

SUBSTITUTE RESOLUTION NO. RS2020-480

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 thereof, and setting forth a brief description of each amendment to be placed upon the ballot.

WHEREAS, Article 19, Section 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 of the Charter further 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.

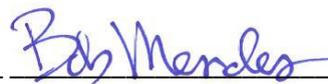
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Pursuant to the provisions of Article 19, 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 December 5, 2020.

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.

SPONSORED BY:



Bob Mendes



Dave Rosenberg
Members of Council

AMENDMENT NO. ____

I. Section 3.06 of Article 3 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by adding the following new paragraph at the end thereof:

"Notwithstanding any other provision of this Charter to the contrary, the Council's exercise of power under Section 2.01(5) of the Charter shall be subject to a public referendum to the extent required by state law."

II. Section 5.03 of Article 5 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by adding the following new paragraph at the end thereof:

"Notwithstanding any other provision of this Charter, the Mayor's exercise of power under Section 2.01(5) of the Charter shall be subject to a public referendum to the extent required by state law."

III. Section 6.07 of Article 6 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by adding the following new paragraph at the end thereof:

"Notwithstanding any other provision of this Charter to the contrary, the Council's authority to set property tax levies shall be subject to a public referendum to the extent required under the Charter as of January 1, 2019."

IV. Section 7.01 of Article 7 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by adding the following new paragraph at the end thereof:

"Notwithstanding any other provision of this Charter to the contrary, the Council's authority to issue bonds under Article 7 of the Charter shall be subject to a public referendum to the extent required under the Charter as of January 1, 2019."

V. Article 18 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by adding the following new Section 18.18:

"Sec. 18.18. – No private right of action.

Nothing in this Charter shall be deemed to establish a private right of legal action unless expressly authorized by state law."

VI. Article 18 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended by adding the following new Section 18.19:

"Sec. 18.19. – Leases of Metropolitan Government-owned property.

Notwithstanding any other provision of this Charter to the contrary, leases of Metropolitan Government-owned property shall be on commercially reasonable terms. No such lease shall have a term longer than permitted by state law.”

FOR THE BALLOT

Amendment No. ____

This amendment would provide that, notwithstanding any other provision of the Charter to the contrary, the Metropolitan Government’s exercise of power pertaining to the acquisition, lease, or disposal of Metropolitan Government-owned property is subject to public referendum to the extent required by state law, that leases of Metropolitan Government-owned property shall be on commercially reasonable terms, and that no such lease shall have a term longer than permitted by state law. This amendment also provides that the Metropolitan Council’s authority to set property tax levies and issue bonds shall be subject to a referendum to the extent required by the Charter as of January 1, 2019. Finally, this amendment would provide that the Charter does not create a private right of legal action unless authorized by state law.

INTRODUCED BY:

Bob Mendes

Dave Rosenberg
Members of Council

ORIGINAL

METROPOLITAN COUNTY COUNCIL

Substitute Resolution No. _____

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 thereof, and setting forth a brief description of each amendment to be placed upon the ballot.

Introduced _____

Amended _____

Adopted _____

Approved _____

By _____
Metropolitan Mayor
