

MEMORANDUM TO: All Members of the Metropolitan Council

FROM: Jon Cooper, Director  
Metropolitan Council Office

DATE: **July 3, 2012**

RE: **Analysis Report**

Balances As Of:	<u><b>6/27/12</b></u>	<u><b>6/21/11</b></u>
<u>GSD 4% RESERVE FUND</u>	*\$12,359,151	\$11,853,490
 <u>GENERAL FUND UNDESIGNATED FUND BALANCE</u>		
GSD	\$41,112,057	\$34,183,634
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**

**– BILLS ON PUBLIC HEARING –**

**ORDINANCE NO. BL2012-158** (STITES) – This ordinance amends the zoning code to create a new land use called “boat storage” to be permitted in the commercial, shopping center, and industrial zoning districts. The zoning code currently does not include any provisions expressly applicable to the storage of boats for commercial purposes. The zoning administrator has historically considered this activity to be self-storage, which is not allowed in the commercial limited (CL) and shopping center (SCC) districts, and is permitted only with conditions (not by right) in the CS zoning district.

Pursuant to this ordinance, boat storage would be permitted by right in the CS, CA, CF, SCC, IWD, IR, and IG districts, and would be permitted with conditions in the CL district. The conditions that would be applicable in the CL district include the following:

1. The facility must be located on at least a four acre lot.
2. No more than 100 boat slips would be permitted on the premises.
3. A landscape buffer yard standard B would be required along all residential districts, plus a 25-foot vegetation buffer would be required between any storage building and the closest residential property line.
4. No building on the property could exceed 16 feet in height.

There is a proposed housekeeping amendment for this ordinance to correct two typographical errors.

This ordinance has been referred to the planning commission.

**ORDINANCE NO. BL2012-181** (CLAIBORNE) – This ordinance amends the zoning code to modify the composition of the historic zoning commission pertaining to representatives from the downtown area. The historic zoning commission consists of nine members, two of which must be from the Second Avenue historic preservation district. This ordinance changes the composition of the commission to include two business or property owners within a historic overlay district or a National Register district in the downtown area, instead of being limited to the Second Avenue district.

This ordinance has been approved by the planning commission with a recommended amendment.

**ORDINANCE NO. BL2012-182** (HOLLEMAN, DOWELL & OTHERS) – This ordinance amends the zoning code to allow on-site agricultural sales (a.k.a. “roadside farm stands”) to be permitted with conditions in the agricultural zoning districts. These establishments are currently considered a retail use, which is not permitted in the AG and AR2a zoning districts. This ordinance would allow a property owner to sell goods produced on site from a temporary farm stand. Such farm stand must be located on at least five acres and could not exceed 100 square  
(continued on next page)

**ORDINANCE NO. BL2012-182**, continued

feet in size, with a total display area of not more than 300 square feet. Items that may be sold include fruits, vegetables, plants, trees, jams, jellies, baked goods, and handicrafts. Only items that are actually grown/produced on the property could be sold. Off street parking would be required with an all-weather surface. No parking within the right-of-way would be allowed. Further, signs on the property could not be illuminated and are not to exceed 16 square feet in size.

This ordinance has been approved by the planning commission with a recommended amendment.

**ORDINANCE NO. BL2012-183** (CLAIBORNE) – This zoning text change makes several technical modifications to the standards pertaining to alternative zoning districts. In May 2011, the council approved an amendment to the zoning code to create a number of alternative zoning districts in the higher intensity residential and mixed-use districts to facilitate a more pedestrian-friendly environment without requiring a specific plan. The permitted uses, minimum lot sizes, and floor area ratios in the alternative districts are the same to the companion districts, but the alternative districts foster more urban setbacks and height restrictions.

The technical changes made by this ordinance are essentially housekeeping in nature and do not change the overall impact of the original alternative zoning district ordinance. This ordinance has been approved by the planning commission with a recommended amendment.

**– RESOLUTIONS –**

**RESOLUTION NO. RS2012-296** (GILMORE, MCGUIRE & HUNT) – This resolution authorizes the director of public property administration to exercise an option to purchase three parcels of property for the benefit of Metro water services. The Metro code provides that whenever land is to be purchased for government purposes other than as public right-of-way, the director of public property administration is to obtain an option to purchase the property at a fixed price subject to the approval of the council by resolution. An option has been negotiated to purchase 125.85 acres of property located at 0 Pumping Station Road, 1214 Lebanon Pike and 1450 Lebanon Pike for \$12,439,000. The purchase price is equal to the value assigned to the property by an independent appraiser retained by Metro. This property was purchased by its current owner in 2001 at a cost of \$15,455,739. The Davidson County property assessor currently has these three parcels valued at \$7,709,200.

