCIL MEETING DATE: **February 3, 2015**

RE: **Analysis Report**

Unaudited Fund Balances as of 1/28/15:

4% Reserve Fund	\$28,228,276*
Metro Self Insured Liability Claims	\$4,158,603
Judgments & Losses	\$3,436,254
Schools Self Insured Liability Claims	\$2,505,447
Self-Insured Property Loss Aggregate	\$6,881,372
Employee Blanket Bond Claims	\$656,007
Police Professional Liability Claims	\$2,714,889
Death Benefit	\$977,816

*Assumes unrealized estimated revenues in fiscal year 2015 of \$16,545,557

– BILL ON PUBLIC HEARING –

ORDINANCE NO. BL2014-948 (WESTERHOLM & A. DAVIS) – This ordinance approves a third amendment to the Five Points redevelopment plan. This redevelopment district was created in 1991 and was last amended in 2005. First, this amendment would replace the district map to shift the permitted use for seven parcels from single and two-family residential to mixed-use. Second, this amendment would combine the “neighborhood commercial” component with the mixed-use component to support the adaptive reuse of existing residential structures; to support businesses, services, and other uses that serve the contiguous residential neighborhoods; and for specialty services catering to a larger market. Permitted uses would include offices, financial institutions (other than check cashing businesses), retail (other than car sales), full-service restaurants, and bed & breakfast establishments. Finally, the amendment would provide \$670,000 of additional tax increment financing (TIF) capacity to be used for streetscape and other infrastructure improvements.

The Five Points redevelopment plan is set to expire in 2020.

– RESOLUTIONS –

RESOLUTION NO. RS2014-1316 (S. DAVIS) – This resolution appropriates \$100,000 from the undesignated fund balance of the general fund of the general services district to Neighborhoods Resource Center (NRC) to provide funding for its operations. NRC is a tax-exempt nonprofit organization that provides assistance, training, and leadership development for neighborhood organizations throughout Nashville. State law allows Metro to provide financial assistance to nonprofit organizations either as part of the operating budget or upon adoption of a resolution approved by the council. In order to be eligible to receive funding from Metro, a nonprofit organization must submit the following information:

1. A copy of its corporate charter or other articles, constitution, bylaws, or instruments of organization;
2. A copy of a letter from the Internal Revenue Service evidencing the fact that the organization is a nonprofit, tax-exempt organization under the Internal Revenue Code;
3. A statement of the nature and extent of the organization's program that serves the residents of the Metropolitan Government;
4. The proposed use of the funds to be provided by the Metropolitan Government;
5. The proposed budget of the organization, indicating all sources of funds and a line-item identification of the proposed expenditure of Metropolitan Government funds; and
6. A copy of the organization's audit for the most recent fiscal year.

Prior to 2008, the council often provided grants to specific nonprofit organizations either through the budget ordinance or by individual resolutions. However, the mayor created the community enhancement grant program as part of the fiscal year 2008 budget to award grants to nonprofits on a competitive basis. Nonprofits can submit applications to the finance department and the applications are scored by review panels. The council ultimately must appropriate the funds to the nonprofits selected in order for them to receive funding. NRC did not submit an application for funding through the community enhancement grant program for fiscal year 2014.

If this resolution is approved, NRC will be required to submit the above information to the finance department before receiving the \$100,000 grant.

RESOLUTION NO. RS2015-1370 (PRIDEMORE) – This resolution authorizes the issuance of general obligation (G.O.) refunding bonds in an amount not to exceed \$261,000,000. This resolution will potentially refund a portion of six series of bonds issued between 2007 and 2013. The purpose of the refunding is to achieve debt service savings. The council approved the refunding of up to \$151,500,000 in general obligation bonds in December 2014. Due to favorable interest rates, Metro’s financial advisor (First Southwest) recommends increasing the amount to be refunded.

