

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director  
Metropolitan Council Office

DATE: **February 7, 2012**

RE: **Analysis Report**

Balances As Of:	<u>2/1/12</u>	<u>1/26/11</u>
<u>GSD 4% RESERVE FUND</u>	*\$25,836,951	\$23,996,590
<u>GENERAL FUND UNDESIGNATED FUND BALANCE</u>		
GSD	\$44,378,057	\$34,451,559
USD	\$8,556,677	\$24,263,010
<u>GENERAL PURPOSE SCHOOL FUND UNRESERVED FUND BALANCE</u>		
	\$34,449,193	\$27,099,790

**\* Assumes estimated revenues in fiscal year 2012 in the amount of \$24,098,500**

– RESOLUTIONS –

**RESOLUTION NOS. RS2012-136 & RS2012-137** (MCGUIRE & MOORE) – These two resolutions appropriate Capitol Mall urban development action grant (UDAG) repayments for the benefit of the Nashville Entrepreneur Center and ServiceSource. The UDAG program is a federal program whereby funds are loaned to developers and repaid to the Metropolitan development and housing agency (MDHA) instead of the federal government. MDHA is required by federal law to use the UDAG loan repayments in the “pocket of poverty” areas of the Metropolitan Government. The convention center hotel for the old convention center (currently the Renaissance Hotel) was built with the assistance of Capitol Mall UDAG loan funds. In 1990, the council enacted an ordinance providing that the payments related to the Nashville convention center hotel and the Capitol Mall UDAG are to be allocated in equal proportions to affordable housing activities and economic development activities directly benefitting residents within the pocket of poverty. The Capitol Mall pocket of poverty includes basically the heart of the downtown area bordered by 2<sup>nd</sup> and 4<sup>th</sup> Avenues to the east, Union Street to the north, 8<sup>th</sup> Avenue to the west, and Peabody Street to the south.

A similar resolution was approved in June 2010 appropriating UDAG loan funds for the creation of a shared services center for Loews Hotels.

**Resolution No. RS2012-136** appropriates \$300,000 of Capitol mall UDAG repayments to MDHA to offset a portion of the construction and/or equipment expenses related to the renovation of a trolley barn located on Rolling Mill Hill to serve as the new headquarters for the Nashville Entrepreneur Center. The center is expected to create 250 new job opportunities within three years, 85 of which are anticipated to be filled by residents living within the designated pocket of poverty. These funds will be used to reimburse the Center for fifteen percent of the construction and/or equipment expenses not to exceed \$300,000.

A description of the renovations to be made to the trolley barn is found in the analysis for Resolution No. RS2012-148.

**Resolution No. RS2012-137** appropriates \$300,000 of Capitol mall UDAG repayments to MDHA for the expansion of the Nashville office of ServiceSource. ServiceSource is a publicly-traded company based in San Francisco that employs approximately 500 people at a regional headquarters and sales center in Nashville. The company partners with technology companies to help them increase revenues by selling maintenance and support agreements, as well as subscription contracts, to existing customers. ServiceSource had net revenues of \$152.9 million in 2010.

ServiceSource plans to expand its Nashville office and create 300 additional jobs within the next two years. The resolution recitals provide that many of these jobs are likely to be filled by individuals residing in the pocket of poverty. The resolution further provides that prior to disbursing these funds, MDHA is to obtain a plan from ServiceSource outlining how it will recruit prospective employees from the pocket of poverty. A statement from ServiceSource printed in the *Nashville Business Journal* on December 30, 2011, noted that the company will be hiring all (continued on next page)

**RESOLUTION NOS. RS2012-136 & RS2012-137** (continued)

around the state and region beginning in the first quarter of 2012. The company further noted that the new jobs will “focus on college-educated professionals who are trained or can be trained in sales, sales management, finance or technology.”

The council office has been advised by the director of the mayor’s office of economic and community development that MDHA is negotiating a memorandum of understanding with ServiceSource detailing how the disbursement of the funds will be tied to the number of persons hired.

