

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Donald W. Jones, Director
Metropolitan Council Office

DATE: **July 19, 2005**

RE: **Analysis Report**

Balances As Of:	<u>7/13/05</u>	<u>7/15/04</u>
<u>GSD 4% RESERVE FUND</u>	\$33,428,741	\$37,452,900
<u>CONTINGENCY ACCOUNTS</u>		
GSD	\$50,000	\$50,000
USD	\$50,000	\$50,000
<u>GENERAL FUND</u>		
GSD	Unavailable	Unavailable
USD	Unavailable	Unavailable
<u>GENERAL PURPOSE SCHOOL FUND</u>		
	Unavailable	Unavailable

– RESOLUTIONS –

RESOLUTION NOS. RS2004-539, RS2004-574, RS2004-679, RS2005-820 & RS2005-897 –

These five resolutions provide proposed amendments to the Metropolitan Charter. The council, pursuant to the Charter, may only adopt two resolutions during the term of the council that submit amendments to the voters for ratification. Each proposed amendment to the Charter must be adopted by 27 affirmative votes of the council, and the resolution itself submitting the amendment must be adopted by 27 affirmative votes in order to become effective.

These resolutions provide that the date for holding the referendum election on these Charter amendments is to be the August general election in 2006, since there are no regular elections to be held in 2005. The Metropolitan Charter provides that resolutions proposing amendments to the Charter must state an election date not less than 80 days from the filing date of the resolution. State election law requires that the referendum election be held not less than 45 but not more than 60 days after adoption of the resolution submitting the questions to the people. In the event the council wishes to submit Charter amendments to the voters at the time of the referendum on the increase in the sales tax, assuming the council either votes not to reconsider Ordinance No. BL2005-665 or approves the ordinance again on third reading in the future, then the resolution proposing the Charter amendments must be amended to coincide with the time of this election. The council office is of the opinion that such amendment must set a date at least 80 days from the filing of the amendment to comply with the intent of the Charter. Therefore, these resolutions should be amended and then deferred.

Resolution No. RS2004-539 (WALLACE) provides a proposed amendment to the Metropolitan Charter to clarify that the office of mayor is limited to two consecutive terms. When the Charter was adopted in 1963, the office of mayor was limited to three consecutive four-year terms. The office of mayor was the only office that was term-limited by the Charter. In 1994, the Charter was amended by petition and referendum election to provide that all elected offices created by the Charter, except general sessions judges, are limited to two consecutive four-year terms. However, the 1994 Charter amendment initiated by the citizens did not specifically repeal the Charter provision related to the term limit for the office of mayor. Therefore, a question remains as to whether the later term limit provision trumps the prior term limit provision regarding the office of mayor, or whether the office of mayor continues to have a term limit of three consecutive terms. The department of law has opined that the mayor is not limited to two terms.

This Charter amendment would provide that the office of mayor is limited to two terms, in accordance with the general term limit provision adopted in 1994. The charter revision commission did not recommend approval of this amendment and recommended that the "For the Ballot" language be modified.

Resolution No. RS2004-574 (WALLACE) provides a proposed amendment to the Metropolitan Charter to require that before a person may be appointed as an interim or acting director of a department, board, or commission, such person must have been an employee of that particular department, board, or commission for at least two years. The Charter currently provides that the civil service commission rules are to provide for the method of certifying vacancies and eligibility for persons to fill such vacancies. The Charter further provides that the civil service commission rules are to be given the full force and effect of law.

This proposed amendment has been referred to the charter revision commission.

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RESOLUTION NOS. RS2004-539, RS2004-574, RS2004-679, RS2005-820 & RS2005-897

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Resolution No. RS2005-679 (WALLACE) provides a proposed amendment to the Charter that would require vacancies in the offices of district councilmember, councilmember-at-large, and vice mayor to be temporarily filled by the council until the next general election. The Charter currently provides that a vacancy in the office of mayor is to be filled by a special election if more than nine months remain prior to the next general election. However, the same Charter section was amended in 1996 to provide that vacancies in the offices of councilmembers and the vice mayor remain vacant until the next general election. Pursuant to this Charter amendment, the council would elect a person to temporarily fill a vacancy in the office of councilmember or vice mayor until the next general election, at which time the voters would elect a person to fill the vacancy for the remainder of the term.

This proposed amendment has been referred to the charter revision commission.

Resolution No. RS2005-820 (WALLACE) provides an amendment to the Charter that would give the vice mayor some additional duties. Under the Charter, the primary duty of the vice mayor is to serve as presiding officer of the council. In addition, in the event the office of mayor becomes vacant, the vice mayor would serve as acting mayor until the vacancy is filled. This Charter amendment would provide that in the event the mayor leaves town for more than forty-eight hours, the vice mayor would serve as acting mayor until the mayor returns. The amendment would also provide that whenever the mayor is unable to attend an event or function at which an official representative from the Metropolitan Government is warranted, the mayor shall designate the vice mayor to attend in place of the mayor.

This proposed amendment has been referred to the charter revision commission.

Resolution No. RS2005-897 (COLEMAN) provides an amendment to the Charter that would provide that the council is to hold no regular council meeting on the first Tuesday in August of each year. This would provide the council with a four-week break each year.

This proposed amendment has been referred to the charter revision commission.

RESOLUTION NO. RS2005-823 (NEIGHBORS & COLEMAN) – This resolution appropriates \$6,030 from the general fund reserve fund (4% fund) for the purchase of electronic equipment for the Metropolitan Council. Four percent funds may only be used for the purchase of equipment and repairs to buildings. These funds will be used to purchase two digital cameras with accessories, two PowerPoint projectors with cases, and two tripod screens with cases. This equipment will be available for Members of Council to check out for use at community meetings and other councilmanic functions. This appropriation is recommended and requested by the Executive Committee.

A copy of the supporting information sheet as required by Ordinance No. O86-1534 is attached to this analysis.

RESOLUTION NO. RS2005-848 (NEIGHBORS) – This resolution determines to issue \$286,807,100 in GSD general obligation bonds and \$18,930,000 in USD general obligation bonds to provide funding for various projects contained in the mayor’s capital spending plan. This is the first step in the process toward the ultimate sale of the bonds by public bid to provide the necessary financing for the projects. The general obligation bonds to be issued provide funding for some 52 GSD projects, and the USD bonds will provide funding for 6 projects. This debt will be paid from the debt service of the GSD and the USD. The maximum interest rate of the bonds is not to exceed 7% per annum.

The projects to be financed with the GSD bonds include:

- Convention center capital projects
- E.Budget project
- Major maintenance of several facilities
- Upgrades to computer systems
- Implementation of the warehouse study recommendations
- Howard campus infrastructure improvements and building modifications
- Renovations to City Hall and the Ben West building
- Modifications to the former Genesco warehouse recently leased by Metro
- Capital contributions to the Frist Center, the Nashville Symphony, the Children’s Theatre, and the Nashville Zoo
- Schools capital projects, including replacement of buses, energy retrofits, and repairs to buildings and athletic fields
- Bridge repairs
- Construction of a Bellevue branch library
- Bridge and roadway maintenance projects

The projects to be funded with the USD bonds include:

- Construction and improvements of sidewalks
- State route paving program
- Recapping of the Bordeaux Landfill

A detailed list of all capital projects to be funded by this bond issue, including the estimated cost for each project, is attached to this analysis. Additional resolutions authorizing capital expenditures from the general fund reserve fund (4% fund) will be filed at a future date.

RESOLUTION NO. RS2005-898 (JAMESON) - This resolution ratifies an agreement between the industrial development board (IDB) and The Lofts at 160, LLC, to accept payments in lieu of ad valorem taxes (PILOT) pursuant to the terms of the downtown PILOT program. In August 2003, the council enacted Ordinance No. BL2003-1533, which delegated the authority to the industrial development board of the Metropolitan Government to accept agreements for payments in lieu of ad valorem taxes for the public purpose of increasing downtown development activity. Ordinance No. BL2003-1533 set the boundaries of the downtown PILOT program to include approximately 80 blocks of Nashville’s central business district covering the area bordered by 1st Avenue, 9th Avenue, Union Street and Peabody Street. State law permits local governments to delegate the authority to industrial development boards to enter such agreements provided that the payments are in furtherance of the public purpose of the board. Under the downtown PILOT program, property owners/developers are able to transfer property to be developed to the industrial development board, which qualifies as a tax exempt governmental entity. The developers can then make payments to Metro in lieu of property taxes, which amount traditionally is less than the actual taxes on such property, providing an incentive to developers for the development of downtown housing.

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RESOLUTION NO. RS2005-898 (continued)

MDHA is responsible for the negotiation and administrative functions associated with executing the PILOT agreements. The maximum term for a PILOT lease is seven years, and a minimum of 20% of the development project must be set aside for affordable housing. The applicant developer is required to either own the property or have an option to purchase the property so that they will be able to convey the property to the industrial development board to be eligible for the PILOT program. Upon approval of a PILOT agreement by the industrial development board, the board is to notify the mayor and the council of the precise terms of the agreement, which is subject to ratification of the council.