(continued on next page)

**RESOLUTION NO. RS2012-296**, continued

This property is located next to the existing Omohundro water treatment plant. Metro water services desires to acquire these three parcels to address long term capital needs in order to comply with environmental regulations and with the terms of the 2009 consent decree with the U.S. environmental protection agency (EPA). Metro entered into this agreement with the federal courts to clean up Nashville's waterways by reducing the flow of sewage into the Cumberland River and its tributaries through the combined sewer overflow system during periods of heavy rain. The consent decree called for a corrective action plan and a long term capital plan to address these needs. One of the projects included in the corrective action plan is the construction of four 15 million gallon above-ground tanks with a 100 million gallons-per-day wet weather pumping station. Most if not all of this project would fit on the Pumping Station Road parcel to be acquired. This project will work in conjunction with a new trunk sewer line that will run through the other two parcels. These two projects total approximately \$300 million, which is over one-third of the corrective action plan total cost.

According to MWS, this property would also be an excellent site for a future new water treatment plant or the expansion of the Omohundro plant. As the council will recall, the May 2010 flood shut down the K.R. Harrington treatment plant for a month and came within a few feet of shutting down the Omohundro plant, which would have left Nashville without a source for safe drinking water. Finally, this property includes several buildings that could be used by MWS as administrative offices.

The funds for this property acquisition will be from bond proceeds issued for water/sewer capital projects.

The option contract provides that if the option is not fully executed before June 8, 2012, the offer to purchase will be rescinded. However, Metro water services obtained a 30 day extension on this option. The seller will be required to pay property taxes owed for the current year pro-rated as of the date of closing. The term of the option contract is for 90 days from the date the council approves this resolution.

There is an amendment to this resolution incorporating the 30-day extension.

**RESOLUTION NOS. RS2012-316 & RS2012-317** (MCGUIRE) – These two resolutions authorize the issuance of general obligation qualified energy conservation bonds in an amount not to exceed \$10,000,000 to make energy saving retrofits and improvements to the Bridgestone Arena. These bonds take advantage of the federal Qualified Energy Conservation Bonds (QECB) program, which was expanded as part of the federal stimulus plan. Under the QECB program, the federal government pays 70% of the interest on the bonds in the form of a direct credit to the local government as long as the bonds are issued for energy efficiency capital projects in public buildings. This program is similar to the Build America bonds issued to finance part of the convention center construction, for which the federal government pays 35% of the interest payments on the bonds. Taxable bonds are issued at a higher interest rate, but factoring in the federal subsidy should result in a true interest cost to Metro of around 1% per year.

(continued on next page)

**RESOLUTION NOS. RS2012-316 & RS2012-317**, continued

In keeping with the practice of this administration, these bonds will be sold at a negotiated sale, as opposed to a public bidding method. The Metropolitan Government debt management policy approved by Resolution No. RS2011-94 states that it is Metro's preference to use a competitive bid process for the issuance of debt, but may use a negotiated sale process when it is clear that such a process is in the best interest of the Metropolitan Government. This bond resolution includes language putting the council on record as determining that a negotiated sale is in the best interest of Metro "because of the flexibility it affords in a fluctuating market environment".

As these are general obligation bonds, they are backed by the full faith and credit of the Metropolitan Government, and are payable from property taxes levied for debt service. The final maturity date for the bonds is August 15, 2033.

This bond issue is in conjunction with the recently renegotiated contract with the Predators (Powers Management) for operation of the Bridgestone Arena, which will be considered by the sports authority on Friday, June 29, 2012.

**Resolution No. RS2012-316** is the initial bond resolution for the \$10 million general obligation qualified energy conservation bonds.

**Resolution No. RS2012-317** authorizes the execution, terms, issuance, sale, and payment of the bonds.

**RESOLUTION NOS. RS2012-318 & RS2012-319** (MCGUIRE) – These two resolutions supplement and amend Resolution No. RS2002-1124 and authorize the issuance of district energy system (DES) revenue and tax refunding bonds in an amount not to exceed \$55,000,000. In 2002, the council authorized the issuance of DES revenue bonds in a principal amount not to exceed \$66,700,000 for the design and construction of a steam/chilled water energy generating facility to take the place of the decommissioned thermal plant. The DES facility provides heat and cooling to a number of downtown buildings, including buildings owned and operated by the Metropolitan Government. The bonds were technically backed by the revenues generated by the facility. However, as part of the original bond resolution and Metro's customer agreement with DES, Metro agreed to make up any deficits in the payment of debt service on the bonds through an annual appropriation. The fiscal year 2013 operating budget includes \$2,315,700 as Metro's subsidy for DES, which is used in part for the debt deficit and to cover the unsold capacity of the facility.