**RESOLUTION NO. RS2012-138** (DOWELL, MCGUIRE & MATTHEWS) – This resolution authorizes the director of public property administration to exercise an option to purchase 2.25 acres of property in Antioch to serve as the main access point for the new Cane Ridge Elementary school currently under construction. The purchase price for the property will be \$83,500, which is to come from capital funds designated for school construction. The property is being purchased from Summerfield Development, LLC. In addition to paying the purchase price, the Metropolitan Government is agreeing to extend Ashford Trace approximately 280 feet. This will include utilities, paving, and curbing. It was contemplated at the time the Ashford Trace subdivision was built that this roadway would one day be extended, and it is shown on the subdivision site plan as a future neighborhood arterial road. The road extension will provide better access for school buses.

Pursuant to the Metropolitan Code, the director of public property administration is authorized to negotiate for the purchase of property for such purposes and to seek to obtain an option to sell from the owner, which is subject to approval of the council by resolution.

The option contract specifies that Metro must exercise the option within 90 days of the date the option was obtained. However, once again, the contract date was left blank when it was signed.

This resolution has been approved by the planning commission.

**RESOLUTION NO. RS2012-139** (TYGARD, BARRY & MCGUIRE) – This resolution approves an amendment to the interlocal agreement between the Metropolitan Government and the convention center authority (CCA) for the financial, administrative, and operational services for the existing convention center to clarify the provision of insurance benefits for qualifying employees of CCA. The original agreement was approved by the council in June 2010 to enable the convention center authority to assume the responsibility for the current center, as well as oversee the construction of the new center. Part of the agreement authorized CCA employees to participate in Metro’s health, dental, and vision benefit plans.

This amendment would permit qualifying employees to opt in to additional insurance benefits provided through Metro such as life insurance, disability insurance, and long-term care benefits.

The council office would note that the contract amendment has not been signed by the convention center authority, as required by council rule 19. The amendment should be executed prior to consideration by the council.

**RESOLUTION NO. RS2012-140** (MCGUIRE & MITCHELL) – This resolution approves a second amendment to a grant in the amount of \$199,882 from the U.S. department of justice to the state trial courts to reduce recidivism rates among felony offenders with mental health and substance abuse disorders. These funds are used to support the state trial courts' community corrections program. This program provides alternative punishments for non-violent offenders consisting of offender supervision, residential programs, and day reporting center programs. This amendment extends the term of the grant through June 30, 2012.

**RESOLUTION NOS. RS2012-141 & RS2012-142** (MITCHELL & MCGUIRE) – These two resolutions approve interlocal agreements between the mayor's office of emergency management and two other municipalities to facilitate the purchase of equipment in accordance with the Fiscal Year 2010 Port Security Grant Program funded by the U.S. Department of Homeland Security. These agreements are essentially to sub-grant a portion of the federal funds. The terms of the sub-grant agreements are from August 1, 2010 to July 31, 2013.

**Resolution No. RS2012-141** approves an interlocal agreement with the Wilson County Sheriff's Department to sub-grant \$66,493 to purchase a rescue and patrol boat.

**Resolution No. RS2012-142** approves an interlocal agreement with the City of Hendersonville to sub-grant \$250,000 for the purchase a fire boat.

**RESOLUTION NO. RS2012-143** (MCGUIRE & MITCHELL) – This resolution approves the application and acceptance of a grant in the amount of \$1,000,046 from the U.S. department of homeland security and the mayor's office of emergency management (OEM) for maritime infrastructure enhancement to prevent, respond to, and recover from threats of terrorism. These funds will be used for continuing security enhancements along the river in several middle Tennessee counties. OEM is serving as the coordinating entity for the disbursement of these federal funds. These funds will be distributed as follows:

- Metro Police Department - \$245,000
- Metro Fire Department - \$74,910
- Mayor's Office of Emergency Management - \$83,900
- City of Hendersonville Fire Department - \$217,000
- Ashland City Fire Department - \$200,000
- Tennessee Wildlife Resources Agency - \$78,000
- Stewart County Sheriff's Department - \$51,236
- Grant management and administration - \$50,000

The term of this grant is from September 1, 2011, through August 31, 2014.