The resolution approves a PILOT agreement for property located at 160 Second Avenue North. The Lofts at 160, LLC is proposing to construct 32 apartment units at this historic structure and has requested the IDB's assistance in the financing of the project through the downtown PILOT program. The term of this PILOT agreement extends through 2012. Pursuant to the agreement, the IDB agrees to take title to the property and the developer agrees to make the payments in lieu of taxes to the trustee, which will be deposited into the general fund of the Metropolitan Government. The property will be appraised and assessed by the assessor's office in accordance with state law and the developer will pay \$32,259.26 annually, provided that this annual amount shall not be less than the amount of property taxes that would have been due for the year immediately preceding the date on which the IDB acquired title to the property. Failure by the developer to make the required payments on time will result in the accrual of interest at the rate of 10% per annum and shall become a lien on the property.

RESOLUTION NO. RS2005-899 (BRILEY & NEIGHBORS) – This resolution approves the waiver of a total of \$35,694 in dependent child benefit overpayments made to ten disability pensioners in the Metro employee benefit system, which were caused by employee benefit board staff errors. The Metropolitan Code of Laws permits the benefit board to waive such overpayments provided that the beneficiary was without fault or knowledge of the error and would be deprived of income for living expenses if forced to repay the amount of overpayment. The employee benefit board has approved the waiver and it must be approved by the council before it becomes final. The employee benefit board has a continuing program that reviews all pension payments to assure our pensioners are being paid the correct amount. If the pensioners are underpaid, the back payments are automatically paid without council approval.

RESOLUTION NO. RS2005-900 (WALLACE) – This resolution appropriates \$10,000 from the unappropriated fund balance of the general fund to fund an economic impact study regarding Metro employees living outside of Davidson County. Rule 15 of the Council Rules of Procedure provides that "no resolution or ordinance involving the appropriation or expenditure of money, upon being filed, shall be placed on the agenda by the Metropolitan Clerk until the Director of Finance has furnished a statement of the availability of funds." The director of finance has provided a statement that he cannot determine whether the funds are available for this appropriation until the annual certified financial audit of the Metropolitan Government has been completed. The council has established a policy of maintaining a minimum unappropriated fund balance of five percent. It is estimated that the unappropriated fund balance will be close to five percent, but the exact amount will not be determined until the audit is completed later this year. Adoption of this resolution could be deemed by credit rating agencies as a violation of the previous council policy adopted by resolution.

RESOLUTION NO. RS2005-901 (JAMESON & WHITE) – This resolution approves an agreement between the state and the Metropolitan Government for the lease of forty parking spaces adjacent to the William R. Snodgrass Tennessee Tower on Union Street across from the temporary City Hall. This is essentially a continuation of a previous agreement entered in April of 2003 to provide parking spaces for members of council on meeting nights. Pursuant to this agreement, these spaces will be available to Metro for parking after 5:00 p.m. on the first and third Monday and Tuesday of each month. This will provide parking for members of council on committee and council meeting nights during the temporary relocation while the courthouse is renovated. The term of this agreement is to extend through April 30, 2007. Metro will provide security during the times that the parking area is being used by Metro and agrees to indemnify the state to the extent legally permissible for claims arising from the use of the premises. There is no required lease payment to be paid to the state for use of these spaces. This agreement does not affect the parking spaces at City Hall already provided for members of council.

RESOLUTION NO. RS2005-902 (NEIGHBORS & COLE) – This resolution approves an agreement between the Metropolitan board of health and the Safety Net Consortium of Middle Tennessee, LLC, to provide more effective health care services to the uninsured of Davidson County. The health department currently maintains an electronic registration, tracking, and referral database to coordinate health care services provided to uninsured persons through the Bridges to Care program. Pursuant to this agreement, the Safety Net Consortium will be allowed to have unlimited on-line access to the database operated by the health department to enter health information of patients and to view information on the success of the Bridges to Care program. The agreement provides that all patient information shared or received will be held confidentially in accordance with applicable law. This agreement shall terminate on April 30, 2006, but may be extended for four additional years.

RESOLUTION NO. RS2005-903 (NEIGHBORS & COLE) – This resolution approves an application for a community action for renewed environment (CARE) program grant from the U.S. environmental protection agency to the Metropolitan health department. The health department is seeking \$89,071 in federal funding to develop a coalition of environmental stakeholders in the community to address the environmental problems associated with the illegal dumping of used tires.

RESOLUTION NO. RS2005-904 (COLE & NEIGHBORS) – This resolution approves an application for a grant from the U.S. department of health and human services to the Metropolitan health department for an indoor air quality educational and outreach program. The health department is seeking \$15,000 in federal funds for this program. These funds will be used to conduct comprehensive indoor air quality inspections of 300 homes, as well as schools and day care centers.

RESOLUTION NOS. RS2005-905 & RS2005-906 (NEIGHBORS) – These two resolutions approve applications for grants from the Tennessee commission on children and youth to the Metropolitan juvenile court.

Resolution No. RS2005-905 approves an application for a grant in the amount of \$9,000 for employee training. These grant funds will be used to provide training opportunities for staff in the form of conferences, seminars and community training to provide more effective intervention services by the juvenile court.

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RESOLUTION NOS. RS2005-905 & RS2005-906 (continued)

Resolution No. RS2005-906 approves an application for a grant in the amount of \$141,755 for residual funds from the juvenile accountability incentive block grant program. There will be a required local match of \$15,751 to be provided through the juvenile court's operating budget. The grant funds will be used to fund two community-based probation officer positions and one part-time intake probation officer.

RESOLUTION NO. RS2005-907 (WALLS & WILHOITE) – This resolution accepts a grant in the amount of \$330,000 from the state department of environment and conservation to the Metropolitan board of parks and recreation for restoration, rehabilitation, and connection of recreation trails on the Richland Creek Greenway. The term of this grant is from March 24, 2005 through March 23, 2008, with a possible one-year extension. There is a required local match of \$82,500. \$292,960 of these funds will be used for demolition and construction costs, with the remaining \$37,040 in state funds used for administrative costs.

RESOLUTION NO. RS2005-908 (NEIGHBORS & RYMAN) – This resolution accepts a grant in the amount of \$2,001,147 from the state emergency management agency to the Metropolitan Government for various homeland security functions. The term of this grant is from January 1, 2005 through February 28, 2007, with a possible extension of three additional one-year periods. These federal pass-through funds will be used for the following purposes:

- Replacement of personal protection equipment;
- Provide surgical staffing and equipment for alternate care sites in a mass disaster situation;
- Purchase of a grant management system;
- Purchase of response capability equipment;
- First responder training and equipment;
- Community preparedness training for community organizations;
- Purchase of equipment for the police department, including a bomb robot, night vision goggles; and a command vehicle; and
- Administrative costs.

RESOLUTION NO. RS2005-909 (WALLACE) – This resolution authorizes Adventure 3 Properties, G.P., to install and maintain an aerial sign encroachment at 618 Church Street. This sign will hang twelve feet above and extend three feet over the sidewalk. Adventure 3 Properties has agreed to indemnify the Metropolitan Government for any claims arising from the installation or maintenance of the sign, and will be required to furnish a certificate of public liability insurance naming Metro as an insured party.

RESOLUTION NO. RS2005-910 (JAMESON) – This resolution authorizes Ritzen Group, Inc., to install and maintain a wall-mounted canopy encroachment at 119 Third Avenue South. This canopy will be 18 feet 7 inches long, and hang 5 feet over the sidewalk. The Ritzen Group has agreed to indemnify the Metropolitan Government for any claims arising from the installation or maintenance of the canopy, and will be required to furnish a certificate of public liability insurance naming Metro as an insured party.

RESOLUTION NO. RS2005-911 (NEIGHBORS) – This resolution accepts \$8,470.37 in settlement of the Metropolitan Government’s property damage claim against Ledford Tire and Trucking. On January 24, 2005, a Metropolitan action commission employee was driving a Metro vehicle on Interstate 40 when the vehicle was struck from the rear by a tractor trailer driven by an employee of Ledford Tire and Trucking. The accident resulted in \$8,470.37 in damage to the Metro vehicle. The Metro employee suffered injuries to his shoulder, neck, back, and head, and incurred medical bills and lost wages totaling \$4,527.42. This resolution only settles the property damage portion of the claim. The personal injury portion of the claim is still being negotiated.

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- BILLS ON SECOND READING -

ORDINANCE NO. BL2004-183 (SHULMAN & HAUSSER) – This ordinance amends the Metropolitan Code of Laws to require the board of parks and recreation to designate an area of Elmington Park as a “dog friendly zone.” The Code currently provides that a dog may only be brought into a park if the dog is on a leash not exceeding three feet in length. This ordinance would allow dogs to run freely in this designated area without being on a leash.