This resolution repeals the December 2014 refunding bond resolution (RS2014-1314) and replaces it with a bond resolution authorizing the refunding of up to \$261 million. The interest rates on the various series of bonds to be refunded are currently between four and five percent. This refunding of the outstanding bonds is anticipated to result in a total cash savings of \$18.6 million, with a net present value savings of \$14.3 million. Included within this total is an immediate savings of \$2.3 million that would be available for use in developing the mayor’s proposed fiscal year 2016 budget. Although this refunding includes a balloon payment in order to achieve immediate savings, the final maturity date of 2029 is not being extended, and the weighted average maturity will decrease from 8.6 years to 7.9 years.

These bonds will be sold at a negotiated sale with Piper Jaffray & Co. (representing Wells Fargo Bank) and Loop Capital Markets, LLC serving as the underwriters. Most of the recent bond sales for Metro have been by negotiated sale, which does provide more flexibility for timing the market.

The authorization of the refunding bonds will not result in the Metropolitan Government incurring new debt, but only provides for the refinancing of debt that is currently outstanding. As with all general obligation bonds, these refunding bonds are supported by the full faith and credit of the Metropolitan Government and are to be paid from property tax revenue.

RESOLUTION NO. RS2015-1371 (TYGARD) – This resolution amends Resolution No. RS2013-710 to de-authorize the capital funding previously allocated for the planning of the AMP bus rapid transit project. The capital spending plan initial bond resolution approved by the council in June 2014 providing the initial funding for \$300,000,000 in capital improvement projects. This included \$7,500,000 for the Bus Rapid Transit – East West Connector (the AMP) project. On October 28, 2014, the mayor announced to the AMP citizens advisory committee he appointed that he would not pursue local or state funding for the project during the remainder of the 2011-2015 mayoral term. Metropolitan transit authority (MTA) CEO Steve Bland announced January 22, 2015 that MTA is shifting its focus away from the AMP project toward a long-term multi-modal transit planning process, and now desires to reallocate the majority of the AMP’s remaining design funds to a regional strategic mass transit master plan.

This resolution essentially caps the amount of capital funding for the AMP project at \$3 million, which is what has been encumbered to date. No additional capital funds from the 2013-2014 spending plan could be spent on the AMP project in the future.

RESOLUTION NO. RS2015-1372 (PRIDEMORE) - This resolution approves an application for a grant in the amount of \$180,000 from the National Endowment for the Arts to the Metropolitan arts commission, working in conjunction with Lipscomb University's Andrews Institute of Civil Leadership, to create the THRIVE Learning Lab. THRIVE is a community-based training program that will feature academic and practical content delivered by Lipscomb faculty, Metro arts commission staff, and national practicing public artists. The grant will fund the training of 20 artists in public art fundamentals. At least ten of the graduates of the program will be chosen to complete neighborhood public art projects.

If awarded, there would be a required local match of \$103,695 for the grant.

RESOLUTION NO. RS2015-1373 (PRIDEMORE, BAKER & LANGSTER) – This resolution approves a grant in the amount of \$275,341 from the Tennessee emergency management agency to the Metropolitan Government for homeland security preparedness activities. These federal pass-through funds are used to implement the state homeland security strategy and the national preparedness goals through the purchase of equipment and training activities.

The term of the grant is from September 1, 2014 through April 30, 2016.

RESOLUTION NO. RS2015-1374 (EVANS, PRIDEMORE & OTHERS) – This resolution authorizes the director of public property administration to exercise an option to purchase a 3.77 acre parcel of property located at 402 Hathaway Court for use as a park. The property is to be acquired from the Tennessee Parks and Greenways Foundation for a purchase price of \$50,000. The appraised value of the property shown on the tax assessor's records is \$218,800.

The Metro code allows for the acquisition of property through the exercise of a negotiated option to sell at a fixed price, which is subject to approval of the council by resolution. The funding for this purchase will be from capital funds appropriated by the council for open space acquisition. The park board has approved this acquisition.

