

ORDINANCE NO. _____

An ordinance authorizing the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, to enter into an agreement with Cumberland River Compact ("CRC"), to continue to fund initiatives established as the result of the Consent Decree with the Department of Justice of the United States and The State of Tennessee.

WHEREAS, pursuant to Resolution RS2007-2144 and the 2009 consent decree between the Metropolitan Government, the State of Tennessee and the United States Department of Justice, the Metropolitan Government engaged the Cumberland River Compact to provide various services relating to the enhancement of water quality in Davidson County; and,

WHEREAS, pursuant to the terms of the agreement (the "Agreement") attached as Exhibit A, the Cumberland River Compact proposes to continue the provision of services that will provide environmental benefits to the local community and the Metropolitan Government; and,

WHEREAS, it is in the best interest of the citizens of the Metropolitan Government that the Agreement be approved.

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

Section 1. That the Agreement is hereby approved, and the Director of the Metropolitan Department of Water and Sewerage Services is authorized to execute the same.

Section 2. Amendments to this legislation shall be approved by resolution.

Section 3. 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:



Scott A. Potter, Director
Water and Sewerage Services

INTRODUCED BY:





Council Member(s)

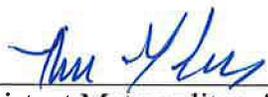
APPROVED AS TO THE
AVAILABILITY OF FUNDS:



Kevin Crumbo, Director
Department of Finance *K*

FUND: 67431
\$75,000.00 per year

APPROVED AS TO FORM AND
LEGALITY:



Assistant Metropolitan Attorney

AGREEMENT**“Exhibit A”**

THIS AGREEMENT is made and entered into by and between Cumberland River Compact, hereinafter known as “CRC,” and The Metropolitan Government of Nashville & Davidson County acting by and through the Metropolitan Department of Water and Sewerage Services, hereinafter known as “METRO”.

WHEREAS, both CRC and METRO desire to continue various services relating to the enhancement of water quality in Davidson County, as further described in the “Scope of Work” below: and,

WHEREAS, the provision of such services will benefit both parties and the general community of Nashville and Davidson County, Tennessee; and,

WHEREAS, the parties would like to work together to perform such services.

NOW, THEREFORE, CRC AND METRO AGREE AS FOLLOWS:

I. SCOPE OF WORK

This project consists of improving and promoting water quality in Davidson County through, but not limited to, the following activities:

- A. CRC will maintain and replenish METRO Supplemental Environmental Project (SEP) raingardens at selected schools.
- B. CRC will continue to provide free consultations, classes, plants, construction assistance, and signage to Davidson County residents interested in building rain gardens.
- C. CRC will increase stormwater infiltration through turf and impervious area conversion.
- D. CRC will continue to plant, monitor, and maintain trees at flood buy out properties (as available) and other locations in Davidson County.
- E. CRC will facilitate bank stabilization projects to reduce sediment loading in streams.
- F. CRC will develop a DIY guide for stream bank stabilization for property owners and conduct classes annually.
- G. CRC will help facilitate the Stream Adoption program and continue to engage existing adopters.
- H. CRC will pilot in-stream trash collectors and host stream cleanups on waterways in Davidson County.
- I. CRC will provide public education and outreach on water quality, green infrastructure, and ecosystem services.
- J. CRC will promote the Cumberland River as fishable and swimmable by providing recreational activities.

II. PAYMENT TERMS AND CONDITIONS:

- A. CRC will provide the following deliverables each year:

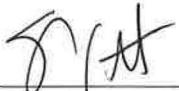
Maintain, Replenish Metro SEP Raingardens at schools	4
Rain Garden Consultation	20
Rain Garden Classes	2
Rain Garden Builds	10
Convert turf to residential stormwater infiltration zones (sq.ft.)	4,000
Plant >1” trees in support of Root Nashville	500
Conduct neighborhood Depave project	1
Bank Stabilization on private property (ft./year)	50

Plant, monitor, and maintain riparian buffers on flood buyouts as available from Metro	1,500
Develop a guide and teach DIY bank stabilization for home owners (people/year)	25
CRC facilitated stream adoptions	5
Pilot in-stream trash collectors on Davidson Co waterways	1
Continue to work w/ existing adopters providing guidance & supplies	40
Stream Clean-ups along the Cumberland and tributaries	32
Reach people with environmental education about water quality and green infrastructure	2,000
Reach Nashville students in Title 1 schools with stream ecosystem education	1,000
Provide people with recreational opportunities on the river through sponsor activities	2,000

- B. **METRO** agrees to pay seventy-five thousand dollars (\$75,000) per year for five years for a total of three-hundred seventy-five thousand dollars (\$375,000) to the **CRC** effective May 2020.
- C. This Agreement is subject to the approval of the Metropolitan Council of Nashville and Davidson County.

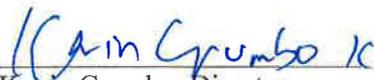
IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed.

THE METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY



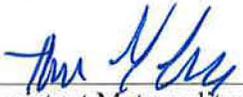
Scott A. Potter, Director
Metropolitan Department of Water and
Sewerage Services

APPROVED AS TO AVAILABILITY OF FUNDS:



Kevin Crumbo, Director
Finance 

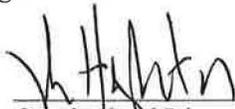
APPROVED AS TO FORM AND LEGALITY:



Assistant Metropolitan Attorney

FILED IN THE OFFICE OF THE
METROPOLITAN CLERK:

Elizabeth Waites



Cumberland River Compact
Executive Director (TITLE)

Sworn to and subscribed to before me,
a Notary Public, this 27 day of February
2020, by Mekayla Houghton
the Executive Director of CRC and
duly authorized to execute this
Instrument on CRC's behalf.



NOTARY PUBLIC

My commission Expires:

August 5, 2023



ORIGINAL

METROPOLITAN COUNTY COUNCIL

Bill No. _____

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Introduced _____

Passed First Reading _____

Amended _____

Passed Second Reading _____

Passed Third Reading _____

Approved _____

By _____

Metropolitan Mayor

Advertised _____

Effective Date _____
