



METROPOLITAN COUNCIL

Metro Council Office

MEMORANDUM TO: All Members of the Metropolitan Council
FROM: Jon Cooper, Director
Metropolitan Council Office
DATE: **May 19, 2009**
RE: **Analysis Report**

Balances As Of: 5/13/09 5/14/08

GSD 4% RESERVE FUND * \$5,912,251 \$21,891,153

GENERAL FUND UNDESIGNATED FUND BALANCE

GSD	\$19,520,967	\$23,429,103
USD	\$13,510,632	\$15,945,572

GENERAL PURPOSE SCHOOL FUND UNRESERVED FUND BALANCE

	\$52,554,640	\$61,509,540
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* Assumes estimated revenues in fiscal year 2009 in the amount of \$2,648,426

– BILL ON PUBLIC HEARING –

ORDINANCE NO. BL2009-436 (FORKUM, GARRETT & OTHERS) – This ordinance approves Amendment No. 3 to the arts center redevelopment project plan and Amendment No. 8 to the capitol mall redevelopment project plan, which is necessary to facilitate the construction of the new convention center. The arts center redevelopment plan originally included the old downtown post office, the Union Station Hotel, and Cummins Station. The plan was subsequently amended to add the Music Row area and the area between I-40 and the railroad gulch to the redevelopment plan area. The capitol mall redevelopment plan basically governs the redevelopment of the downtown area. The proposed Music City Center site is currently located within both the arts center and the capitol mall redevelopment districts. The Metropolitan development and housing agency (MDHA) has determined that it is appropriate that the property be consolidated into one plan.

In addition to modifying the areas of the two redevelopment districts, the amendments make a number of textual changes to the plans. First, the capitol mall plan is amended to add the convention center and convention center hotel as the intended use for the convention center tracts, as well as to provide land for a variety of high intensity uses compatible with the new convention center. Second, the duration of the plan is extended through December 31, 2040. Third, the amendment adds the statutory language stating that conditions exist within the area of the Capitol Mall redevelopment district that are detrimental to the health, safety and welfare of the people of Nashville to enable MDHA to acquire property within the district by negotiation or condemnation. Finally, the amendment adopts the master plan for the convention center project, a copy of which is attached to this analysis.

The planning commission has approved this ordinance.

– RESOLUTIONS –

RESOLUTION NO. RS2009-698 (FORKUM) – This resolution approves an intergovernmental agreement between the Metropolitan Government and the Metropolitan development and housing agency (MDHA) for the pre-development activities associated with the proposed new convention center in downtown Nashville. In August 2007, the council enacted Ordinance No. BL2007-1557 authorizing the collection of four tourist accommodation taxes to create a funding mechanism for the construction of a new downtown convention center. This legislation essentially incorporated the provisions of the state enabling legislation for these four taxes into the Metro Code. These four tourist accommodation taxes may only be used for the construction of a convention center with a construction cost in excess of \$400 million. Summaries of the four additional tourist accommodation taxes are as follows:

- An increase in the hotel/motel tax from five percent to six percent, with two cents being designated specifically for the construction of a convention center. An additional cent is for tourist-related activities, which includes funding a convention center.
- A new \$2.00 tax upon the occupancy of each hotel room within the area of the Metropolitan Government for the purpose of paying construction costs, operation, promotion, management and marketing of a new publicly-owned convention center.
- A new \$2.00 tax on contracted vehicles exiting the Nashville airport, including taxis, limos, and shuttle vans.
- A new one percent tax on the gross proceeds derived from the lease or rental of any passenger vehicle, truck or trailer for a period of five days or less.

In February 2008, the council approved Resolution No. RS2008-143 authorizing MDHA to undertake predevelopment activities necessary to move toward the construction of the convention center, and provided that such predevelopment activities not exceed the amount of the convention center tourist accommodation taxes collected.

The intergovernmental agreement approved by this resolution essentially authorizes MDHA to undertake the convention center pre-development project, and provides the mechanism for MDHA to issue debt to undertake these activities. The term "pre-development project" in the agreement includes: (1) the acquisition of property upon which the convention center will be constructed (including the convention center parking garage and hotel); (2) the relocation of the businesses located on the property to be acquired; (3) the demolition of buildings; (4) the relocation of utilities, including the NES substation; and (4) infrastructure projects. The Metropolitan Government agrees to collect the tourist accommodation taxes described above (pledging only one cent of the six-cent hotel occupancy tax) and transfer the revenues to MDHA to be used to complete the pre-development project.

MDHA has the authority under state law to acquire property by negotiation or condemnation for the purposes stated in the redevelopment district plans. Ordinance No. BL2009-436, currently on first reading, amends the Arts Center Redevelopment Plan and the Capitol Mall Redevelopment Plan to place all of the convention center property within the Capitol Mall plan.

(continued on next page)

RESOLUTION NO. RS2009-698

The agreement also approves MDHA's issuance of debt in an amount not to exceed \$75 million to finance the pre-development project, which will be backed by the tourist accommodation taxes collected. MDHA has the authority to issue debt under state law to finance the costs associated with its projects. The agreement contemplates that the MDHA debt will be paid off within three years upon the issuance of the convention center bonds by the Metropolitan Government (or a convention center authority). In the event Metro does not prepay or redeem the MDHA debt prior to its maturity, the agreement authorizes MDHA to issue refunding bonds secured by the convention center tax revenues with a final maturity not to exceed twenty years. The agreement also approves MDHA's use of any operating revenues (such as rent and parking revenues) generated from the property acquired for the pre-development project prior to construction of the convention center.

The agreement may be terminated by Metro at anytime if no MDHA debt is outstanding on the project. Thus, we must pay off the MDHA debt in order to terminate the contract. Further, the agreement expressly provides that the Metropolitan Government will not repeal or amend the ordinances that created the tourist accommodation taxes as long as the debt is outstanding.

Metro's bond counsel has provided an opinion, which the council office is in agreement with, stating that the debt on the MDHA bonds may continue to be paid from the tourist accommodation taxes if the council later decides not to build a convention center, provided the property is not used for non-convention center purposes while the debt is outstanding. The property could be sold at real value to retire the debt, at which point it could be used for another purpose. This resolution expressly provides that the council "has determined that it is in the public interest to construct a new convention center." Thus, as long as the council has expressed its intent to build a convention center at the time the MDHA debt is issued to finance the acquisition of the property, bond counsel is of the opinion that the tourist accommodation taxes could continue to be collected to pay off the debt even if a convention center is never built. The central point to reiterate is that the property cannot be used for anything else as long as the debt is outstanding.

This resolution should be deferred to track with Ordinance No. BL2009-437 currently on second reading, which authorizes the acquisition of the property for the convention center project.

RESOLUTION NO. RS2009-743 (FORKUM) – This resolution establishes the certified tax rate of the Metropolitan Government. State law requires that once the county reappraisal program is completed, a tax rate be set that will result in the same amount of revenue that was received in the previous year based on the old assessment values and tax levy, as a government may not realize greater revenue by means of the reappraisal program. The purpose of the reappraisal program is to ensure that property assessments are "equalized" by having all property appraised at the same time. The certified tax rate for the GSD is \$3.54 and \$0.56 for the USD for a total rate in the USD of \$4.10.

This resolution may not be adopted until the state board of equalization has approved the certified tax rate. The council office recommends that this resolution be deferred to track with the operating budget.

RESOLUTION NO. RS2009-744 (FORKUM) – This resolution approves an intergovernmental agreement between the Metropolitan Government and the Metropolitan hospital authority for the Davidson County sheriff's office to provide security services at the hospital authority facilities. In June 2008, the hospital authority issued a request for proposal for the privatization of its security services. The sheriff's office expressed interest in providing the security services described in the RFP, since it has provided on-site security for many years at Nashville General Hospital for the inmates receiving medical care at the hospital.

Pursuant to this agreement, the sheriff's office will oversee the management of the hospital authority's security services for fiscal year 2009-2010. This will include the assumption of all responsibilities for providing the security services at Nashville General Hospital, the Bordeaux Long-Term Care facility, and the Knowles Home. The contract includes a long list of training that must be provided by the sheriff's office to its employees providing the security services, including training for prevention/protection, enforcement, emergency procedures, and special equipment training. Further, the sheriff's office employees must undergo additional annual training.

As compensation for providing the security services, the fiscal year 2010 operating budget proposes to reduce the hospital authority's annual subsidy an additional \$885,800 on top of the ten percent reduction, and transfer this amount to the sheriff's office budget. The term of this agreement is from July 1, 2009 through June 30, 2010, but may be terminated by either party upon 120 days written notice.

State law provides that intergovernmental agreements may be approved by resolution of the council.

This resolution should be deferred to track with the operating budget.

RESOLUTION NO. RS2009-745 (FORKUM) – This resolution terminates the authority of the Metropolitan Government to issue general obligation bonds authorized by previous capital spending plans. Since 1999, the council has authorized the issuance of \$1,941,064,211 in general obligation bonds pursuant to the adoption of eleven G.O. bond resolutions. Of this amount, the Metropolitan Government has actually issued bonds in the aggregate amount of \$1,326,320,000. Thus, there remains \$614,744,211 in authorized bonds that have never been issued. Although long-term bonds may not have been issued, the Metropolitan Government has a commercial paper program, which provides the short term financing for capital projects until the long term debt is issued. Therefore, it has become increasingly difficult to monitor our various capital expenditures given the number of outstanding projects.

This resolution is simply a tool to de-authorize previously-approved projects that have never been started, and to "clean up the books" so that we can have a better handle on our capital expenditures. Pursuant to this resolution, Metro will not have the authority to issue additional general obligation bonds pursuant to these previous eleven bond resolutions except for the purpose of retiring outstanding commercial paper for projects that have been started. This resolution also repeals Resolution No. RS2004-328, which authorized the issuance of bond anticipation notes in the amount of \$109,741,299 for the GSD bonds, and \$32,274,762 for the USD bonds to provide the short term financing for the 2004-2005 mayor's spending plan.

A detailed list of all capital projects to be "de-authorized" by this resolution, as well as a list of projects being reauthorized and new capital projects as part of Resolution No. RS2009-746, are attached to this analysis.

RESOLUTION NO. RS2009-746 (FORKUM) – This resolution determines to issue \$500,687,940 in GSD general obligation bonds and \$42,260,511 in USD general obligation bonds to provide funding for various projects contained in the mayor's 2009-2010 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 49 GSD projects, and the USD bonds will provide funding for 5 projects. This debt will be paid from the debt service of the GSD and the USD.

Some of the projects to be financed with the bonds include:

- School construction and renovation
- Completion of the Fulton Complex project
- Redevelopment of the downtown riverfront
- Acquisition and installation of a traffic violation management system
- Design and construction of a police crime lab
- Planning funds for a new southeast community center and a new public health facility
- Construction, renovation and equipping of medical facilities at General Hospital
- Construction of a Goodlettsville branch library
- Grant to MDHA to fund \$10 million in capital costs for the African American Museum
- Renovations to the Nashville Children's Theatre, the Frist Center for the Visual Arts, the Adventure Science Center, and the Nashville Zoo, which properties are owned by the Metropolitan Government
- The purchase of vehicles for the Metropolitan transit authority
- Storm water capital projects
- Road construction, repair and maintenance
- Planning and construction of a 28th/31st Avenue connector

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.

