



METRO COUNCIL OFFICE

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Mike Jameson, Director and Special Counsel
Mike Curl, Finance Manager
Metropolitan Council Office

COUNCIL MEETING DATE: December 18, 2018

RE: Analysis and Fiscal Notes

Unaudited Fund Balances as of 12/12/18:

4% Reserve Fund	\$32,787,425*
Metro Self Insured Liability Claims	\$4,479,303
Judgments & Losses	\$2,685,640
Schools Self Insured Liability Claims	\$4,563,158
Self-Insured Property Loss Aggregate	\$7,093,392
Employee Blanket Bond Claims	\$675,154
Police Professional Liability Claims	\$2,223,880
Death Benefit	\$1,516,947

*This assumes unrealized estimated revenues in FY19 of \$26,106,072.

Note: No fiscal note is included for legislation that poses no significant financial impact.

– RESOLUTIONS –

RESOLUTION NO. RS2018-1455 (HALL, HASTINGS, & HAYWOOD) – This resolution would approve the issuance of up to \$25,000,000 in GSD general obligation bonds to provide funding for various projects as listed in Exhibit A attached to the resolution. \$15,000,000 of the bond proceeds would be used for projects exclusively in Council District 1. The remaining \$10,000,000 would be used for stormwater, road, and sidewalk projects in districts containing racially and ethnically concentrated areas of poverty (R/ECAPs) as designated by the United States Department of Housing and Urban Development.

Pursuant to Rule 28 of the Council Rules of Procedure, Exhibit A is intended as a recitation of the total amount to be financed, the purposes of each amount and -- for each purpose -- the portion of the total allocated for that purpose. This resolution is intended as the first step in the process toward the ultimate sale of bonds by public bid to provide necessary financing for the listed projects. Approval of this initial resolution would allow the Metropolitan Government to use its commercial paper program to provide short term financing to commence construction prior to the sale of the long term bonds.

It should be noted that several of the proposed projects in Exhibit A are not contained in the current Capital Improvements Budget (CIB) as previously adopted by the Council per Ordinance No. BL2018-1196 on June 12, 2018. According to Section 6.13 of the Metro Charter, the Council cannot authorize an expenditure for a capital project unless it is included in its previous CIB. An amendment is anticipated to correct this error.

Fiscal Note: The proposed bond sale cannot proceed as proposed since it does not comply with the requirements per the Metro Charter. Therefore, there would be no fiscal impact.

However, if the anticipated amendment is introduced that removes the portions of this proposal that are in conflict with the Charter, the new bonds and resulting increase in debt service requirements could be approved.

RESOLUTION NO. RS2018-1504 (O'CONNELL & BEDNE) - This resolution would authorize BOP Next Nashville LLC c/o RAM Partners LLC to construct, install, and maintain an aerial encroachment at 501 5th Avenue South. The encroachment would consist of a projecting sign measuring 23.6 feet wide and 52 inches tall.

The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the sign, and is required to provide a \$2 million certificate of public liability insurance with the Metropolitan Clerk naming the Metropolitan Government as an insured party. The applicant must also hold the Metropolitan Government harmless from all claims connected with the installation.

Metropolitan Government retains the right to pass resolutions or ordinances regulating the use of surrounding streets, including the right to construct and maintain utilities, and to order the relocation of facilities at the expense of the applicant. Metro further retains the right to repeal approval of the encroachment without liability.

Plans for the encroachment must be submitted to the Director of Public Works for approval, along with all work and materials; and the installation, when completed, must be approved by the Director.

The sign's construction must be carefully guarded and must be completed promptly, so as to cause the least inconvenience to the public.

During previous committee discussion, concern was expressed that the projecting sign's design states in part: "Powered by AirBnB." Metro Code provisions regulating short term rental properties do adopt signage regulation. But those provisions merely subject STRP signage to Chapter 17.32 (sign regulations) generally. The sign regulations differ based on zoning districts, but none would be violated merely by virtue of a reference to "AirBnB."

This proposal has been approved by the Planning Commission.