This resolution pledges the full faith and credit of the Metropolitan Government in the event of a deficiency in DES customer revenues to make the debt service payments. By adding the full faith and credit pledge, Metro will be able to obtain a lower interest rate, as well as utilize the existing debt service reserve for the DES revenue bonds to pay down the debt, which should result in a lower annual deficit payment from Metro. Having the convention center come online as a customer next spring will further reduce Metro's subsidy for DES.

(continued on next page)

**RESOLUTION NOS. RS2012-318 & RS2012-319**, continued

These bonds will be sold at a negotiated sale with Piper Jaffray & Co. serving as the lead underwriter. The final maturity date of the bonds will still be October 1, 2033. The bond resolution includes the same debt management policy language referenced in the analysis for Resolution Nos. RS2012-316 and 317.

**Resolution No. RS2012-318** is the initial bond resolution.

**Resolution No. RS2012-319** actually authorizes the issuance of the bonds.

**RESOLUTION NO. RS2012-320** (MCGUIRE) – This resolution authorizes the issuance of taxable general obligation refunding bonds in an amount not to exceed \$235,000,000. This resolution will refund the Series 2005A, 2005B, and 2007A bonds. The authorization of the refunding bonds will not result in the Metropolitan Government incurring new debt, but provides for the refinancing of debt that is currently outstanding. As with all general obligation bonds, these refunding bonds are supported by the full faith and credit of the Metropolitan Government and are to be paid from property tax revenue.

The Metropolitan Government typically issues tax exempt general obligation bonds, since they have a lower interest rate than taxable bonds. Internal Revenue Service regulations preclude issuing tax exempt advance refunding bonds more than once for the same project. The council authorized the issuance of advance tax exempt refunding bonds in 2005 and 2007 to refund debt for some of the same projects that are included in this new refunding bond resolution. Thus, the new refunding bonds will be taxable. Given today's historically low interest rates, issuing these bonds at taxable interest rates will still result in savings to Metro. The refunding bonds will have a final maturity date of July 1, 2027.

This resolution approves the structuring of the refunding to capture the debt service savings on an upfront basis. According to information provided by the finance department, this refunding will result in a \$3.7 million savings in fiscal year 2013, negligible savings in 2014, and approximately \$1.5 million savings each year in 2015 through 2019. This equates to a present value savings of approximately \$7 million. A copy of the estimated debt schedule is attached to this analysis.

**RESOLUTION NO. RS2012-321** (MCGUIRE) – This resolution approves a grant in the amount of \$789,690 from the state department of human services to the Davidson County juvenile court to enforce federal and state mandated child support guidelines concerning children born out of wedlock. Pursuant to the grant agreement, the juvenile court referees will hear these child support cases and paternity hearings on an expedited basis. The term of this grant is from July 1, 2012, through June 30, 2013, but may be extended for four additional one year terms. There is a required local match of \$406,810 to be provided from the juvenile court's operating budget.

**RESOLUTION NO. RS2012-322** (MCGUIRE) – This resolution approves an amendment to a grant in the amount of \$45,000 from the state commission on children and youth to the juvenile court for training of probation officers. This grant provides \$9,000 per year for this training through 2014. This amendment changes the state agency administering the grant from the Tennessee commission on children and youth to the department of children’s services.

**RESOLUTION NO. RS2012-323** (MCGUIRE) – This resolution approves a grant in the amount of \$474,948 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 pay the salaries and benefits of three social workers that work with Hispanic victims who have difficulty navigating the criminal justice system as a result of language barriers and cultural understanding. There is a required local match of \$118,737. However, the amount of the local match apparently is not provided for in the district attorney’s fiscal year 2013 operating budget.

The term of the grant is from July 1, 2012 through June 30, 2015.

**RESOLUTION NO. RS2012-324** (MCGUIRE) – This resolution approves 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 for fiscal years 2013, 2014, and 2015. The crisis counselor provides crisis intervention to victims of sexual assault, therapy services to crime victims, and follow-up services. There is a required local match of \$40,895 to be provided from the police department’s budget. The term of the grant is from July 1, 2012 through June 30, 2015.