**RESOLUTION NO. RS2012-144** ( MCGUIRE & MITCHELL) – This resolution approves a grant in the amount of \$3,000 from the Community Foundation of Middle Tennessee to the Davidson County sheriff's department to build outdoor shelters for animals in collaboration with the Metro animal control center. This grant is to support the sheriff's office PAWS program. The term of this grant is from December 1, 2011 to November 30, 2012.

**RESOLUTION NO. RS2012-145** (LANGSTER & MCGUIRE) – This resolution approves a grant in the amount of \$961,300 from the state department of health to the Metropolitan board of health for sexually transmitted disease services and HIV/AIDS prevention and surveillance. This is an annual grant that pays the salaries of the health department employees that provide these services. Pursuant to the grant agreement, the funds are to be used for HIV prevention, active surveillance of HIV/AIDS cases, diagnostic and treatment services, and disease intervention services.

The term of this grant is from January 1, 2012 through December 31, 2013. This grant consists of \$883,500 in federal funds and \$77,800 in state funds.

**RESOLUTION NO. RS2012-146** (MCGUIRE & LANGSTER) - This resolution approves a fifth amendment to a grant from the U.S. environmental protection agency (EPA) to the Metropolitan board of health to achieve established ambient air quality standards. These funds are used to collect data and to monitor the ambient air concentrations for ozone, fine particulate matter, regional haze, sulfur dioxide, carbon monoxide, and mercury. The Metro health department is responsible for air quality monitoring within Nashville and Davidson County on behalf of the EPA. The amendment increases the grant amount by \$200,000 for a new grant total of \$1,073,428.

**RESOLUTION NO. RS2012-147** (MCGUIRE & LANGSTER) – This resolution approves an agreement between the Metropolitan board of health and AmeriGroup of Tennessee, Inc., for the electronic exchange of data consisting of certain claims and billing information. The health department bills TennCare for covered services through AmeriGroup. This is essentially a form contract used by AmeriGroup that will allow the health department to bill through AmeriGroup electronically. The contract is for an indefinite term, but may be cancelled by either party with 30 day's notice. No Metro funds are obligated as part of this agreement.

**RESOLUTION NO. RS2012-148 & RS2012-149** (MCGUIRE & HUNT) – These two resolutions approve contracts relating to the application for the fast track infrastructure development program (FIDP) grant to rehabilitate and renovate a trolley barn located on the Rolling Mill Hill property to accommodate the Nashville Entrepreneur Center headquarters. The council approved the application for this grant on October 4, 2011.

The FIDP is a state program in which the state, the Metropolitan Government, and private businesses participate to facilitate infrastructure improvements to promote economic development. The funds are available to businesses that create jobs through the expansion of new facilities. In November 2004, the council approved the transfer of the administration of this program from the industrial development board and the Mayor's office of economic development to the department of public works.

Resolution No. RS2012-136 is a related resolution appropriating \$300,000 in urban development action grant funds to the Nashville Entrepreneur Center for the renovation of the trolley barn.

(continued on next page)

**RESOLUTION NO. RS2012-148 & RS2012-149** (continued)

**Resolution No. RS2012-148** approves the fast track infrastructure development program grant in the amount of \$700,000 for the benefit of the Nashville Entrepreneur Center. The Nashville Entrepreneur Center is a 501c.3. nonprofit corporation formed in 2010 to connect entrepreneurs with the training and resources they need to incubate their innovations and advance economic growth. These funds will be used to renovate one of the six historic trolley barns at Rolling Mill Hill in order to relocate from its existing facility located at 105 Broadway. The improvements will include brick replacement, roofing, electrical, plumbing, interior framing, HVAC, and fire protection. The total estimated cost for the project is \$1,228,915, with the Entrepreneur Center providing the remaining \$528,915. No Metro funds are obligated for this grant. This facility will provide 72 business incubator spaces, which is estimated to result in the creation of 250 jobs within three years.