RESOLUTION NO. RS2018-1516 (VERCHER & HURT) – This resolution would appropriate money from the Undesignated Fund Balance of the Criminal Court Clerk's Computerization Fund to the Criminal Court Clerk's Office. A total of \$200,000 would be appropriated for the benefit of two accounts. The "Contract Software Developer" account and the "Redaction Software" account would each receive \$100,000. The Criminal Court Clerk's Office has indicated that immediate funding is required for a software developer for Justice Integration Services (JIS) and to purchase redaction software.

Fiscal Note: The current unaudited fund balance of the Computerization Fund is shown in EBS as \$370,224. The proposed \$200,000 appropriation would leave a balance of approximately \$170,224.

RESOLUTION NO. RS2018-1517 (VERCHER, HURT, & GILMORE) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2018-1518 (VERCHER, HURT, & RHOTEN) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2018-1519 (VERCHER & FREEMAN) – This resolution would approve an intergovernmental agreement between the Tennessee Valley Authority (TVA) and the Metropolitan Nashville Police Department (MNPd) for the use of extra-duty police officers. All officers would be assigned exclusively through the MNPd Secondary Employment Unit and would be compensated by TVA at standard extra-duty hourly rates. TVA would be responsible for paying for the officers' time in advance, unless prior arrangements are made. This agreement is similar to earlier agreements for extra-duty police services with the U. S. Army Corps of Engineers (RS2016-176) and Tennessee State University (RS2018-1487).

The term of the agreement would commence upon execution and end June 30, 2020.

State law allows the Metropolitan Government to enter into intergovernmental agreements with other government entities with approval of the Council by resolution.

Fiscal Note: The agreement attached to the resolution is the standard form contract for secondary employment of police officers. The rates are designed to cover the additional costs to Metro, making the contract cost-neutral overall.

RESOLUTION NO. RS2018-1520 (VERCHER, HURT, & OTHERS) – This resolution would accept a donation of three mobile traffic barricades from Music City, Inc. to the Metropolitan Nashville Police Department (MNPd). Music City, Inc. is the charitable foundation of the Nashville Convention Center & Visitors Corporation. The barricades would be used to assist MNPd's efforts to maintain a safe environment for large crowds to assemble in Nashville.

Pursuant to Metro Code of Laws 5.04.120.B, donations exceeding \$5,000 may be accepted and appropriated pursuant to resolution.

Fiscal Note: The barricades are valued at \$108,078.

RESOLUTION NO. RS2018-1521 (VERCHER, GILMORE, & HURT) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2018-1522 (VERCHER, GILMORE, & HURT) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2018-1523 (VERCHER & WITHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2018-1524 (VERCHER & WITHERS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2018-1525 (VERCHER, SYRACUSE, & HURT) – This resolution would approve the execution of forms and special conditions pages required by the Tennessee Department of Finance and Administration to facilitate the issuance of a Youth Development Center Grant to the Metropolitan Nashville Public Library.

The Metropolitan Council previously adopted Resolution No. RS2018-1128 on April 3, 2018, which approved an application for the Youth Development Center Grant. The resolution under consideration would approve the execution of certification forms and special conditions pages, attached to the resolution as Exhibit A.

RESOLUTION NO. RS2018-1526 (VERCHER, SYRACUSE, & HURT) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2018-1527 (VERCHER & O'CONNELL) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2018-1528 (O'CONNELL) - This resolution would authorize 409 Broadway Venture LLC dba Nudie's Honky Tonk to construct, install, and maintain an aerial encroachment at 409 Broadway. The encroachment would consist of a projecting sign measuring 45 inches wide by 157.5 inches tall.

The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the sign, and is required to provide a \$2 million certificate of public liability insurance with the Metropolitan Clerk naming the Metropolitan Government as an insured party. The applicant must also hold the Metropolitan Government harmless from all claims connected with the installation.

Metropolitan Government retains the right to pass resolutions or ordinances regulating the use of surrounding streets, including the right to construct and maintain utilities, and to order the relocation of facilities at the expense of the applicant. Metro further retains the right to repeal approval of the encroachment without liability.

Plans for the encroachment must be submitted to the Director of Public Works for approval, along with all work and materials; and the installation, when completed, must be approved by the Director.

The sign's construction must be carefully guarded and must be completed promptly, so as to cause the least inconvenience to the public.