ORDINANCE NO. BL2005-580 (SUMMERS) – This ordinance amends the Metropolitan Code of Laws regarding ethical standards for members and prospective members of boards and commissions of the Metropolitan Government. The Code currently provides ethical standards for board and commission members. Whenever a member has or is likely to have a conflict of interest in connection with a matter pending before the board or commission, the member is to either disqualify himself/herself from further action on the matter, or disclose the nature of the conflict, at which time he/she may proceed to take action on the matter. The Code currently does not restrict any person having a real or perceived conflict of interest from serving on any board or commission.

This ordinance would prohibit certain persons from being eligible to serve on a board or commission, and would provide for certain reporting requirements for members of boards and commissions. First, this ordinance would provide that no person shall be eligible to serve on a board or commission who (1) knows or should know that he/she has or is likely to have a financial interest or personal interest in a matter before the board; (2) is an employee of any business that routinely brings matters before the board or commission; or (3) is an employee of a print or broadcast news media business engaged in reporting actions taken by the Metropolitan Government. “Personal interest” under the ordinance means any interest arising from relationships with immediate family or business associations. “Financial interest” means any interest that yields a monetary or material benefit to the member, or to any person employing the member or someone in his/her immediate family. Second, this ordinance would amend the conflict of interest provisions in the Code to require any board or commission member who knows or should know he/she has a personal or financial interest in any matter pending before the board or commission, or who is an employee of any business bringing a matter before the commission, to publicly disclose the conflict in writing to the board or commission and to abstain from participating in the discussion or vote on the matter.

In addition, this ordinance would add certain disclosure requirements for members of boards and commissions. Under the ordinance, members would be required to disclose all positions of employment, every source of income in excess of \$5,000, any benefit received by a member’s immediate family derived from transactions with Metro, and all ownership interests in real property. The Code currently does not include any disclosure requirements.

The Council Office is of the opinion that the provisions of this ordinance pertaining to the eligibility of persons to serve on boards and commissions created by the Metropolitan Charter are not enforceable. Section 11.102 of the Charter, under the General Provisions for Administrative Boards and Commissions chapter, has the heading “Qualifications for members”. The only qualification stated in the section is that every member of a board or commission must have been a resident of Davidson County or had their principal place of business in Davidson County for at least one year. Section 11.101 of the Charter provides that the general provisions in the chapter apply to all administrative boards or commissions, unless another specific Charter provision pertaining to a particular board or commission provides otherwise. Since the additional qualifications contained in this ordinance exceed those contained in the Charter, a Charter amendment would be necessary in order for the provisions of this ordinance to be effective.

ORDINANCE NO. BL2005-636 (SHULMAN) – This ordinance amends dumpster collection restrictions contained in the Metropolitan Code of Laws to provide additional reporting requirements for owners of dumpsters. The Code currently prohibits the emptying of trash dumpsters located within 300 feet of a residential structure between the hours of 11:00 p.m. and 7:00 a.m. In addition, the Code requires that all dumpster-type containers located within three hundred feet of any building or structure used for residential purposes contain a label that identifies the owner of the container, a telephone number for the owner, the telephone number for the metropolitan department of codes administration, and non-metal lids on the top of the containers.

This ordinance would add some reporting requirements for holders of permits for the private collection of garbage that own dumpster-type containers. The permit holders would be required to furnish the department of public works with a list of all of their dumpsters located within 300 feet of a residence. This list must be updated on a quarterly basis. If the list is not provided to the department of public works, the permit is to be revoked. This ordinance would also provide that in the event a private collector's permit holder violates the nighttime collection ordinance more than three times in a given calendar year, the department of public works shall revoke the permit. Finally, this ordinance would require the department of public works to provide the council with a quarterly report listing all documented violations of the ordinance, all citizen complaints of violations of the ordinance, and actions taken to remedy the violations.

ORDINANCE NO. BL2005-651 (WALLACE) – This ordinance amends the Metropolitan Code of Laws to limit the types of traffic violations for which a vehicle may be towed by the Metropolitan police department. Presently, the Code provides that any vehicle which is parked, stopped, or standing in violation of any ordinances, except overtime parking, may be towed by the police department. This ordinance would provide that vehicles can be towed only when parked in violation of an ordinance or regulation and are (1) causing a safety hazard, (2) blocking pedestrian or vehicle access to property or a street, alley, or driveway, or (3) disrupting the flow of traffic.

This ordinance does not affect the authority to tow vehicles in violation of obstructing the orderly flow of traffic, parked on thoroughfares more than 48 hours without current registration, or are disabled so as to obstruct traffic, and other similar instances.

ORDINANCE NOS. BL2005-667 AND BL2005-705 – These two ordinances both pertain to the naming of Metropolitan Government property in honor of Justice A.A. Birch. The Metro Code of Laws provides that no building of the Metropolitan Government may be named except pursuant to an ordinance enacted by the council. Justice Birch began his career in Davidson County as an assistant public defender from 1963 to 1966, and then served as an assistant district attorney from 1966 to 1969. He then served from 1969 to 1987 as a general sessions judge and a criminal court judge. He was appointed to the court of criminal appeals in 1987 and was later appointed to the Tennessee Supreme Court in 1993.

Ordinance No. BL2005-667 (WILHOITE, WALLACE & OTHERS) names the new criminal courts building on Second Avenue North the "Justice A.A. Birch Building". In August 2003, the council approved Resolution No. RS2003-1593, which "declared" this building the "Beverly Briley Building", but did not officially name the building in conformance with the requirements of the Code.

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ORDINANCE NOS. BL2005-667 AND BL2005-705 (continued)

Ordinance No. BL2005-705 (GREER & JAMESON) names the complex consisting of the Ben West Building and the new criminal courts building, known as the Beverly Briley Building, as the "Justice A.A. Birch Complex".

Only one of these ordinances should be adopted by the council, as they both deal with the same subject matter.

ORDINANCE NO. BL2005-668 (MCCLENDON) - This ordinance amends the Metropolitan building code to clarify the types of materials used in the construction of fences. In October 2004, the council approved amendments to the property standards code to specify the types of materials that fences may be constructed of, including chain link, wrought iron, wood, masonry, stone, and certain synthetic materials. However, the Code contains fence material provisions in three different chapters. This ordinance simply amends the building code fence section to coincide with the property standards code.

ORDINANCE NO. BL2005-706 (JAMESON) – This ordinance amends the Metropolitan Code of Laws to establish a process and procedure for the naming of Metropolitan Government buildings and open spaces. The Code currently provides that all Metropolitan Government buildings may only be named by ordinance. Such ordinance must include biographical information about the person for whom the building is to be named.

This ordinance would add specific procedures and restrictions to the Code for naming buildings. First, no public structure or space would be able to be named after a living person, unless the person contributed money or land for the structure or space with an express condition on the donation that it be named in a certain manner. Second, no public structure or space could be named in honor of an elected or appointed public official while the official is in office. Third, the ordinance would place the administration of naming public buildings in the hands of the Metropolitan historic zoning commission. The commission would be required to establish a formal procedure for the naming of the buildings, including a specific mechanism for soliciting and measuring public input. Once the commission decides on a name, the commission would then forward its recommendation to the council for approval by resolution receiving 21 affirmative votes.

The provisions of this ordinance would not apply to the board of parks and recreation, the library board, the Metropolitan transit authority, and the board of public education, as these boards are responsible for the naming of buildings under their control.

ORDINANCE NO. BL2005-707 (BRILEY) – This ordinance is a housekeeping amendment to the Metropolitan Code of Laws requested by the department of law regarding the furnishing of defense counsel to Metropolitan Government employees sued for an act or omission arising out of the performance of his/her official duties. The Code currently provides that the department of law is to furnish defense counsel to employees who are sued individually in a civil action for damages for actions or omissions occurring while the employee was within the scope of employment. The Code further provides that if a conflict exists between the interests of the Metropolitan Government and its employee to the extent that representation of the employee by the department of law would violate the Code of Professional Responsibility, then the Metropolitan Government will reimburse Metro employees for outside attorney fees incurred by the employee.

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ORDINANCE NO. BL2005-707 (continued)

The Tennessee Supreme Court recently adopted new ethical standards for lawyers known as the Rules of Professional Conduct. The new Rule 1.7 prohibits a lawyer from representing a client if the representation of that client would be directly adverse to another client. This ordinance amends the Code to provide that the Metropolitan Government will furnish outside counsel to an employee if the director of law determines that the legal department would be prohibited from representing the employee pursuant to Rule 1.7 of the Rules of Professional Conduct.

ORDINANCE NO. BL2005-708 (TOLER, SHULMAN & NEIGHBORS) – This ordinance authorizes the Metropolitan Government to enter into a participation agreement with Richard Argo to provide sewer service to property located at 6262 Nolensville Road. This is a typical agreement entered into by the Metropolitan Government acting through the department of water and sewerage services whereby private property owners and/or developers contribute a portion of the cost to extend or upgrade public water and sewer service. The project consists of the extension of approximately 915 feet of an 8" public sewer main. The estimated cost of the project is \$60,000, with the Metropolitan Government paying fifty percent of the cost. The remaining 50% of the cost will be paid by Mr. Argo through a \$15,000 cash contribution and water and sewer main easements with a value of \$15,370. These funds are to be deposited into the water and sewer extension and replacement fund.