The council has traditionally deferred mayoral capital spending plans filed at the same time as the operating budget until the second meeting in July. Since some of the new projects included in this spending plan are not in the FY2008-2009 capital improvements budget, the resolution must be deferred at least until the first meeting in June to track with the capital improvements budget that will be filed not later than May 15.

RESOLUTION NO. RS2009-747 (BENNETT & FORKUM) – This resolution approves an amendment to a grant from the State of Tennessee to the state trial courts for the residential drug court program. The drug court is a diversionary program that provides supervision and treatment of non-violent drug offenders. This amendment increases the amount of the grant by \$100,000 with a required local cash match of \$33,334 to be provided through the drug court's operating budget. The new term of the grant is from June 30, 2009 through June 30, 2011, with \$50,000 to be provided in each of the next two fiscal years. This grant will continue the funding for the aftercare counselor position.

RESOLUTION NOS. RS2009-748, RS2009-749 & RS2009-750 (BENNETT & FORKUM) – These three resolutions approve applications for Edward Byrne Memorial Assistance grants from the U.S. department of justice.

Resolution No. RS2009-748 approves an application for a grant in the amount of \$600,000 to the state trial courts for the community corrections program. This program provides alternative punishments for non-violent offenders consisting of offender supervision, residential programs, and day reporting center programs. These funds will be used in part to pay the salary of an electronic monitoring/drug testing supervisor.

Resolution No. RS2009-749 approves an application for a grant in the amount of \$561,522.20 to the Metropolitan police department to pay the salary, benefits and training for three forensic firearm examiners. The funds will also be used to pay for the necessary materials and equipment to maintain a functioning forensic firearm lab. Once the initial two year period for the grant is complete, the salaries and expenses for the lab are to be included in the police department's operating budget.

Resolution No. RS2009-750 approves an application for a grant in the amount of \$56,000 to the district attorney to fund a part-time victim witness coordinator position for two years. The victim witness coordinator makes contact with victims of crime as soon as possible after an arrest is made.

RESOLUTION NOS. RS2009-751 (BENNETT) – This resolution approves an intergovernmental agreement between the U.S. marshals service and the Metropolitan Government for the reimbursement of overtime expenses incurred by the police department as part of the district fugitive task force. The task force is authorized under federal law to be directed and coordinated by the U.S. marshals service for the purpose of locating and apprehending fugitives. Metro will be reimbursed for overtime up to \$15,572 per officer participating with the task force. The term of this agreement is from September 26, 2008 through September 25, 2009.

RESOLUTION NO. RS2009-752 (FORKUM & BENNETT) – This resolution approves an application for a federal stimulus grant in the amount of \$56,000 from the U.S. department of justice, acting through the Tennessee department of finance and administration, to the Metropolitan police department for the victim intervention program. These funds will be used to pay for translators, to print program brochures in English and Spanish, and to purchase materials for victims of crime and their families.

RESOLUTION NO. RS2009-753 (FORKUM & BENNETT) – This resolution approves an application for a grant in the amount of \$950,155.70 from the state department of transportation to the Metropolitan police department to enhance enforcement of driving under the influence (DUI) laws. This is a continuation grant that is to provide funds for the police department to pay overtime wages for officers conducting enhanced DUI enforcement at targeted locations between the hours of 7:00 p.m. and 3:00 a.m. on Thursdays, Fridays and Saturdays, and on those holidays historically associated with heavy alcohol consumption. The funds will also be used to staff strategically placed sobriety check points on these holidays.

RESOLUTION NO. RS2009-754 (BENNETT & FORKUM) – This resolution approves an application for a grant in the amount of \$433,305 from the state department of finance and administration to the district attorney to provide services to Hispanic victims of crimes. These funds will be used to provide coordinators to help Hispanic victims navigate the criminal justice system, since such victims often find the system daunting as a result of their language limitations. If awarded, there will be a required local match of \$108,324.

RESOLUTION NO. RS2009-755 (FORKUM & BENNETT) – This resolution approves an application for a grant in the amount of \$163,578 from the state department of finance and administration to the Metropolitan police department for the continuation of funding for a crisis counselor through fiscal year 2011-2012. The crisis counselor provides crisis intervention to victims of sexual assault, therapy services to crime victims, and follow-up services. If awarded, there will be a required local match of \$40,895.

RESOLUTION NO. RS2009-756 (FORKUM) – This resolution approves an amendment to a grant from the state department of labor and workforce development to the Nashville career advancement center for the incumbent worker training program. These federal funds, under the Workforce Investment Act of 1998, are used to train employees of businesses that apply for and receive the training assistance. The private businesses participating in the program are responsible for providing matching funds. This resolution increases the amount of the award by \$12,402, for a new grant total of \$177,402. The term of the grant is from July 1, 2008 to June 30, 2009.

RESOLUTION NO. RS2009-757 (FORKUM) – This resolution approves an amendment to a grant from the state department of labor and workforce development to the Nashville career advancement center (NCAC) to provide training to participants in the plumbers and pipefitters union apprenticeship program. These funds are used to provide training to pre-apprentices working toward apprenticeship in plumbing, pipefitting, welding, backflow prevention, medical gas installation, and HVAC installation/repair. The union is responsible for a \$65,000 match for the grant.

This resolution increases the amount of the grant award by \$34,857, for a new grant total of \$99,857, and adds the National Electric Joint Apprenticeship Training program to provide funds to train 70 apprentices. The term of the grant is from February 2, 2009 through December 31, 2009.

RESOLUTION NO. RS2009-758 (FORKUM) – This resolution approves a federal economic stimulus grant in the amount of \$169,077 from the state department of labor and workforce development to the Nashville career advancement center (NCAC) to prepare youth for employment who would otherwise be ineligible to participate in the program. The federal Workforce Investment Act of 1998 sets income requirements for participation in the programs funded by the federal grants. This stimulus grant will allow NCAC to provide services to youth participants that do not meet the minimum income criteria if they are school dropouts, lack necessary basic skills, are parents, or have a disability. The purpose of the stimulus funding is to preserve and create jobs, promote economic recovery, and assist those persons most impacted by the recession. The grant term is from February 18, 2009 through June 30, 2011.

RESOLUTION NO. RS2009-759 (MCGUIRE) – This resolution approves a clinical affiliation agreement between the Metropolitan board of health and East Tennessee State University (ETSU) to provide clinical internship experience. Pursuant to this contract, the Metro health department will provide clinical training experience to students enrolled in ETSU's public health program as part of their public health training. Students will not receive any compensation and there is no cost to the Metropolitan Government for providing this service. The term of the agreement is for one year commencing on March 5, 2009, but may be terminated by either party upon 14 days written notice.

Metro participates with several colleges and universities to provide clinical experience to students.

RESOLUTION NO. RS2009-760 (MCGUIRE) – This resolution approves a cooperative agreement between the Metropolitan board of health and Meharry Medical College to provide services to patients eligible for the federal Women, Infants and Children (WIC) program. Pursuant to this agreement, Meharry will determine WIC eligibility for individual patients, refer participants for other appropriate health services, provide nutrition education, implement the WIC voucher system, and maintain records pertaining to patient services. The term of the contract is from March 2, 2009, through February 28, 2012, but may be extended for four additional terms. There is no compensation associated with this contract.

RESOLUTION NO. RS2009-761 (MCGUIRE & FORKUM) – This resolution approves an amendment to a grant from the state department of health to the Metropolitan board of health for bioterrorism preparedness services. These federal pass-through funds are primarily used to pay the salaries of a regional hospital coordinator, a volunteer coordinator, a nurse, an emergency preparedness director, an emergency response coordinator, a toxicologist, and an environmental epidemiologist. The funds are also used to collaborate with emergency personnel and hospitals regarding emergency preparedness and the continued development of a regional public health preparedness plan and communications system.

This amendment increases the amount of the grant by \$82,800, for a new grant total of \$989,100. The amendment also incorporates an additional reporting requirement.

The term of the grant is from August 1, 2008 through July 31, 2009.

RESOLUTION NO. RS2009-762 (FORKUM & MCGUIRE) – This resolution approves a grant in the amount of \$1,491,499 from the U.S. department of health and human services to the Metropolitan board of health to address the AIDS epidemic.

No grant budget or contract was filed with this resolution. Apparently this was an electronic grant from the federal government, which has very limited documentation. The council office has requested a copy of the grant budget so that the council can at least know how these funds will be spent.

RESOLUTION NO. RS2009-763 (FORKUM & MCGUIRE) – This resolution approves an application for a grant in the amount of \$507,200 from the Greater Nashville Regional Council to the Metropolitan social services commission to provide personal care, homemaker, and meal delivery services. These funds are used to assist persons who are homebound or unable to perform at least one instrumental activity of daily living. The department of social services is seeking federal pass-through funding that will provide \$7.41 per meal delivered, \$20.52 per hour for personal care services, and \$20.44 per hour for homemaker services.

RESOLUTION NO. RS2009-764 (FORKUM & TOLER) – This resolution approves an application for a grant in the amount of \$20,000 from the Tennessee department of agriculture to the department of public works to determine tree density throughout Davidson County. The first phase of the project will be a tree canopy assessment conducted in cooperation with the University of Vermont and the U.S. Forest Service. The second phase is an Urban Forestry Effects analysis of the trees within Nashville’s urban core to calculate the value of our urban forest and its effects on air quality, water quality, energy use, and carbon storage. It will also help us determine what types of trees to plant in specific areas. If awarded, there will be a local required match of \$20,000.

RESOLUTION NO. RS2009-765 (MURRAY & FORKUM) – This resolution approves a grant in the amount of \$20,000 from the Metropolitan development and housing agency (MDHA) to the Metropolitan board of parks and recreation for summer enrichment programs for youth. MDHA has funding available for these activities as part of the federal community development block grant program. These funds will be used to provide a five-day-a-week summer enrichment program for youth in the Cleveland Park neighborhood between June 8 and August 7, 2009. This program consists of outdoor recreational activities, music, arts and crafts, and field trips. There is a required in-kind match of \$24,860.

RESOLUTION NO. RS2009-766 (HOLLEMAN & FORKUM) – This resolution approves a grant in the amount of \$30,000 from the Tennessee Stormwater Association to the Metropolitan parks department to assist with the cost of implementing green technology at the McCabe Park community center. The parks department plans to complete the construction of this facility at the end of 2009. The community center includes green elements as part of its design, including pervious concrete, vegetated infiltration planters, a green roof and low-impact landscaping, all designed to reduce storm water runoff from the site. These funds will specifically be used for the construction of the green roof.

The resolution provides that there is a \$5 million local match for this \$30,000 grant, but this is really just the total construction cost of the facility.