Although the renovations to the trolley barn are not typically considered infrastructure improvements for purposes of this grant program, the state made a \$750,000 commitment for this project, \$50,000 of which has already been released. The description of the grant program on the state's website states that "other improvements to the physical infrastructure of a site may be considered if communities can demonstrate such improvements are required for the location or expansion of a business that creates jobs."

The term of this grant is through November 30, 2016.

**Resolution No. RS2012-149** approves an agreement between Metro and the Nashville Entrepreneur Center regarding the implementation and funding of the fast track grant. The agreement provides that Metro will serve as the contract administrator for the grant and will procure the services to complete the project. The Entrepreneur Center agrees to provide the required matching funds. Metro will have no financial liability for the project whatsoever.

**RESOLUTION NO. RS2012-150** (MCGUIRE & JERNIGAN) – This resolution approves an application for a grant in the amount of \$7,000 from the state arts commission to the Metropolitan board of parks and recreation to supplement the Big Band dance program in Centennial Park. This application is for continued funding of a program that provides twelve free big band dances to the public on Saturday nights. There will be a required in-kind match of \$7,000.

**RESOLUTION NOS. RS2012-151 & RS2012-152** (WESTERHOLM, MCGUIRE & JERNIGAN) – These two resolutions approve applications for two grants in the amount of \$20,000 each from the Metropolitan development and housing agency (MDHA) to the Metropolitan board of parks and recreation for summer enrichment programs, swimming lessons, and water safety training for youth. MDHA has funding available for these activities as part of the federal community development block grant program.

(continued on next page)

**RESOLUTION NOS. RS2012-151 & RS2012-152** (continued)

**Resolution No. RS2012-151** approves a grant application for funding to provide recreational, educational, social, and cultural art activities for youth in the Kirkpatrick neighborhood between June 1 and July 31, 2012. The grant budget provides that the funds will be used for recreation equipment, supplies, field trips, and transportation. There will be a required in-kind match of \$28,860.

**Resolution No. RS2012-152** approves a grant application for funding to provide swimming lessons and water safety training for children living in neighborhoods around community swimming pools between June 1 and July 31, 2012. Children participating in the program will complete certified training in swimming and water safety. There will be a required in-kind match of \$23,900.

**RESOLUTION NO. RS2012-153** (MCGUIRE) – This resolution authorizes the department of law to settle the Metropolitan Government’s claim against Hardrock Directional Drilling for the amount of \$6,954.13. On November 8, 2011, Hardrock Directional Drilling struck an eight inch sewer main while working at 4201 Nolensville Pike. The company did not inquire as to the location of existing sewer lines before drilling. This resolution accepts payment for all damages incurred.

**RESOLUTION NO. RS2012-154** (MCGUIRE) – This resolution authorizes the department of law to compromise and settle the personal injury claim of Beverly Batey against the Metropolitan Government for the total amount of \$6,000. On April 21, 2011, a Metro police officer was stopped at a stop sign behind Beverly Batey at the intersection of Stokers Lane and Buena Vista Pike. Ms. Batey pulled her vehicle forward, but did not enter the intersection because of on-coming traffic. The officer pulled forward and struck Ms. Batey’s vehicle in the rear. Ms. Batey’s vehicle received damage to the rear bumper and tail light totaling \$579.59 in property damage. Ms. Batey experienced lower back, neck, and chest pain resulting in medical expenses of \$10,987.15.

The department of law recommends settling this claim for \$6,000. The Metro police officer involved received a written reprimand.

This settlement is to be paid out of the self-insured liability fund.

**RESOLUTION NO. RS2012-155** (MCGUIRE) – This resolution authorizes the department of law to compromise and settle the personal injury claim of Queneshia Johnson against the Metropolitan Government for the total amount of \$10,000. On April 15, 2011, a Metro police officer was traveling on South Fifth Street towards Main Street with the lights and siren activated. Although the officer slowed down as he approached the intersection, the vehicle collided with three other vehicles in the intersection. Queneshia Johnson was a passenger in one of those cars. Ms. Johnson suffered personal injuries and incurred medical expenses in the amount of \$4,233.