ORDINANCE NO. BL2005-709 (SHULMAN & NEIGHBORS) – This ordinance declares a parcel of property owned by the Metropolitan Government located in Williamson County to be surplus and authorizes the director of public property administration to sell the property in accordance with the standard procedures for the disposition of surplus property. This parcel was acquired by the Metropolitan Government to facilitate the extension of a sewer line to Nolensville, Tennessee. The Metropolitan Government will retain an easement for the sewer utilities located on the property.

ORDINANCE NO. BL2005-710 (WILHOITE) – This ordinance amends the Metropolitan Government geographical information systems map to name three private drives in Nashboro Village. Private streets and roads are named and included on our maps for purposes of providing emergency services, although the roadways are not maintained by the Metropolitan Government. This ordinance names the three private drives as Nashboro Greens, Nashboro Greens Court, and Nashboro Greens Way. These private drives extend off of Longhunter Court.

Ordinance No. BL2005-521, currently on third reading, should be withdrawn as it deals with the same subject matter as this ordinance.

This ordinance has been approved by the planning commission and the ECD board.

ORDINANCE NO. BL2005-711 (ADKINS) – This ordinance renames a portion of Reischa Drive as "Providence Park Lane". This section of roadway is located between Donna Kay Drive and the dead end. There are currently two Reischa Drives that are not connected to each other. Thus, this ordinance is necessary for emergency response. Notification of this name change has been sent by the planning commission staff to the affected property owners.

This ordinance has been approved by the planning commission and the ECD board.

ORDINANCE NO. BL2005-714 (DOZIER) – This ordinance adopts the property identification maps for the Metropolitan Government identifying property as of January 1, 2005, as the official maps for the identification of real estate for tax assessment purposes. These maps are adopted on an annual basis.

ORDINANCE NO. BL2005-715 (RYMAN) – This ordinance approves a memorandum of understanding between the Metropolitan Government the U.S. department of justice, bureau of alcohol, tobacco, firearms, and explosives (ATF) regarding participation in the National Integrated Ballistic Information Network (NIBIN). The NIBIN program provides equipment and access to a national database used by law enforcement agencies for the imaging of ballistic evidence and test fires of firearms that have been used in crimes. ATF will provide, install and maintain all of the necessary equipment and will provide primary communication lines for connecting the equipment to the NIBIN network. Amendments to this agreement may be approved by resolution of the council receiving 21 affirmative votes.

ORDINANCE NO. BL2005-716 (BRADLEY) – This ordinance authorizes the director of public property administration to acquire a sanitary sewer easement by negotiation or condemnation for a parcel of property located on Mt. View Road for the purpose of constructing, maintaining and operating a sanitary sewer at the Lakeside Cove at Percy Priest subdivision. The estimated \$15,000 cost of the easement to be acquired will be paid by Centex Homes, the developer of the subdivision.

This ordinance has been referred to the planning commission.

ORDINANCE NO. BL2005-718 (HART) – This ordinance amends the Metropolitan Code of Laws to prohibit the parking of boats and trailers in the front yards of residential property. In June 2002, the council amended the Code to prohibit the parking of motor vehicles in yards, but did not address boats and trailers. This ordinance would require that all trailers and watercraft stored on private single-family and two-family residential property be parked on a paved or graveled driveway, or behind the rear façade of the structure.

ORDINANCE NO. BL2005-719 (HAUSSER) – This ordinance abandons a ten foot utility easement located at Residence Hall on the Belmont University campus. This easement is no longer being used by the department of water and sewer services.

This abandonment has been approved by the planning commission.

ORDINANCE NO. BL2005-720 (JAMESON, NEIGHBORS & WILHOITE) – This ordinance approves a cost sharing agreement for planning assistance between the U.S. Army Corps of Engineers and the Metropolitan Government for the Cumberland riverfront redevelopment plan project. Pursuant to this agreement, Metro and the corps of engineers will each contribute \$200,000 to fund the study and creation of a master plan for redevelopment of the riverfront in downtown Nashville. This project will include recommendations for development phases, cost estimates of projects, and a defined plan of action for the development. The area of the master plan will be from Rolling Mill Hill to MetroCenter on the west bank, and from Shelby Park to the Jefferson Street bridge on the east bank. It is estimated that this study will be completed within twelve months. Amendments to this agreement may be approved by resolution of the council receiving 21 affirmative votes.

ORDINANCE NO. BL2005-721 (SHULMAN) – This ordinance authorizes the Metropolitan Government to enter into a participation agreement with Blue Bell Creameries, L.P. to provide sewer service to property in Williamson County. Blue Bell Creameries has agreed to contribute \$2,000 for a single connection to the Mill Creek trunk sewer line. These funds will be deposited into the water and sewer extension and replacement fund.

ORDINANCE NO. BL2005-722 (WILHOITE) – This ordinance abandons an eight inch sanitary sewer line at the Shoppes at Nashboro. A sanitary sewer line of equal size will be replacing the existing line. This abandonment has been approved by the planning commission.

ORDINANCE NO. BL2005-723 (TUCKER) – This ordinance authorizes the director of public property administration to acquire an easement by negotiation or condemnation for property located on Brick Church Pike in connection with the McCammon and Duncan water/sewer project. The estimated \$1,500 cost of acquiring the easement will be paid from the water and sewer extension and replacement fund. The ordinance provides that the acquisition of additional easements or properties for these projects may be authorized by a resolution adopted by the Council.

This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2005-724 (NEIGHBORS, MCCLENDON & OTHERS) – This ordinance establishes a senior tax relief grant program within the Metropolitan Government to implement the mayor's plan for providing assistance to elderly resident taxpayers and additional funding for schools through an increase in the local option sales tax. This program assumes that a referendum increasing the local option sales tax to 2.75% will be held in the fall and that the voters will approve the increase in the sales tax. In the event the sales tax increase referendum is approved by the voters and the council approves this program, it is anticipated that 20% of the additional sales tax revenues will be used to fund the senior tax relief grant program, with the remaining 80% allocated to the GSD general purpose school fund.

This program will be administered by the trustee in essentially the same manner as the existing property tax relief program authorized by state law for low-income elderly homeowners. All Davidson County homeowners at least 65 years of age will be eligible for this program. The basic premise of this grant program is that the total amount of property taxes, local option sales taxes, and motor vehicle regulatory license fees paid by senior citizen homeowners would not exceed five percent (5%) of their income. For the purpose of the grant program, "income" consists of the income of the participant and any co-owners of the property, including social security, supplemental security income, pension, retirement wages, investment interest or dividends, and any other income included in adjusted gross income for federal income tax purposes. The grant program does limit the value of the residence to \$200,000, meaning that an eligible grant participant would only be able to claim the amount of property taxes paid on the first \$200,000 value of their residence. In the event both co-owners of a home qualify for the grant program, each co-owner will receive an equal portion of the grant amount provided that the ownership interests in the property are equal. If the ownership interests are not equal, each co-owner would receive a portion of the grant proportionate to their ownership interest.

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ORDINANCE NO. BL2005-724 (continued)

Pursuant to this ordinance, the first \$12 million in additional sales tax revenues collected will be allocated for the tax relief program for the fiscal year ending June 30, 2006. All additional funds collected will be allocated for schools. For all subsequent fiscal years, the ordinance provides it is the "intent" of the Metropolitan Government that the funds be allocated using the 80%-20% split described above. However, the council will have to renew the program annually in the same manner as the current tax relief program for it to remain in effect.

The department of law has opined that this proposed senior tax relief grant program does not conflict with Tennessee statutory law or the Tennessee Constitution. The council office would point out that the department of law's opinion is contrary to several opinions issued by the state attorney general.

The last section of this ordinance states that "this ordinance shall take effect upon the certification by the election commission that the increase in the local sales tax to 2.75 percent has been approved by the voters". The council office is of the opinion that this section is in conflict with Section 3.05 of the Metropolitan Charter, which provides that no ordinance shall take effect until twenty days after its passage, unless the ordinance states that the welfare of the Metropolitan Government requires that it should take effect sooner.

p:second

- BILLS ON THIRD READING -

ORDINANCE NO. BL2004-431 (GREER) – This zoning text change, as amended, would require the planning commission to notify the district councilmember of all requests to modify a planned unit development (PUD) within five days of receiving the request. The zoning code currently does not require that district councilmembers be notified about PUD plans. The code makes a distinction between major and minor modifications to a PUD plan. Major modifications require council approval by ordinance, whereas minor modifications only require approval of the planning commission, or in many cases can be handled administratively upon approval of the executive director of the planning commission. Modifications to PUDs that must be approved by council include:

- Land area being added or removed.
- Modification of special performance criteria or design standards set forth in the enacting ordinance.
- A change in land use beyond that permitted by the underlying zoning district.