RESOLUTION NO. RS2009-767 (FORKUM & MCGUIRE) – This resolution approves a grant in the amount of \$124,300 from the Safety Net Consortium of Middle Tennessee to the Metropolitan board of parks and recreation to reduce socioeconomic and racial/ethnic disparities in Type 2 diabetes among adults. The Safety Net Consortium has received a grant from the (continued on next page)

RESOLUTION NO. RS2009-767 (continued)

state department of health for this project and desires to subcontract a portion of the grant to the parks department. Pursuant to the project agreement, the parks department will provide the following services:

- Participate as part of the steering committee developed to oversee the project.
- Provide supplies and equipment for staff conducting the programs.
- Provide shared office space for staff and volunteers.
- Provide access to Metro parks' facilities.

The term of the contract is from November 1, 2008 through October 31, 2009.

RESOLUTION NO. RS2009-768 (FORKUM, CRADDOCK & RYMAN) – This resolution accepts the 2009 plan update for the Madison community, which was adopted by the planning commission on April 14, 2009. The Madison community plan, formerly known as the subarea 4 plan, is one of fourteen subarea plans making up the general plan, which is used by the planning commission in its decision making process regarding zoning. This plan update is the result of eleven community meetings held between July 2008 and February 2009. This resolution is simply a memorializing of the plan by the council, as the plan has no binding effect on zoning decisions made by the council.

RESOLUTION NO. RS2009-769 (GOTTO) – This resolution approves a new fee schedule associated with the review and processing of specific plan (SP) district applications by the planning department. The Metropolitan zoning code provides that standardized fee schedules may be established to partially defray the processing and administration costs for zoning applications. Such a fee schedule must be approved by resolution of the council in order to be effective. In June 2007, the council adopted the current fee schedule, which in part increased the application fee for SP zone changes from \$1,600 to \$6,195. Since this change in 2007, Members of Council and property owners alike have complained about the SP fee being an impediment to development.

The planning department has recommended a new SP fee schedule to be effective July 1, 2009, which breaks these SP applications down into four categories:

1. The fee for a "minor" SP plan application will be \$1,400. This includes an application to reuse an existing building or obtain preliminary approval of a development plan for which no final plan is required.
2. The fee for a "general" SP plan application will be a minimum of \$1,400 and a maximum of \$6,195, depending on whether the applicant is seeking approval of the development plan and the final site plan concurrently.
3. The fee for a "housekeeping" amendment to a SP plan will be \$470.
4. The fee for a "unique" SP plan application will be \$2,500. This includes applications to allow an auto-related use on property currently zoned CS, to allow two detached dwelling units on one lot, or to allow alternative sign standards.

The effective date section of this ordinance should be amended to provide that the resolution itself takes effect upon its adoption, but that the implementation of the fee schedule is delayed until July 1.

RESOLUTION NOS. RS2009-770 through RS2009-782 (FORKUM) – These thirteen resolutions appropriate funds from the general fund reserve fund (4% fund) to various departments. Four percent funds may only be used for the purchase of equipment and repairs to buildings. The total amount of these thirteen resolutions is \$22,474,800. The balance in the general fund reserve fund before these pending appropriations is \$28,317,051. This consists of unrealized revenue for fiscal year 2009 in the amount of \$2,648,426. The resolutions provide that “The Director of Finance may schedule acquisitions authorized herein to ensure an appropriate balance in the Fund.” Copies of the supporting information sheets required by Ordinance No. O86-1534 are attached to this analysis.

Resolution No. RS2009-770 appropriates \$79,200 from the general fund reserve fund to the office of the district attorney general for laser printers and computer hardware and software.

Resolution No. RS2009-771 appropriates \$500,000 from the general fund reserve fund to the sheriff’s office for a security system software upgrade, hot water heaters, air conditioning units, air filters, chairs, and a boiler.

Resolution No. RS2009-772 appropriates \$215,900 from the general fund reserve fund to the general sessions court for a voice response system and upgrades and maintenance to the online traffic school interface.

Resolution No. RS2009-773 appropriates \$3,528,400 from the general fund reserve fund to the information technology services department for broadcast equipment, the replacement of miscellaneous computer hardware, and the technology revolving fund.

Resolution No. RS2009-774 appropriates \$15,560,000 from the general fund reserve fund to the general services department for major maintenance, miscellaneous roof repairs, green fencing, a GPS pilot program, and replacement vehicles for various Metro departments and buildings. The \$13,500,000 appropriation for vehicles does not specify the number and types of vehicles by department.

Resolution No. RS2009-775 appropriates \$5,500 from the general fund reserve fund to the Metro sports authority for a Canon copy machine.

Resolution No. RS2009-776 appropriates \$800 from the general fund reserve fund to the transportation licensing commission for a laminator machine.

Resolution No. RS2009-777 appropriates \$500,000 from the general fund reserve fund to the police department for computer software and hardware, an environmental monitoring system, bullet proof vests, and forty shotguns.

Resolution No. RS2009-778 appropriates \$500,000 from the general fund reserve fund to the fire department for an automated staff schedule program, replacement furniture and fixtures for various locations, computer equipment, facility maintenance and repair, lawn equipment and training manuals.

Resolution No. RS2009-779 appropriates \$1,500,000 from the general fund reserve fund to the public library for new and replacement books and materials.

RESOLUTION NOS. RS2009-770 through RS2009-782 (continued)

Resolution No. RS2009-780 appropriates \$15,000 from the general fund reserve fund to the parks and recreation department for bicycles, locks, racks, and helmets for the bike sharing program.

Resolution No. RS2009-781 appropriates \$50,000 from the general fund reserve fund to the health department for miscellaneous office equipment.

Resolution No. RS2009-782 appropriates \$20,000 from the general fund reserve fund to the public works department for bike racks for the bike sharing program.

The council traditionally has deferred 4% fund resolutions one meeting upon being filed.

RESOLUTION NO. RS2009-783 (FORKUM) – This resolution authorizes the department of law to accept \$90,000 in compromise and settlement of the Metropolitan Government's claim against John Hancock Life Insurance Company. In approximately 1979, the Metropolitan Government for some unknown reason decided it would be a good idea to purchase annuities on some of our employees as an investment. The annuity contracts were issued by Manufacturers Life insurance Company, which later became John Hancock. Each annuity contract provides that John Hancock is to pay a fixed amount each month over the life of the employee or for a specific time period. John Hancock informed Metro in 2005 that it had allegedly overpaid Metro \$149,086.62 on eleven contracts after the annuitant had died. Despite Metro's request to the contrary, John Hancock proceeded to withhold funds on unrelated annuities in an attempt to recoup what it believed it was owed.

Metro filed suit against John Hancock alleging breach of contract and conversion seeking compensatory damages, statutory penalties and punitive damages. John Hancock countersued alleging breach of contract, conversion, and bad faith. The statute of limitations on contract claims is six years, and Metro asserted that \$122,939.41 of the disputed amount was outside of the statute of limitations. The case was sent to mediation, which resulted in a total settlement to Metro of \$90,000.

The department of law recommends accepting the \$90,000 settlement, since a court could determine that Metro was unjustly paid on some of the annuities.

RESOLUTION NO. RS2009-784 (FORKUM) – This resolution authorizes the department of law to compromise and settle the claim of Barbara Brooks against the Metropolitan Government for the amount of \$20,000. On June 10, 2005, Ms. Brooks rented a vendor stall at the farmer's market to sell items that weekend. When she arrived at her stall, she could not gain access because a tarp had fallen. A farmer's market employee temporarily set the tarp up on Ms. Brooks' trailer using a steel pipe to weigh it down. The wind subsequently blew the tarp down and the steel pipe fell on Ms. Brooks' causing injuries to her shoulder. Ms. Brooks incurred \$11,992.04 in medical bills as a result of the accident.

The department of law recommends settling this claim for \$20,000 since the Metropolitan Government would likely be found to be negligent by failing to properly secure the tarp, and that the temporary placement of the tarp caused a dangerous condition.

RESOLUTION NO. RS2009-785 (FORKUM) – This resolution authorizes the department of law to compromise and settle the claim of Timothy Lyons against the Metropolitan Government for the amount of \$20,000. On June 18, 2007, Mr. Lyons was driving southbound on Dickerson Pike when he was rear-ended by a Metro police officer. Mr. Lyons sought medical attention for back pain after the accident, incurring \$7,949 in medical bills and \$1,915.70 in lost wages. The department of law recommends settling this claim for \$20,000 since the police officer was clearly at fault.

RESOLUTION NO. RS2009-786 (FORKUM) – This resolution authorizes the department of law to compromise and settle the Metropolitan Government’s claim against Narges Khalil. On May 24, 2008, Makram Boktor was practicing driving a vehicle owned by Narges Khalil in the parking lot at the Metro water services facility located at 1931 Old Murfreesboro Pike when he lost control of the vehicle and struck the pumping station causing \$15,721.86 in damage. This resolution accepts \$15,807.73 to settle the claim.

RESOLUTION NO. RS2009-787 (FORKUM) – This resolution authorizes the department of law to compromise and settle the Metropolitan Government’s claim against Richard Lockwell, Jr. On November 7, 2008, Engine 16 was traveling north on 21st Avenue South en route to a medical call at Harris Hillman School with its lights and sirens activated. The fire truck entered the southbound traffic lanes to avoid congestion. Mr. Lockwood attempted to turn left at the intersection of 21st Avenue South and Acklen Avenue, striking the side of the fire truck. This resolution accepts \$19,853.95 to settle the claim, which is the total amount of the damage done to the fire truck.

RESOLUTION NO. RS2009-788 (TYGARD & GARRETT) – This resolution authorizes Wild Beaver Saloon, LLC to install, construct and maintain an aerial sign encroachment in the right-of-way at 212 Commerce Street. This sign will measure five feet tall by four feet, six inches wide. Wild Beaver Saloon, LLC has agreed to indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the sign, and is required to post a \$1 million certificate of public liability insurance with the Metropolitan clerk naming the Metropolitan Government as an insured party. Ordinance No. O87-1890 authorizes aerial encroachments to be approved by resolution rather ordinance.

This resolution has been approved by the planning commission.

– BILLS ON SECOND READING –

ORDINANCE NO. BL2008-350 (HODGE, BURCH & EVANS) – This ordinance amends the Metro Code by adopting the 2006 edition of the International Fire Code in place of the National Fire Prevention Association (NFPA) fire code and life safety code, which were adopted pursuant to Ordinance No. BL2007-1390 in April 2007. As part of Ordinance No. BL2007-1390, the council adopted several local amendments to the NFPA fire code and life safety code that are more restrictive than the national standard and the state requirements. The state of Tennessee recently adopted the 2006 International Fire Code as the standard for use throughout the entire state, which became effective on December 20, 2008.

Local governments that enforce their own fire codes have the authority under state law to adopt a code that is at least as restrictive as the state standards. Thus, local government regulations can be more restrictive than the state standards but cannot be less restrictive. This ordinance simply adopts the state standards with no local amendments, other than to specify that the fire flow requirements will be based on the methodology described in the Insurance Services Office's fire flow formula. The state standards provide that fire flow requirements must be determined by an approved method.

State law requires local governments to adopt a code edition that is within six years of the latest published editions.