This proposal has been approved by the Planning Commission subject to the condition that the signage be approved by the Metropolitan Historic Zoning Commission and comply with the preservation permit.

– ORDINANCES ON SECOND READING –

BILL NO. BL2018-1406 (O'CONNELL) – This ordinance would amend Section 10.20.110.A of the Metropolitan Code regarding placement of garbage containers.

Currently, Sec. 10.20.110.A. of the Metropolitan Code requires that garbage containers “be stored at a location at the rear or side of the premises or at a location approved by the Director so as to not be visible from a public street.” This ordinance would remove the requirement that a garbage container not be visible from a public street.

This ordinance was prompted by the increasing difficulty of requiring trash carts to be hidden in increasingly dense residential areas, including zero lot line developments and corner lots. This ordinance would not offset screening and location requirements under Section 17.24.060 for dumpsters and other trash receptacles for structures other than single- and two-family residences.

An amendment is anticipated that would require containers to be stored at the rear or side of premises so as not to be “on” (as opposed to “visible from”) public streets. Additionally, the amendment would adjust time restrictions which currently restrict containers from being placed for collection only between the hours of 7:00 a.m. and 7:00 p.m. on the scheduled collection day.

BILL NO. BL2018-1419 (VERCHER, HURT, & OTHERS) – This ordinance would amend the Metropolitan Government’s existing procurement nondiscrimination program. The current procurement nondiscrimination program was enacted in 2008 by Ordinance No. BL2008-161. Griffin & Strong, P.C., an Atlanta-based law and public policy consulting firm, conducted a Disparity Study in 2004 which provided a basis for the 2008 program. The study found that the Metropolitan Government had become a passive participant in unlawful discrimination against minorities and women in some procurements. The 2008 program sought to remedy the underutilization of minorities and women in a narrowly tailored way.

Recently, the Metropolitan Government engaged Griffin & Strong to update the 2004 Disparity Study and to design programs to reduce race, gender, and ethnicity discrimination. The resulting 2018 Disparity Study, presented to the Metropolitan Council on September 17, 2018, concluded that firms owned by women and minorities – particularly African-American firms – were significantly underutilized; that there are statistically significant disparities in Metro prime contracting and subcontracting; and that Metro remains a passive participant in unlawful discrimination against minority and women business enterprises (MWBEE) in its procurements. For example, the 2018 study found less than 3.5% of local public funding spent on prime contracts went to African-American-owned firms. The study recommended ten (10) program changes, including use of race- and gender- conscious tools, establishment of annual procurement goals with race and gender targets, establishment of a Small Business Reserve program, and improved communications and outreach to the minority and women-owned business communities.

Per these recommendations, the ordinance under consideration would update and expand the existing procurement nondiscrimination program into a more comprehensive Equal Business Opportunity (EBO) program. The objective of the EBO program would be to promote open competition in Metro's procurement process and to protect Metro from becoming a passive participant in any private scheme of discrimination. This would be accomplished through the use of the Office of Minority and Women Business Assistance ("Business Assistance Office" or "BAO") within the finance department, which was previously established pursuant to the 2008 nondiscrimination program.

The BAO would assume primary responsibility for administration and enforcement of the EBO program, including current duties such as preparing written rules, regulations, and procedures to be submitted to the procurement standards board; verifying certification of minority and women owned business enterprises (MWBES); and maintaining a current database of certified and available MWBEs. New duties of the BAO would include recruiting businesses to apply for certification as an MWBE and distributing annual "forecasting" reports.

The EBO program would cover Metro contracts within the categories of construction, non-professional services, and professional services, as currently encompassed, while the category of goods would be added to the scope.

The updated EBO program would allow for an Annual Aspirational goal -- a non-mandatory benchmark for categories of contracts by which Metro could gauge the successfulness of the EBO program. The Annual Aspirational goals would be based upon the most current disparity study. It would also allow for the creation of percentage goals for Minority Business Enterprises and Women Business Enterprises set for specific projects or contracts, with approval of the Purchasing Agent.

Bids submitted to Metro within the scope of the EBO program would be required to contain (1) a Covenant of Non-Discrimination, (2) a Statement of MWBE Utilization, (3) a Statement of Interested Subcontractors/Vendors, and (4) a Statement of Bid Proposals/Price Quotations. Additional documents could be requested post-bid.