The planning commission can consider all minor modifications subject to the following limitations:

- The change does not alter the basic development concept of the PUD.
- The boundary of the PUD is not expanded.
- There is no change in the general PUD classification (i.e. residential to commercial).
- There is no deviation from special performance criteria or design standards.
- No new vehicle access point to an existing street is proposed.
- There is no change from a PUD approved exclusively for single family homes to any other type of residential structure.
- The total floor area of commercial property is not increased more than ten percent.
- The range of permitted uses is not expanded beyond that allowed in the underlying zoning district.

According to the planning commission staff analysis, minor modifications that are approved by the executive director of the planning commission include restriping a parking lot, moving the location of a dumpster, modifications to landscaping, and small additions. This ordinance would require that notification be sent to district councilmembers of all PUD modifications, regardless of the magnitude of the modification. This ordinance has been disapproved by the planning commission.

ORDINANCE NO. BL2005-521 (WILHOITE) – This ordinance renames a portion of Long Hunter Court as “Nashboro Greens”. This is a private road that intersects with and then runs parallel to Longhunter Lane. The planning commission has sent notices to the affected residents regarding this name change.

Although this ordinance purports to rename the road by amending the official street and alley maintenance and acceptance map, this section of roadway is actually a private road. The Metropolitan Code of Laws does provide that the Council can name private streets and roads by ordinance, however such ordinances should not amend the official street and alley acceptance and maintenance map. Ordinance No. BL2005-710, currently on second reading, is a new bill that correctly names this private drive, as well as two other private drives in the same area. Therefore, this ordinance should be withdrawn.

This ordinance has been approved by the planning commission and the ECD board.

ORDINANCE NO. BL2005-585 (LORING & NEIGHBORS) – This ordinance, as amended, approves a lease agreement between the Metropolitan Government and Two Rivers Corporate Centre, L.P. for property located at 2501 McGavock Pike to be used as office and professional training space by the board of education. This property, located in the Opryland area, has been converted from retail space into an office complex. Metro is seeking to lease 24,372 square feet of the space to be used by the board of education for professional development classes for teachers and other school board personnel. The term of the lease is from September 1, 2005 through August 30, 2010. The monthly rent payments pursuant to the lease are as follows:

- Year 1: \$23,472.48 per month
- Year 2: \$23,941.86 per month
- Year 3: \$24,420.70 per month
- Year 4: \$24,909.12 per month
- Year 5: \$25,407.30 per month

Two Rivers Corporate Centre, L.P. (the “lessor”) will be responsible for paying operating expenses of the facility up to \$4 per square foot during each calendar year. Operating expenses include repair of the building, supplies, utilities, trash removal, insurance, and maintenance of the common area. The Metropolitan Government will be responsible for operating expenses in excess of \$4 per square foot, but Metro’s portion of additional rental for common area maintenance and insurance is capped not to exceed 4% in any calendar year. The lessor is required to build out the space according to Metro’s requirements. The lessor is also required to maintain and repair both the interior and exterior of the premises, including all electrical wiring and HVAC systems, and to insure that the premises are ADA compliant. This lease has been approved by the planning commission.

The board of education has informed the council that over \$1 million dollars is to be provided by private contributions to cover the lease costs. This ordinance, as amended, provides that approval by the Council is conditioned upon the board of education’s ability to secure the private funding satisfactory to the director of finance.

ORDINANCE NO. BL2005-650 (JAMESON) - This zoning text change would increase the size of accessory buildings permitted to encroach into a required setback from 600 to 700 square feet. This text change would also increase the maximum size of permissible accessory buildings to 700 square feet for lots less than 40,000 square feet. While the maximum size provision applies to all types of accessory buildings, it is most often use for stand alone garages that are accessory to a residence. The current 600 square foot limit is intended to permit a two-car garage. This ordinance would allow an additional 100 square feet of space in such buildings.

This ordinance has been approved by the planning commission.

ORDINANCE NO. BL 2005-658 (BRADLEY) - This zoning text change, as amended, would specify the types of materials that may be used in the construction of permanent on-premises signs. The zoning code currently allows two types of permanent on-premises signs: permanent ground signs and permanent building signs. However, the Zoning Code does not specify the types of materials that must be used for these signs. There are various signs throughout Davidson County attached to the side of a building that are made of vinyl or some other temporary material. Technically, these vinyl signs are considered permanent on-premises signs since they are “permanently” attached to the building.

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ORDINANCE NO. BL 2005-658 (continued)

This ordinance would prohibit such signs from being constructed of nonrigid materials, including vinyl, fabric, and canvas. Rather, such signs would be required to be constructed of rigid, weatherable materials such as hard plastic, wood, metal, or Plexiglas. This ordinance expressly exempts canopies, awnings, and porticoes from the requirements of the ordinance.

This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2005-701 (BROWN, BURCH, AND OTHERS) - This zoning text change would create a new historic bed and breakfast overlay district. Currently, historic bed and breakfast establishments are permitted as a special exception (SE) use, requiring council approval by resolution, then approval by the board of zoning appeals. The Council has 60 days to act on a request for a historic bed and breakfast after first being notified by the zoning administrator that an application for a special exception has been filed. Failure by the council to act on the request within the 60 day period results in the request being deemed approved by the council.

This ordinance would remove historic bed and breakfasts from the jurisdiction of the board of zoning appeals and place it solely with the council. This is accomplished through the creation of a new zoning overlay district: historic bed and breakfast homestay (HB) district. The criteria for historic bed and breakfast establishments would essentially remain the same as the current criteria to obtain a special exception. Such criteria includes a limit on the number of consecutive days a guest can stay at the home, that the home be owner occupied, and that no more than one off-street parking space be provided for each guest room. One noticeable change in the criteria deals with the historic nature of the property. As a special exception use, a historic bed and breakfast homestay only needs to be designated by the Metropolitan historic zoning commission as a "historically significant structure." Under this proposed ordinance, the structure would have to be eligible for listing on the National Register of Historic Places, have played a role in history, or demonstrate a mastery of craftsmanship.

There may be proposed housekeeping amendment for this ordinance to clarify throughout the Zoning Code that a historic bed and breakfast would no longer be designated as a special exception use.

This ordinance has been disapproved by the planning commission.

ORDINANCE NO. BL2005-704 (MCCLENDON) – This zoning text change is essentially a housekeeping amendment to Ordinance No. BL2005-630, adopted on June 21, 2005, to allow animal hospitals in certain zoning districts. This ordinance is merely a technical addition to formally create the use "Animal Hospital".

This ordinance has been approved by the planning commission.

Dept Name	Project ID	Project Title	Project Description	BONDS			Self	4%		
				GSD	USD	SCHOOL	Funding	Funds	Other	TOTALS
				2006	2006	2006				
Clerk and Master - Chancery	06CH0001	CASE MANAGEMENT SYSTEM.	To purchase a new case management system to meet state legislated requirements and to provide more efficient service to chancery court, litigants, the public, attorneys, state agencies and metro govt and to increase cost collections.					1,200,000		1,200,000
Clerk and Master										1,200,000
Codes Administration	06CA0001	TABLET COMPUTERS FOR INSPECTORS	Tablet computers to be used by all codes' inspectors and inspection chiefs to allow them to make various inspections (building, electrical, plumbing, gas/mechanical, property standards, zoning, tree density, etc.) And to record results in real time. This recommendation is a result of the performance audit prepared by maximus, inc.					100,000		100,000
Codes										100,000
Convention Center	06CC0004	CONVENTION CENTER OMNIBUS PROJECTS	To address several capital projects presented by the convention center.				1,409,100			1,409,100
Convention Ctr										1,409,100
Finance	02FI001	E.BUDGET PROJECT	For the installation / enhancement / advancement of an e.budget project				250,000			250,000
Finance	02FI021	MAJOR MAINTENANCE - FACILITIES	Funds to be used for dealing with major maintenance issues/ roofs / emergency repairs to metro facilities	500,000						500,000
Finance	02FI039	EBS/OTHER COMPUTER SYSTEMS - UPGRADES	Upgrades/enhancements to EBS and related computer systems of Metro Government note: previously titled under "fastnet" upgrades				875,000			875,000
Finance	03FI0001	WAREHOUSE STUDY RECOMMENDATIONS	Funds to begin the implementation of the warehouse study's recommendations.				754,000			754,000
Finance	03FI0006	HOWARD CAMPUS INFRASTRUCTURE	These funds are to implement the Howard Campus plan for: vehicular and pedestrian ways; storm drainage, underground utilities; ada issues; campus signage and lighting.	2,145,000						2,145,000
Finance	04FI0004	HOWARD OFFICE BUILDING - Phase I	To complete the first phase of renovation, construction, and modification to the Howard Office Building.	14,656,000						14,656,000
Finance	04FI0005	LINDSLEY HALL MODIFICATIONS	To address Lindsley Hall life safety modifications.	960,000						960,000
Finance	04FI0017	E-PROCUREMENT, CONTRACT AND GRANTS MGMT SYSTEMS	Internet-based systems that offer electronic procurement processes, contract and grant management systems				673,000			673,000
Finance	06FI0003	POLICE ACADEMY OMNIBUS LIST	Omnibus list of facility-related projects					500,000		500,000
Finance	06FI0004	CITY HALL RENOVATIONS - Planning and Construction	Various renovations to the City Hall (former Ben West Library) to prepare it for future occupants.	459,400						459,400
Finance	06FI0006	ROOF ASSESSMENTS AND RENOVATIONS	To implement roof assessment recommendations and to perform additional assessments of various roofs					763,000		763,000