There is a proposed substitute for this ordinance recommended by the fire department, the codes department, and Metro water services that adopts the International Fire Code with a number of local amendments. Some of the changes included within the substitute that may be of interest to the council are as follows:

- o The NFPA life safety code would continue to apply to government buildings, schools, daycares, healthcare occupancies, and residential board and care occupancies.
- o The substitute specifies that whenever there is a conflict between the building code and the fire code, the more stringent provision shall apply. This is the method the fire marshal and codes department have been using for some time.
- o The substitute includes some special exemptions from the more stringent fire-flow requirements for existing building lots, which includes infill lots in an established subdivision. Single and two-family homes less than 3,600 square feet on existing building lots would be exempt from the fire-flow requirements contained in Appendix B of the IFC as long as such existing building lots either (1) meet the Insurance Services Office (ISO) fire-flow requirements; (2) have a fire hydrant within 500 feet that flows at least 750 gallons per minute with 20 psi pressure; (3) have a fire hydrant within 500 feet and a secondary fire hydrant within 1,000 feet, even if such hydrants do not pump 750 gallons per minute; or (4) they meet the fire-flow requirements that were set forth by the fire marshal at the time the subdivision plat was approved. Single and two-family dwellings exceeding 3,600 square feet constructed on existing building lots must either meet the ISO requirements or Appendix B of the IFC.
- o Bars and nightclubs with an occupancy exceeding 200 persons would be required to retrofit with sprinklers not later than September 30, 2012. This essentially gives these establishments an additional three years in which to retrofit. However, those establishments that have a history of violations for overcrowding or unpermitted pyrotechnics would be required to retrofit upon being ordered to do so by the fire marshal.

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ORDINANCE NO. BL2008-350 (continued)

- o High rises would continue to be required to retrofit with sprinklers immediately, as was required a number of years ago. However, those high rises that have yet to come into compliance with the sprinkler retrofit requirement would have until September 30, 2012 if they have a fire watch in place and are equipped with a standpipe and hose system.

ORDINANCE NO. BL2009-417 (MURRAY & COLE) – This ordinance amends the taxicab provisions in the Metropolitan Code to clarify that cab companies must provide twenty-four-hour-a-day dispatch service. The code currently provides that such businesses must maintain a fixed, central place of business within the area of the Metropolitan Government, which must be kept open twenty-four hours a day “for the purpose of receiving calls and dispatching cabs.” This ordinance makes a slight change to this Code provision to require that such businesses actually provide dispatch services twenty-four hours a day, as opposed to just being open for business.

This ordinance comes at the request of the transportation licensing commission.

ORDINANCE NO. BL2009-433 (TYGARD, FORKUM & OTHERS) – This ordinance amends the Metropolitan Code pertaining to the placement of signs within the right-of-way. The code currently prohibits all signs within the public right-of-way, including utility poles. However, enforcement of the existing ordinance is difficult since the person that actually places the illegal sign is often just an employee or contractor of the business being advertised. To address this enforcement problem, the City of Charlotte, NC amended its sign ordinance to make not only the persons that actually place the signs responsible, but to make the ordinance enforceable against the business being advertised.

Using the Charlotte, NC ordinance as a model, this ordinance adds a new section to the Code pertaining to the enforcement of the provisions prohibiting signs in the right-of-way. The ordinance designates the following as “responsible persons” for the placement of illegal signs:

1. The person, business, company or other entity hosting the advertised event or selling the services/products being advertised.
2. The person or business responsible for the placement of the illegal signs.
3. The political candidate whose candidacy is supported by the sign.
4. The president of a committee for a campaign for or against a ballot measure being promoted.
5. The person, business, or company whose phone number, address, or e-mail address appears on the sign.

This ordinance also would amend the penalty provisions to allow the court to impose a fifty dollar fine per illegal sign.

ORDINANCE NO. BL2009-434 (CRADDOCK, GOTTO & OTHERS) – This ordinance would prohibit private companies from engaging in the practice of “booting” vehicles within the area of the Metropolitan Government. Certain companies operating within the Nashville area have agreements with businesses to place a disabling device on vehicles parked on their private property without authorization or without paying the required parking fee. The code does not expressly prohibit this activity.

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ORDINANCE NO. BL2009-434 (continued)

This ordinance would make it illegal to boot a vehicle unless the boot is placed by the vehicle's lien holder or a police officer/parking patrol officer. Ordinance No. BL2009-419 currently on third reading would expressly allow the police department and the parking patrol to place boots on vehicles in certain circumstances.

ORDINANCE NO. BL2009-435 (HODGE & CRADDOCK) – This ordinance adopts the 2005 edition of the National Electrical Code to make it a part of Metro's building code. This ordinance has been recommended by the director of the department of codes administration. The Metropolitan Government adopts the various building codes as they are amended from time to time by the national code organizations, which is typically every three years. Metro is currently operating under the 2002 edition of the National Electrical Code.

This ordinance includes certain amendments to the National Code to reflect urban standards and to assure safety features.

ORDINANCE NO. BL2009-437 (FORKUM, GARRETT & OTHERS) – This ordinance authorizes the Metropolitan development and housing agency (MDHA) to acquire 15.87 acres of property by negotiation or condemnation for the proposed new convention center project. The property to be acquired is for the purpose of building the new convention center facility, the construction of a convention center parking garage, the relocation of the NES substation, the right-of-way for Korean Veterans Boulevard between Fourth and Eighth Avenues South, the right-of-way for improvements to Demonbreun Street, and the construction of the convention center hotel. A list of the properties to be acquired is attached to this analysis.

This ordinance also authorizes MDHA to provide relocation payments and assistance to businesses displaced as a result of the acquisition of property for the convention center. Further, the ordinance authorizes the director of public property administration to accept the conveyance of the convention center property from MDHA once the project is complete.

The council office would point out that Section 4 of the ordinance approves the master plan for the convention center project, although there is no mention of a master plan approval in the caption of the ordinance. A copy of the master plan is also attached to this analysis.

Resolution No. RS2009-698 approves an intergovernmental agreement between Metro and MDHA to provide for the financing of the property acquisition and relocation assistance not to exceed \$75 million.

ORDINANCE NO. BL2009-438 (TOLER) – This ordinance abandons an 8" sanitary sewer line and corresponding easement and manhole, and accepts a relocated 8" sanitary sewer line, easement and manhole in connection with a utility project located at 4309 and 5309 Weber Road, and 8226 Eva Drive in the Alan Estates subdivision, that are no longer needed by the department of water and sewerage services. The ordinances provide that future amendments may be approved by resolution of the council. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2008-439 (BAKER, TOLER & CLAIBORNE) – This ordinance authorizes the acquisition and acceptance of easements required for use in various stormwater projects to be completed by the department of water and sewerage services. Easements are to be acquired for the following properties:

- Hite Street, unnumbered
- 712 Hite Street
- 714 Hite Street
- 718 Hite Street
- 720 Hite Street
- 736 Hite Street
- 50 Visco Court
- 51 Visco Court

The ordinance provides that future amendments may be approved by resolution of the council. This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2008-440 (TOLER, HUNT & OTHERS) – This ordinance authorizes the acquisition and acceptance of 44 easements required for use in public projects to be completed by the department of water and sewerage services. The easements have been executed by the respective property owners for the following properties:

<u>Easement Address</u>	<u>Council District</u>
608 Claridge Drive	15
612 Claridge Drive	15
613-A Claridge Drive	15
614-A Claridge Drive	15
5024 Trousdale Drive	26
500 Barrywood Drive	26
415 Barrywood Drive	26
412 Barrywood Drive	26
101-A Radnor Street	16
238 Sunrise Avenue	16
811 Carlyle Place	16
813 Carlyle Place	16
Creek Trail Drive	03
4146 Brick Church Pike	03
Coarsey Drive	13
1213 Coarsey Drive	13
1215 Coarsey Drive	13
1217 Coarsey Drive	13
1221 Coarsey Drive	13
1222 Coarsey Drive	13
1226 Coarsey Drive	13
1228 Coarsey Drive	13
1232 Coarsey Drive	13
1216 Ainlay Drive	13

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ORDINANCE NO. BL2008-440 (continued)

2303 Selma Avenue	15
2305 Selma Avenue	15
2307 Selma Avenue	15
2308 Selma Avenue	15
2309 Selma Avenue	15
2312 Selma Avenue	15
2308 Castlewood Drive	15
2311 Selma Avenue	15
2316 Castlewood Drive	15
1213 Lone Oak Road	25
1215 Lone Oak Road	25
1217 Lone Oak Road	25
1219 Lone Oak Road	25
4421 Lone Oak Road	25
108 Jamesborough Court	25
112 Jamesborough Court	25
2605 Ravine Drive	29

The ordinance provides that future amendments may be approved by resolution of the council. This ordinance has been approved by the planning commission.

ORDINANCE NOS. BL2009-441 (GILMORE, TOLER & OTHERS) – This ordinance authorizes the acceptance of easements for various stormwater projects in Davidson County. These easements are being acquired at no cost to the Metropolitan Government. This ordinance authorizes the acceptance of 30 easements for the following properties:

<u>Easement Address</u>	<u>Council District</u>
2356 Gallatin Pike	4
4145 Lebanon Pike	11
317 Myatt Drive	9
1201 Murfreesboro Pike	11
648 Grassmere Park	26
2600 Music Valley Drive	15
618 Thompson Lane	17
5711 Granny White Pike	34
2318 Cruzen Street	17
719 Thompson Lane	16
816 Old Hickory Boulevard	9
818 Old Hickory Boulevard	9
820 Old Hickory Boulevard	9
1713 Broadway	19
5144 Hickory Hollow Parkway	32
Pearl Street, unnumbered	19
Cedar Grove Road, unnumbered	2
1701 Cedar Grove Road	2

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ORDINANCE NOS. BL2009-441 (continued)

Cedar Grove Road, unnumbered	2
8267 Collins Road	35
88 Polk Avenue	17
Polk Avenue, unnumbered	17
6030 Dana Way	32
6040 Dana Way	32
Eatons Creek Road, unnumbered	1
Old Hickory Boulevard, unnumbered	32
1320 Rosa L. Parks Boulevard	19
5606 Clarksville Pike	3

This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2009-442 (RYMAN & BAKER) – This ordinance amends the Metro Code by amending the 2006 National Fire Prevention Association (NFPA) fire code and life safety code, as recommended by the firefighters union. Ordinance No. BL2008-350, which is also on second reading, would adopt the 2006 edition of the International Fire Code in place of the National Fire Prevention Association (NFPA) fire code and life safety code. Rather than adopting a new fire code, this ordinance proposes to amend the existing fire code to address some of the concerns that have been raised regarding the current code pertaining to fire-flow requirements and sprinkler retrofitting.

Many of the substantive changes proposed in this ordinance are addressed in the substitute to be offered for Ordinance No. BL2008-350. For example, this ordinance would give bars and nightclubs providing live music with an occupancy load of more than 100 to have until June 1, 2012 to retrofit for sprinklers. The proposed substitute for Ordinance No. BL2008-350 would give such establishments with an occupancy load of more than 200 until September 30, 2012. The high rise provisions are essentially the same as are included in the proposed substitute for BL2008-350. The ordinance also includes similar provisions pertaining to the exception from the fire-flow requirements for new homes constructed on infill lots, provided such homes are within 500 feet of a fire hydrant that flows at least 750 gallons per minute (or have a secondary hydrant within 1,000 feet if the first hydrant pumps less than 750 gallons per minute).

