



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: May 21, 2019

RE: Analysis and Fiscal Notes

Unaudited Fund Balances as of 5/15/19:

4% Reserve Fund	\$18,423,425*
Metro Self Insured Liability Claims	\$3,642,739
Judgments & Losses	\$2,668,123
Schools Self Insured Liability Claims	\$4,404,394
Self-Insured Property Loss Aggregate	\$8,184,775
Employee Blanket Bond Claims	\$692,696
Police Professional Liability Claims	\$2,170,898
Death Benefit	\$1,532,209

*This assumes unrealized estimated revenues in FY19 of \$4,451,543.

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

– RESOLUTIONS ON PUBLIC HEARING –

RESOLUTION NOS. RS2019-1727 AND RS2019-1728 – This resolution would approve exemptions for two establishments, listed below, from the minimum distance requirements for obtaining a beer permit.

The Metro Code of Laws (MCL) prevents a beer permit from being issued to any establishment located within 100 feet of a religious institution, school, park, daycare, or one- or two-family residence. However, several exceptions exist to the distance requirements. For example, facilities within the USD separated from these protected establishments by state or federal four-lane highways are exempt, as are retailer on-sale beer permit holders in MUL districts and events catered by holders of caterers' permits. (See, Code section 7.08.090(A)).

Additionally, the Code provides a mechanism to exempt (a) restaurants or (b) any retail food store from Metro's minimum distance requirements, allowing such facilities to obtain beer permits upon the adoption of a resolution by the Council. (See, Code section 7.08.090(E)). Restaurants are no longer required to have state on-premises liquor consumption licenses in order to obtain such exemption.

A public hearing must be held by the Council prior to voting on resolutions brought under Section 7.08.090(E).

The establishments and locations are as follows:

- **Resolution No. RS2019-1727** (WITHERS) — This would authorize an exemption for CHOPPER, LLC dba Chopper, located at 1100 B&C Stratton Avenue.
- **Resolution No. RS2019-1728** (HAGAR) — This would authorize an exemption for Five String Garage, located at 700 Hadley Avenue.

– RESOLUTIONS –

RESOLUTION NO. RS2019-1685 (VERCHER & GILMORE) – This resolution would authorize the Industrial Development Board of the Metropolitan Government (IDB) to negotiate and accept payments in lieu of ad valorem taxes for the benefit of OliverMcMillan Spectrum Emery, LLC (OMSE). OMSE will construct a development at the corner of Broadway and Fifth Avenue North, to be known as Fifth + Broadway. An approximately 54,783 square foot portion of this development is intended to be used for a museum celebrating African American music to be operated and managed by the African American History Foundation of Nashville.

State law permits local governments to delegate authority to industrial development boards to enter into payment-in-lieu-of-taxes (PILOT) agreements, provided the payments are in furtherance of the public purpose of the board. PILOT agreements essentially provide tax abatements for real and/or personal property taxes the company would otherwise be required to pay to the Metropolitan Government. PILOT agreements have previously been utilized by Metro to provide incentives through the IDB to large employers to create job opportunities and are subject to approval by the Council. Here, the PILOT agreement is being utilized to support the public interest endeavors of the museum.

Under state law, properties owned by the IDB are exempt from all taxation in Tennessee (TCA § 7-53-305). Here, the IDB will own the museum portion at 5th and Broad once conveyed at closing. State law further authorizes the Council to delegate to the IDB the authority to negotiate and accept from its lessees payments in lieu of taxes. Here, the negotiated amount of the payments is zero percent (0%) of the standard tax owed (the amount of ad valorem real property tax that OMSE would otherwise be required to pay if it owned the property.)

OMSE intends to lease property from the IDB for a negotiated basic rent payment of \$1.00. (It is standard practice in IDB leases for rent payments from lessees to be nominal.) In turn, OMSE intends to sublease a portion of the property to the Metropolitan Government for purposes of completing the museum. (See, Ordinance No. BL2019-1605, scheduled for second reading on May 7, 2019). Because it is the intent that the museum portion be subleased to Metro with all sublease obligations assumed by the museum under the management agreement, the payment of 0% of the taxes owed is deemed appropriate during the term of the sublease). If the sublease were to be terminated, but the lease between IDB and OMSE was not, then the PILOT becomes 100% of the standard tax. OSME would then submit PILOT payments as if they owned the property outright.

As required by the Metro Code, OMSE would be required to manage a diversified business enterprise (DBE) program with a goal of 20% of the project's hard construction costs spent with DBE firms. The company would be required to provide quarterly reports to the Council regarding DBE participation. The company would also be required to use Metro's workforce development program to ensure reasonable efforts are made to use Davidson County residents in the construction of the project.

This Resolution was previously deferred on April 23, 2019 and May 7, 2019 to track with subsequent related ordinances regarding (1) a sublease between OMSE and the Metropolitan Government (BL2019-1605) and (2) a development and management agreement between IDB, the Metropolitan Government, and the museum foundation (BL2019-1604). (The Lease Agreement attached to the resolution further references Exhibit A, a description of the leased property, and Exhibit C, an analysis of the costs and benefits of payment-in-lieu of Tax provisions, as "to be inserted". Though Metro is not a party to the Lease Agreement, the leased property description (Exhibit A) consists of the property description included in the proposed quitclaim deed. This deed, as well as the Cost/Benefit analysis (Exhibit C) provided by the museum, are attached at the end of this Analysis.

Fiscal Note: This resolution would provide a 100% real property tax abatement for twenty (20) years. OMSE would pay an annual rent for the property of \$1.00. The rental agreement includes an option to purchase this property for \$100.00.

RESOLUTION NO. RS2019-1725 (VERCHER) – This resolution would provide a supplemental appropriation to ten (10) Metropolitan departments and agencies. The total appropriation would be \$20,090,300 and appropriations to the GSD School Purposes Debt Service Fund would be reduced by \$550,000. The Council typically considers a supplemental appropriation resolution each spring.

A total of \$19,709,100 would be appropriated from the General Fund - Undesignated Fund Balance to accounts associated with the Davidson County Sheriff's Office, State Fair, Industrial Development Board, Metropolitan Development and Housing Agency (MDHA), GSD Debt Service, Schools Debt Service, USD Debt Service, and Community Oversight Board.

A total of \$281,200 would be appropriated from the USD General Fund - Undesignated Fund Balance and appropriated to MDHA.

A total of \$550,000 in expenditures from the Schools Debt Service Fund - Commercial Paper Interest would be reduced, and \$550,000 would be restored to the Schools Debt Service Fund - Undesignated Fund Balance.

A total of \$100,000 would be appropriated from Municipal Auditorium - Event Revenue to various other accounts associated with the Municipal Auditorium.

