

**ORDINANCE NO. BL2018-1123**

**An ordinance amending Chapter 5.04 of the Metropolitan Code of Laws to require memorialization and approval of internal agreements between departments, boards, commissions or agencies of the Metropolitan Government valued in excess of five hundred thousand (\$500,000) dollars.**

WHEREAS, Section 6.08 of the Metropolitan Charter provides that, following allotments made by the director of finance from operating budget appropriations, no expenditure shall be made or encumbrance created, but in pursuance of an allotment, and within the otherwise unencumbered balance of such allotment; and

WHEREAS, following allotments made to departments, boards, commissions or agencies of the metropolitan government, subsequent internal agreements between such entities have the potential to reallocate substantial amounts of funding, resources, or services to the extent that further approval by the department of finance and Metropolitan Council is warranted; and

WHEREAS, similar provisions for approval of a memorandum of understanding exist within the Metropolitan Code of Laws. (*See, e.g.*, Metropolitan Code of Laws section 3.56.050 providing that any memorandum of understanding regarding collective bargaining agreements that requires funding is to be submitted to the metropolitan council by the metropolitan mayor for consideration); and

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

Section 1. Chapter 5.04 of the Metropolitan Code of Laws is hereby amended by adding the following new section 5.04.065:

5.04.065 - Approval of internal agreements by metropolitan council

A. Any department, board, commission or agency of the metropolitan government allocating funds, services, property or equipment valued in excess of five hundred thousand dollars (\$500,000) to another department, board, commission or agency of the metropolitan government shall enter a formal memorandum of understanding, to be submitted to the department of finance, which must be approved by resolution adopted by the metropolitan council by twenty-one affirmative votes.

B. This section shall not apply to allocations of funds, services, property or equipment between departments, boards, commissions or agencies of the metropolitan government specifically addressed and itemized within the current annual operating budget.

C. This section shall not apply to any memorandum of understanding or agreement exclusively between the Metropolitan Nashville Airport Authority, the Nashville Electric Service, the Metropolitan Transit Authority, and/or the Metropolitan Development and Housing Authority.

Section 2. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

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Steve Glover

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Robert Swope  
Members of Council