ORDINANCE NO. BL2009-443 (CRADDOCK) – This ordinance amends the Metro Code to give the transportation licensing commission the authority to regulate the booting of vehicles. This is a companion to Ordinance No. BL2009-434, which would amend the wrecker provisions in the code to prohibit private companies from engaging in booting. Since the transportation licensing commission is responsible for the regulation of wrecker companies, “booting” should be added to the list of services for which the transportation licensing commission has jurisdiction to ensure the effectiveness of BL2009-434.

ORDINANCE NO. BL2009-444 (GILMORE, TOLER & OTHERS) – This ordinance authorizes the Metropolitan Government to enter into a utility relocation contract with the state department of transportation (TDOT) to relocate certain department of water and sewerage (continued on next page)

ORDINANCE NO. BL2009-444 (continued)

services' facilities required by TDOT's interchange improvement project at Interstate 65 and 8th Avenue. Metro will be responsible for 100% of the relocation costs, estimated to be \$201,370, which will be paid from the water and sewer extension and replacement fund. This is a typical agreement entered into by Metro and TDOT for the relocation of utilities associated with TDOT improvement projects.

ORDINANCE NOS. BL2009-445 THROUGH BL2009-449 – These five ordinances authorize the acquisition and acceptance of various easements required for use in public projects to be completed by the department of water and sewerage services. The ordinances provide that future amendments may be approved by resolution of the council. These ordinances have been approved by the planning commission.

Ordinance No. BL2009-445 (TOLER & FORKUM) accepts 29 easements for the Holt Road project in council district 31.

Ordinance No. BL2009-446 (GOTTO, TOLER & CLAIBORNE) accepts the following easements to permit construction of various grinder pump projects:

Property Address / Council District

- 2109 Christina Court – 12
- 2001 Rachael's Spring Road – 12
- 2133 Christina Court – 12
- 2149 Christina Court – 12
- 309 Rachael's Meadow Court – 12
- 2423 Pennington Bend Road – 15
- 3813 Leona Pass – 12

Ordinance No. BL2009-447 (FORKUM & TOLER) accepts five easements for the Lovell Street project in council district 9.

Ordinance No. BL2009-448 (MOORE & TOLER) accepts two easements for property located at 100 Athens Way and 2136 Utopia Avenue.

Ordinance No. BL2009-449 (GILMORE & TOLER) accepts an easement for property located at 241 Haynes Park Drive.

ORDINANCE NOS. BL2009-450 & BL2009-451 – These two ordinances authorize the acceptance of easements for various stormwater projects in Davidson County. These easements are being acquired at no cost to the Metropolitan Government. This ordinance has been approved by the planning commission.

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ORDINANCE NOS. BL2009-450 & BL2009-451 (continued)

Ordinance No. BL2009-450 (EVANS, FORKUM & OTHERS) accepts 19 easements, which have been executed by the respective property owners for the following properties:

Property Address / Council District

1809 Dabbs Avenue – 15
1815 Dabbs Avenue – 15
6670 Charlotte Pike – 20
8002 Highway 100 – 35
1100 – 4th Avenue North – 19
1114 – 4th Avenue North – 19
2500 Hart Street – 5
900 River Bluff Drive – 9
5701 Old Harding Pike – 23
Elm Hill Pike, unnumbered – 15
6922 Highway 70 South – 23
1716 Rosa L. Parks Boulevard – 19
700 Garfield Street – 19
702 Garfield Street – 19
708 Garfield Street – 19
1705 – 7th Avenue North – 19
1707 – 7th Avenue North – 19
1707-B – 7th Avenue North – 19
1709 – 7th Avenue North – 19

Ordinance No. BL2009-451 (FORKUM, TOLER & OTHERS) accepts 25 easements, which have been executed by the respective property owners for the following properties:

Property Address / Council District

660 Massman Drive – 15
3786 Central Pike – 14
811 Gale Lane – 17
821 Lischey Avenue – 5
823 Lischey Avenue – 5
825 Lischey Avenue – 5
827 Lischey Avenue – 5
1124 Myatt Boulevard – 9
13000 Old Hickory Boulevard – 32
Bellevue Road, unnumbered – 22
103 Bellevue Road – 22
Old Hickory Boulevard, unnumbered – 14
Old Hickory Boulevard, unnumbered – 14
Old Hickory Boulevard, unnumbered – 14
1914 Charlotte Avenue – 19
521 Old Hickory Boulevard – 22
4221 Hurricane Creek Boulevard – 32
5821 River Road – 17
5825 River Road – 17
5827 River Road – 17
6030 Dana Way – 32

(continued)

ORDINANCE NOS. BL2009-450 & BL2009-451 (continued)

75 Lester Avenue – 17
5109 Moss Road – 35 (Easement 1-1)
5109 Moss Road – 35 (Easement 1-2)
McGavock Pike, unnumbered – 15

ORDINANCE NOS. BL2009-452 through BL2009-455 – These four ordinances abandon water and sewer lines, drainage pipes and easements that are no longer being used by the department of water and sewerage services. These ordinances have been approved by the planning commission.

Ordinance No. BL2009-452 (HARRISON & TOLER) abandons a 10 foot public drainage easement and a 35 foot public drainage easement that will be replaced by a variable width easement located at 100 Athens Way.

Ordinance No. BL2009-453 (TOLER & BAKER) abandons an 8 inch sanitary sewer line and easement and accepts a relocated 8 inch sanitary sewer line and easement plus 3 manholes in connection with the Hill Center project located at 6604 and 6616 Charlotte Pike.

Ordinance No. BL2009-454 (MOORE & TOLER) abandons a 10 foot public storm drainage easement and accepts a relocated 15 foot public drainage easement for the Utopia Avenue project located at 2136 Utopia Avenue.

Ordinance No. BL2009-455 (MCGUIRE & TOLER) abandons 181 feet of an existing 8 inch sanitary sewer line and easement, and accepts 326 feet of relocated 8 inch sanitary sewer line and easement in connection with the Echo Hill Drive sewer relocation project.

– BILLS ON THIRD READING –

ORDINANCE NO. BL2009-416 (CLAIBORNE & BENNETT) – This zoning text change amends the mobile vending provisions to exempt non-profit organizations engaged in occasional mobile vending activity as part of a fundraiser. In January 2007, the council enacted Ordinance No. BL2006-1087, as amended, to designate mobile vending as a use permitted with conditions in the commercial zoning districts. The conditions require mobile vendors to be located within a permanent, enclosed structure. The ordinance exempted street vendors licensed by the county clerk, as well as mobile vendors selling only food items, living plants or agricultural products.

This ordinance would allow tax exempt nonprofits to engage in mobile vending activity outdoors, provided they have no more than two fundraising events per year, with each event not to exceed five days in duration.

This ordinance has been approved by the planning commission.

ORDINANCE NO. BL2009-418 (BENNETT & DUVALL) – This ordinance amends the animal cruelty provisions of the Metropolitan Code to specify a minimum length for outdoor pet tethers. In November 2006, the Council enacted Ordinance No. BL2006-1208 to place restrictions on outdoor pet tethering. The ordinance made it unlawful to use a chain, cord or rope to tie up their dog unless the rope, chain or cord is not unreasonably heavy in proportion to the weight of the animal, contains a swivel at both ends, and no choke collar is used. However, the ordinance did not define the appropriate length for outdoor pet tethers.

This ordinance would require that the rope, chain or cord used to tether an animal be at least fifteen feet in length.

ORDINANCE NO. BL2009-419 (BURCH & DUVALL) – This ordinance, as amended, amends the Metropolitan Code pertaining to the impoundment and booting of vehicles by the Metropolitan Government. The Code already provides that any vehicle which is parked, stopped, or standing in violation of any ordinance, except overtime parking, may be impounded and towed by the police department. However, there are no provisions in the Code addressing the booting of vehicles.

This ordinance makes essentially two major changes to the existing provisions. First, this ordinance would give the police department or meter maid patrol the option of placing a boot on an illegally parked vehicle instead of impounding the vehicle. Obviously, if the illegally parked vehicle was obstructing traffic, the police officer would have the vehicle towed as opposed to booted.

Second, this ordinance would allow for the booting of an illegally parked vehicle (including overtime parking violations) if the vehicle's owner has three or more unpaid parking citations and/or a civil warrant has been issued by the Metropolitan Government against the person for the collection of unpaid parking violations. As the Council may be aware, over a million dollars is owed to the Metropolitan Government in unpaid parking tickets. Allowing the booting of
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ORDINANCE NO. BL2009-419 (continued)

perpetual parking offenders' vehicles would hopefully provide an incentive for these delinquent tickets to be paid. The owner of a booted vehicle could have the boot removed upon paying a twenty-five dollar removal fee to the Metropolitan Government. If the court determines that the owner's vehicle was improperly booted, he/she would be entitled to a refund of the removal fee.

Although this ordinance would allow the Metropolitan Government to boot illegally parked vehicles, capital funds would likely need to be appropriated by the council in the future to purchase the boots in order to fully implement this ordinance.