**RESOLUTION NO. RS2012-325** (LANGSTER & MCGUIRE) – This resolution approves an amendment to a contract between the Metropolitan board of health and United Neighborhood Health Services (UNHS) to provide medical services to homeless clients of the health department. The health department receives state and federal grant funds to provide healthcare services for the homeless at the downtown clinic. A contract with UNHS has been in place since 2005 to provide a portion of the medical services, including examinations, diagnosis, and treatment of medical conditions of persons seen at the downtown clinic.

This amendment extends the term of the contract through June 30, 2013, and decreases the amount of the compensation from \$369,800 to \$362,400.

**RESOLUTION NO. RS2012-326** (LANGSTER & MCGUIRE) – This resolution approves a grant in the amount of \$146,500 from the Greater Nashville Regional Council to the Metropolitan social services commission to provide personal care, homemaker services, and delivered meals. 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 will be compensated for the services at a rate of \$20.52 per hour for personal care services, \$20.44 per hour for homemaker services, \$6.00 for bulk home delivered meals, and \$7.00 for hot delivered meals.

The term of this grant is from July 1, 2012 through June 30, 2013.

**RESOLUTION NO. RS2012-327** (LANGSTER & MCGUIRE) – This resolution approves a grant in the amount of \$261,300 from the state department of human services to the Metro social services commission for adult homemaker services. The services to be provided include assistance with personal care, help with simple healthcare routines, assistance in obtaining medical care, the performance of essential shopping and household tasks, meal preparation, and caregiver assistance and instruction. The homemaker program is for elderly persons and adults with mental and/or physical disabilities who need assistance in performing daily living activities. The term of this grant is from July 1, 2012, through June 30, 2013. There is a required local match of \$65,325 to be provided from the operating budget of the department of social services.

**RESOLUTION NO. RS2012-328** (LANGSTER & MCGUIRE) – This resolution approves an annual grant in the amount of \$1,009,342 from the Greater Nashville Regional Council to the Metropolitan social services commission for congregate meal sites, meal delivery services, and transportation for eligible seniors and disabled residents. The funding will be used as follows:

- \$450,700 with a required match of \$50,078 to provide meals to eligible senior citizens.
- \$137,900 to provide congregate meal sites.
- \$350,742 with a required local match of \$38,971.34 to provide home delivered meals.
- \$70,000 to provide transportation services to seniors and disabled residents.

The term of the grant is from July 1, 2012 through June 30, 2013.

**RESOLUTION NO. RS2012-329** (LANGSTER & MCGUIRE) – This resolution appropriates low income home assistance program grant funds in the amount of \$1,746,654.75 from the state department of human services to the Metropolitan action commission to provide financial assistance with heating costs. The state has awarded these additional funds over and above the \$4,305,800 anticipated in the fiscal year 2013 budget. These funds are used to assist low-income individuals with their electricity and gas bills. The term of the grant is from July 1, 2012, through June 30, 2013.

**RESOLUTION NO. RS2012-330** (LANGSTER & MCGUIRE) – This resolution appropriates \$50,463.25 to the Metropolitan action commission (MAC) as part of the community services block grant from the Tennessee department of human services. The funds allow MAC to assist low income individuals in meeting basic needs including employment services, primary health services, housing, nutrition, and emergency services. The state has awarded these additional funds over and above the \$1,260,900 anticipated in the fiscal year 2013 budget, for a total grant award of \$1,311,363.25.

**RESOLUTION NO. RS2012-331** (MCGUIRE) – This resolution authorizes the director of public property administration to exercise an option to purchase property located at 3400 Hobbs Road near Julia Green elementary school for the benefit of the board of education. This property is located two doors down from Julia Green. The house between Julia Green and the subject property is currently in foreclosure and one of the owners has filed bankruptcy. Metro is actively working with the bank and the bankruptcy court to purchase the middle parcel. The board of education is interested in purchasing these two properties to provide additional space for cars to ease traffic congestion on Hobbs Road.

(continued on next page)

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 purchase price for the 0.61 acre property will be \$384,000, which is to be paid out of capital funds approved by the council at the June 19, 2012, meeting. Metro has 90 days in which to exercise the option, but this is contingent upon a previous contract for sale of the property to another buyer being terminated.

This resolution has been approved by the board of education and by the planning commission.