RESOLUTION NO. RS2015-1375 (PRIDEMORE, BENNETT & LANGSTER) – This resolution approves an application for a grant in the amount of \$7,000 from the state arts commission to the Metropolitan board of parks and recreation to supplement the Big Band dance program in Centennial Park. This application is for continued funding of a program that provides twelve free big band dances to the public on Saturday nights. There will be a required in-kind match of \$7,000.

RESOLUTION NO. RS2015-1376 (PRIDEMORE & BENNETT) – This resolution appropriates \$25,000 from the Reserve for Community Garden Grant Program Account of the general fund of the general services district to twelve different schools and nonprofit organizations for the purpose of funding community gardens. The fiscal year 2014-2015 operating budget ordinance included a \$25,000 appropriation for the second year of the Community Garden Grant Program, which is now administered by the parks department.

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RESOLUTION NO. RS2015-1376, continued

In August 2013, the council enacted Ordinance No. BL2013-498 to establish a program whereby matching grants could be made to eligible organizations that develop and maintain gardens for the use and benefit of the community and/or schools. Grant funds to be awarded under the program must 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.

The parks department recommends the following schools and nonprofit organizations receive grant funding under this program for fiscal year 2014-2015:

1. FASHA Fervent Assistance to Survivors for Healthy Adjustment	\$2,455.55
2. Organized Neighbors of Edgehill	\$2,455.55
3. Bellevue Middle School	\$2,455.55
4. Lutheran Services of TN (Cheatham Place Apartments)	\$2,455.55
5. Trevecca Urban Garden	\$2,455.55
6. Center for Refugees and Immigrants of TN (Blackman Rd. Garden)	\$2,455.55
7. Granberry Elementary School	\$2,455.55
8. Nashville Food Project (Wedgewood Urban Garden)	\$2,455.55
9. Hands on Nashville Urban Farm (Wimpole Drive)	\$2,455.55
10. Crieve Hall Elementary School	\$1,600.00
11. Traveler’s Rest Historic House Museum	\$500.00
12. Harpeth Valley Elementary School	\$800.00
Total	\$24,999.95

This resolution appropriates the individual grants to the grantees selected by the parks department. State law allows local governments to make appropriations by resolution to nonprofit organizations as long as the funds are used to promote the general welfare of the residents of the government. The nonprofit organizations have submitted a copy of their tax exempt status letter from the IRS, a statement of the organization’s program, and the proposed use of funds. This information is required by the Metro code in order for the organizations to be eligible to receive grant funds. Each nonprofit organization will be required to sign a contract outlining the use of the grant funds prior to receiving such funds.

RESOLUTION NO. RS2015-1377 (PRIDEMORE & BENNETT) – This resolution approves a grant in the amount of \$116,512 from the Friends of Warner Park to the Metropolitan parks department to provide continued funding for staff positions at the Warner parks. These funds will be used to pay the salaries of the following positions at the Warner park center and the nature center:

- Office support specialist \$48,319
- Seasonal maintenance staff \$42,880
- 2 part-time naturalists \$25,313

There will be a required match of \$19,404.31 to be provided through the parks department’s budget to cover the fringe benefit costs for the full-time employee.

RESOLUTION NO. RS2015-1378 (PRIDEMORE, GILMORE & LANGSTER) – This resolution approves a contract between the Metro health department and Educare Childcare and Enrichment Center #2 for the implementation of the Project Diabetes Golden Sneakers program. In September 2013, the health department received a grant from the state department of health for the Golden Sneakers program, which is a program to encourage child care providers to implement recommended amounts of physical activity each day, to address food portion control, and to limit the amount of high calorie and high fat foods. The grant funds are to be used to provide the program at 20 childcare centers in north and northeast Nashville. The program consists of a nutrition education course for the childcare employees and parents, as well as in-class instruction for children.