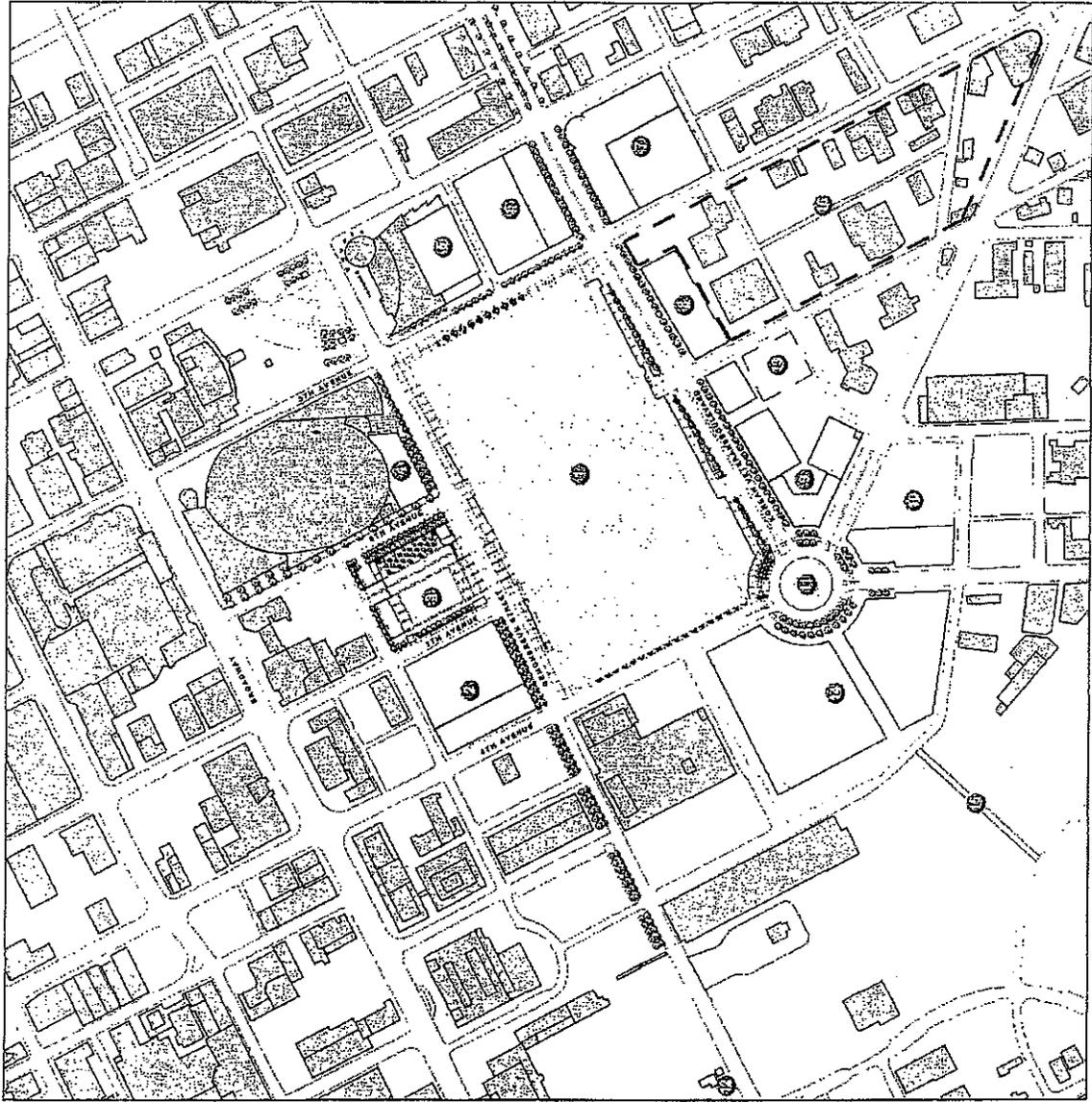
ORDINANCE NOS. BL2009-421 (FORKUM) – This ordinance approves six lease agreements between the Metropolitan juvenile court and the Metropolitan development and housing agency (MDHA) for the lease of properties in various housing developments for the juvenile court's truancy reduction program. The terms of these lease agreements are from October 2, 2008 through September 30, 2009, with a one year renewal option. Metro pays rent in the amount of \$50 per month for each location. MDHA is responsible for paying utility charges and maintaining the exterior of the premises, the HVAC system, the electrical wiring, and the plumbing system, excluding the plumbing fixtures. Metro is also responsible for providing janitorial services and maintaining the interior of the premises. Any future amendments to the agreements are to be approved by resolution of the Metro Council receiving 21 affirmative votes.

The lease agreements are for the following units:

1. 614 South 6th Street, Unit 9024 – James A. Cayce Homes
2. 600 South 6th Street, Unit 9017 – James A. Cayce Homes
3. 81 University Court, Unit 5223 – Tony Sudekum Homes
4. 606 North 3rd Street – Sam Levy Homes
5. 948 16th Avenue North, Unit 12100 – Andrew Jackson Courts
6. 2306 26th Avenue North, Unit 16137 – Cumberland View

These lease agreements have been approved by the planning commission.

EXHIBIT A



KEY

- 1. CONVENTION CENTER SITE
- 2. POTENTIAL HOTEL SITE OR OTHER DEVELOPMENT
- 3. POTENTIAL PARKING STRUCTURE BELOW CITY PARK
- 4. POTENTIAL COMMERCIAL DEVELOPMENT
- 5. POTENTIAL EXPANSION OF COUNTRY MUSIC HALL OF FAME AND MUSEUM
- 6. POTENTIAL HOTEL SITE OR OTHER DEVELOPMENT
- 7. POTENTIAL HOTEL SITE OR OTHER DEVELOPMENT
- 8. POTENTIAL DEVELOPMENT
- 9. POTENTIAL DEVELOPMENT
- 10. POTENTIAL DEVELOPMENT
- 11. ROUNDABOUT PARK
- 12. DEMONBREIN STREET GREENWAY CONNECTION
- 13. POTENTIAL NBS SUBSTATION RELOCATION
- 14. POTENTIAL DEVELOPMENT
- 15. POTENTIAL PEDESTRIAN BRIDGE TO GULCH
- 16. POTENTIAL CONVENTION CENTER EXPANSION



MUSIC CITY CENTER

TUCK-HINTON **LVS** MUDDY-NOLAN

Fiscal Year 2009-2010 Capital Spending Plan

<u>Department / Purpose</u>	<u>Project Description</u>	<u>Total Capital Plan \$ by Dept / Purpose</u>	<u>Amount Spent (1)</u>
<u>Projects to be De-Authorized</u>			
222 Building	Design for renovation	2,092,400	
Bordeaux	Renovation, pharmacy repackaging	1,084,000	
City Hall (Ben West Library)	Renovation	4,443,600	
Criminal Justice Center	Design for renovation - excess funding	2,000,000	
E 911	New center planning	720,600	
Finance	E-Budget upgrades	550,000	
General Hospital	Various projects	2,767,000	
General Services	Shared services, 311, storage, radio infrastructure	7,783,600	
Health	Lentz	22,169,600	
Historical Commission	Cemetery renovation savings	750,000	
ITS	Construction on hold, central projects deprioritized	9,371,600	
Justice Information Systems	Integrated Justice System	1,230,800	
MAC	North facility	5,396,000	
Metro Archives	Enhancements	1,719,900	
Parks	Deferred maintenance, master plan	22,173,800	
Planning	Music City Moves	550,000	
Police	Completed projects	479,600	
Public Library	Bellevue	1,951,300	
Public Works	Roads, bridges, sidewalks, bikeways, recycling, traffic	58,877,500	
Water & Sewer	Stormwater projects - GO debt	965,000	
Cross-departmental:			
ADA		2,500,000	
Contingency		2,211,400	
Demolition projects		1,181,800	
Major Facility Maintenance		1,400,000	
Warehouse study		754,000	
Total General Government Projects to be De-Authorized		155,123,500	
Board of Fair Commissioners	Projects completed and paid	3,225,000	
Convention Center	Roofing completed	7,600	
General Services	Building and parking studies	32,800	
	Radio-related to be paid from fund balance	<u>2,921,800</u>	2,954,600
Public Works	NES refinancing		10,500,000
Total Self-Funded Projects to be De-Authorized			16,687,200
Total of All Projects to be De-Authorized			171,810,700

Fiscal Year 2009-2010 Capital Spending Plan

<u>Department / Purpose</u>	<u>Project Description</u>	<u>Total Capital Plan \$ by Dept / Purpose</u>	<u>Amount Spent (1)</u>
<u>General Government Projects</u>			
Arts Commission	1% for Public Art	2,677,300	217,600
Birch Building	Closeout	2,691,700	
Circuit Court Clerk	Traffic Violations System	2,240,300	220,800
Courthouse	Closeout	1,057,800	809,100
Criminal Justice Center	Design and planning	1,594,500	
E 911	Back-up / training facility building needs	548,700	
Finance	Enterprise financial systems	5,416,400	956,400
Fire	Renovate/expand Stations 2, 3, 27, 30, 31, 32, 33	9,896,700	
	Training tower at Fire Academy	2,300,000	
	Other facilities and equipment	118,400	
	<i>new</i> Station 35	<u>2,000,000</u>	14,315,100
Fulton Campus	Howard, Lindsey, parking garage, data center	51,996,000	
	<i>new</i> Additional infrastructure needs	<u>2,000,000</u>	53,996,000
General Services	Fleet management	215,300	
	Radio infrastructure	54,600	
	Storm sirens	213,200	
	Other projects near completion	<u>7,800</u>	490,900
Historical Commission	City cemetery, Croft House	1,583,400	1,208,400
Hospital Authority	General Hospital billing & collection system	1,588,700	1,304,200
ITS	Data encryption	621,500	
	Disaster recovery	800,900	
	Firewall and other security	533,700	
	Imaging technology	367,700	
	Network security	526,800	
	Obsolete equipment replacement, upgrades	1,541,800	
	Phone system upgrades and security	500,300	
	Tax accounting system	653,000	
	Voice and data related to construction projects	9,525,300	
	Wireless network upgrades	<u>426,300</u>	15,497,300
Justice Information Systems	Integrated Justice System	1,213,900	675,100
(1) Represents \$132,806,000 of commercial paper outstanding at March 31, 2009 allocated to departmental projects. Does not include spending previously bonded.			

Fiscal Year 2009-2010 Capital Spending Plan

<u>Department / Purpose</u>	<u>Project Description</u>		<u>Total Capital Plan \$ by Dept / Purpose</u>	<u>Amount Spent (1)</u>
MAC	Douglas Headstart	4,220,400		
	New Headstart kitchen	<u>2,152,500</u>	6,372,900	3,735,800
MDHA	Gulch planning & design	1,192,300		
	Riverfront Phase 1	7,950,000		
	<i>new</i> Riverfront Phase 2	<u>22,000,000</u>	31,142,300	
Metro Southeast	Buildout and renovation		985,300	168,000
MTA	MTA previous capital plans	15,425,000		8,599,300
	<i>new</i> Federal Grant local match	4,400,000		
	<i>new</i> Bus Rapid Transit Infrastructure	3,500,000		
	<i>new</i> Building improvements	1,500,000		
	<i>new</i> Replacement Paratransit Vehicles	2,600,000		
	<i>new</i> Replacement 40/60 foot buses	<u>10,100,000</u>	37,525,000	
Parks	Driving Range	50,000		
	General Park Improvements	212,300		
	Greenways:			
	Downtown	103,000		
	Harpeth	1,040,000		
	Matching fund - open space	295,000		
	Matching fund - Opry Mills	500,000		
	Mill Creek	464,400		
	Richland	527,000		
	Harpeth Soccer	199,700		
	Joelton Grant Matches	547,000		
	Land Acquisition:			
	Antioch	1,150,000		
	Heartland/Mill Creek	255,000		
	Peeler (Taylor Farm)	2,700,000		
	Warner	1,500,000		
	McCabe Center	4,250,000		
	Playgrounds	73,000		
	Whites Creek Expansion	260,000		
	Youth Sports Fields - Warner	506,100		
	Other - project closeout	336,100		
	Amounts spent prior to April 2009	<u>8,976,800</u>	23,945,400	8,976,800
Parks / Health	<i>new</i> Planning SE Community / Public Health Center		500,000	
Police	Records management	1,789,200		
	SWAT/BOMB/Fleet	343,800		
	Training academy	698,000		
	West precinct land and design	1,747,500		
	Crime lab	512,300		
	Other - facility close out	287,500		
	<i>new</i> Precinct planning	500,000		
	<i>new</i> West Precinct	5,252,500		
	<i>new</i> Crime lab	<u>6,487,700</u>	17,618,500	478,700