**RESOLUTION NO. RS2012-332** (MCGUIRE) – This resolution approves a grant in the amount of \$87,000 from Greenways for Nashville to the Metropolitan parks department to provide funding for the salary and benefits for the executive coordinator of greenways and one part-time employee. The term of the grant is from July 1, 2012 through June 30, 2013. There is a required match of \$5,300 to be provided by the parks department to cover administrative costs.

**RESOLUTION NO. RS2012-333** (S. DAVIS & MAYNARD) – This resolution approves property located at 1000 Apex Avenue to be used as a waste transfer station. Waste Connections of Tennessee, Inc., has filed a request for a special exception with the Metro board of zoning appeals to use this property for a waste transfer station. The Metropolitan Zoning Code requires the council to approve the location by adoption of a resolution before the board of zoning appeals (BZA) can act on the request. The council has sixty days from the date the request was submitted to act on this resolution or it is deemed approved. This request was submitted to the council office and district councilmember on May 10, 2012, so failure by the council to act on this resolution at the July 3, 2012 council meeting would allow the BZA to move forward with considering the application.

**– BILLS ON SECOND READING –**

**ORDINANCE NO. BL2012-161** (TYGARD, MAYNARD & WEINER) – This ordinance, as amended, amends the Metropolitan Code to require all new employees of the Metropolitan Government to be residents of Davidson County. For many years, the Metro Code required that all employees be residents of the area of Metropolitan Government. However, the council repealed that requirement in 1994 and replaced the residency requirement with one that required employees to be residents of the State of Tennessee only. As of May 2012, there were approximately 3,500 Metro employees living outside Davidson County, excluding employees of the board of education.

This ordinance would require all Metropolitan Government employees hired after the effective date of this ordinance to live within the area of the Metropolitan Government. New employees that do not live within the county at the time they are hired would have 90 days in which to relocate to Davidson County. The ordinance does not apply to existing Metro employees, meaning employees currently living outside of Davidson County would be grandfathered in, as well as those existing employees currently living in Davidson County who may choose to move out of the county at a later date. The ordinance includes a hardship waiver for those employees caring for an immediate family member outside Davidson County. The ordinance also allows department heads to provide an exemption in the event there are no qualified applicants for the position that are Davidson County residents. Employees of the Nashville career advancement center (NCAC) are also exempt from the requirement since NCAC serves a nine county area.

The United States Supreme Court has ruled that it is constitutional to require that employees of local governments be residents of the jurisdiction of the government, provided that such residency requirement is uniformly applied to similarly situated employees.

**ORDINANCE NO. BL2012-162** (TODD, DUVALL & CLAIBORNE) – This ordinance amends the health insurance benefits portion of the Metro code pertaining to term-limited members of council. The code currently allows all elected officials participating in the comprehensive health care plan to continue participation in the plan after they leave office. If the elected official has served eight years, he/she may continue to participate in the plan by paying the Metro subsidized rate paid by employees, which is 25% of the premium. However, if the elected official has served less than eight years, he/she must pay 100% of the premium in order to continue participation in the plan.

This ordinance would eliminate the subsidized health insurance benefit for members of council after they leave office. The ordinance grandfathers in all current members of council and those former members of council that already participate in the health insurance plan. Those members serving eight or more years after 2019 could participate in the plan after leaving office if they pay 100% of the premium.

According to information provided by the department of human resources, the subsidized health insurance for former members of council costs Metro approximately \$300,000 per year.

**ORDINANCE NOS. BL2012-184** (ALLEN) – This ordinance abandons a portion of the 25<sup>th</sup> Avenue South right-of-way between W. Linden Avenue and Alley No. 810 north of Westwood Avenue. This abandonment has been requested by Torne White. The ordinance also abandons all easements.

There is a substitute for this ordinance that retains a water/sewer easement and a walkway/bikeway easement.

This ordinance has been referred to the planning commission and the traffic and parking commission.

**ORDINANCE NO. BL2012-185** (MCGUIRE & HUNT) – This ordinance authorizes the acquisition of a sewer line easement on property located at 1114 Brookmeade Drive. All necessary costs associated with the acquisition of this easement will be paid from the water and sewer extension and replacement fund, although no estimated costs are provided in the ordinance. This ordinance has been approved by the planning commission.