Under the terms of this contract, Excellence Early Childhood Academy will schedule monthly parent meetings for nutrition training, participate in staff surveys about exercise and nutrition, and promote the community center fitness classes offered. The health department will be responsible for conducting weekly preschool classroom nutrition education sessions, providing six parent nutrition training sessions, and provide an opportunity for teachers and families to participate in free exercise classes at community centers. The term of the contract expires on June 30, 2015. There is no monetary compensation associated with this contract.

The council has already approved contracts with several other childcare providers for this program.

RESOLUTION NO. RS2015-1379 (PRIDEMORE & GILMORE) – This resolution approves an amendment to a grant from the Greater Nashville Regional Council to the Metropolitan social services commission for personal care, homemaker, and nutrition services. This amendment increases the amount of the grant award by \$10,000 for the nutrition program.

RESOLUTION NO. RS2015-1380 (PRIDEMORE) – This resolution approves a grant in the amount of \$75,000 from the state department of labor and workforce development to the Nashville career advancement center (NCAC) to prepare eligible participants for re-entry into the labor force and to offer training to those facing serious barriers to productive employment. Specifically, these funds will be used for the Rapid Response Incumbent Worker program. The term of this grant is from January 1, 2015 through December 31, 2015.

RESOLUTION NO. RS2015-1381 (PRIDEMORE & A. DAVIS) – This resolution approves a grant in the amount of \$3,000 from the state department of environment and conservation to the department of public works to establish a used oil collection site at the Ezell Pike convenience center. These grant funds will be used for the purchase of equipment necessary for the used oil collection.

RESOLUTION NO. RS2015-1382 (PRIDEMORE) – This resolution authorizes the department of law to settle the personal injury claims brought by Eeva-Liisa Moran and David Moran against the Metropolitan Government for a total amount of \$35,000. On June 17, 2011, Adam Burton was driving a landscaping truck when he ran the stop sign at the intersection of Valley Road and Mockingbird Road striking the vehicle driven by Ms. Moran. Mr. Burton claims limbs were blocking the stop sign and he could not see it in time to stop. The tree limbs that were allegedly blocking the sign were from a tree on private property. Ms. Moran sustained injuries to her hip and thigh, which ultimately required a hip replacement. Her medical bills total \$51,274.

In order for Metro to be liable for injuries caused by dangerous or defective road conditions, the government must either have actual or constructive notice of the condition prior to the accident. There is no proof that Metro had any actual notice of limbs obscuring the stop sign. Even after the accident, the police officer that responded did not indicate in his report that an obscured stop sign caused the accident and Metro public works was not notified after the accident.

The law in Tennessee regarding excessive vegetation provides for a presumption that the condition existed for such a length of time that the government should have known about it. This means the mere existence of the vegetation growth results in Metro having constructive notice of the dangerous condition. The mere fact that no one had reported the condition to public works does not relieve Metro from liability. In this case, the department of law is of the opinion that a court would likely find Metro had constructive notice of the tree limbs obscuring the stop sign from view. Mr. Burton testified that the limbs were obscuring the stop sign, though he had gone through the intersection in the opposite direction an hour before the accident. The police officer has no independent recollection of the accident, so it would be hard for Metro to prove the sign was not obscured.

The department of law recommends settling the claim for \$35,000 since the court would likely award significantly higher damages if Metro was found liable at trial. This settlement is to be paid out of the self-insured liability fund.

– BILLS ON SECOND READING –

SUBSTITUTE ORDINANCE NO. BL2014-909 AND ORDINANCE NO. BL2014-951

(ALLEN, TYGARD & OTHERS) – These two companion ordinances amend the Metro code pertaining to the regulation of short term rental properties (STRP). The code currently does not include any provisions specific to STRPs. Thus, the zoning administrator has determined they are allowed in residential areas without conditions as long as they do not meet the specific definitions of a hotel, bed and breakfast, or boarding house. Given the rise in popularity of vacation rental websites and the popularity of Nashville as a vacation destination, hundreds of homes in Nashville are currently being offered as vacation rentals.