All Bidders would also be required to submit proof of Good Faith Efforts to comply with the EBO program. Submission of proof is only required if the Annual Aspirational Goal or applicable project or contract goal has not been achieved. A Bidder would deliver written notice to at least three available certified MWBEs for work as a subcontractor. In addition, the Bidder could demonstrate Good Faith Efforts by, for instance, keeping in contact with potential subcontractors, or advertising in trade publications.

A Bid submitted by a First Ranked Bidder would be submitted to the BAO if the Bid included the required documents and any necessary Good Faith Efforts documentation required. The BAO would then evaluate whether the Bid is in compliance with the program. Upon a recommendation of compliance, the BAO would notify the Purchasing Agent who would then award the contract upon concurrence with the BAO's recommendation.

If the BAO's analysis of the Bid suggests the First Ranked Bidder has failed to comply with the requirements of the EBO program, the BAO would notify the Bidder of the particular reasons for the non-compliance determination. A conference would be scheduled with the Bidder where issues with the Bid could be reviewed and the Bidder would be permitted to present additional materials relevant to the question of non-compliance. If determined the Bidder did in fact comply with the EBO program, the Bid would be sent to the Purchasing Agent for award upon concurrence with the BAO's recommendation. If the BAO concludes the Bidder is non-compliant, the BAO would notify the Purchasing Agent who, upon concurrence with the non-compliance determination and notification to the Department of Law, would reject the Bidder's Bid as nonresponsive and identify a new First Ranked Bidder. The new First Ranked Bidder's Bid would then be evaluated through the same process.

The BAO would also be authorized to impose sanctions upon Bidders or Participants who do not comply with EBO provisions. Participants would have the opportunity to demonstrate good faith efforts to achieve compliance and be able to appeal any sanctions.

No later than August 1, 2021, and every five years afterward, the Division of Purchases would be required to issue a Request for Proposals to update the disparity study. Once updated, the Metropolitan Government would conduct an official review and public comment period to consider amendments or a "sunset" of the EBO program.

Because the EBO program is a government sponsored program that takes into account race and gender, the United States Supreme Court has required that these programs meet a standard of strict scrutiny. The strict scrutiny standard requires that there be a compelling interest that is addressed by a "narrowly tailored" response. Here, Metro's compelling interest is to assure that public funds collected from citizens and allocated to government contracting do not serve to finance private prejudice on the basis of race, gender, religion, national origin, ethnicity, age, disability, or any other form of unlawful discrimination. Metro has considered a full range of narrowly tailored race- and gender-neutral and race- and gender-conscious remedial policies presented by Griffin & Strong. Because of the strong basis in evidence, and upon careful deliberation, the updated remedial program for MWBEs based upon the 2018 Disparity Study should be deemed consistent with the constitutional standard. Moreover, the EBO program contained in this ordinance, based upon policy approaches recommended by Griffin & Strong, have been favorably commented upon by the United States Supreme Court in *City of Richmond v. J.A. Croson*, 488 U.S. 469, 509-510 (1989) and other federal decisions. It will be important, for purposes of any proposed amendments, that the legislation adhere as closely as possible to these specific findings and recommendations of the disparity study.

BILL NO. BL2018-1420 (BEDNE & O'CONNELL) – This ordinance would authorize the acquisition of temporary and permanent easements through negotiation, condemnation and acceptance for the Clean Water Nashville Hurricane Creek Pipe Improvement Project for 18 properties. These properties are as follows:

- 4234 Murfreesboro Rd.
- 4235 Murfreesboro Rd.
- 4251 Hurricane Creek Blvd.
- 4357 Hurricane Creek Blvd.
- 0000 Hurricane Creek Blvd.
- 1798 J P Hennessy Dr.
- 1740 J P Hennessy Dr.
- 1720 J P Hennessy Dr.
- 0000 J P Hennessy Dr.
- 1718 J P Hennessy Dr.
- 0000 J P Hennessy Dr.
- 1640 J P Hennessy Dr.
- 1602 J P Hennessy Dr.
- 1405 Heil Quaker Blvd.
- 0000 J P Hennessy Dr.
- 1554 J P Hennessy Dr.
- 1255 Bridgestone Parkway
- 0000 Firestone Parkway

Section 2.24.240 of the Metropolitan Code of Laws authorizes the Director of Public Property Administration to acquire interests in real property for use for public purposes.