Dept Name	Project ID	Project Title	Project Description	BONDS			Self	4%		
				GSD	USD	SCHOOL	Funding	Funds	Other	TOTALS
				2006	2006	2006				
Finance	06FI0007	BEN WEST BUILDING - Renovations	Renovation to the Ben West court building.	5,895,000						5,895,000
Finance	06FI0008	TENNESSEE STATE FAIR ROOF PROJECTS	To address the long bldg, the rabbit barn, concession roof, and judging arena roof section 4.				235,000			235,000
Finance	06FI0009	WATER SERVICES ROOFS	To address the repair and /or replacment of wcvwtp sludge roof, dcwwtp maintenance roof, cwvtp maintenance roof, dcwwtp chlorine roof, and wcvwtp administration roof.						368,000	368,000
Finance	06FI0010	HISTORIC COURTHOUSE - FF&E	To purchase furniture, fixtures and equipment for the Historic Courthouse.					3,986,000		3,986,000
Finance	06FI0011	BEVERLY BRILEY BUILDING - FF&E	To purchase furniture, fixtures and equipment for the new Criminal Court Building.	3,300,000						3,300,000
Finance	06FM0001	FARMERS MARKET OMNIBUS REPAIRS	Omnibus list of facility-related projects presented by the farmers market.				500,000			500,000
Finance	06FI0016	METRO SOUTHEAST - ELECTIONS	Modifications to the facility leased from the Metro Airport Authority (Former Genesco facility now known as Metro Southeast for agencies transferring there.	133,100						133,100
Finance	06FI0018	METRO SOUTHEAST - FIRE	Modifications to the facility leased from the Metro Airport Authority (Former Genesco facility now known as Metro Southeast for agencies transferring there.	1,975,200						1,975,200
Finance	06FI0019	METRO SOUTHEAST - GENERAL SERVICES	Modifications to the facility leased from the Metro Airport Authority (Former Genesco facility now known as Metro Southeast for agencies transferring there.				6,593,600			6,593,600
Finance	06FI0020	METRO SOUTHEAST - HEALTH - FOOD DIST	Modifications to the facility leased from the Metro Airport Authority (Former Genesco facility now known as Metro Southeast for agencies transferring there.				499,500			499,500
Finance	06FI0021	METRO SOUTHEAST - HUMAN RESOURCES	Modifications to the facility leased from the Metro Airport Authority (Former Genesco facility now known as Metro Southeast for agencies transferring there.				457,900			457,900
Finance	06FI0023	METRO SOUTHEAST - METRO CLERK - RECORDS	Modifications to the facility leased from the Metro Airport Authority (Former Genesco facility now known as Metro Southeast for agencies transferring there.	837,000						837,000
Finance	06FI0024	METRO SOUTHEAST - OEM - VEHICLE STORAGE	Modifications to the facility leased from the Metro Airport Authority (Former Genesco facility now known as Metro Southeast for agencies transferring there.				747,600			747,600
Finance	06FI0025	METRO SOUTHEAST - POLICE	Modifications to the facility leased from the Metro Airport Authority (Former Genesco facility now known as Metro Southeast for agencies transferring there.	419,600						419,600
Finance	06FI0026	METRO SOUTHEAST - SCHOOLS	Modifications to the facility leased from the Metro Airport Authority (Former Genesco facility now known as Metro Southeast for agencies transferring there.				2,214,600			2,214,600

Dept Name	Project ID	Project Title	Project Description	BONDS			Self	4%		
				GSD	USD	SCHOOL	Funding	Funds	Other	TOTALS
				2006	2006	2006				
Finance	06FI0027	METRO SOUTHEAST - TRANS LICENSING	Modifications to the facility leased from the Metro Airport Authority (Former Genesco facility now known as Metro Southeast for agencies transferring there.	198,300						198,300
Finance	06FI0001	ADVENTURE SCIENCE CENTER - CAPITAL CONTRIBUTION	A capital contribution from the Metro Government to the Adventure Science Center.	5,000,000						5,000,000
Finance	06FI0029	COUNTRY MUSIC HALL OF FAME - CAPITAL CONTRIBUTION	Capital contribution to Country Music Hall of Fame.	1,000,000						1,000,000
Finance	06FI0030	FRIST CENTER FOR THE VISUAL ARTS - CAPITAL CONTRIBUTION	Capital contribution to Frist Center	500,000						500,000
Finance	04HA0003	CAPITAL CONTRIBUTION TO NASHVILLE SYMPHONY	Capital contribution to new Symphony Hall	5,000,000						5,000,000
Finance	06FI0014	CHILDREN'S THEATRE - CAPITAL CONTRIBUTION	Capital allocation for Children's Theatre at Howard Campus	1,744,000						1,744,000
Finance	06FI0031	NASHVILLE DOWNTOWN PARTNERSHIP CAPITAL PROJECTS	Capital projects requested by the nashville downtown partnership and funded through public works' parking funds						71,000	71,000
Finance										64,210,800
General Services	02GS002	PURCHASE RADIO UNITS - FIRE, SHERIFF, SCHOOLS, PARKS, POLICE AND CONTINGENCY.	Upgrade on conventional users of radio system to 800 mhz.				4,878,000			4,878,000
General Services	06GS0002	RADIO INFRASTRUCTURE	Funding for data system expansion, server replacement, tower site security upgrade, and other system expansions.				3,050,000			3,050,000
General Services	02GS003	VEHICLE PURCHASES	Purchase of replacement vehicles and pieces of equipment for ofm's customers.					16,086,473	1,213,527	17,300,000
General Services	06GS0003	OFM-VEHICLE ADDITIONS	Agency requests for additions to the fleet.					1,639,700	399,000	2,038,700
General Services	06GS0004	OFM-CASUALTY REPLACEMENTS	To provide the necessary funding to replace / repair damaged fleet vehicles during fy.					500,000		500,000
General Services	06GS0019	311 - TELECOMMUNICATIONS PROJECT	Centralized call-center and customer service center for non-emergency government services. Funds for first year design and implementation.				1,975,000			1,975,000
General Services	06GS0018	GENERAL BUILDING REPAIRS	Building repairs to: drug court, soil & water, 222 Building, Ben West, Central Precinct, City Hall, CJC, East Precinct, ECC, Howard School.					1,000,000		1,000,000
General Services	06GS0014	PREVENTATIVE MAINTENANCE - ALL BUILDINGS	Repairs, ceiling tiles, clean hvac ductwork and coils, electrical load testing, a/c load testing, test and balance, upgrade light fixtures.					1,200,000		1,200,000
General Services	06GS0020	SHARED SERVICES PROJECT	Continuing implementation of the shared services business concept within the central service departments				1,000,000			1,000,000
General Services										32,941,700

Dept Name	Project ID	Project Title	Project Description	BONDS			Self	4%		
				GSD	USD	SCHOOL	Funding	Funds	Other	TOTALS
				2006	2006	2006				
General Sessions Court	06GJ0001	TRAFFIC SCHOOL MANAGEMENT SYSTEM	This is providing an automated management system for the traffic school by enhancing the new traffic violations management system. The school currently has a manual system for attendance and revenue management. This request also includes metro govt. Providing the traffic school the point of sale(pos) capability for collecting over \$2 million dollars annually.					150,000		150,000
General Sessions Court	06GJ0002	ELECTRONIC DOCKET DISPLAY	To implement an electronic docket display system.					428,000		428,000
General Sessions Court	06GJ0003	DIGITAL AUDIO RECORDING SYSTEM	Implementation / installation of a digital audio recording system.					137,000		137,000
General Sessions Court	06GJ0004	REMOTE PA AND AUDIO SYSTEM	Instaalation of a remote pa system and remote audio/judge suites plus document cameras and projectors.					64,000		64,000
General Sessions										779,000
Health	06HD0002	LENTZ EXPANSION AND RENOVATION - Year 1 Planning	Funding to allow for the expansion and renovation of the Lentz Public Health building.	6,400,000						6,400,000
Health										6,400,000
General Hospital	04GH0001	HOSPITAL INTEGRATED INFORMATION SYSTEM	This project establishes a single platform integrated system across all clinical departments of the hospital.				6,200,000			6,200,000
General Hospital										6,200,000
Human Resources	06JB0001	APPLICANT TRACKING SYSTEM	Applicant tracking system for neo-gov. Price to include set-up, training and unlimited licenses for Metro Government. Allows all Metro agencies to track applicants.					200,000		200,000
Human Resource										200,000
Justice Integration Services	06JI0001	OPEN JUSTICE INFORMATION EXCHANGE SYSTEM (OJIES)	This capital project proposal will transform our current criminal justice information system to a new technology and application platform in order to reduce the long-term costs and risks of Metro's current system, enable justice applications to integrate changes in business processes, and facilitate an unprecented sharing and real-time availability of criminal justice information across internal and external law enforcement agencies state-wide and nationally.	1,800,000						1,800,000
JIS										1,800,000
Juvenile Court	06JC0004	FF& E FOR EXISTING COURTS AND REFEREES	To address furniture needs for existing courtrooms at the JJC.					130,000		130,000
Juvenile Court	4%	SECURITY ISSUE ITEMS - Cameras and Recorders	Security issues - cameras and recorders					29,500		29,500
Juvenile Court										159,500