The ordinances define STRP as a dwelling unit containing not more than four sleeping rooms that is used and/or advertised for rent for transient occupancy by guests for a period of less than 30 continuous days. Bed and breakfast establishments, boarding houses, hotels, and motels are not considered STRPs under the ordinances. STRPs would be permitted as an accessory use in all zoning districts that permit residential use. STRP owners would be required to obtain an annual STRP use permit with the codes department. The application for the permit must provide the name, telephone number, address, and email address of the owner and of a person or business residing or located within 25 miles of the STRP that is responsible for addressing all maintenance and safety concerns. The application must also include proof of liability insurance coverage with limits of not less than \$1,000,000 per occurrence. If the STRP unit shares a common wall or a common driveway with another property owner, written notice must be given to the neighboring property owner prior to submitting the application.

No more than three percent (3%) of the single-family or detached two-family residential units within each census tract could be used as a non-owner-occupied STRP. This provision, modeled after the Austin, Texas STRP ordinance, is to ensure a large number of homes used exclusively as STRPs are not located in any one area.

The regulations include prohibitions regarding signage, noise, recreational vehicle parking, and food service for STRPs. The regulations also reference compliance with the waste management provisions of chapter 10.20 of the Metro code. The principal renter of a STRP unit must be at least 21 years old and the maximum number of paying adult guests permitted on a STRP property at any one time cannot exceed more than twice the number of sleeping rooms plus four. Smoke alarms would be required in all sleeping areas and in every room in the path of the means of ingress and egress.

The regulations include a provision making the permit holder responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or the Metropolitan Code. Regardless of this ordinance, STRP owners are legally required to collect and remit such taxes, though only a few owners are currently doing so.

The codes department would begin accepting STRP applications on March 31, 2015, and begin enforcement on July 1, 2015.

Substitute Ordinance No. BL2014-909 amends the Metro zoning code to include STRPs as an accessory use to a primary residential use. This substitute ordinance has been approved by the planning commission.

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SUBSTITUTE ORDINANCE NO. BL2014-909 AND ORDINANCE NO. BL2014-951,
continued

Ordinance No. BL2014-951 amends Title 6 of the Metro code to provide for the regulation of STRPs. There is a proposed amendment to this ordinance pertaining to compliance with the applicable building and fire code requirements, as well as adding a one year waiting period if the court determines a person has operated a STRP without the required permit.

ORDINANCE NO. BL2014-992 (GILMORE) – This ordinance amends the Metro code to further limit construction noise near residential properties. The code currently limits construction noise to 70 decibels between the hours of 9:00 p.m. and 6:00 a.m. on properties within or adjoining a residential zoning district. Since the downtown area has its own zoning code (the DTC district), it is not considered a residential zoning district. Thus, the construction noise restrictions do not apply for development near the downtown and mid-town residential condos and apartments.

First, this ordinance would extend the quiet hours until 7:00 a.m. as opposed to the current 6:00 a.m. Second, the ordinance would make the construction noise restrictions applicable to developments adjoining property upon which a structure permitted for residential purposes is located, which would include the downtown area.

ORDINANCE NO. BL2015-1007 (PRIDEMORE, WEINER & OTHERS) – This ordinance amends the Metro code to ensure Metro’s pension plan is in compliance with federal tax laws. This ordinance makes some technical changes that will not affect the benefit calculations for any member of the pension plan, and will have no impact on the required annual funding for the plan. The ordinance, which was prepared by Metro’s actuary (BPSM), is simply to ensure Metro’s benefit plan will remain a qualified plan under the federal tax laws. Due to amendments to the federal Internal Revenue Code, these amendments to the Metro pension plan are necessary for the plan to maintain its tax qualified status. A similar ordinance pertaining to compliance with federal tax laws was approved by the council in 2004.