Fiscal Note: The resolution would appropriate a total of \$19,709,100 from the undesignated fund balance of the GSD General Fund. According to the policy approved by the Council in 1989 and OMB in 2005, the minimum fund balance percentage should be no lower than 5% of the operating budget in the six primary funds. The Finance Department would need to provide the current fund balance percentages; however, the Council Office estimates this appropriation would decrease the fund balance by 2.0% for the GSD General Fund. The specific appropriations are as follows:

- Davidson County Sheriff's Office - \$986,700
- State Fair Subsidy - \$300,000
- Industrial Development Board TIF - \$1,066,700
- MDHA TIF - \$1,980,700
- GSD Debt Service - \$11,600,000
- Schools Debt Service - \$1,400,000
- USD Debt Service - \$2,000,000
- Community Oversight Board - \$375,000

The resolution would also appropriate \$281,200 from the undesignated fund balance of the USD General Fund Balance to the MDHA TIF. This would reduce the fund USD General Fund balance by 0.2%.

\$550,000 would be restored to the undesignated fund balance of the Schools Debt Service Fund, funded by a like reduction for commercial paper interest previously appropriated from this fund. This restoration would increase the Schools Debt Service fund balance by 0.3%.

Finally, this resolution would appropriate an additional \$100,000 for expenses of the Municipal Auditorium, funded by their previously unbudgeted revenues of \$100,000.

RESOLUTION NO. RS2019-1726 (VERCHER) – This resolution would authorize the issuance of up to \$454,100,000 in interfund tax anticipation notes by the Metropolitan Government. These tax anticipation notes would be issued pursuant to state law for the purpose of meeting appropriations made for Fiscal Year 2020 in anticipation of the collection of taxes and revenues.

These notes would be issued pursuant to Tennessee Code Annotated § 9-21-101 *et seq.*

The Metropolitan Government's annual operating budget is comprised of six primary funds -- the GSD General Fund, the USD General Fund, the MNPS Operations Fund, and the corresponding Debt Service Funds for each. Money within these funds is commingled and, historically, Metro has addressed temporary cash flow deficits by borrowing funds from the pooled cash account. This has the technical effect of one fund using money from another fund to pay for expenditures (until property tax receipts which fund each account are sufficient for the intended purpose).

In 2018, the Comptroller of the State of Tennessee advised that these transfers should be formalize by issuing inter-fund tax anticipation notes, as permitted under state law with the prior approval of the Comptroller's office. The Council authorized its first tax anticipation note, in compliance with the Comptroller's request, pursuant to Resolution No. RS2019-1545. The pending resolution would continue this practice in order to formalize Metro's regular practice of inter-fund borrowing.

Fiscal Note: This resolution will authorize Metro to issue and sell \$454,100,000 of interfund tax anticipation notes for the purpose of meeting appropriations made for Fiscal Year 2020 in anticipation of the collection of taxes and revenues.

RESOLUTION NO. RS2019-1729 (VERCHER) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1730 (VERCHER) – This resolution would approve an in-kind grant from the National League of Cities (NLC) to the Office of the Mayor to participate in the Cities Addressing Fines and Fees Equitably (CAFFE) project to help cities assess and reform their use of local fines and fees and develop equitable collections strategies.

As part of the CAFFE project, the Metropolitan Government would receive support from NLC to (1) assess the fines and fees structures within at least one collections entity; (2) learn new ways to reduce inequities in how fines and fees are imposed and any unfair statutory requirements or collections practices; and (3) make program or policy changes that lead to be new collections model for the city.

The CAFFE project would include an opportunity for Metro to apply for grant funding ranging \$30,000 to \$40,000 at a later date.

Fiscal Note: There would be no cost to the Metropolitan Government for participation in this program.

RESOLUTION NO. RS2019-1731 (VERCHER) – This resolution would approve an in-kind grant from PFM Group Consulting LLC (PFM) to the Office of the Mayor to provide technical assistance to counties seeking to reduce or eliminate their reliance on fines and fees collected by or through the criminal justice system while assessing the revenue and cost impact of the current system.

PFM would provide technical assistance to reduce or eliminate the Metropolitan Government on fines and fees collected by or through the criminal justice system. PFM would outline Metro's current system of criminal fines and fees, assess the revenue and cost impact of this current system, and develop a plan for the phase out of fines and fees.

Fiscal Note: There would be no cost to the Metropolitan Government for participation in this program.

RESOLUTION NO. RS2019-1732 (VERCHER) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1733 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of Germeen Yaacob against the Metropolitan Government in the amount of \$20,000.

On October 6, 2016, Ms. Yaacob was driving in the roundabout on South Eight Avenue approaching Lafayette Street. A Metropolitan Water Services employee was driving northbound toward the roundabout at Korean Veterans Boulevard and Lafayette Street in a vehicle owned by the Metropolitan Government. The MWS employee collided with Ms. Yaacob's vehicle. It has been determined that Ms. Yaacob had the right-of-way and that the MWS employee failed to yield.

Ms. Yaacob sought treatment for lower back pain, right shoulder/cervical vertebrae pain, and chest pain. This included follow up medical care for over a year for the lower back pain, including physician visits and physical therapy. She has agreed to accept a total of \$20,000 in full settlement of this case, based upon \$14,644 for reimbursement of her medical expenses plus \$5,356 for pain and suffering.

The Department of Law recommends settlement of this claim for \$20,000.

Disciplinary action against the employee consisted of a verbal reprimand.

Fiscal Note: This \$20,000 settlement, along with the settlement per Resolution No. RS2019-1734, would be the thirty-fourth and thirty-fifth payments from the Self-Insured Liability Fund in FY19 for a cumulative total of \$1,498,556.08. The fund balance would be \$3,642,739 after these payments.

RESOLUTION NO. RS2019-1734 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of Patti Thomas against the Metropolitan Government in the amount of \$13,000.

On July 30, 2018, Ms. Thomas was driving west on East Trinity Lane. She was struck by a Metropolitan Nashville Police Department officer who was proceeding into the intersection of East Trinity Lane from Dr. Richard G. Adams Drive and failed to yield. Ms. Thomas' vehicle was deemed a total loss and \$3,100 in damages was paid previously.

Ms. Thomas sought treatment for side and back pain, which included pain medication and physical therapy. She has agreed to accept a total of \$13,000 in full settlement of this case, based upon \$7,022.47 for reimbursement of her medical expenses plus \$5,977.53 for pain and suffering.

The Department of Law recommends settlement of this claim for \$13,000.

Disciplinary action against the employee consisted of a written reprimand.

Fiscal Note: This \$13,000 settlement, along with the settlement per Resolution No. RS2019-1733, would be the thirty-fourth and thirty-fifth payments from the Self-Insured Liability Fund in FY19 for

a cumulative total of \$1,498,556.08. The fund balance would be \$3,642,739 after these payments.

RESOLUTION NO. RS2019-1735 (VERCHER) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1736 (VERCHER & SYRACUSE) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1737 (O’CONNELL, HURT, & GILMORE) – This resolution would appropriate Community Development Block Grant (CDBG) funds to assist with construction of Phase I of Jefferson Street Park, to be located at 1606 Jefferson Street in North Nashville.