Dept Name	Project ID	Project Title	Project Description	BONDS			Self	4%	Other	TOTALS
				GSD	USD	SCHOOL	Funding	Funds		
				2006	2006	2006				
Metro Action Commission	06AC0014	DUDLEY - RENOVATIONS AND ADDITIONS	Renovations to existing building plus addition of approximately 4,000 sf to provide 4 additional class rooms.	2,899,000						2,899,000
MAC										2,899,000
MDHA	06HA0005	JOHN HENRY HALE HOMES - HOPE VI GRANT AND LOCAL MATCHING FUNDS	Local funds for infrastructure, street improvements and stormwater drainage.	1,000,000						1,000,000
MDHA	98HA001	ARTS CENTER REDEVELOPMENT AREA - THE GULCH	The third and final phase of infrastructure for the Gulch redevelopment.	885,700						885,700
MDHA										1,885,700
Metropolitan Clerk	06MC0001	ELECTRONIC VOTING BOARD FOR COUNCIL	Electronic vote tally board for use by Council					293,300		293,300
Metro Clerk										293,300
MNPS	03BE0005	BUS REPLACEMENT MANDATORY	Mandatory bus replacements to meet state replacement schedule			3,573,000				3,573,000
MNPS	03BE0011	DISTRICT VEHICLES	Replacement of district vehicles with excess mileage or vehicles with excessive repair needs			550,000				550,000
MNPS	03BE0012	DISTRICT WIDE ADA COMPLIANCE	Renovate buildings to be in compliance with the Americans with Disabilities Act: Antioch High, Hunters Lane, Maplewood, Whites Creek, Hillsboro, Hillwood, Overton, Stratford, McCann, Randalls, Johnson.			5,370,000				5,370,000
MNPS	03BE0013	DISTRICT WIDE ELEMENTARY GYMS	Construct elementary p.e. rooms at Kings Lane, Glenclyff, Mcgavock, j.e. Moss, Norman Binkley, Crieve Hall, Kirkpatrick, Ross, and Cora-Howe elementary schools			2,445,000				2,445,000
MNPS	03BE0014	DISTRICT WIDE MIDDLE SCHOOL AIR CONDITIONING	Air conditioning at auditorium or gymnasium at Margaret Allen, Jere Baxter, Brick Church, Dalewood, John Early, Goodlettsville, Gra-mar, Head, Joelton, Litton, Neelys Bend, West End, and H.G. Hill Middle schools			488,000				488,000
MNPS	03BE0021	GATEWAY ELEMENTARY RENOVATION/ADDITION	Add 10 classrooms, library addition, p.e. room and renovate existing facility			3,773,000				3,773,000
MNPS	03BE0043	MCGAVOCK ELEMENTARY RENOVATION	Mcgavock elementary school - renovate efacility			1,438,000				1,438,000
MNPS	03BE0048	NEELYS BEND ELEMENTARY RENOVATION	Neelys Bend elementary school - renovate facility			3,413,000				3,413,000
MNPS	03BE0049	NEW ELEMENTARY HILLWOOD CLUSTER	Construct a new elementary school for 500 students in the Hillwood cluster, site undetermined			6,678,000				6,678,000
MNPS	03BE0053	ROOFING	Replacement or repair of roofs at district owned buildings			2,833,000				2,833,000
MNPS	03BE0055	SECURITY ENVIRONMENTAL, MAINTENANCE EMERGENCIES	Security, hvac, fire safety, athletics, plumbing, i.aq, and plumbing emergency response/safety projects			2,500,000				2,500,000

Dept Name	Project ID	Project Title	Project Description	BONDS			Self	4%	Other	TOTALS
				GSD	USD	SCHOOL	Funding	Funds		
				2006	2006	2006				
MNPS	03BE0057	TECHNOLOGY	District technology including: student and staff personal computers, software maintenance, telephone upgrades, network upgrades, instructional software, administrative hardware and software upgrades			6,000,000				6,000,000
MNPS	03BE0062	WEST END MIDDLE SCHOOL RENOVATION	West End Middle school - renovate facility			5,240,000				5,240,000
MNPS	04BE0005	NEW HIGH SCHOOL SOUTHEAST DAVIDSON COUNTY	New high school southeast Davidson County			3,762,700				3,762,700
MNPS	04BE0036	CONSTRUCTION CONTINGENCY	Construction contingency for renovation/construction/deferred maintenance projects for metro nashville public schools			5,152,000				5,152,000
MNPS	04BE0037	MIDDLE SCHOOL ATHLETIC FIELDS	Installation/renovation/improvement of various middle school athletic fields for metro public schools			300,000				300,000
MNPS	06BE0001	ENERGY RETROFITS	Comprehensive energy conservation and water management and related capital projects.				13,911,000			13,911,000
MNPS										67,426,700
MTA	02MT010	CAPITAL NEEDS, INCLUDING THE PURCHASE OF TRANSIT BUSES AND PARATRANSIT VEHICLES	Funding will be used to purchase transit buses, paratransit vehicles that have exceeded useful life, along with other capital needs, such as, facility improvements, passenger amenities, and support/shop equipment	6,887,000						6,887,000
MTA	02MT010	TRANSFER OF \$7.1M FROM SELF-FUNDING TO BOND FUNDS	Move funding to bonds	7,173,400						7,173,400
MTA	02MT001	FY 2006 - SECTION 5307 URBANIZED AREA CAPITAL FUNDING	These grants will be used for the purchase of rolling stock, passenger amenities, support equipment, facility improvements, communication equipment, parts capitalization, preventive maintenance, and project administration.	876,200						876,200
MTA	02MT002	SECTION 5309 BUS AND BUS FACILITIES EARMARK	Special earmarks will be used to purchase 20 to 24 - 40' buses to replace some of the ones that have passed useful life. New buses will be purchased over the next five years to replace ones that are or have exceeded useful life.	551,100						551,100
MTA	03MT0002	CENTRALIZED INTERMODAL TRANSIT TRANSFER FACILITY	This facility will contain adequate space for all downtown transit service to operate in affluent manner as well as sufficient parking. This facility will include a waiting area, cs center, fare media outlet, and a day care facility	664,400						664,400
MTA										16,152,100
Parks	02PR012	MASTER PLAN FOR METRO PARKS/GREENWAYS - IMPLEMENTATION	Park and facility improvements, upgrades and construction metro-wide	25,000,000						25,000,000

Dept Name	Project ID	Project Title	Project Description	BONDS			Self	4%		
				GSD	USD	SCHOOL	Funding	Funds	Other	TOTALS
				2006	2006	2006				
Parks	02PR015	PARK BUILDINGS AND FACILITIES- DEFERRED AND ONGOING MAINTENANCE	Countywide- various locations plan, repair and upgrade repair and upgrade roofs and systems (mechanical, electrical, plumbing, structural, swimming pools, tennis and basketball courts, etc.)	6,000,000						6,000,000
Parks	04PR0001	ZOO CAPITAL CONTRIBUTION	Additions to Nashville Zoo	5,000,000						5,000,000
Parks										36,000,000
Police	06PD0009	RECORDS MANAGEMENT SYSTEM SOFTWARE	This is to replace current legacy records management software system with latest rms package to provide state of the art functionality. This is required hardware for installation of rms software applicaitons. It will replace the legacy mainframe hardware. This printer will replace a mainframe non-network capable printer. This printer will be a high volume/high speed production printer attached to new rms hardware running on the network. This is to be utilized by users for a 100% interface connection and data availability standard across the area.	5,973,800						5,973,800
Police	06PD0002	EAST PRECINCT - Year 1 Planning	Construction of a new precinct building is requested to facilitate the efficient operation required of a police precinct.	3,400,000						3,400,000
Police										9,373,800
Public Library	97PL002	GOODLETTSVILLE LIBRARY	Goodlettsville branch replacement purchase land and construct new 10,000 sq ft facility	400,000						400,000
Public Library	99PL001	BELLEVUE BRANCH REGIONAL LIBRARY	Bellevue branch regional library - design, site acquisition, construct furnish and equip a 25,000 sq ft building	800,000						800,000
Public Library	06PL0001	OMNIBUS BUILDING REPAIRS AND FURNISHINGS	Repairs of various buildings and furnishings as well as provide new equipment and furnishings to provide a clean, safe, and attractive environment for our customers.					213,000		213,000
Public Library	06PL0002	MAIN LIBRARY RENOVATIONS - Library Foundation Funding	Expansion of special collections area, relocation of deaf and hard of hearing services, relocation of reference desk operations, and creation of a small business center. Will be funded by the Library Foundation.						1,066,000	1,066,000
Public Library										2,479,000
Public Works	02PW011	BRIDGE PROGRAM - MAINTENANCE , REPAIR AND REHABILITATION	Bridge maintenance , repair , and rehabilitation program miscellaneous locations	3,000,000						3,000,000
Public Works	02PW012	BRIDGES DRAINAGE - REPLACEMENT/REPAIRS	Bridges drainage - replacements/repairs	500,000						500,000
Public Works	02PW014	DEMONBREUN BRIDGE - IMPROVEMENTS	Demonbreun bridge - improvements over gulch / railroad and 11th avenue s from 10th avenue s. To 12th avenue s.	1,660,000						1,660,000