A substitute ordinance is anticipated which would add to the ordinance ten additional parcels located in Rutherford County referenced on Exhibit 2.

This has been approved by the Planning Commission. Future amendments to this legislation may be approved by resolution.

Fiscal Note: The price to be paid for the easements and property rights has not yet been determined.

BILL NO. BL2018-1421 (DOWELL, VERCHER, & OTHERS) – This ordinance would authorize the acquisition of certain right-of-way easements and property rights by negotiation or condemnation for use in public projects of the Metropolitan Government, initially for purposes of Public Works Department Project Number 2018-R-7, construction of a roundabout at Blue Hole Road and Pettus Road.

The addresses for the eight parcels are as follows:

- 5585 Pettus Road
- 5595 Pettus Road
- 5601 Pettus Road

- 5611 Pettus Road
- 5588 Pettus Road
- 5565 Blue Hole Road
- 5546 Blue Hole Road
- 5610 Pettus Road

Section 2.24.240 of the Metropolitan Code of Laws authorizes the Director of Public Property Administration to acquire interests in real property for use for public purposes.

This has been approved by the Planning Commission. Amendments to this legislation may be approved by resolution.

Fiscal Note: The price to be paid for the easements and property rights has not yet been determined. This would be paid from the FY18 Capital Projects Fund.

BILL NO. BL2018-1422 (HENDERSON, BEDNE, & O'CONNELL) – This ordinance would authorize the acquisition of certain permanent and temporary easements by negotiation or condemnation for the Clydelan Court Stormwater Improvement Project for 15 properties. These properties are as follows:

- 101 Clydelan Court
- 105 Clydelan Court
- 106 Clydelan Court
- 108 Clydelan Court
- 109 Clydelan Court
- 111 Clydelan Court
- 112 Clydelan Court
- 113 Clydelan Court
- 116 Clydelan Court
- 117 Clydelan Court
- 153 Cheek Road
- 157 Cheek Road
- 161 Cheek Road
- 165 Cheek Road
- 120 Meadow Wood Drive

Section 2.24.240 of the Metropolitan Code of Laws authorizes the Director of Public Property Administration to acquire interests in real property for use for public purposes.

This has been approved by the Planning Commission. Amendments to this legislation may be approved by resolution.

Fiscal Note: The price to be paid for the easements and property rights has not yet been determined.

BILL NO. BL2018-1423 (SLEDGE, BEDNE, & O'CONNELL) – This ordinance would authorize LVH, LLC to install, construct, and maintain underground and aerial encroachments in the right-of-way located at 1234 Martin Street. These would consist of a patio and trellis structure measuring 8 feet deep by 54 feet long and 3.5 feet tall encroaching the right-of-way.

LVH has agreed to indemnify and hold the Metropolitan Government harmless from any and all claims in connection with the installation and maintenance of the encroachments, and would be required to provide a \$2 million certificate of public liability insurance with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This proposal has been approved by the Planning Commission.

– ORDINANCES ON THIRD READING –

BILL NO. BL2018-1288 (WITHERS) – This ordinance, as amended, would replace the introductory sentence in Metro Code of Laws 17.20.030. The current introductory sentence states that required parking spaces are established in the Table associated with this section. This ordinance would add a sentence to require that each parking space be made available for use primarily to occupants, tenants and/or residents of the related land use, unless otherwise specified in a shared parking arrangement approved pursuant to MCL Sec. 17.20.100. This ordinance is intended to prevent the disposition of parking space areas by owners immediately after compliance with minimum parking standards required for development.

This proposal has been approved by the Planning Commission.

BILL NO. BL2018-1405 (SLEDGE & SYRACUSE) – This ordinance would amend the Metro Code of Laws regarding beer and alcoholic beverages, beer permit requirements and types, purchase limitation, and location restrictions for obtaining beer permits.