(continued on next page)

**RESOLUTION NO. RS2012-155** (continued)

In light of Ms. Johnson's injuries and medical expenses, the department of law recommends settling this claim for \$10,000. The Metropolitan Government is liable since the officer failed to ensure the intersection was clear before proceeding. The Metro police officer received a three day suspension.

This settlement is to be paid out of the self-insured liability fund.

**RESOLUTION NO. RS2012-156** (MCGUIRE) – This resolution authorizes the department of law to compromise and settle the personal injury and property damage claims of Sandra and Donald Murphree against the Metropolitan Government for the total amount of \$45,000. On May 25, 2009, Donald and Sandra Murphree attempted to make a left hand turn onto Mt. View Road from Mt. View Parkway while riding a motor scooter. Halfway through the intersection, they lost control of the scooter due to loose gravel and milled and uneven pavement in the roadway. Public Works was actively engaged in a milling and resurfacing project on Mt. View Road where the accident occurred. While no workers or machinery were present on the day of the accident, the surface of the roadway had been milled in preparation for paving and there were no signs warning motorists of the roadway maintenance. Ms. Murphree received a serious injury to her hand and wrist that required surgery and resulted in medical expenses of \$32,295.85. It is expected that Ms. Murphree will need an additional surgery that will cost between \$3,000 and \$5,000. Mr. Murphree incurred \$1,724.45 in medical expenses and \$2,051.97 in property damages.

In light of the property damage, injuries received, and medical expenses, the department of law recommends settling this claim for \$45,000. The department of law believes that a court would likely find that the road was dangerous and that there should have been signs warning motorists of the conditions. No disciplinary action was taken against any Metro employees.

This settlement is to be paid out of the self-insured liability fund.

**RESOLUTION NO. RS2012-157** (MCGUIRE) – This resolution authorizes the department of law to compromise and settle the personal injury claim of Aileen Rose against the Metropolitan Government for the total amount of \$10,000. On March 5, 2011, several Metro fire department employees stopped at an O'Charley's in Murfreesboro, Tennessee while returning from a training program. The driver of the Metro vehicle was attempting to pull into a parking space when he realized that another vehicle was already occupying the space. The employee began to back up and struck Ms. Rose who was walking across the parking lot. Ms. Rose was transported to Middle Tennessee Medical Center where she was treated for injuries to her head and hip, resulting in medical expenses of \$8,815.88.

In light of Ms. Rose's injuries and medical expenses, the department of law recommends settling this claim for \$10,000. No disciplinary action was taken against the fire department employee.

This amount is to be paid out of the self-insured liability fund.

**– BILLS ON SECOND READING –**

**ORDINANCE NO. BL2011-56** (TYGARD & WEINER) – This ordinance names the General Sessions Court Judicial Library in honor of Judge Leon Ruben. Judge Ruben passed away on October 7, 2011 after serving 30 years as a General Sessions Court judge. This ordinance names the General Sessions Court Library on the fourth floor of the Birch Building as the “Judge Leon Ruben Judicial Library.”

The Metropolitan Code provides that no building of the Metropolitan Government may be named except pursuant to an ordinance duly adopted by the Metropolitan Council.

**ORDINANCE NO. BL2011-83** (STANLEY) – This ordinance amends the Metropolitan Code to allow Metro water services to extend water lines to residential properties currently served by private wells. The code currently provides that the entire cost of construction and inspection for water main extensions must be borne by the developer and that no Metropolitan Government funds may be utilized for the construction of such extension. According to information provided by the sponsor, there are currently 31 wells in Davidson County that serve as the water source for the property owners. Some of these wells have apparently been shown to have traces of *E. Coli* and other coliform bacteria, which if ingested at certain levels, could pose health problems.