Dept Name	Project ID	Project Title	Project Description	BONDS			Self	4%	Other	TOTALS
				GSD	USD	SCHOOL	Funding	Funds		
				2006	2006	2006				
Public Works	03PW0015	REPLACEMENT OF SAFETY LIGHTING ON SELECTED DOWNTOWN CORRIDORS	Replacement of safety lighting on selected downtown corridors - phase 1 - West End and Lafayette street areas	1,000,000						1,000,000
Public Works	06PW0011	ROADWAY MAINTENANCE IN GSD	Roadway maintenance for resurfacing ,paving ,and marking	5,900,000						5,900,000
Public Works	02PW021	ROADWAY MAINTENANCE IN USD	Roadway maintenance for resurfacting, paving, marking	4,800,000						4,800,000
Public Works	06PW0019	SIDEWALKS -CONSTRUCT/ IMPROVE IN GSD	Sidewalks ,construct and improve in accordance with Sidewalk Master Plan	4,000,000						4,000,000
	02PW022	SIDEWALKS - CONSTRUCT/IMPROVE IN USD	Sidewalks ,construct and improve in accordance with Sidewalk Master Plan		6,000,000					6,000,000
Public Works	06PW0026	TDOT STATE ROUTE PAVING PROGRAM - RAMPS - GSD	Rehab sidewalks and ramps	1,500,000						1,500,000
Public Works	01PW010	TDOT STATE ROUTE PAVING PROGRAM - RAMPS - USD	Rehab sidewalks and ramps		500,000					500,000
Public Works	02TP002	TRAFFIC SIGNAL EQUIPMENT - MODIFY	Annual growth traffic signal equipment install new traffic signals and modify existing signals as needed		3,930,000					3,930,000
Public Works	06PW0027	TRAFFIC SIGNAL MODIFICATION- ADA-GSD	Traffic signal modification-ada	250,000						250,000
Public Works	01PW004	TRAFFIC SIGNAL MODIFICATION- ADA-USD	Traffic signal modification-ada		750,000					750,000
Public Works	04PW0005	WOODLAND STREET BRIDGE OVER CUMBERLAND RIVER	Maintenance ,painting , and enhancements such as special lighting , and ornamental bridge rail		3,550,000					3,550,000
Public Works	02PW020	ROADWAY IMPROVEMENTS IN G.S.D.	Roadway improvements in g.s.d. engineering, right-of-way, intersections, signals and constructions	20,000,000						20,000,000
Public Works	02UW010	BIKE ROUTE STRATEGIC PLAN	Construct bikeways	600,000						600,000
Public Works	06PW0018	BORDEAUX LANDFILL CAP REMEDIATION PRE -1990 AREAS	Placement of dirt/clay in pre 1990 areas		4,200,000					4,200,000
Public Works	06PW0021	PARKING GARAGE EQUIPMENT - COURTHOUSE	Purchase of the parking equipment used in garage operations.	462,000						462,000
Public Works										62,602,000
State Fair Board	06FB0001	ADA GRANDSTANDS	Funds requested to finish ada improvements for grandstand and race track area. Justification: required to be in compliance with ada law/court settlement. These funds are requested in order to complete phase #2 of the ada upgrades, which was started in fy-'05.				425,000			425,000
State Fair Board	06FB0002	VAUGHN BLDG RENOVATION	Replace light fixtures, ceiling tiles, paint interior walls, add (36) electrical drops from ceiling, add 400 amp electrical panel. Justification: the vaughan building electrical and lighting system is sorely outdated, possibly hazardous. Building needs udateing to improve its rental value and utilization.				425,000			425,000

Dept Name	Project ID	Project Title	Project Description	BONDS			Self	4%		
				GSD	USD	SCHOOL	Funding	Funds	Other	TOTALS
				2006	2006	2006				
State Fair Board	06FB0003	DOOR REPLACEMENTS	Replace all doors on all rental buildings. (48) double doors (1) single door justification: doors have been severely damaged over the years by vendors, customers, and weather (rust). Doors are obsolete; replacement parts are no longer available. Present condition of doors are a security as well as safety issue.				224,000			224,000
State Fair Board	06FB0004	MISCELLANEOUS REPAIR / MAJOR MAINTENANCE ITEMS	Various miscellaneous repair and major maintenance items at state fairgrounds				100,000			100,000
State Fair Board	06FB0005	REPLACE DUMPSTERS	Replace dumpsters at fairgrounds location				25,000			25,000
State Fair Board										1,199,000
State Trial Courts	06ST0006	DRUG COURT DORMITORY - Judge Norman	Construct a dormitory for use by the Drug Court						300,000	300,000
State Trial Courts										300,000
Fire	06FD0001	FIRE DEPARTMENT - FACILITIES MASTER PLAN	Construction of a new Fire Department Headquarters	6,500,000						6,500,000
Fire										6,500,000
ITS	06IT0001	PROVIDE DATA NETWORK FOR VARIOUS METRO PROJECTS	Provide data network infrastructure to support rps construction projects for BBB, Metro Southeast, OMOB, Historic Courthouse and parking facility, Ben West, Howard School., Lindsley Hall, Howard Campus, Lentz, Dudley and Antioch Head Start; and various other projects.	3,747,400						3,747,400
ITS	06IT0002	PROVIDE VOICE NETWORK FOR METRO PROJECTS	Provide voice infrastructure to support rps construction projects for BBB, Metro Southeast, OMOB, Historic Courthouse and parking facility, Ben West, Howard School., Lindsley Hall, Howard Campus, Lentz, Dudley and Antioch Head Start; and various other projects.	3,247,100						3,247,100
ITS	06IT0006	PROVIDE UPGRADED VOICE NETWORK FOR RPS PROJECTS	Provide upgraded voice infrastructure to various existing facilities.				1,324,400			1,324,400
ITS	02IS004	TECHNOLOGY REVOLVING FUND	Outlay for metro-wide technology revolving fund to replace computer workstations and equipment					6,208,800		6,208,800
ITS	03IT0002	IMAGING TECHNOLOGY	Imaging technology hardware and software necessary to scan and save paper records as digital images				1,500,000			1,500,000
ITS	04IT0004	NETWORK SECURITY CONTROL	Provide tools and equipment to monitor and respond to vulnerabilities and security issues before they result in a loss of data or productivity.				643,000			643,000
ITS	04IT0005	BUSINESS CONTINUITY & DISASTER RECOVERY (SAN & SERVERS, NETBACKUP, E-MAIL SAN)	Complete the upgrade backup infrastructure and to accomplish centralized backups. Provide upgraded fiber channel, additional storage to meet need for critical replicated data, backup-to-disk, tape library expansion and related software.				2,282,000			2,282,000

Dept Name	Project ID	Project Title	Project Description	BONDS			Self	4%		
				GSD	USD	SCHOOL	Funding	Funds	Other	TOTALS
				2006	2006	2006				
ITS	04IT0008	TAX ACCOUNTING SYSTEM	Purchase and installation of tax accounting system/software. Will provide a complete web enabled server based tax accounting system with interfaces to Metro's accounting system and cashing system.				2,254,000			2,254,000
ITS	06IT0011	ENTERPRISE SERVICES UPGRADE	Provide ability for robust instant messaging with real-time collaboration that meets HIPPA requirements. Provide ease of collaboration and document sharing with little administrative overhead. Provide email encryption for email leaving metro government. Provide additional storage and load balancing for owa that has reached capacity.				121,000			121,000
ITS	06IT0017	PURCHASE DATABASE (ORACLE & SQL) SERVERS	Provide a platform for ms sql and oracle testing as well as oracle administrative systems and server.				145,000			145,000
ITS										21,472,700
TOTALS				177,599,700	18,930,000	53,515,700	55,691,700	34,828,773	3,417,527	343,983,400