

SUBSTITUTE RESOLUTION NO. RS2012-277

A resolution providing amendments to the Charter of The Metropolitan Government of Nashville and Davidson County, Tennessee, in accordance with Article 19, Section 19.01, and setting forth a brief description of each amendment to be placed on the ballot.

WHEREAS, Article 19.01 of the Charter of The Metropolitan Government of Nashville and Davidson County, Tennessee, provides that the Metropolitan Government shall not adopt a resolution proposing amendments to the Charter more often than twice during the term of office of members of the Metropolitan Council; and

WHEREAS, Article 19, Section 19.01, also requires to be set forth in the adoption resolution a brief description of each amendment so worded so as to convey the meaning of said amendment; and

WHEREAS, it is the desire of the Metropolitan Council by adopting this resolution to fulfill these two Charter requirements.

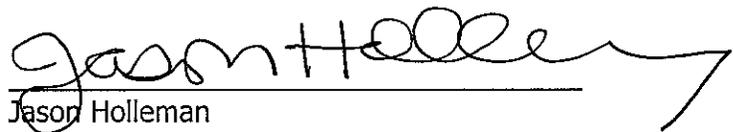
NOW, THEREFORE, BE IT RESOLVED BY THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Pursuant to the provisions of Section 19.01 of the Charter of The Metropolitan Government of Nashville and Davidson County, the proposed amendments to the Charter of The Metropolitan Government of Nashville and Davidson County, attached hereto, are submitted to the people for approval in the manner provided by Section 19.01 of the Charter.

Section 2. The date prescribed for holding of the referendum election at which the electorate of the Metropolitan Government will vote to ratify or reject the amendments proposed in Section 1 of this Resolution shall be November 6, 2012.

Section 3. This Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:


Jason Holleman
Member of Council

AMENDMENT NO. 1

Section 12.05 of Article 12 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended by adding the following subsection immediately preceding the last paragraph:

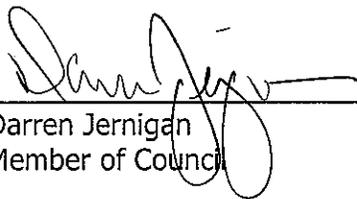
"(d) Employees may be employed to work as part-time poll workers for the election commission."

FOR THE BALLOT

Amendment No. 1

This amendment would add an exception to the requirement that employees of the Metropolitan Government have only one position with the Metropolitan Government to allow employees the opportunity to work as part-time poll workers for the election commission.

INTRODUCED BY:



Darren Jernigan
Member of Council

ADOPTED: September 18, 2012

AMENDMENT NO. 2

Section 8.404 of Article 8 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended by deleting the following language in its entirety:

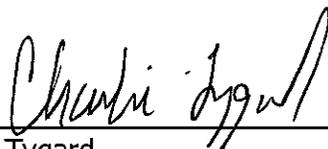
"and shall be licensed for the practice of engineering in Tennessee by the state board of architectural and engineering examiners"

FOR THE BALLOT

Amendment No. 2

This amendment would remove the requirement that the Director of the Metropolitan Department of Public Works be a licensed engineer. The Metropolitan Charter requirement that the director have at least five (5) years' experience in industry or in municipal or metropolitan public works would remain.

INTRODUCED BY:



Charlie Tygard
Member of Council

ADOPTED: September 18, 2012

AMENDMENT NO. 3

Section 16.05 of Article 16 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended by deleting current Section 16.05 and replacing it with the following new Section 16.05:

"Sec. 16.05 Sheriff

The sheriff, elected as provided by the Constitution of Tennessee, is hereby recognized as an officer of the metropolitan government. He shall have such duties as are prescribed by Tennessee Code Annotated, section 8-8-201, or by other provisions of general law; except, that within the area of the metropolitan government the sheriff shall not be the principal conservator of peace. The function as principal conservator of peace is hereby transferred and assigned to the metropolitan chief of police, provided for by article 8, chapter 2 of this Charter. The sheriff shall have custody and control of the metropolitan jail and of the metropolitan workhouse. The council may by ordinance authorize the sheriff to provide security within buildings of the metropolitan government and, pursuant to a written agreement between the metropolitan government and a metropolitan agency or authority or judges of the Davidson County Circuit, Chancery, Criminal or General Sessions courts, within any building or at any official meeting of such agency or authority or within any courtroom while such court is in session. The council may by ordinance, upon recommendation of the metropolitan chief of police and sheriff, authorize the sheriff to perform duties as may be unassigned by the charter, or currently assigned to the metropolitan chief of police, relating to the intake, processing, identification and questioning of arrestees, detainees, prisoners and other persons in official custody."