The impetus for this ordinance is Hoggett Ford Road, which is a private residential street in District 14. Five or six of the homes on Hoggett Ford Road have no access to Metro water. This ordinance would enable Metro water services to construct extensions to the water system to serve existing private residential properties built prior to 2006 that are currently being served by well water upon obtaining the necessary rights-of-way and easements for the extensions. In order to ensure ratepayer funds and water/sewer bond funds are not used to improve private property, which could violate the bond covenants, this ordinance expressly provides that the costs for such extensions would be borne by the Metropolitan Government from other revenue sources such as the Metro general fund or general obligation bonds. According to Metro water services, it is estimated that extending the water line on Hoggett Ford Road to serve these five or six homes would cost approximately \$550,000. The cost of extending water service to all 31 homes in Davidson County served by wells would be approximately \$2 million.

The director of finance was unable to certify that funds are available to implement this ordinance. A copy of the finance director’s letter is attached to this analysis.

**ORDINANCE NO. BL2011-91** (WEINER, MITCHELL & OTHERS) – This ordinance amends the Metropolitan Code to require fiscal impact statements to be prepared for legislation pending with the council, other than zoning ordinances and non-binding memorializing resolutions. This ordinance is modeled after the state law requiring fiscal notes to be prepared by the fiscal review committee for state legislation. This impact statement would be prepared and distributed by the council office at least 48 hours before each council meeting. The fiscal note is to include a dollar estimate of the anticipated change in revenue, expenditures, or fiscal liability associated (continued on next page)

**ORDINANCE NO. BL2011-91** (continued)

with the resolution or ordinance. The ordinance expressly provides that no opinion will be included in the fiscal statement as to the merits of legislation, although technical or mechanical defects may be noted.

The council office began implementing this policy the second meeting in January of this year. Although much of the information included in the fiscal note is also in the agenda analysis prepared by the council office, this ordinance will provide for a separate document containing information focused on the fiscal impact of the legislation.

**– BILLS ON THIRD READING –**

**ORDINANCE NO. BL2011-82** (CLAIBORNE, HUNT & OTHERS) – This ordinance amends the Metropolitan Code to create a mechanism for the acceptance of incomplete infrastructure resulting from unfinished residential developments platted between 1999 and 2008. The code provides that public infrastructure such as streets, sidewalks, and storm water facilities must be built to certain standards before being accepted by the Metropolitan Government for public use and maintenance. As the council is aware, the 2008 recession had a significant negative impact on residential development in Davidson County, and a number of developments were abandoned mid-construction prior to the completion of the necessary infrastructure intended for dedication to public use.

In order to ensure the infrastructure improvements are built up to standards, state law enables the planning commission to either require the improvements to be built prior to approval of the final plat or to accept security in the form of a bond or letter of credit in lieu of the completion of the work to ensure performance. The planning department is the primary agency responsible for monitoring and managing Metro's performance bonds, though a number of other departments are involved to ensure the amount of the security is sufficient.

A 2009 Office of Financial Accountability monitoring report regarding the performance bond process identified a number of failures by the planning department to adequately monitor and administer the bonds. Specifically, the report noted the failure of the department to follow its own policies and procedures resulted in expired letters of credit and a backlog of 248 breached performance agreements exposing the Metropolitan Government to potential liability of \$6.2 million. The monitoring report made a number of recommendations to prevent future occurrences, which have now been implemented by the planning department.

The department of law has done an excellent job negotiating with the banks to ensure many of these infrastructure projects will be completed, which has greatly reduced Metro's liability. However, there are still a number of subdivisions with incomplete infrastructure that pose a public health and safety concern. In order to begin to alleviate these problems, Metro needs to be able to accept the incomplete infrastructure. This ordinance will allow Metro, upon the adoption of a resolution by the council, to accept incomplete roads, streets, sidewalks, water/sewer lines, storm water lines, and other similar infrastructure, along with the related property interests, in limited circumstances if the following conditions are satisfied:

1. An application to have the public infrastructure and/or property rights accepted is filed with the planning department by a member of council or by the department of public works, department of Metro water services, health department, fire department, police department, planning department, or codes administration.
2. The department of public works, Metro water services, and the department of finance review the application and make recommendations to the planning department for inclusion as part of the recommendation to the council.
3. The planning commission makes a recommendation to the council stating the reasons why the incomplete infrastructure presents a public health or safety concern in its present condition, identifying the infrastructure that must be completed in order to abate the health or safety concern, and describing characteristics that make it unlikely the infrastructure will be completed within a reasonable time by any private entity.