A total of \$850,000.00 in CDBG funding was previously allocated in the 2016-2017 and 2018-2019 Annual Updates to the Consolidated Action Plan, which identified a goal of neighborhood revitalization by investing in underserved areas (“Target Areas”) which overlapped with designated underserved areas (“Tier II Priority Areas.”) North Nashville has been designated as a Tier II Priority Area. The Metropolitan Development and Housing Agency (MDHA), in collaboration with the Metropolitan Parks Department, has identified the construction of Phase I of Jefferson Street Park, a new 0.4 acre pocket park located at 1606 Jefferson Street. Once the home of Brown’s Pharmacy and a hotel and supper club, the site was bisected by the construction of the interstate and recently developed by Metro Water Services to detain stormwater in underground cisterns. The park will be a civic space where residents and visitors can engage history, culture, and community through play, gathering spaces, historic interpretation, and public art

Fiscal Note: The resolution would authorize the appropriation of up to \$636,985 of the 2016 CDBG funds and up to \$213,015 of the 2018 CDBG funds, for a total of \$850,000.

RESOLUTION NO. RS2019-1738 (MURPHY, BEDNE, & SYRACUSE) – This resolution would approve an intergovernmental license agreement between the Tennessee Department of Transportation (TDOT) and the Metropolitan Board of Parks and Recreation (Board) for the construction and maintenance of a multi-use pedestrian greenway to be located adjacent to the intersection of I-440 and West End Avenue.

Pursuant to the terms of the agreement, TDOT would agree to license a portion of the right-of-way along Interstate-440 adjacent to the northbound ramp onto northeast bound West End Avenue to the Metropolitan Government for the purpose of the construction and maintenance of the greenway. The license is a ten-year, renewable license. The State could terminate the license at will with sixty (60) day’s written notice to Metro.

The Board of Parks and Recreation has approved this license agreement.

Fiscal Note: There would be no cost to Metro for participating in the proposed license agreement.

RESOLUTION NO. RS2019-1739 (VERCHER & ROBERTS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1740 (VERCHER & ROBERTS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1741 (VERCHER & ROBERTS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1742 (VERCHER & ROBERTS) – See attached grant summary spreadsheet.

RESOLUTION NO. RS2019-1743 (BEDNE, O'CONNELL, & HAGAR) – This resolution would approve an intergovernmental agreement between the Tennessee Department of Transportation (TDOT) and the Metropolitan Department of Public Works for a General Maintenance Agreement for I-440 Traffic Operational Deployment of Blue Toad Spectra Power over Ethernet (PoE) Data Collection Devices -- an advanced traffic monitoring system measuring travel times and traffic patterns using non-intrusive roadside technology (anonymously collected Bluetooth signals from paired vehicles).

TDOT would install the Blue Toad Spectra traffic data collection devices at various roadway locations. (The Resolution attaches an Agreement which references the installation locations in an exhibit that is not included.) Metro would be responsible for all costs associated with maintenance and operation of these devices.

Future amendments to the terms of the agreement may be approved by resolution. This has been approved by the Planning Commission.

Fiscal Note: Metro's cost associated with the maintenance and operation of the electrically operated and solar powered devices, has not yet been determined by Public Works.

RESOLUTION NO. RS2019-1744 (O'CONNELL, BEDNE, & OTHERS) – This resolution would approve an intergovernmental agreement between the Tennessee Department of Transportation

(TDOT) and the Metropolitan Department of Public Works for a General Maintenance Agreement for I-440 from I-40 to I-24.

TDOT would assist Metro through the rehabilitation and reconstruction of I-440 from I-40 to I-24. Metro would agree to cooperate with TDOT throughout all phases of the construction project.

Future amendments to the terms of the agreement may be approved by resolution. This has been approved by the Planning Commission.

RESOLUTION NO. RS2019-1745 (O'CONNELL & BEDNE) – This resolution would approve an intergovernmental agreement between the Tennessee Department of Transportation (TDOT) and the Metropolitan Department of Public Works for a General Maintenance Agreement for various intersection improvements at SR-6 (Rosa L. Parks Boulevard) and Church Street.

TDOT would assist Metro by installing intersection improvements including pavement markings, signage, and pedestrian signal equipment at the subject intersection location. Metro would agree to cooperate with TDOT throughout all phases of the construction project. Upon completion of the project, Metro would accept and maintain these improvements.

Future amendments to the terms of the agreement may be approved by resolution. This has been approved by the Planning Commission.

– ORDINANCES ON SECOND READING –

BILL NO. BL2018-1320 (MENDES) – This ordinance would approve the eighth amendment to the Rutledge Hill Redevelopment Plan. The Rutledge Hill Redevelopment Plan was initially approved by Ordinance Number 80-133, and subsequently amended by the adoption of Ordinance Nos. 86-1131, 87-1695, 91-1520, 97-755, 97-754, BL2005-875, BL2013-377, and BL2014-699.

This ordinance would clarify language from the amendment adopted pursuant to BL2014-699 which inadvertently identified the “Tax Increment” section of the plan as “Section G” instead of “Section H”. The 2014 amendment also inadvertently authorized tax increment financing related to the Rutledge Hill Redevelopment Plan to be used to carry out “other adopted and approved redevelopment plans”, potentially outside of the designated Rutledge Hill area. This ordinance would remove that language.

Additionally, this ordinance would add a new Section C.3 to the Rutledge Hill Plan to authorize proceeds from land sold by the Metropolitan Development and Housing Agency (MDHA) to be placed in a revolving fund for further purchase of land for resale and redevelopment in the project area, public improvements and facilities in the project area, and implementation of the redevelopment plan. The revolving fund would be held and managed by MDHA. At the close of the project, all funds remaining would be deposited into the General Fund.

The Tax Increment Section of the Rutledge Hill Plan would be further amended to add language to require that, for all new Tax Increment Financing (TIF) loans under the Rutledge Hill Plan, debt service taxes and schools taxes would be retained by the Metropolitan Government, or if received by MDHA, be paid to Metro before any incremental tax revenues are used to pay the principal and interest on a TIF loan. The debt service taxes to be retained by or paid to Metro for each TIF loan would be determined by multiplying the total taxes from all parcels generating incremental tax revenues pledged to secure the TIF loan by the debt service tax percentage applicable as of the date of the closing of the TIF loan. The amount of school taxes to be retained by or paid to Metro for each TIF loan would be determined by multiplying the total taxes from all parcels generating incremental tax revenues pledged to secure the TIF loan by the schools taxes percentage applicable as of the date of the closing of the TIF loan. This would apply to all TIF loans authorized by MDHA under the Rutledge Hill Redevelopment Plan after the effective date of this ordinance.

State law authorizes redevelopment plans to be approved either by the housing authority or the local governing body, but no express provision addresses subsequent amendments thereto. (Tenn. Code Ann. § 13-20-203(a)(1)). Previous versions of the Rutledge Hill Plan provide that modifications may be proposed by MDHA “with the subsequent approval of the Metropolitan Council.”

It is anticipated that the sponsor will defer this ordinance to the July 2, 2019 Council meeting.

Fiscal Note: The property tax receipts available to be used for TIF loans would now have the same restrictions as proposed per Ordinance No. BL2018-1319, which was deferred on October 2, 2018 to July 2, 2019. Only the property tax receipts credited to the GSD General Fund and USD General Fund could be used for TIF loan payments. The tax receipts credited to the Schools Operating Fund and the three debt service funds would be retained by Metro and could not be used for TIF loans.