This would add definitions for “Manufacturer” and “Manufacturer beer permit”. “Manufacturer” would be defined as “any person who manufactures beer on its premises.” “Manufacturer beer permit” would be defined as “a permit issued by the metropolitan beer permit board to a beer Manufacturer.” This ordinance would amend the definitions of “Authorized wholesaler,” “Wholesale beer permit,” and “Wholesaler”, excluding references to manufacturers and brewers.

Further, this ordinance would require a valid annual permit from the Metropolitan Beer Permit Board for the manufacture of beer – not just the sale of beer as currently required -- within the jurisdiction of Metro. Manufacturer’s permits would be issued to beer manufacturers “engaged in the manufacturing and storage of beer.” Further, currently no permit holder, except an authorized wholesaler, may sell or store beer within Metro, unless such beer has been purchased directly from an authorized wholesaler. This ordinance would allow an exception for “an authorized manufacturer” to sell or store beer, alongside the exception for an authorized wholesaler.

Currently, Section 7.08.090.E.3 authorizes the holders of “both” a validly issued Brewer’s Notice from the United States Alcohol and Tobacco Tax and Trade Bureau (TTB) and a validly issued on sale permit to be exempt from the minimum distance requirements for off-sale permits in Sec. 7.08.090.A upon a public hearing and adoption of a resolution receiving 21 votes from the Metro Council. This ordinance would retain the requirement of a Brewer’s Notice and remove the requirement that the holder have a validly issued on-sale permit to qualify for an exception to minimum distance requirements. In addition, the holder could request an exemption for any permit, not only the off-sale permit, set forth in MCL Sec. 7.08.090.A.

This ordinance would further add a new Subsection 7.08.090.E.7 to authorize any holder of a validly issued Wholesaler Basic Permit from the TTB to be exempt from the minimum distance

requirements set forth in Sec. 7.08.090.A upon a public hearing and adoption of a resolution receiving 21 votes from the Metro Council.

The proposed changes within this ordinance have been reviewed by the Beer Permit Board without objection.

BILL NO. BL2018-1408 (VERCHER & SYRACUSE) – This ordinance would approve and authorize the Director of the Metro Department of Parks and Recreation to execute a license agreement with Global Music Rights (GMR) relating to the use at Metro facilities of musical compositions to which GMR controls the right to license. Similar agreements have previously been approved with Broadcast Music, Inc. (BL2003-1340) and SESAC, Inc. (BL2003-1339).

Pursuant to the terms of the license, Metro would be granted the non-exclusive right to perform public renditions of musical compositions owned by GMR. This license would be effective on January 1, 2019 for a term of one (1) year. The license would continue for additional one (1) year terms, unless terminated by either party.

Fiscal Note: The annual fee for this non-exclusive license would be based on the population of Nashville. The base fee would be \$4,500 plus \$500 for each additional 100,000 over 500,000. Based on Nashville's current population, the annual fee would be \$5,500.

BILL NO. BL2018-1409 (O'CONNELL & BEDNE) – This ordinance would authorize Oliver McMillan Spectrum Emery, LLC to construct, install, and maintain aerial and underground encroachments at 601 Commerce Street. The encroachment would consist of five signs, six canopies, three balconies, seven landscaping grates, multiple bike racks, trash cans, hydraulic and lighted bollards, electrical vaults, score pattern pavement and inlaid brass lettering.

Oliver McMillan Spectrum Emery, LLC has agreed to indemnify and hold the Metropolitan Government harmless from any and all claims in connection with the installation and maintenance of the encroachments, and would be required to provide a \$4 million certificate of public liability insurance with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This proposal has been approved by the Planning Commission.

BILL NO. BL2018-1410 (KINDALL, BEDNE, & O'CONNELL) – This ordinance would authorize 204 Acklen, LLC to install, construct, and maintain underground encroachments in the right-of-way located at 204 Acklen Park Drive. These would consist of a portion of an ADA compliant sidewalk and an underground utility vault encroaching the right-of-way.

204 Acklen, LLC has agreed to indemnify and hold the Metropolitan Government harmless from any and all claims in connection with the installation and maintenance of the encroachments, and

would be required to provide a \$2 million certificate of public liability insurance with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This proposal has been approved by the Planning Commission.

BILL NO. BL2018-1411 (KINDALL, BEDNE, & O'CONNELL) – This ordinance would authorize E3 Construction Services, LLC to install, construct, and maintain underground encroachments in the right-of-way located at 613 B 27th Avenue North. These would consist of an already constructed, segmental retaining wall encroaching the right-of-way.

