

RESOLUTION NO. RS2019 - 124

A resolution authorizing Coworking Investors, LLC to construct and install an aerial encroachment at 501 Union Street. (Proposal No.2019M-038EN-001).

WHEREAS, Coworking Investors, LLC plans to construct, install and maintain an aerial encroachment, under Proposal No. 2019M-038EN-001, at 501 Union Street; and,

WHEREAS, Proposal No. 2019M-038EN-001 is comprised of one, illuminated, blade sign measuring 12 feet by 3 feet, projecting from the building one foot, encroaching the public right-of-way on property located at 501 Union Street; and,

WHEREAS, Coworking Investors, LLC has agreed to indemnify and hold The Metropolitan Government of Nashville and Davidson County harmless of any and all claims for damages of every nature and kind resulting from or arising from the installation of said aerial encroachment; and,

WHEREAS, Metropolitan Code of Laws §13.16.030(A) allows the Council of The Metropolitan Government of Nashville and Davidson County to grant encroachments, permits, or privileges to construct, maintain and/or operate aerial cables, canopies, etc., over and/or across sidewalks and public rights-of-way by Resolution adopted by twenty-one (21) affirmative votes.

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

Section 1. That subject to the requirements, limitations and conditions contained herein, Coworking Investors, LLC is hereby granted the privilege to construct and maintain said aerial encroachment in accordance with the plans which are on file in the office of the Director of Public Works, and which are more particularly described by lines, words and figures on the attached sketches which are attached to and made a part of this Resolution.

Section 2. That the authority granted hereby for the construction, installation, operation, and maintenance of said aerial encroachment shall not be construed as a surrender by the Metropolitan Government of its rights or power to pass resolutions or ordinances regulating the use of its streets, or the right of the Metropolitan Government through its legislative body, in the interest of public necessity and convenience to order the relocation of said facilities at the expense of Coworking Investors, LLC.

Section 3. That plans and specifications for said aerial encroachment shall be submitted to the Director of Public Works of The Metropolitan Government of Nashville and Davidson County for approval before any work is begun; and all work, material, and other details of said installation shall be approved by the Director of Public Works prior to its use by Coworking Investors, LLC.

Section 4. That construction and maintenance of said aerial encroachment shall be under the direction, supervision, and control of the Director of Public Works, and its installation, when complete, must be approved by said Director.

Section 5. That this Resolution confers upon Coworking Investors LLC, a privilege and not a franchise, and the Mayor and the Metropolitan Council herein expressly reserve the right to repeal this Resolution, whenever, in their judgment, a repeal may be demanded by public welfare, and such repeal shall confer no liability on The Metropolitan Government of Nashville and Davidson County, its successors and assigns, by reason of said repeal. In the event of such repeal by said Metropolitan Government, Coworking Investors, LLC, its successors and assigns, shall remove said aerial encroach at their own expense.

Section 6. Coworking Investors LLC shall pay all costs incident to the construction, installation, operation and maintenance of said aerial encroachment and shall save and hold The Metropolitan Government of Nashville and Davidson County harmless from all suits, costs, claims, damages or judgments in any way connected with said construction, installation, operation and maintenance of said aerial encroachment and shall not claim, set up or plead, as a defense, in the event of joint liability, with or without suit, that it and the Metropolitan Government were joint wrongdoers. Coworking Investors, LLC shall be responsible for the expense, if any, of repairing and returning the right-of-way to the condition which it was in prior to the installation of said aerial encroachment, and for any street closure.

Section 7. That the authority granted to Coworking Investors, LLC, as herein described, shall not in any way interfere with the rights of the Metropolitan Government, its agents, servants, and/or contractors and utility companies, operating under franchise from the Metropolitan Government to enter, construct, operate, maintain, repair, rebuild, enlarge, and patrol its now existing or future utilities, including drainage facilities, together with their appurtenances, and to do any and all things necessary and incidental thereto.

Section 8. Coworking Investors, LLC, shall and is hereby required, to furnish The Metropolitan Government of Nashville and Davidson County a certificate of public liability insurance, naming The Metropolitan Government as an insured party, of at least two million (\$2,000,000) dollars aggregate, for the payment of any judgment had on any claim, of whatever nature, made for actions or causes of action arising out of, or connected with, the construction or installation of said aerial encroachment. Said certificate of insurance shall be filed with the Metropolitan Clerk and the Department of Public Works prior to the granting of a permit, and the insurance required herein shall not be canceled without the insurance company or companies first giving thirty (30) days written notice to The Metropolitan Government of Nashville and Davidson County.

Section 9. That said construction shall be carefully guarded and protected, and shall be completed promptly, so as to cause the least inconvenience to the public. The acceptance by Coworking Investors, LLC of all provisions of this Resolution shall be determined by the beginning of work.