Fiscal Year 2009-2010 Capital Spending Plan

<u>Department / Purpose</u>	<u>Project Description</u>	<u>Total Capital Plan \$ by Dept / Purpose</u>	<u>Amount Spent (1)</u>
Public Library	Goodlettsville library	5,242,900	
Public Works	Bikeways	900,000	
	Bridges	7,221,500	
	Information Systems	2,500,000	
	Paving	16,502,500	
	Roadway projects	23,343,600	
	Sidewalks	5,200,000	
	Traffic	3,350,000	
	Other - project closeout	409,700	
	<i>new</i> 28th / 31st Ave connector - planning	500,000	
		<u>59,927,300</u>	13,831,200
Sheriff	Inmate shower renovation	493,500	15,400
Sports Authority	Roof, Signage	617,000	404,000
Water & Sewer	Stormwater projects - GO (close out)	2,312,100	1,806,200
Cross-departmental and smaller projects	ADA compliance projects	2,397,400	
	Bordeaux Cemetery	100,000	
	City Hall closeout	74,000	
	Energy retrofits	1,924,600	
	Health - East Clinic HVAC	168,800	
	Major facility maintenance	446,100	
	Municipal Auditorium upgrades	61,200	
	Relocation	101,500	
	Roofing	4,703,400	
	Trial Lawyers Building	50,000	
	Voter Registration System	75,700	
	Other projects near completion	2,300	
		<u>10,105,000</u>	3,406,700
Not-for-profits	African American Museum	10,000,000	
	Frist Center	106,100	
	Nashville Children's Theater	482,400	
	<i>new</i> Adventure Science Center	250,000	
	<i>new</i> Frist Center	141,000	
	<i>new</i> Nashville Zoo	1,000,000	
		<u>11,979,500</u>	
Total Projects		<u>313,678,700</u>	
Contingency		<u>15,025,000</u>	
Total General Government Projects		<u><u>328,703,700</u></u>	
	<i>Total new projects included for General Government</i>		62,731,200

Fiscal Year 2009-2010 Capital Spending Plan

<u>Department / Purpose</u>	<u>Project Description</u>	<u>Total Capital Plan \$ by Dept / Purpose</u>	<u>Amount Spent (1)</u>
<u>Schools Projects</u>			
	Schools previous capital plans	108,333,000	68,426,800
	<i>new</i> Crieve Hall Elementary/Renovation - add 10 classrooms	4,327,000	
	<i>new</i> Glengarry Elementary/Renovation - add 10 classrooms	2,321,000	
	<i>new</i> Glenview Elementary/Renovation - add 11 classrooms	2,630,000	
	<i>new</i> Julia Green Elementary/Renovation	1,602,000	
	<i>new</i> Haywood Elementary/Renovation - add 16 classrooms	3,807,000	
	<i>new</i> Madison modernization for Middle School	8,488,000	
	<i>new</i> Wharton modernization for Elementary School	7,147,000	
	<i>new</i> ADA compliance	2,000,000	
	<i>new</i> Bus replacement	2,500,000	
	<i>new</i> Entry vestibule security	330,000	
	<i>new</i> Football stadium lighting	550,000	
	<i>new</i> Pre-K Playgrounds	275,000	
	<i>new</i> Roof replacements/repairs	2,000,000	
	<i>new</i> Maintenance emergencies	3,500,000	
	<i>new</i> Technology	5,000,000	
	<i>new</i> Contingency	1,400,000	
	Total Schools Projects	156,210,000	
	<i>Total new projects included for Schools</i>	<i>47,877,000</i>	

Fiscal Year 2009-2010 Capital Spending Plan

<u>Department / Purpose</u>	<u>Project Description</u>		<u>Total Capital Plan \$ by Dept / Purpose</u>	<u>Amount Spent (1)</u>
<u>Self-Funded Projects</u>				
Convention Center			4,044,200	
DES	Customer connections and repairs	2,919,400		
	<i>new</i> Customer connections and repairs	<u>2,410,000</u>	5,329,400	
Farmers Market			252,800	
Grants/contributions	Parks, Library, Public Works, others		1,173,700	
Schools	Energy retrofits	89,200		
	<i>new</i> Energy retrofits	<u>15,000,000</u>	15,089,200	
Water & Sewer	<i>new</i> Stormwater projects		50,000,000	
Total Self-Funded Projects			<u><u>75,889,300</u></u>	
Grand Total - New Capital Plan			<u><u>560,803,000</u></u>	
<small>Includes allocated commercial paper outstanding</small>				

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
 GENERAL FUND 4% RESERVE FUND
 INFORMATION SHEET
 (As Required By Ordinance 086-1534)**

**District Attorney
 4th Quarter – FY 2009
 19201000**

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
507450	High Volume Laser Printers for Criminal Records & Grand Jury Report Generation	5	\$25,000	Replace	5	5 ✓
507450	Mid Volume Laser Printers for Criminal Court Division Teams	12	\$42,000	Replace	5	5 ✓
507450	New Desktops / Related Software	11	\$12,200	New	-	4+ ✓
	TOTAL		\$ 79,200			

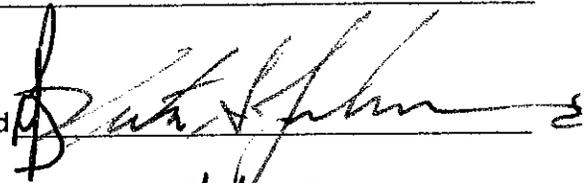
- Is this expenditure federal or state reimbursable? No
- Can this equipment be used year around? Yes
- Has the price been verified by Division of Purchases? Yes
- Have you checked Public Property Division for usable surplus equipment? Yes
- Is equipment absolutely necessary at this time? Yes
- Will equipment reduce present cost? Yes
- Is equipment to extend services? No
- Is equipment to reduce manpower? No
- Will equipment require new manpower? No
- Will equipment increase productivity? Yes
- Will equipment promote public health? No
- Will equipment promote public safety? No

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? Yes

If not, do you expect to expend funds and the date expected for the expenditure?

COMMENTS: _____

Department Head



Date

5/19/2009

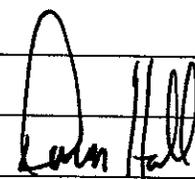
**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
GENERAL FUND 4% RESERVE FUND
INFORMATION SHEET
(As Required By Ordinance 086-1534)**

**Sheriff
4th Quarter – FY 2009
30201000**

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
507450	Security System software upgrade	1	\$260,000	Replace	5	5
507400	Replace Hot Water Heaters	3	105,000	Replace	10	10
507400	HVAC Units	3	60,000	Replace	15	15
507150	Hepa-Filter Negative Pressure Cell	1	35,000	New	0	25
503150	Chairs for Facilities	20	5,000	Replace	15	15
507400	Replacement of Boiler	1	35,000	Replace	10	10
	TOTAL		\$ 500,000			

- Is this expenditure federal or state reimbursable?..... No
 - Can this equipment be used year around?..... Yes
 - Has the price been verified by Division of Purchases?..... No
 - Have you checked Public Property Division for usable surplus equipment?..... Yes
 - Is equipment absolutely necessary at this time?..... Yes
 - Will equipment reduce present cost?..... Yes
 - Is equipment to extend services?..... Yes
 - Is equipment to reduce manpower?..... Yes
 - Will equipment require new manpower?..... No
 - Will equipment increase productivity?..... No
 - Will equipment promote public health?..... Yes
 - Will equipment promote public safety?..... Yes
- Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required?..... Yes
- If not, do you expect to expend funds and the date expected for the expenditure?

COMMENTS: _____

Department Head 

Date 5-6-09

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
GENERAL FUND 4% RESERVE FUND
INFORMATION SHEET
(As Required By Ordinance 086-1534)**

General Sessions Court
4th Quarter – FY 2009
27202000

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
507450	Interactive Voice Response System	1	\$150,000	New		5
507450	Online Traffic School Interface Completion, Upgrades and Maintenance	1	65,900	New		5
	TOTAL		\$ 215,900			

- Is this expenditure federal or state reimbursable? No
- Can this equipment be used year around? Yes
- Has the price been verified by Division of Purchases? Yes
- Have you checked Public Property Division for usable surplus equipment? No
- Is equipment absolutely necessary at this time? Yes
- Will equipment reduce present cost? Yes
- Is equipment to extend services? Yes
- Is equipment to reduce manpower? No
- Will equipment require new manpower? No
- Will equipment increase productivity? Yes
- Will equipment promote public health? No
- Will equipment promote public safety? No

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? No
If not, do you expect to expend funds and the date expected for the expenditure? (By June 30, 2009) Yes

COMMENTS: _____

Department Head Warner Hassell
Date 5-6-2009

RESOLUTION NO. RS2009-772

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
GENERAL FUND 4% RESERVE FUND
INFORMATION SHEET
(As Required By Ordinance 086-1534)**

Information Technology Services
4th Quarter – FY 2009
14202000

R09-

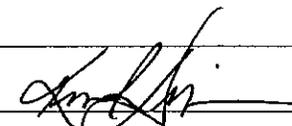
Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
507450	Replace Metro 3 Obsolete, Unsupported Broadcast Equipment	1 Lot	\$41,200	Replace	10+	8
507450	Upgrade Metro 3 Closed Captioning Services	1 Lot	24,900	New	-	4+
503120	Manatron Tax System – Trustee	1	35,000	New	-	3+
507450	File Server Data Reduction	1	80,000	New	-	8+
507450	Data Discovery Project	1	400,000	New	-	8+
507450	Tech Revolving Fund	580	726,000	Replace	4+	4+
507450	Obsolete Network Equipment	1 Lot	576,000	Replace	8+	4
507450	Obsolete Servers	1 Lot	1,645,300	Replace	5+	5
	TOTAL		\$3,528,400			

- Is this expenditure federal or state reimbursable? No
- Can this equipment be used year around? Yes
- Has the price been verified by Division of Purchases? No
- Have you checked Public Property Division for usable surplus equipment? Yes
- Is equipment absolutely necessary at this time? Yes
- Will equipment reduce present cost? No
- Is equipment to extend services? Yes
- Is equipment to reduce manpower? No
- Will equipment require new manpower? No
- Will equipment increase productivity? No
- Will equipment promote public health? No
- Will equipment promote public safety? No

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? No

If not, do you expect to expend funds and the date expected for the expenditure? (By June 30, 2009) Yes

COMMENTS: _____

Department Head 

Date 5/6/09

RESOLUTION NO. RS2009-773

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
GENERAL FUND 4% RESERVE FUND
INFORMATION SHEET
(As Required By Ordinance 086-1534)**

General Services
4th Quarter – FY 2009
10203000
10201001

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
10203000 507200	Major Maintenance / Environmental / Roofs	1 Lot	\$2,000,000	New / Replace	10+	10+
10203000 502227	Green Fence	1	50,000	New		10+
10203000 503850	GPS Pilot Program	35	10,000	New		5+
10201001 507480	Replacement Vehicles – Various Metro Depts.	List	13,500,000	Replace	8+	8+
	TOTAL		\$15,560,000			

- Is this expenditure federal or state reimbursable? No
- Can this equipment be used year around? Yes
- Has the price been verified by Division of Purchases? Yes
- Have you checked Public Property Division for usable surplus equipment? No
- Is equipment absolutely necessary at this time? Yes
- Will equipment reduce present cost?..... Yes
- Is equipment to extend services? Yes
- Is equipment to reduce manpower? Yes
- Will equipment require new manpower? No
- Will equipment increase productivity? Yes
- Will equipment promote public health? Yes
- Will equipment promote public safety? Yes

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? No
If not, do you expect to expend funds and the date expected for the expenditure? (June 2010) Yes

COMMENTS: _____

Department Head Nancy Whittemore /cb
Date 5-6-09

RESOLUTION NO. RS2009-774

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
 GENERAL FUND 4% RESERVE FUND
 INFORMATION SHEET
 (As Required By Ordinance 086-1534)**

**Sports Authority
 4th Quarter – FY 2009
 64208000**

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
507400	Canon Certified ImageRunner 2800 with DocSend, Segment 2	1	\$5,500	New	0	8
	TOTAL		\$ 5,500			

- Is this expenditure federal or state reimbursable? No
- Can this equipment be used year around? Yes
- Has the price been verified by Division of Purchases? Yes
- Have you checked Public Property Division for usable surplus equipment? No
- Is equipment absolutely necessary at this time? Yes
- Will equipment reduce present cost? Yes
- Is equipment to extend services? Yes
- Is equipment to reduce manpower? No
- Will equipment require new manpower? No
- Will equipment increase productivity? No
- Will equipment promote public health? No
- Will equipment promote public safety? No

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? Yes

If not, do you expect to expend funds and the date expected for the expenditure?