E3 Construction Services, LLC has agreed to indemnify and hold the Metropolitan Government harmless from any and all claims in connection with the installation and maintenance of the encroachments, and would be required to provide a \$2 million certificate of public liability insurance with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This proposal has been approved by the Planning Commission.

BILL NO. BL2018-1412 (WITHERS, BEDNE, & O'CONNELL) – This ordinance would abandon existing water and sanitary sewer mains, a sanitary sewer manhole and easements and accept new water and sanitary sewer mains, sanitary sewer manholes, fire hydrants and easements for six properties located on South 6th Street and South 7th Street. The properties are as follows:

- 889 South 6th Street
- 887 South 6th Street
- 890 South 7th Street
- 891 South 6th Street
- 895 South 6th Street
- 899 South 6th Street

This has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

GRANTS LEGISLATION – DECEMBER 18, 2018

Legislative Number	Parties	Amount	Local Cash Match	Term	Purpose
RS2018-1517	<p>From: Tennessee Department of Children's Services</p> <p>To: Davidson County Juvenile Court</p>	Increased by \$35,000	\$0	N/A	This would approve the first amendment to the grant approved by RS2018-1041. The amendment would increase the grant amount from \$266,000 to \$301,000 and attach an updated grant budget. The grant proceeds are used for a Safe Baby Court to serve at risk children.
RS2018-1518	<p>From: Tennessee Administrative Office of the Courts</p> <p>To: Davidson County Juvenile Court</p>	Not to exceed \$104,069.99	\$11,563.33	N/A	The grant proceeds would be used to improve courtroom security and provide a safe and secure facility in which to conduct business and the duties of the court.
RS2018-1521	<p>From: Tennessee Department of Human Services</p> <p>To: Metropolitan Action Commission</p>	Not to exceed \$781,232.99	\$0	December 1, 2018 through September 30, 2019	This resolution would appropriate a community services block grant to provide unique services and strategies to address the causes and conditions of poverty that meet the needs of individuals, families, and the communities they serve.

<p>RS2018-1522</p>	<p>From: Metropolitan Development and Housing Agency</p> <p>To: Metropolitan Department of Social Services Homeless Impact Division</p>	<p>Not to exceed \$110,696.00</p>	<p>\$27,674.00</p>	<p>September 21, 2018 through September 20, 2019</p>	<p>This would approve a subrecipient grant agreement to cover the cost of Youth Homelessness Demonstration Program eligible planning activities.</p>
<p>RS2018-1523</p>	<p>From: Community Foundation of Middle Tennessee, Inc.</p> <p>To: Nashville Career Advancement Center</p>	<p>\$280,000.00</p>	<p>\$0</p>	<p>N/A</p>	<p>The grant proceeds would be used for the Opportunity Now Fund, which will provide funding for young people working through the Opportunity Now program.</p>
<p>RS2018-1524</p>	<p>From: Global Philanthropy Partnership</p> <p>To: Nashville Career Advancement Center</p>	<p>Not to exceed \$300,000.00</p>	<p>\$23,000.00</p>	<p>January 1, 2019 through December 31, 2020</p>	<p>The grant proceeds would be used for The Green Jobs Initiative of the Nashville Career Readiness Partnership to train targeted Nashvillians to work in jobs created through the Home Energy Uplift Program.</p>

<p>RS2018-1526</p>	<p>From: Tennessee Arts Commission</p> <p>To: Metropolitan Nashville Arts Commission</p>	<p>\$100,000</p>	<p>\$100,000</p>	<p>N/A</p>	<p>This would approve an application for a Major Cultural Institution grant.</p> <p>If approved, the grant proceeds would be used to provide general operating support.</p>
<p>RS2018-1527</p>	<p>From: Tennessee Department of Environment and Conservation</p> <p>To: Metropolitan Public Works Department</p>	<p>\$121,124.92</p>	<p>\$121,124.92</p>	<p>N/A</p>	<p>This would approve an application for a recycling rebate.</p> <p>If approved, the grant proceeds would be used to fund recycling education and the purchase of curbside recycling carts.</p>