For comparison purposes, the total property taxes budgeted for FY19 for each of the six general budgetary funds are as follows:

- *GSD General Fund \$451,063,800*
- *GSD Debt Services Fund \$95,402,400 (non-eligible for TIF)*
- *MNPS General Fund \$40,473,300 (proposed to become non-eligible for TIF)*
- *MNPS Debt Services Fund \$322,381,100 (non-eligible for TIF)*
- *USD General Fund \$109,098,200*
- *USD Debt Services Fund \$17,848,700 (non-eligible for TIF)*

BILL NO. BL2019-1518 (O'CONNELL) – This ordinance, as substituted, would make various amendments to Chapter 6.81 of the Metropolitan Code of Laws regarding Booting Services.

This ordinance would add a definition for “residential parking areas,” a phrase used twice in this Chapter, but currently undefined.

The regulations for obtaining a booting permit would be amended in several ways. There is currently a requirement that all employees of booting services obtain a permit from the Metropolitan Transportation Licensing Commission (MTLC). Under the current provision, applicants must be at least twenty-one years of age. This ordinance would lower the age to eighteen. The current provision allows employee permits to remain valid for two (2) years at a fee of \$150. The proposed ordinance would reduce the duration of permits to one (1) year, but at a fee of only \$50. In each instance, a fee of \$40 for a background check would still apply. This ordinance would also require all persons engaged in the act of booting to wear a uniform containing the name and/or logo of the booting company on either the left or right chest of the employee’s shirt or jacket.

Booting services would be required to maintain a phone number staffed by a live operator 24 hours a day, 365 days per year. Additionally, if the immobilization device (sometimes called a “boot”) were to damage a vehicle, the service would be liable for the cost of repairs. Further, a booting service would be required to have a valid written contract with the owner of the property, the lessee, managing agent, or other person in control of the property on which the service engages in booting.

The maximum fee for boot removal would be increased from \$50 to \$75.

New requirements for booting services would be added. A service would be required to remove a boot within 15 minutes after full payment is received. A service would also be required to obtain a license in order to operate. (This is already implied in Chapter 6.81, but this amendment would make it an explicit requirement).

Existing signage requirements would further be required to be inspected for compliance by the MTLC.

Finally, the MTLC Director would be authorized to suspend, revoke, restrict, or refuse to renew licenses or permits for failure or refusal to comply with Chapter 6.81.

An amendment has previously been submitted which would require (1) arrival within the lesser of one hour of contact or within 10 minutes of the posted estimated arrival time to remove booting devices following payment; (2) inclusion of call center information and other such third parties within the require posting of contact information; and (3) the posting of such additional contact information on required signage.

Fiscal Note: Section 3 of the proposed changes to the MCL concerning booting services would change the permit fees for booting companies. Presently, these companies pay \$150 for a two-year permit. The new fee would be \$50 for a one-year permit. Since there are presently only three permitted booting companies operating in Nashville, the net change of \$50 per permit per two years would have no significant impact on the revenue of the TLC.

BILL NO. BL2019-1598 (O'CONNELL, ROBERTS, & OTHERS) – This ordinance would amend the Metropolitan Code of Laws to establish a fleet schedule for low- or zero-emissions vehicles owned by the Metropolitan Government.

This ordinance would direct the Metropolitan Department of General Services to establish a fleet electrification program to require all vehicles owned by the Metropolitan Government to be low- or zero-emission vehicles, subject to a timeline. The transition to a zero-emission fleet would be phased-in as follows:

- By 2025, 25% of the vehicles in the metropolitan government fleet would be low-or-zero-emission vehicles.
- By 2030, 25% of the vehicles in the metropolitan government fleet would be zero-emission vehicles with at least 50% of the vehicles in fleet low-or-zero-emission vehicles.
- By 2035, 50% of the vehicles in the metropolitan government fleet would be zero-emission vehicles with at least 75% of the vehicles in fleet low-or-zero-emission vehicles.
- By 2040, 75% of the vehicles in the metropolitan government fleet would be zero-emission vehicles with at least 90% of the vehicles in fleet low-or-zero-emission vehicles.
- By 2045, 90% of the vehicles in the metropolitan government fleet would be zero-emission vehicles with at least 100% of the vehicles in fleet low-or-zero-emission vehicles.

- By 2050, 100% of the vehicles in the metropolitan government fleet would be zero-emission vehicles.

The Department of General Services could adopt rules and regulations to implement this program. General Services would also be directed to develop a greenhouse gas emissions reduction plan for its fleet by January 1, 2022, to be updated every two years.

General Services could exempt vehicles, such as emergency response vehicles and other types of vehicles for which low- or zero-emission models are not feasible, from this program.

An amendment is anticipated from the sponsor.

Fiscal Note: The cost for a fleet light vehicle, including infrastructure, maintenance, and warranty costs, has been estimated by General Services to average \$42,900. The estimated annual fuel savings for a mid-sized electric sedan are estimated to be approximately \$417. For a comparable hybrid vehicle, the annual fuel savings are estimated to be approximately \$220.

BILL NO. BL2019-1599 (O'CONNELL, ROBERTS, & OTHERS) – This ordinance would require the Department of General Services to create sustainable or “green” building standards for buildings owned by the Metropolitan Government and amend Chapter 16.60 regarding sustainable building design standards for new and renovated Metropolitan buildings and facilities.

By January 1, 2020, General Services would be required to develop a strategic management plan for reducing energy and water use in metro-owned buildings. This would include timelines and cost estimates for implementing:

1. A retrofit program across 9% of metro-owned buildings by square footage between 2021 and 2024, with a goal of achieving 30% reductions in energy and greenhouse gas emissions.
2. A net-zero energy retrofit program across at least 12.5% of metro-owned building between 2026 and 2032.

Further, Chapter 16.60 of the Metro Code would be amended to require Metro to seek LEEDTM “Platinum” level certification, instead of the current LEEDTM “Silver”, as well as update references to the current year. This program currently applies to new construction and additions over 5,000 gross square feet or projects over \$2 million.

An amendment is anticipated from the sponsor.

Fiscal Note: Pursuant to Metro Code section 16.60.110, the General Services Department submits an annual report to the Metropolitan Council detailing the environmental performance and operation of buildings that subscribe to LEED sustainable standards. Previous reports have consistently reflected operational cost savings.

General Services has estimated that the cost to achieve 20% energy reductions in 10% of General Government facilities is approximately \$3 million. However, there is not enough information available on Metro facilities for General Services to calculate savings.

It would also be necessary to determine the total square footage, age, and location of every General Government property to determine the feasibility of rooftop and/or ground-mounted solar.

In order to increase the LEED certification level from LEED Silver to LEED Gold, General Services estimates it would require an increase in new construction costs of approximately 2.5%.

Finally, in order to manage the changes as proposed by this ordinance, it would be required for General Services to add one Administration Services Manager at a total loaded cost of approximately \$93,100.