Section 10. The authority granted pursuant to this Resolution shall not become effective until the certificate of insurance, as required in Section 8, has been posted with the Metropolitan Clerk and the Department of Public Works.

Section 11. This Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:



Mark Sturtevant, Director  
Department of Public Works

INTODUCED BY:

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Member(s) of Council

APPROVED AS TO FORM  
AND LEGALITY:



Assistant Metropolitan Attorney

Proposal No. 2019M-038EN-001



IC09NNV-01

JMOSKAL

CERTIFICATE OF LIABILITY INSURANCE

DATE ISSUED  
04/18/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Maslow Insurance Services, Inc. 1500 S Labadie Dr Bensenville, IL 60015	<b>CONTACT</b> PHONE (847) 444-1000	FAX (847) 201-4720
	<b>INSURER INFORMATION COVERAGE</b>	
<b>INSURED</b> Covering Investors, LLC Attn: Ray Mueller 501 Union Street Nashville, TN 37219	INSURER A: Travelers Property Casualty Company of America 25674	
	INSURER B: Travelers Indemnity Company 25658	
	INSURER C: Travelers Indemnity Company of Connecticut 25682	
	INSURER D: INSURER E: INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

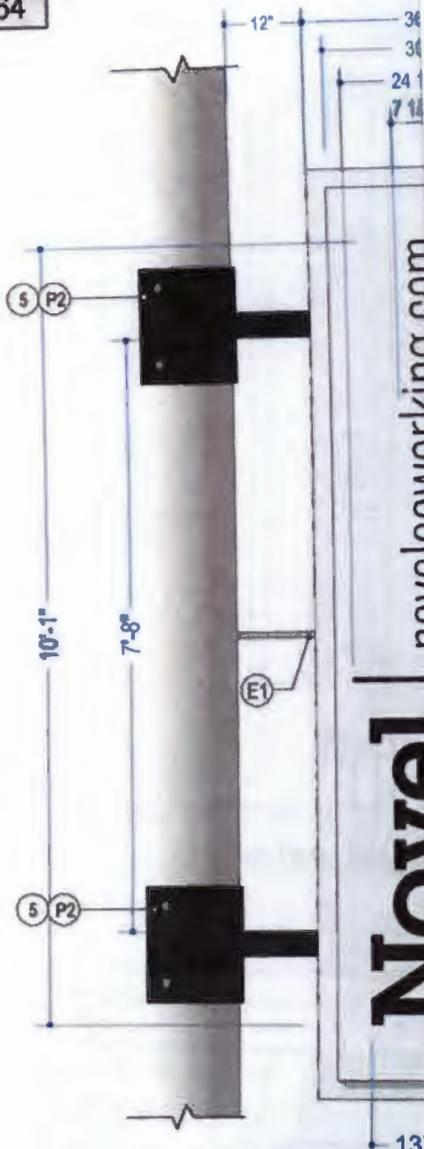
TYPE	TYPE OF INSURANCE	INSURER (INSR)	POLICY NUMBER	POLICY EFF. DATE	POLICY EXP. DATE	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> \$0 Deductible <input checked="" type="checkbox"/> Host Liquor Included GEN'L AGGREGATE LIMIT APPLIES FOR: POLICY <input type="checkbox"/> PER-ACC <input checked="" type="checkbox"/> LOC OTHER:	X	Y0804944A205TL18	08/28/2018	08/28/2019	EACH OCCURRENCE \$ 1,000,000 MEDICAL EXP. \$ 100,000 PERSONAL & ADJ. INJURY \$ 5,000 PERSONAL & ADJ. INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG. \$ 2,000,000
B	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		BA4844A25618CAG	08/28/2018	08/28/2019	COMBINED SINGLE LIMIT (CA MAXIMUM) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per person) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LMB <input type="checkbox"/> EXCESS LMB <input checked="" type="checkbox"/> OCCUR CLAIMS-MADE <input checked="" type="checkbox"/> RETENTIONS 0		CUP2L057372	08/28/2018	08/28/2019	EACH OCCURRENCE \$ 25,000,000 AGGREGATE \$ 25,000,000
C	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY (SEE PROFORMA FOR LIMITED EXCLUSIVE BENEFIT PROVISIONS EXCLUDED) (Notary in NH) If NH, check the order of PREFERENCE OF OPERATIONS below:	Y/N N/A	LIB3K708021714G	11/21/2018	11/21/2019	<input checked="" type="checkbox"/> PER STATUTE B.A. EACH ACCIDENT \$ 1,000,000 B.L. DISEASE - CA EMPLOYEE \$ 1,000,000 B.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ADDENDUM, Additional Remarks Schedule, may be attached if more space is required)  
 Named Insured Include: Iconic Investors LLC.  
 RE: 15 S 9th Street in Minneapolis, MN 55462  
 Named Insured Include: Iconic Investors LLC, Level Office Management LLC and 15 S. 9th Level Office, LLC  
 The Metropolitan Government of Nashville and Davidson County is named as Additional Insured with respect to General Liability policy required by written contract with named insured.  
 SEE ATTACHED ACORD 101