ORDINANCE NO. BL2015-1008 (BENNETT, WEINER & OTHERS) – This ordinance amends the Metro code regulations regarding pet tethering. In November 2006, the council enacted Ordinance No. BL2006-1208 to place restrictions on outdoor pet tethering. The ordinance made it unlawful to use a chain, cord, or rope to tie up an animal unless the rope, chain, or cord is not unreasonably heavy in proportion to the weight of the animal, contains a swivel at both ends, and no choke collar is used. The code was subsequently amended in 2009 to specify that the rope, chain, or cord used to tether an animal be at least fifteen feet in length.

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ORDINANCE NO. BL2015-1008, continued

This ordinance would enact the following additional pet tethering restrictions:

1. Chains would be prohibited for use as a tethering device.
2. The animal could not be tethered outdoors during periods of extreme weather, including a heat index of 95° F or above, freezing temperatures, thunderstorms, or tornados.
3. The animal must have access to water, shelter, and dry ground at all times. The animal must also have access to adequate food.
4. The animal must be at least six months of age and have a current rabies vaccination.
5. The animal cannot be sick, injured, or in heat.
6. Pulley, running line, or trolley systems must be at least fifteen feet in length and must be at least six feet above the ground.
7. If there are multiple animals, each animal must be tethered separately.
8. The tethering device must allow the tethered dog to lie down comfortably at all positions of tether.

ORDINANCE NO. BL2015-1009 (HOLLEMAN) – This ordinance amends the Metro code to impose hours of operation restrictions on cash advance, check cashing, and title loan establishments. In November 2014, the council enacted Substitute Ordinance No. BL2014-908 as an amendment to Title 17 of the Metro code (Zoning Regulations) to impose a 1,320 foot distance requirement for these establishments, as well as for pawnshops. This ordinance would add a new chapter to Title 6 of the Metro code (Business Regulations) that would prohibit the operation of cash advance, check cashing, and title loan establishments between the hours of midnight and 6:00 a.m.

There is a state statute that basically preempts local governments from enacting any regulation regarding the operation of title lending businesses. Thus, this ordinance as written would not apply to title loan establishments. In light of this state law, there is an amendment to this bill to be offered on second reading that would remove title loan businesses from the application of the bill. The council office is unaware of a similar preemption applicable to cash advance and check cashing businesses.

Additional legal questions have been raised regarding the constitutionality of this bill. In order to survive a constitutional challenge, Metro would have to show the Council had a rational basis for limiting the hours of these businesses. The stated purpose provided in the bill itself is to protect property values and economic development in Nashville, with a notation that crime statistics increase during the middle of the night. The council office is unaware of any Tennessee or federal Sixth Circuit case specifically addressing restricting the hours of operation for check cashing and payday lending businesses. A federal court in Wisconsin held in 2004 that the City of Madison, WI had a rational basis for restricting the hours of operation of payday loan businesses based upon a speculation that people emerging from a payday loan store with large amounts of money in their pockets would be more likely to be involved in a crime. The closest Tennessee case on point the council office can find is a 2014 Tennessee Court of Appeals decision regarding Chattanooga's limitation on the hours of operation for restaurants having a beer permit. A Chattanooga ordinance prohibited restaurants having a beer permit from staying open after 3:00 a.m. even though beer already could not be sold after 3:00 a.m. The city (continued on next page)

ORDINANCE NO. BL2015-1009, continued

argued the purpose of the limitation was to prevent violent fights late at night resulting from the consumption of alcohol. The Court of Appeals determined that the limitation on hours of operation was not rationally related to the stated goal since the ordinance restricted businesses from operating during the hours when beer could not even be sold.