COMMENTS: _____

Department Head Emmett Edwards

Date 5/7/09

RESOLUTION NO. RS2009-775

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
 GENERAL FUND 4% RESERVE FUND
 INFORMATION SHEET
 (As Required By Ordinance 086-1534)**

Transportation Licensing
 4th Quarter – FY 2009
 45201000

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
503140	Laminator Machine (Laminate paper permits issued to Taxi, Wrecker and Carriage Drivers.)	1	\$800	New		10
	TOTAL		\$ 800			

- Is this expenditure federal or state reimbursable? No
- Can this equipment be used year around? Yes
- Has the price been verified by Division of Purchases? No
- Have you checked Public Property Division for usable surplus equipment? No
- Is equipment absolutely necessary at this time? Yes
- Will equipment reduce present cost? No
- Is equipment to extend services? Yes
- Is equipment to reduce manpower? No
- Will equipment require new manpower? No
- Will equipment increase productivity? No
- Will equipment promote public health? No
- Will equipment promote public safety? No

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? Yes

If not, do you expect to expend funds and the date expected for the expenditure?

COMMENTS: _____

Department Head Office manager Lisa Steelman
 Date 5-6-09

RESOLUTION NO. RS2009-776

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
GENERAL FUND 4% RESERVE FUND
INFORMATION SHEET
(As Required By Ordinance 086-1534)**

**Police Department
4th Quarter – FY 2009
31201000**

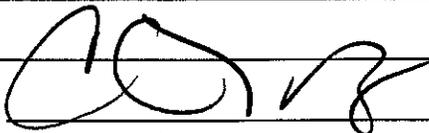
Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
503120	NetMotion License	500	\$ 65,000	New		10+
507400	Environmental Monitoring System	1	52,000	Replace	15	15
503110	Bullet Proof Vest - Grant Match	85	15,000	Replace	5	5
503111	Remington 870 Shotguns	40	22,000	New / Replace	5	5
507450	Police Non-Advanced Records Management Server upgrades	20	229,000	Replace	5	5
507450	Security/ VPN Firewall Devices	7	117,000	New		5
	TOTAL		\$500,000			

- Is this expenditure federal or state reimbursable?..... No
- Can this equipment be used year around?..... Yes
- Has the price been verified by Division of Purchases? No
- Have you checked Public Property Division for usable surplus equipment? No
- Is equipment absolutely necessary at this time? Yes
- Will equipment reduce present cost?..... No
- Is equipment to extend services? Yes
- Is equipment to reduce manpower? No
- Will equipment require new manpower? No
- Will equipment increase productivity?..... Yes
- Will equipment promote public health?..... No
- Will equipment promote public safety?..... Yes

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required?..... No
 If not, do you expect to expend funds and the date expected for the expenditure? (June 2010) Yes

COMMENTS: _____

Department Head



Date

5/7/09

RESOLUTION NO. RS2009-777

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
 GENERAL FUND 4% RESERVE FUND
 INFORMATION SHEET
 (As Required By Ordinance 086-1534)**

**Fire Department
 4th Quarter – FY 2009
 Various BU Numbers**

Object Code	Item	Qty.	Estimated Cost	Replace or New Equip.	Age of Equipmt Replacing (In Years)	Estimated Life of Equipment (In Years)
503130	Automated staff scheduling program "Principal Decision Systems International" (PSDI) Telestaff	1 lot	145,000	New		5
503150	Replacement Furniture and Fixtures for Various FD locations	1 lot	87,500	Replace	10	10
507450	Fire IT – Citrix Servers	5	60,000	Replace	5	5
502910	Facility Maintenance - maintenance and repair of all heating / cooling units	1 lot	85,000	Replace	10	10
503970	Facility Maintenance - equipment for lawn maintenance	1 lot	10,000	Replace	10	10
502201	Facility Maintenance - building repair contractors	1 lot	100,000	New		10
503350	Training - IFSTA Manuals	1 lot	2,500	Replace	5	5
507450	Fire IT - Computer hardware and peripherals for USAR Team	1	10,000	New		5
	TOTAL		\$ 500,000			

Is this expenditure federal or state reimbursable?..... No
 Can this equipment be used year around?..... Yes
 Has the price been verified by Division of Purchases?..... Yes
 Have you checked Public Property Division for usable surplus equipment? Yes
 Is equipment absolutely necessary at this time?..... Yes
 Will equipment reduce present cost? Yes
 Is equipment to extend services? Yes
 Is equipment to reduce manpower? Yes
 Will equipment require new manpower? No
 Will equipment increase productivity?..... Yes
 Will equipment promote public health? Yes
 Will equipment promote public safety? Yes

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required?..... No
 If not, do you expect to expend funds and the date expected for the expenditure?..... Yes

COMMENTS: Fiscal Year 2009

Department Head Stephen D. Hoag
 Date May 7, 2009

RESOLUTION NO. RS2009-778

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
 GENERAL FUND 4% RESERVE FUND
 INFORMATION SHEET
 (As Required By Ordinance 086-1534)**

**Public Library
 4th Quarter – FY 2009
 39201000**

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
503330	New and replacement books and materials	1 lot	\$1,500,000	New and Replacement	10 +	10 +
	TOTAL		\$1,500,000			

- Is this expenditure federal or state reimbursable?..... No
- Can this equipment be used year around?..... Yes
- Has the price been verified by Division of Purchases? Yes
- Have you checked Surplus Property Division for usable surplus equipment? No
- Is equipment absolutely necessary at this time? Yes
- Will equipment reduce present cost? Yes
- Is equipment to extend services? Yes
- Is equipment to reduce manpower?..... No
- Will equipment require new manpower? No
- Will equipment increase productivity?..... Yes
- Will equipment promote public health? No
- Will equipment promote public safety? No

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? No
 If not, do you expect to expend funds and the date expected for the expenditure? (June 2010) Yes

COMMENTS: We expect all 490 funds to be expended by June 2010

Department Head Donna Nicely
 Date 5/6/09

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
GENERAL FUND 4% RESERVE FUND
INFORMATION SHEET
(As Required By Ordinance 086-1534)**

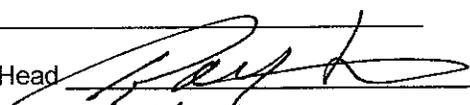
**Parks and Recreation
4th Quarter – FY 2009
40201000**

Object Code	Item	Qty.	Estimated Cost	Replace or New Equip.	Age of Equipmt Replacing (In Years)	Estimated Life of Equipment (In Years)
503900	Bikeways Project – Equipment (Bicycles, Locks, Racks, and Helmets for the Bike Sharing Program.)	50+	\$15,000	New		5+
	TOTAL		\$ 15,000			

Is this expenditure federal or state reimbursable?No
Can this equipment be used year around? Yes
Has the price been verified by Division of Purchases? Yes
Have you checked Public Property Division for usable surplus equipment?No
Is equipment absolutely necessary at this time? Yes
Will equipment reduce present cost?No
Is equipment to extend services? Yes
Is equipment to reduce manpower?No
Will equipment require new manpower?No
Will equipment increase productivity? Yes
Will equipment promote public health? Yes
Will equipment promote public safety? Yes

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? Yes
If not, do you expect to expend funds and the date expected for the expenditure? (June 2009) Yes

COMMENTS: _____

Department Head 
Date 5/6/09

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
GENERAL FUND 4% RESERVE FUND
INFORMATION SHEET
(As Required By Ordinance 086-1534)**

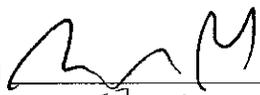
**Health Department
4th Quarter 2009
38201000**

Object Code	Item	Qty.	Estimated Cost	Replace. or New Equip.	Age of Equipmt Replacing (In Years)	Estimated Life of Equipment (In Years)
503850	Miscellaneous Office Equipment	1 Lot	\$50,000	New / Replace	10	10
	Total		\$ 50,000			

- Is this expenditure federal or state reimbursable? No
- Can this equipment be used year around? Yes
- Has the price been verified by Division of Purchases? Yes
- Have you checked Public Property Division for usable surplus equipment? No
- Is equipment absolutely necessary at this time? Yes
- Will equipment reduce present cost? Yes
- Is equipment to extend services? No
- Is equipment to reduce manpower? No
- Will equipment require new manpower? No
- Will equipment increase productivity? Yes
- Will equipment promote public health? No
- Will equipment promote public safety? Yes

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? No
If not, do you expect to expend funds and the date expected for the expenditure? (June 2010) Yes

COMMENTS: _____

Department Head 
Date 5/6/09

RESOLUTION NO. RS2009-781

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
GENERAL FUND 4% RESERVE FUND
INFORMATION SHEET
(As Required By Ordinance 086-1534)**

**Public Works Department
4th Quarter – FY2009
42206000**

Object Code	Item	Qty.	Estimated Cost	Replacement or New Equipment	Age of Equipment Replacing (In Years)	Estimated Life of Equipment (In Years)
503850	Bike Racks (Bike Sharing Program - For Downtown and other relevant Metro buildings)	40+	\$20,000	New		10+
	TOTAL		\$ 20,000			

- Is this expenditure federal or state reimbursable? No
- Can this equipment be used year around? Yes
- Has the price been verified by Division of Purchases? Yes
- Have you checked Public Property Division for usable surplus equipment? Yes
- Is equipment absolutely necessary at this time? Yes
- Will equipment reduce present cost? No
- Is equipment to extend services? Yes
- Is equipment to reduce manpower? No
- Will equipment require new manpower? No
- Will equipment increase productivity? No
- Will equipment promote public health? Yes
- Will equipment promote public safety? Yes

Have all previously adopted resolutions appropriating funds from the General Fund Reserve Fund (4% Fund) been complied with by expending said funds as required? No

If not, do you expect to expend funds and the date expected for the expenditure? (By June 30, 2009) Yes

COMMENTS: _____

Department Head John W Lynch

Date May 6, 2009