<b>CERTIFICATE HOLDER</b> The Metropolitan Government of Nashville and Davidson County Metro Legal & Claims c/o Insurance and Safety Division 222 3rd Avenue, North STE991 Nashville, TN 37201	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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ME #: 42964



**Production Notes**

- 1) Nominal 2" x 8" x .250" wall aluminum Structural C Channel frame with 4" x 4" x 1/4" wall support armatures.
- 2) 2" deep fabricated aluminum L angle "Shoe Box" style inset projections with .090 aluminum faces. Message from 1" thick clear push-thru style acrylic with 3M translucent vinyl applications.
- 3) 3"x4"x .125" aluminum rectangular tube, decorative, mitred, finished smooth with no seams. Secures to 2"x8" Structural C Channel from within enclosure.
- 4) 3.25 X 3.25 X .50" interior aluminum plate, fits into 4"x4" sq tube where tube meets structural C Channel.
- (4) 1/2" diameter holes with center hole for electrical
- 5) 18" x 15" x 15" x 1/2" "L" shape aluminum corner bracket with wedge anchors

**Paint Notes:**

- P1) Silvertone to match RAL 9006 (Satin)
- P2) Black support armatures and plate mounts (Satin)

**Vinyl Notes:**

- V1) 3M 3635-222 Black Perforated vinyl applied 1st surface
- V2) 3M 3635-70 White diffuser applied 2nd surface

**Electrical Notes:**

- E1) 120 Volt 20 Amp Primary Electric circuit supplied to site by buyer (Electrical Stub-thru to come out of middle of inner side of Blade Sign)
- E2) Electrical Disconnect Switch
- E3) LED Power Supply: France 1260 WMPS 60 Watt Power Supply (or equal)
- E4) Sloan 701948-6WD201 SignBoxII 6500K Double Sided LED Lattice

**L.E.D. Notes: Primary Display**

12 Volt		
LED Type: SignBox II DF #701948-6WD201	Color: White 6500k	
LED Modules: 22 ft		
LED Power Source Type: France 1260-WMPS 120V-277V (or equal)	Volts	Watts
	12	60
Power Supply Qty.: 3	Amp Input: 1.2 Ea	
<b>Total Amp Load for Display: 3.6 Amps</b>		

<b>ANCHOR SCHEDULE: 3/8" DIA. ANCHORS - AS SHOWN</b>	
ANCHOR QUANTITY: AS SHOWN	
WALL STRUCTURE	ANCHOR TYPE
WOOD BLOCKING	LAG BOLT (3" EMBEDMENT)
PLASTER OVER 5/8" PLYWOOD	LIBERTY TOGGLE BOLT
LOW CONCRETE BLOCK, BRICK	SLEEVE ANCHOR (3" EMBEDMENT)
POURED CONCRETE	WEDGE ANCHOR (3" EMBEDMENT)
UNITED, SOLID CONCRETE, BRICK	MASONRY SCREW (3" EMBEDMENT) MULTI HIT ROD W/ HY-20 ADHESIVE (3" EMBEDMENT)
ANCHORS SHALL BE CHOSEN AND PLACED IN ACCORDANCE WITH MANUFACTURERS INSTALLATION INSTRUCTIONS	

**Projecting Display / Novel Branding**

Fabricated aluminum skin and frame display featuring structural C Channel construction with aluminum 3"x4" rectangular tube and filled for seamless finish. .090 aluminum, 2" deep single pc "Shoe box" style face over with 1" thick clear Push-Thru style acrylic lettering. Acrylic message features 3M perforated day/night vinyl application and 3M 3635-70 White diffuser applied 2nd surface.

**Square Feet: 3'-0" x 12'-0" = 36 sq ft**

**M McFarland Engineering**  
 164 N. Hiddenbrook Dr.  
 Advance, NC 27006  
 Structural Sign Design & Engineering Services

Ph: (281) 813-7439  
 Email: sean@signstructures.com  
 Web: www.signstructures.com



The electronic seal appearing on this document was authorized by Sean M. McFarland, PE on December 18, 2018.

Date: 12-18-2018  
 Sheet #: 1 OF 2  
 NC Firm Registration: F-1136  
 Tennessee License Number: 109697  
 Tennessee Expiration Date: 10/31/2020

**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 "Freddie O'Connell". The signature is written in a cursive style with a large initial 'F' and 'O'.

Freddie O'Connell, Councilmember, District 19

**Electronic Signature Page**

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

*Kathleen D Murphy*

Kathleen Murphy  
Councilmember, District 24

**Electronic Signature Page**

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

*Angie E. Henderson*

Angie Henderson  
Councilmember, District 34