

ORDINANCE NO. \_\_\_\_\_

An ordinance approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and Doug Simpson, to provide public water service improvements for the Simpson's proposed development, as well as other existing properties in the area (MWS Project No. 17-WL-227 and Proposal No. 2019M-016AG-001).

WHEREAS, pursuant to the terms of the participation agreement, attached hereto as Exhibit 1, Doug Simpson ("SIMPSON") in compliance with all Metropolitan Government of Nashville and Davidson County ("METRO") requirements and specifications, will contract and oversee the abandonment of approximately 2,485 linear feet of existing two inch water main and the construction/installation of approximately 2,536 lineal feet of eight inch water main and four fire hydrant assemblies on Hill Circle, to serve the residents along Hill Circle and a portion of Marcia Avenue, as shown in Exhibit 2 hereto attached, Project No. 17-WL-127; and,

WHEREAS, METRO will inspect the construction and upon acceptance, will be responsible for ongoing operation and maintenance; and,

WHEREAS, METRO agrees to pay the lesser of fifty percent (50%) of the actual project costs that benefit both parties, not to exceed Two Hundred Forty-Four Thousand Seven Hundred Twenty-Four Dollars (\$244,724.00); and,

WHEREAS, as part of this project SIMPSON further agrees to improve the public water main the remaining distance to Marcia Avenue to the benefit of the general community and the public water system without benefit to SIMPSON and be reimbursed by METRO not to exceed One Hundred Thirty-Eight Thousand Five Hundred Seventy-Four Dollars (\$138,574.00); and,

WHEREAS, the Project is deemed to benefit both parties and the general community.

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

Section 1. The participation agreement (Exhibit 1) between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, and Doug Simpson to improve public water services in Davidson County, Tennessee, attached hereto and incorporated herein, is hereby approved, and the Metropolitan Mayor is authorized to execute the same.

Section 2. Two Hundred Forty-Four Thousand Seven Hundred Twenty-Four Dollars (\$244,724.00) from METRO is available in Fund No. 17-135 to pay the lesser of fifty percent (50%) of the project costs that benefit both parties and One Hundred Thirty-Eight Thousand Five Hundred Seventy-Four Dollars (\$138,574.00) from METRO is available in Fund No. 17-135 to reimburse SIMPSON for the additional work being completed, for a total contribution of Three

Hundred Eighty-Three Thousand Two Hundred Ninety-Eight Dollars (\$383,298.00) toward the Project.

Section 3. Amendments to this legislation shall be approved by resolution.

Section 4. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

\_\_\_\_\_  
Scott A. Potter, Director  
Water and Sewerage Services

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APPROVED AS TO THE AVAILABILITY  
OF FUNDS:  
FUND#: PIF 17-135

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Council Member(s)

\_\_\_\_\_  
Talia Lomax-O'dneal, Director  
Department of Finance

APPROVED AS TO FORM AND  
LEGALITY:

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Assistant Metropolitan Attorney