BILL NO. BL2019-1600 (O'CONNELL, ROBERTS, & OTHERS) – This ordinance would create a renewable energy portfolio standard program for the Metropolitan Government.

The program would begin in 2020, with total carbon-free energy usage standard of at least 53%. This portion would include no less than 20% from “tier one” renewable sources such as solar energy, wind energy, methane, geothermal, ocean, fuel cells charged from such sources, and raw or treated wastewater. Further, the carbon-free energy portion would consist of at least 2.5% from “tier two” renewable sources such as hydroelectric power or waste-to-energy, and at least 1% from solar energy. The carbon-free energy portion would gradually increase each year, ultimately meeting the goal of 100% carbon-free energy usage in 2041.

This ordinance would further encourage Metro to increase their share of ownership in community-based solar programs within Davidson County and any incentives offered by NES to increase renewable energy sources when available.

An amendment is anticipated from the sponsor.

Fiscal Note: The costs to implement the proposed program as well as the amount of savings that could result from the increased renewable energy use have not yet been determined by General Services.

BILL NO. BL2019-1612 (BEDNE & HENDERSON) – This ordinance would amend Section 4.12.160 of the Metropolitan Code of Laws.

Currently, MCL Section 4.12.160 authorizes a contract for supplies or services to be entered into for a period of time deemed to be in the best interest of the Metropolitan Government, provided that the term of the contract and any renewals or extensions do not exceed sixty (60) months, unless otherwise provided by law. The Procurement Standards Board is further authorized to

establish conditions for the use of multi-year contracts, set maximum terms for contracts for types of supplies, services, or construction items, and prescribe specific contract provisions. Further, if funds are not appropriated or otherwise made available to support the continuation of performance of a contract in a fiscal period, a contract shall be canceled.

The ordinance under consideration would maintain these current provisions and add a new Section B which would explicitly require that a contract for supplies or services with a term exceeding sixty (60) months be approved by the Metropolitan Council. Additionally, the legislation authorizing such contracts would be required to provide:

- The beginning date and termination date of the original contract and the revised termination date;
- Whether the contract provides services previously provided by a Metropolitan department;
- The number of full-time equivalent positions required to provide services by the private contractor;
- A statement of whether the Metropolitan Department could provide the services contracted for and, if not, why not; and
- A statement setting forth with specificity why executing, renewing, or extending the contract is in the best interests of the Metropolitan Government.

BILL NO. BL2019-1613 (MENDES) – This ordinance would amend Section 5.06.040 of the Metropolitan Code of Laws pertaining to annual reports from tax increment agencies.

Currently, Section 5.06.040 requires the Metropolitan Development and Housing Agency (MDHA) to make reports to the Council and Finance Director no later than April 30 of each year. This report is required to include an identification of each outstanding tax increment financing (TIF) loan, the amount of incremental tax revenues from the plan area used to pay administrative fees, a description of the administrative costs incurred, the total of all incremental tax revenues allocated to MDHA during the preceding year, and the total of all outstanding TIF loans as of the end of the reporting period.

The ordinance under consideration would change the reporting date from April 30 of each year to May 31 of each year. In addition, the annual report would be required to include a summary of diversified business enterprise (DBE) goals for projects receiving TIF loans, as well as actual DBE participation results.

BILL NO. BL2019-1617 (O'CONNELL & BEDNE) – This ordinance would accept a new sanitary sewer main and sanitary sewer manholes, and relocate one fire hydrant assembly, for properties located at 838 B and 843 B Goff Street.

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

BILL NO. BL2019-1618 (O'CONNELL & BEDNE) – This ordinance would authorize Millenium Music Row, LLC to install, construct, and maintain underground and structural encroachments in the right-of-way located at 70 Music Square West. These would consist of five balconies, a stoop, and a handrail encroaching the right-of-way.

Millenium Music Row, 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. BL2019-1619 (O'CONNELL & BEDNE) – This ordinance would authorize Nashville PropCo LLC to install, construct, and maintain underground and structural encroachments in the right-of-way located at 306 Gay Street. These would consist of a rooftop bar soffit, entrance canopy overhang, and bike racks encroaching the right-of-way.

Nashville PropCo 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. BL2019-1620 (O'CONNELL & BEDNE) – This ordinance would abandon existing easement rights for property located at 4000 Dr. Walter S. Davis Boulevard, formerly known as Clifton Avenue. It has been determined by Metro Water Services that this easement is no longer needed.

The abandonment has been requested by Tack Nashville LCC, owner.

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

BILL NO. BL2019-1621 (O'CONNELL & BEDNE) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning a portion of Alley Number 126 right-of-way.

The abandonment has been requested by Catalyst Design Group, applicant.

This has been approved by the Traffic and Parking Commission and the Planning Commission.

BILL NO. BL2019-1622 (O'CONNELL & BEDNE) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning a portion of Maynor Avenue right-of-way and easement.

The abandonment has been requested by MC2 Group, LLC, applicant.

This has been approved by the Traffic and Parking Commission and the Planning Commission.

– ORDINANCES ON THIRD READING –

BILL NO. BL2019-1472 (BEDNE, SLEDGE, & COOPER) – This ordinance, as amended, would establish a matching requirement wherein, for every economic and community development incentive grant provided by the Metropolitan Government to qualified companies under Section 2.210.020 of the Metro Code, an appropriation of an equivalent amount must be made to the Barnes Fund for Affordable Housing (Barnes Fund).

Section 2.210.020 of the Metropolitan Code authorizes economic and community development incentive grants to qualified projects. The incentive is determined by multiplying the average number of new full-time equivalent employees of the qualified company within the boundaries of the Metropolitan Government during the preceding year by an amount up to five hundred dollars (\$500).

This ordinance would require an appropriation equal to any economic and community development incentive grants appropriated pursuant to Sec. 2.210.020 of the Metro Code. Appropriations made to the Barnes Fund pursuant to this matching requirement would not be in lieu of other appropriations made by the Metropolitan Government nor should the provision be construed as prohibiting other appropriations to the Barnes Fund.

Fiscal Note: The practical impact of this ordinance is that future economic and community development incentive grants would require commensurate funding to the Barnes Fund, essentially creating a dual obligation whenever ECD incentives are provided by the Metropolitan Government.

Depending on the available fund balances at the time of future proposed ECD grant projects, the decision would need to be made if it would be feasible for Metro to enter into these projects and still maintain required fund balance percentages.

BILL NO. BL2019-1601 (ROSENBERG) – This ordinance, as amended, would amend Section 4.12.230 of the Metropolitan Code of Laws relative to contracts for government relations and lobbying services.

Currently, this section governs contracts for government relations and/or lobbying services on behalf of Metro. This requires certain reports to be submitted to the Council, including a monthly report on legislative goals when the Tennessee General Assembly is not in session, weekly legislative reports while the General Assembly is in session, and a report on the results of lobbying efforts taken on behalf of Metro and a summary of significant legislative action taken by the General Assembly within thirty days of the conclusion of a legislative session.