ORDINANCE NO. BL2015-1011 (MOORE, PRIDEMORE & HUNT) – This ordinance approves a lease agreement between the Metropolitan Government and STEM Preparatory Academy for the use of a portion of the Tennessee Preparatory School (TPS) campus located at 1250 Foster Avenue. Prior to December 2013, Metro had been leasing a portion of the TPS property from the state. In May 2013, the Council approved a sublease with STEM to use 26,000 square feet of the old high school building as a grade 5-8 charter school. STEM is a public charter school focused on science, technology, engineering, and math.

Ownership of 28 acres of the TPS property was transferred to Metro as part of the land transaction for the new Sounds ballpark, which was approved by the Council in December 2013. Since Metro is now the owner of the property, the parties desire to replace the previously approved sublease with a new lease agreement.

The terms of the new lease are similar to the former sublease, though the 20,200 square foot Field House/Gymnasium has been added as part of the lease. The agreement provides that the premises may only be used for a charter school serving fifth through eighth grade students in the South Nashville area. The term of the agreement will be through July 31, 2024, with a possible extension of two additional five year periods. Under the previous sublease agreement STEM was to pay rent in the amount of \$6,500 per month. Under the new agreement, STEM will pay \$11,781 per month to account for the increased square footage, which is to increase by 2% each year.

STEM will be responsible for all utility and maintenance expenses. The school will be allowed to make improvements to the property and Metro will give a rent credit to the school for the documented costs of such improvements. The plans for all improvements must be approved in advance by the department of general services. STEM will also have the right to place portable classrooms on the property.

The lease includes the typical insurance and indemnification provisions for the protection of Metro. Metro will have the ability to terminate the agreement if STEM has not cured any default within 30 days.

Future amendments to or extension of the lease could be approved by the council by resolution.

ORDINANCE NO. BL2015-1012 (PRIDEMORE, A. DAVIS & HUNT) – This ordinance abandons 90 linear feet of sewer easement for property located at 627 Gallatin Pike. Metro water services has no future need for this easement. Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2015-1013 (A. DAVIS & HUNT) – This ordinance authorizes the abandonment and acceptance of various water and sewer infrastructure for properties located at 1804 and 1808 Graybar Lane, 3505 Hopkins Street, and 1919 and 1921 Woodmont Boulevard. This includes the following:

1. The abandonment of 230 feet of 8" sewer line and easement
2. The acceptance of 1,215 feet of 8" PVC sewer line
3. The acceptance of 1,074 feet of 8" water main
4. The acceptance of 369 feet of 4" water main

This ordinance is necessary for the Graymont development. Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2015-1014 (PRIDEMORE & A. DAVIS) – This ordinance approves a participation agreement between Metro water services and Vanderbilt University for public water service improvements associated with Vanderbilt's proposed construction located along 19th Avenue South. Vanderbilt will be responsible for contracting and overseeing the construction of 1,200 feet of 8" water main along with the associated fire hydrants and appurtenances. Metro will be responsible for paying 81% of the construction costs not to exceed \$275,000. Vanderbilt will cover the remainder of the costs. This is a typical participation agreement where Metro contracts with private developers for water/sewer infrastructure projects that will benefit the general community. The work is to be completed not later than October 31, 2015.

The \$275,000 is to be paid out of the water/sewer capital projects fund. Future amendments to this ordinance may be approved by resolution.

– BILLS ON THIRD READING –

ORDINANCE NO. BL2014-998 (HOLLEMAN) – This ordinance abandons portions of Park Avenue, Elkins Avenue, and Alley Nos. 1198 and 1199 from 40th Avenue North westward to their terminus. This right-of-way abandonment has been requested by Barge Cauthen & Associates to allow for the consolidation of property for the Hill Center Sylvan Heights project. This ordinance has been approved by the planning commission and the traffic and parking commission.

ORDINANCE NO. BL2014-999 (BAKER, A. DAVIS & HUNT) – This ordinance abandons the water and sewer easement rights that were retained by Ordinance No. BL2014-912 when a portion of Alley No. 1517 was abandoned for property located at 525 Stevenson Street. Metro water services no longer has a need for this easement.