(continued on next page)

**ORDINANCE NO. BL2011-82** (continued)

4. The incomplete infrastructure to be accepted must be shown on a subdivision plat approved by the planning commission between November 23, 1999 and January 17, 2008.

In addition to approval of the council by resolution to accept the incomplete infrastructure, the projects would have to be included as part of the capital improvements budget and capital funds would need to be allocated by the council before the department of public works or Metro water services could commence work on the project.

According to information provided by the planning department, there are eleven subdivisions where we have no security in place, and building permit holds have been placed on 132 lots. The department has advised the council office that five of those eleven will likely be resolved in the coming months. Assuming none of the infrastructure for these eleven subdivisions was completed, it would cost Metro approximately \$2.5 million to complete the work. However, it is unlikely that Metro would have to complete all of this work, since Metro would hopefully be able to leverage private investment to finish some of the infrastructure.

Although this ordinance is somewhat of an extraordinary measure, the council office is of the opinion that it is in the best interest of the Metropolitan Government to provide a mechanism for the completion of the infrastructure for some of these residential developments where homeowners are currently forced to navigate unsafe roads, walk in areas without adequate sidewalks, and/or are subject to an increased risk of flooding.

**ORDINANCE NOS. BL2011-84 & BL2011-85** – These two ordinances authorize the acquisition and acceptance of right-of-way easements for public works improvement projects. These ordinances have been approved by the planning commission.

**Ordinance No. BL2011-84** (Harmon, Potts & Others) authorizes the acquisition and acceptance of right-of-way easements for sidewalk improvements on Harding Place from Nolensville Pike to Interstate 24.

**Ordinance No. BL2011-85** (McGuire & Hunt) authorizes the acquisition and acceptance of right-of-way easements for the replacement of the Orlando Avenue bridge over Richland Creek.

**ORDINANCE NO. BL2011-86** (LANGSTER & HUNT) – This ordinance abandons 450 feet of an 8-inch sewer line and associated easement and accepts the relocation of 234 feet of an 8-inch sewer main and manhole located at the corner of 28<sup>th</sup> Avenue North and Charlotte Avenue.

**ORDINANCE NO. BL2011-87** (MOORE) – This ordinance authorizes Trevecca Nazarene University to install and maintain an underground cable encroachment in the public right-of-way between 93 and 86 Nance Lane. This encroachment will consist of the construction of 31 feet of conduit for fiber optic communication cable in order to connect the two buildings to the university’s communication network. Trevecca has agreed to indemnify the Metropolitan Government from all claims in connection with the installation and maintenance of the encroachment, and is required to provide a certificate of public liability insurance of \$1 million per occurrence naming the Metropolitan Government as an insured party. This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2012-89** (MOORE) – This ordinance abandons a portion of Alley No. 1806 from Hagan Street to its terminus at the railroad right-of-way. The closure has been requested by Jay McDaniel of JJD, LLC for the purpose of expanding an existing building. This ordinance also abandons all existing utility easements within this portion of the right-of-way.

This abandonment has been approved by the planning commission.

**ORDINANCE NO. BL2012-90** (EVANS) – This ordinance abandons a portion of Fransworth Avenue south of Post Road. The closure has been requested by H.G. Hill Realty. The mandatory referral application notes that access will not be needed from Post Road to Harding Pike since the City of Belle Meade has closed the road. This ordinance retains existing utility easements within this portion of the right-of-way.

This abandonment has been approved by the planning commission.