The Ordinance under consideration would prohibit Metro from entering into or extending a contract with an individual or entity that is also party of a contract that provides advice, counsel, or government relations or lobbying services in support of any measure that has the effect or goal

of diverting public funds from the Metro Nashville Public School system. This would also require that all contracts entered into or extended for these purposes to include a clause that terminates the contract within ninety (90) days or less if the contracted party enters into a contract to provide services in support of a measure that has the effect or goal of diverting public funds away from the Metro Nashville Public School system.

BILL NO. BL2019-1602 (MENDES) – This ordinance, as amended, would amend Section 5.04.110 of the Metropolitan Code of Laws regarding annual debt reports to the Metropolitan Council.

Currently, there is a requirement for a debt report to be submitted to the Metro Council no later than May 1 of each year. These reports include the total amount of outstanding general obligation and revenue bonds compared to the amount outstanding on June 3 of the previous year, the anticipated debt service requirements for the next fiscal year, and the gross and present value savings for any debt refunded since July 1 of the current fiscal year, among other requirements.

The ordinance under consideration would make several changes. “Debt” would be defined to include “obligations due under bond obligations and any other debt instruments, including without limitation promissory notes or commercial paper due within one year of issuance.” The ordinance would also add required information including:

- The total amount of outstanding debt, excluding revenue bonds, stated as a total dollar amount and per capita, and the annual percentage increase or decrease of the total debt, excluding revenue bonds, from the prior fiscal year.
- The required summary of commercial paper activity would be replaced with a summary of “any debt due under debt instruments other than bond obligations for the previous twelve-month period”. This information would be required to include the date of each debt instrument, the interest rate, maturity date, principal balance, and amount of interest owed.
- A summary of the total amount of capital spending that has been approved since 2009 by the Council in a prior capital spending plan, but for which bonds have not yet been issued.

BILL NO. BL2019-1603 (O’CONNELL & HURT) – This ordinance would approve a temporary “Special Event Zone” for the downtown area, in conjunction with the 2019 CMA Music Fest scheduled June 5 to 10, 2019.

The Special Event Zone established under this ordinance would consist of two areas. Area 1 would extend from First Avenue to Rosa L Parks Blvd, and from Korean Veterans Blvd to Commerce Street, with an extension from Commerce Street to Church Street along Second and First Avenues North. Area 2 would extend from the east side of the Woodland Street Bridge, to South 1st Street, to Interstate Drive, then to Shelby Avenue and Korean Veterans Boulevard, then north to Woodland Street.

Activity restrictions within the Special Event Zone would begin at six o'clock (6:00) a.m. on Wednesday, June 5, 2019, and end at midnight (12:00) on Monday, June 10, 2019.

Activities on public property or in the public right-of-way within the Special Event Zone are regulated as follows:

1. The sale of any food, beverages, goods, or merchandise would be prohibited, unless street vendors obtain a "Special Event Zone" permit from the Nashville Convention and Visitors Corporation (CVC) in order to sell within the geographic area listed above.
2. Alcoholic beverages provided, served, or sold from any temporary outdoor would be prohibited, except as authorized.
3. The sale or distribution of merchandise pertaining to CMA Fest, where it is apparent on its face that the merchandise is not licensed by CMA, would be prohibited.
4. No tents or membrane structures of any kind would be permitted, except as authorized by CMA or Metro for public safety purposes.
5. The construction, placement, occupation, or use of any temporary structure would be prohibited except those sanctioned and authorized by the CMA.
6. The distribution, promotional give-away activity, or provision of free products, services, or coupons by persons or entities that are not event sponsors officially sanctioned and authorized by CMA would be prohibited, except within any Public Participation Area.
7. Vehicles would be allowed only as directed by Metropolitan Nashville Police.
8. No shared urban mobility devices, as defined by Metropolitan Code of Laws Section 12.62.010, would be permitted within the Special Event Zone.
9. No handguns, rifles, or firearms would be permitted. (Tennessee Code Annotated § 39-17-1359)
10. No knives, swords, or other fighting devices would be permitted.
11. No fireworks, firecrackers, or explosive devices of any type would be permitted, except exhibitions permitted by CMA.
12. The Special Event Zone would be a "no fly zone."

This ordinance would establish at least one Public Participation Area within the Special Event Zone while the zone is in effect. This Area would allow for the reasonable expression by the public in a manner that is not disruptive to the 2019 CMA Fest, activities, and events.

Fiscal Note: This ordinance places restrictions on the activities that would be allowed to take place within the special event zone during the 2019 CMA Music Fest. However, no additional Metro personnel or overtime would be required just for the enforcement of these restrictions.

BILL NO. BL2019-1604 (O'CONNELL, VERCHER, & OTHERS) – This ordinance is a companion legislative piece to RS2019-1685 (authorizing PILOT payments for the Fifth + Broad development) and BL2019-1605 (approving a sublease to Metro of a portion of the Fifth + Broad development for museum uses). This ordinance would approve and authorize the execution of an Amended and Restated Agreement regarding the development and subsequent operation of the Museum of African American Music, Art and Culture ("Agreement").

The Industrial Development Board (IDB) entered into an operational agreement with the African American History Foundation of Nashville, Inc. ("Foundation") in December 2008, which was amended on February 21, 2017. OliverMcMillan Spectrum Emery ("OMSE") intends to make approximately 56,421 square feet of its Fifth + Broadway development available for use as the National Museum of African American Music, which is to be funded by a previously approved grant of \$10,000,000 from Metro.

For the purpose of facilitating the use of grant funds at the museum, originally approved pursuant to Resolution No. RS2008-388, OMSE intends to convey the museum to the IDB. The IDB would then lease the museum to OMSE (pursuant to the lease attached as an exhibit to Resolution RS2019-1685), then OMSE would sublease the museum to the Metropolitan Government, subject to Ordinance No. BL2019-1605 (also on Second Reading).

This ordinance would allow Metro to become a party to the amended operational agreement referenced above. Metro would provide a location for and cause the acquisition and construction of the museum, funded in part with 2008 grant funds.

The Agreement would cover a variety of operational details of the Museum of African American Music, Art and Culture. The Foundation would be the exclusive developer of the museum and would be responsible for all costs of the museum which exceed the amount of the Metro grant. Metro would make the 2008 grant available in one or more installments to the IDB upon certification of the following:

1. That the grant will be used for expenditures or capital costs related to the museum on or before three (3) years from the date of deposit of the grant;
2. Within six (6) months from the date of deposit, the Foundation will have incurred substantial binding obligations to a third party to expend with respect to capital costs related to the museum at least five percent (5%) of the grant or such portion thereof; and
3. The work on the museum and the expenditure of the grant is expected to proceed with due diligence.

The term of this Agreement would commence upon adoption and extend until the termination of the lease between the IDB and OMSE, unless terminated earlier.

Fiscal Note: Utilization of the PILOT structure for this proposal per BL2019-1604 and BL2019-1605 will allow the use of the previously approved \$10 million grant to fund the Museum without any additional financial obligations by Metro.

BILL NO. BL2019-1605 (VERCHER, SYRACUSE, & GILMORE) – This ordinance would approve a sublease of a portion of property located at the corner of Broadway and Fifth Avenue North from OliverMcMillan Spectrum Emery, LLC ("OMSE") to the Metropolitan Government to be used as a museum celebrating African American music. This ordinance is a companion legislative piece to RS2019-1685 and BL2019-1604, described above.