FOR THE BALLOT

Amendment No. 3

This amendment would recognize the sheriff's authority to perform additional duties per ordinances passed by the metropolitan council to provide security within government buildings and at government meetings. This amendment also allows the council, upon recommendation of the metropolitan chief of police and the sheriff, to authorize the sheriff to perform duties as may be unassigned by the charter, or currently assigned to the metropolitan chief of police, relating to the intake, processing, identification and questioning of arrestees, detainees, prisoners and other persons in official custody.

INTRODUCED BY:

Tim Garrett
Member of Council

Electronic Signature Page

(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Tim Garrett". The signature is fluid and cursive, with the first name "Tim" and last name "Garrett" clearly distinguishable.

Tim Garrett
Councilmember at Large

AMENDMENT NO. 4

Article 8 of the Charter of the Metropolitan Government of Nashville and Davidson County shall be amended by deleting Section 8.206, School Mothers' Patrol, in its entirety and substituting with the following new Section 8.206:

8.206 School crossing guard division.

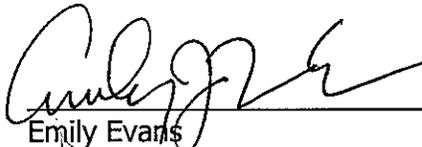
The chief of police may establish, and shall establish if directed by ordinance, a school crossing guard division in the department.

FOR THE BALLOT

Amendment No. 4

This amendment would rename the "school mothers' patrol division" within the Metropolitan Police Department as the "school crossing guard division" to be consistent with current practices.

INTRODUCED BY:



Emily Evans



Sheri Weiner
Members of Council

ADOPTED: September 18, 2012

SUBSTITUTE AMENDMENT NO. 5

Article 8 of the Metropolitan Charter shall be amended as follows:

1. By amending Chapter 4 by deleting the phrase "storm sewers," wherein it appears in Section 8.402.
2. By amending Chapter 5 by deleting the provisions of section 8.502 in their entirety and substituting with the following new provisions:

"Sec. 8.502. Functions.

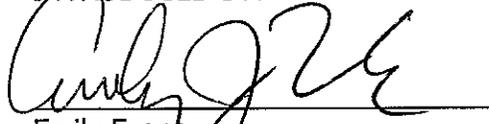
The department of water and sewerage services shall be responsible for: (1) The construction, operation, and maintenance of all water and sanitary sewer facilities of the metropolitan government; (2) The construction, operation, and maintenance of stormwater facilities of the metropolitan government; (3) The collection of all charges for the services of such utilities; (4) Such other powers and duties as may be assigned to the department by ordinance."

FOR THE BALLOT

Amendment No. 5

This amendment would remove "storm sewers" as a function within the department of public works, and would add "the construction, operation, and maintenance of stormwater facilities" as a function within the department of water and sewerage services.

INTRODUCED BY:


Emily Evans
Member of Council

ADOPTED: September 18, 2012

ORIGINAL

METROPOLITAN COUNTY COUNCIL

SUBSTITUTE

Resolution No. RS2012-277

A RESOLUTION PROVIDING AMENDMENTS TO THE CHARTER OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, IN ACCORDANCE WITH ARTICLE 19, SECTION 19.01, AND SETTING FORTH A BRIEF DESCRIPTION OF EACH AMENDMENT TO BE PLACED ON THE BALLOT.

Introduced SEP 18 2012

Amended

Adopted SEP 18 2012

Approved MAYOR'S SIGNATURE NOT REQUIRED:

METRO CHARTER SECTION 19.01

By

Metropolitan Mayor