This sublease is specifically related to the National Museum of African American Music, which is to be built at the Fifth + Broad development and funded by grant funds from Metro. For the purpose of facilitating the use of grant funds at the museum, originally approved pursuant to Resolution No. RS2008-388, OMSE intends to convey the museum to the IDB. The IDB would then lease the museum to OMSE (attached as an exhibit to Resolution RS2019-1685), then OMSE would sublease the museum to the Metropolitan Government.

Pursuant to the agreement contained in Ordinance No. BL2019-1604, the African American History Foundation of Nashville, Inc. would assume the obligations of Metro under this sublease. Any Metro obligations under this sublease, including any financial obligations, would be performed by the African American History Foundation of Nashville, Inc.

The term of the sublease is twenty (20) years.

Fiscal Note: Utilization of the PILOT structure for this proposal per BL2019-1604 and BL2019-1605 will allow the use of the previously approved \$10 million grant to fund the Museum without any additional financial obligations by Metro.

BILL NO. BL2019-1606 (O'CONNELL, VERCHER, & BEDNE) – This ordinance would authorize the acquisition of certain property, located at 88 Hermitage Avenue, from the State of Tennessee on behalf of Metropolitan Nashville Public Schools (MNPS) for purposes of constructing a new high school – the relocated Nashville School of the Arts. The Tennessee Historical Commission has determined that this property is eligible for listing in the National Register of Historic Places. Upon acquisition, it is the intention of MNPS to create a new high school on the site.

Under Metro Charter section 2.24.240.I, ordinances authorizing acquisition of real estate to be used for construction of a new public school must be preceded by a public hearing prior to adoption on second reading, with advance notice provided to the general public, to the district member of council in whose district the property is located, and to all members of the Metropolitan Board of Public Education.

This ordinance is a successor ordinance to Ordinance No. BL2018-1372 which was withdrawn at the March 5, 2019 Council meeting.

This has been approved by the Planning Commission.

Fiscal Note: Metro would acquire the property for a price not to exceed \$11,300,000. The appraised value of this property is \$11,850,000.

BILL NO. BL2019-1607 (PULLEY & SYRACUSE) – This ordinance would relinquish the Metropolitan Government's further interest in a parcel of real estate formerly comprising part of the Green Hills Branch Library and Archives.

The Metropolitan Government owned a building and parcel of real property at 0 Crestmoor Road, Nashville, Tennessee 37215. The library and archive functions formerly conducted on the site have been moved to other locations. The deed contains a reversionary clause providing that if the property ceases to be used as a branch library, the ownership is to revert to the grantors. The Mayor, or a designee, is authorized to execute any necessary documents to effect the conveyance of this property, including execution and delivery of a quitclaim deed.

This proposal has been approved by the Planning Commission.

BILL NO. BL2019-1608 (ALLEN, BEDNE, & OTHERS) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning portions of Alley Number 952 and Alley Number 970 right-of-way.

This abandonment has been requested by Catalyst Design Group, applicant.

This has been approved by the Traffic and Parking Commission and the Planning Commission.

BILL NO. BL2019-1609 (BEDNE, O'CONNELL, & HAGAR) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning Alley Number 1144 right-of-way and easement.

The abandonment has been requested by Darwin Shane Teeters, applicant.

This has been approved by the Traffic and Parking Commission and the Planning Commission.

BILL NO. BL2019-1610 (BEDNE, O'CONNELL, & HAGAR) – This ordinance would amend the official Geographic Information Systems Street and Alley Centerline Layer by abandoning a portion of Big Horn Drive right-of-way.

The abandonment has been requested by Ragan-Smith Associates, applicant, and Hermitage Rentals, owner.

This has been approved by the Traffic and Parking Commission and the Planning Commission.

GRANTS LEGISLATION – MAY 21, 2019

Legislative Number	Parties	Amount	Local Cash Match	Term	Purpose
RS2019-1729	<p>From: Tennessee Department of Children's Services</p> <p>To: Davidson County Juvenile Court</p>	Increase by \$200,000.00	\$0	Extend to June 30, 2020	<p>This would approve the second amendment to a grant approved by RS2018-1041, for a Safe Baby Court to serve at risk children.</p> <p>This amendment would increase the amount of the grant from \$301,000 to \$501,000. The grant term would be extended from June 30, 2019 to June 30, 2020.</p>
RS2019-1732	<p>From: Annie E. Casey Foundation</p> <p>To: Mayor's Office</p>	N/A	N/A	Extend to July 31, 2019	<p>This would approve an amendment to a grant approved by RS2018-1084.</p> <p>The grant proceeds are used for support to provide a culturally appropriate and significant community engagement plan and strategy for North Nashville's equitable economic development.</p>
RS2019-1735	<p>From: Tennessee Department of State</p> <p>To: Davidson County Election Commission</p>	Not to exceed \$1,780,000	\$0	May 1, 2019 through April 30, 2020	The grant proceeds would be used for the provision of Certified Voting Equipment.

<p>RS2019-1736</p>	<p>From: Tennessee State Library and Archives</p> <p>To: Nashville Public Library</p>	<p>Not to exceed \$88,000.00</p>	<p>\$0</p>	<p>July 1, 2019 through June 30, 2020</p>	<p>The grant proceeds would be used to provide access to and circulation of special materials formatted for individuals who are hearing impaired.</p>
<p>RS2019-1739</p>	<p>From: Tennessee Highland Rim Healthcare Coalition</p> <p>To: Nashville Fire Department</p>	<p>Not to exceed \$32,333.20</p>	<p>\$0</p>	<p>Ends June 30, 2019</p>	<p>The grant proceeds would be used to fund the purchase of a tent and enclosed trailer, both with HVAC, for large scale events.</p>
<p>RS2019-1740</p>	<p>From: Tennessee Highland Rim Healthcare Coalition</p> <p>To: Nashville Fire Department</p>	<p>Not to exceed \$3,675.00</p>	<p>\$0</p>	<p>Ends June 30, 2019</p>	<p>The grant proceeds would be used to provide suicide prevention training for seven staff members.</p>
<p>RS2019-1741</p>	<p>From: Tennessee Highland Rim Healthcare Coalition</p> <p>To: Nashville Fire Department</p>	<p>Not to exceed \$1,019.58</p>	<p>\$0</p>	<p>Ends June 30, 2019</p>	<p>The grant proceeds would be used to fund the purchase of wireless connectivity for the AmbuBus.</p>

RS2019-1742	From: Tennessee Department of Safety and Homeland Security To: Metropolitan Nashville Police Department	Not to exceed \$12,000.00	\$0	October 1, 2018 through September 30, 2019	The grant proceeds would be used for specialized motorcycle enforcement to reduce the rate of fatal and serious injury motorcycle crashes on Tennessee roadways.
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QUITCLAIM DEED

Address New Owner as Follows:	Send Tax Bills To:	Map-Parcel No.
The Industrial Development Board of the Metropolitan Government of Nashville and Davidson County 100 Metro Courthouse Nashville, Tennessee 37201	(same)	Map 93-6-3A Parcel 6

This instrument prepared by: Robert R. Campbell, Jr., Esq., Waller Lansden Dortch & Davis, LLP,
511 Union Street, Suite 2700, Nashville, Tennessee 37219-1760
STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is \$ _____.

Affiant

Subscribed and sworn to before me, this the _____ day of _____, 2019.

NOTARY PUBLIC

My Commission Expires: _____

FOR AND IN CONSIDERATION of Ten Dollars (\$10.00) and other good and valuable consideration, OliverMcMillan Spectrum Emery, LLC, a Delaware limited liability company (“Grantor”), by these presents, does hereby quitclaim and convey all its right, title and interest to The Industrial Development Board of the Metropolitan Government of Nashville and Davidson County, Tennessee, a public, not-for-profit corporation (“Grantee”), its successors and assigns, in the following described tract or parcel of land in Davidson County, Tennessee, to wit:

The Museum Unit of the Fifth + Broadway Retail Condominium described in the Declaration Establishing Fifth + Broadway Retail Condominium of record as Instrument No. 20181115-0112635, Register’s Office for Davidson County, Tennessee, together with the undivided percentage interest in the Common Elements appurtenant to said Unit as set forth in Exhibit E of the Declaration Establishing Fifth + Broadway Retail Condominium. The Fifth + Broadway Retail Condominium constitutes the Retail Unit in the

Fifth + Broadway Master Condominium, as established by the Declaration Establishing Fifth + Broadway Master Condominium, of record as Instrument No. 20181115-0112634, said Register's Office, as amended by First Amendment to Declaration Establishing Fifth + Broadway Master Declaration, of record as Instrument No. 20181121-0114644, said Register's Office. Reference is hereby made to the plat of Fifth + Broadway Master Condominium of record as Exhibit D to the Declaration Establishing Fifth + Broadway Master Condominium, as amended, for a more complete identification and description of the Retail Unit of Fifth + Broadway Master Condominium, and the plat of Fifth + Broadway Retail Condominium of record as Exhibit D to the Declaration Establishing Fifth + Broadway Retail Condominium, for a more complete identification and description of the Museum Unit.

Being part of the property conveyed to OliverMcMillan Spectrum Emery, LLC, a Delaware limited liability company, by deed from The Metropolitan Government of Nashville and Davidson County, Tennessee, of record as Instrument No. 20161110-0119299, said Register's Office.

This is property known as 115 Opry Place, Nashville, Tennessee 37219.

IN WITNESS WHEREOF, undersigned has hereunto set its hand on this the _____ day of _____, 2019.

OLIVERMcMILLAN SPECTRUM EMERY, LLC,
a Delaware limited liability company

By: OliverMcMillan/Brookfield Residential Nashville LLC,
a Delaware limited liability company,
its sole member

By: Brookfield Residential OM Holdings LLC,
a Delaware limited liability company,
its sole member

By: _____
Name: _____
Title: _____

CITY OF _____)
PROVINCE OF _____)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged himself to be the _____ of Brookfield Residential OM Holdings LLC, a Delaware limited liability company, the sole member of OliverMcMillan/Brookfield Residential Nashville LLC, a Delaware limited liability company, the sole member of OliverMcMillan Spectrum Emery, LLC, the within named bargainor, a Delaware limited liability company, and that he as such _____, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as _____ of Brookfield Residential OM Holdings LLC, the sole member of OliverMcMillan/Brookfield Residential Nashville LLC, the sole member of the limited liability company.

Witness my hand and seal, at office in _____, this the _____ day of _____, 2019.

NOTARY PUBLIC

My Commission Expires: _____

OLIVERMcMILLAN SPECTRUM EMERY, LLC,
a Delaware limited liability company

By: OliverMcMillan/Brookfield Residential Nashville LLC,
a Delaware limited liability company,
its sole member

By: Brookfield Residential OM Holdings LLC,
a Delaware limited liability company,
its sole member

By: _____
Name: _____
Title: _____

CITY OF _____)
PROVINCE OF _____)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged himself to be the _____ of Brookfield Residential OM Holdings LLC, a Delaware limited liability company, the sole member of OliverMcMillan/Brookfield Residential Nashville LLC, a Delaware limited liability company, the sole member of OliverMcMillan Spectrum Emery, LLC, the within named bargainor, a Delaware limited liability company, and that he as such _____, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as _____ of Brookfield Residential OM Holdings LLC, the sole member of OliverMcMillan/Brookfield Residential Nashville LLC, the sole member of the limited liability company.

Witness my hand and seal, at office in _____, this the _____ day of _____, 2019.

NOTARY PUBLIC

My Commission Expires: _____

Appendix C: Cost Benefit Analysis for PILOTs

Cost Versus Benefit Analysis for Payment In Lieu of Ad Valorem Tax									
Date: <input type="text" value="4/10/2019"/>		Person Completing Form: <input type="text" value="H. Beecher Hicks"/>							
		Title: <input type="text" value="President and CEO"/>							
Lessor: <input type="text" value="Metro"/>			Lessee: <input type="text" value="NMAAM"/>						
Lease Term	Term Beginning Date	5/2020	Total Term Ending Date	5/2090					
Step 1		x	\$	=	\$ 1,700,000	x	2.0	=	\$ 3,400,000
	Number of New Jobs	40	Average Annual Company	\$42,500	Direct Income	See Note 1		Direct & Indirect Income	
Step 2	\$ 1,700,000	+	\$ 41,978.00	=	40.5				
	Indirect Income	See Note 1			Number Indirect Jobs				
Step 3	\$ 3,400,000	x	0.097	=	\$ 329,800	x	0.6	=	\$ 197,880
	Direct & Indirect Income	See Note 1			New Total Annual State Tax	See Note 1		New Annual State Sales Tax	\$ 57,385
Calculation Summary:									
					Additional comments and information about costs or benefits associated with the project may be attached.				
Total of New and Indirect Jobs	<input type="text" value="80.5"/>		First Year PILOT Payment County:			<input type="text" value="\$0"/>			
Total of Direct and Indirect Income	<input type="text" value="3,400,000"/>		First Year PILOT Payment City:			<input type="text" value="\$0"/>			
Total of New Annual State Sales Tax and New Annual Local Sales Tax	<input type="text" value="255,185"/>		Total First Year PILOT:			<input type="text" value="\$0"/>			
					<i>To be completed by Comptroller of Treasury</i>				
		<input type="text" value="32,000,000"/>		<input type="text" value="\$0"/>		<input type="text" value="\$0"/>		<input type="text" value="\$0"/>	
Market Value of Leased Real Property Improvements									Eq TR = Total Rate x Appraisal Ratio
Market Value of Leased Machinery & Equipment									
Market Value of Leased Land									
Total Appraised Value:	<input type="text" value="\$0"/>								
Total Assessed Value:	<input type="text" value="\$0"/>								
Note 1 Economic factors and multipliers provided by University of Tennessee for Business and Economic Research									