**ORDINANCE NO. BL2012-186** (TYGARD, MCGUIRE & HUNT) – This ordinance authorizes the Metropolitan Government to donate a floating dock to the Middle Tennessee Council of the Boy Scouts of America. This dock was acquired through the Metropolitan Government's purchase of a home as part of the flood buyout program and is not needed by Metro for governmental purposes. The dock will be used by the Boy Scouts at its Boxwell Scout Reservation to aid in the teaching of canoeing, boating, and water safety.

**– BILLS ON THIRD READING –**

**ORDINANCE NO. BL2012-164** (MITCHELL) – This ordinance approves an affiliation agreement between Volunteer State Community College and the emergency medical services (EMS) division of the Metro fire department permitting students from the college to participate in a clinical experience with EMS. Students will work directly with EMS personnel. The college is required to provide liability insurance for the students. This agreement is for a term of one year, which may be extended for four additional annual terms. This is basically a continuation of an agreement that was initially approved in 2003 and extended in 2007.

**ORDINANCE NO. BL2012-165** (DOMINY, STITES & OTHERS) – This ordinance approves a lease agreement between Nashville Soccer, LLC and the board of parks and recreation for the development and maintenance of a soccer complex. The lease is with the owner of the Nashville Metros professional soccer team and will be used by the team for practices and games. The lease agreement is for a term of ten years. Nashville Soccer will not pay any rent for use of the park, but is required to make \$300,000 of capital improvements to the property, which will remain under the ownership of Metro parks at the end of the lease term. The capital improvements are to be made in accordance with a master development plan approved by Metro. The facility is to include ten first-class soccer fields. When not being used by the Nashville Metros soccer team, the facility is to be made available for use by youth and amateur soccer teams and organizations at rates established annually and approved by Metro parks.

The facility itself is to be fenced off, but this is not to interfere with the public's use of the greenway. Metro is to be allowed to use the facility at least one day per year for public events. Nashville Soccer will be responsible for all maintenance and operating costs associated with the facility, and agrees to our standard liability insurance and indemnification requirements. Nashville Soccer will be entitled to all revenue generated at the facility, including concessions, sponsorships, endorsements, and gate receipts. Nashville Soccer will also have naming rights to the facility.

This lease agreement has been approved by the board of parks and recreation and the planning commission.

**ORDINANCE NOS. BL2012-166 & BL2012-167** (LANGSTER, MCGUIRE & HUNT) – These two ordinances authorize the Metropolitan Government to enter into participation agreements with private developers/property owners regarding the construction repair of water and sewer infrastructure. The property owners have agreed to make a cash contribution to Metro toward the cost of the improvements. The funds are to be deposited into the water/sewer extension and maintenance fund.

**Ordinance No. BL2012-166** approves a participation agreement with Southern Land Company to repair approximately 50 linear feet of an 18-inch sewer main and to install one manhole near 2300 Elliston Place. Southern Land Company has agreed to pay 50% of the costs up to \$22,000.

**Ordinance No. BL2012-167** approves a participation agreement with 40<sup>th</sup> Avenue Church of Christ for the construction of approximately 2,300 feet of a 12-inch water main within the 40<sup>th</sup>

Avenue North right-of-way from Charlotte Avenue to Catherine Johnson Parkway. The church has agreed to contribute \$20,000 toward the cost of the project in aid of construction.

**ORDINANCE NOS. BL2012-168** (GILMORE) – This ordinance abandons a portion of Elm Hill Pike from the current Murfreesboro Pike intersection approximately 460 feet eastward to the new intersection. This closure has been requested by Dale and Associates. A new connection to Murfreesboro Pike is being constructed and the right-of-way will soon be dedicated to Metro to take the place of the right-of-way proposed for abandonment. The ordinance does retain all Metro easements. This ordinance has been approved by the planning commission and the traffic and parking commission.

**ORDINANCE NOS. BL2012-169** (MCGUIRE) – This ordinance abandons a portion of Pittman Place from Granny White Pike eastward to its terminus, and abandons a portion of Rosemont Avenue from the 3708 Rosemont Avenue property line to its terminus. These road closures have been requested by David Lipscomb University for the continued development of the Lipscomb campus. The ordinance also abandons all easements. This ordinance has been approved by the planning commission and the traffic and parking commission.

**ORDINANCE NO. BL2012-170** (HARRISON) – This ordinance renames a portion of Terrace Avenue as “Summitt Avenue”. This section of roadway is located between Curtis Street and the curve where it becomes Summitt Avenue. The name change is for the stated purpose of assisting emergency service in quickly locating property by having one continuous street name.

This name change has been approved by the planning commission and the emergency communications district board.

**ORDINANCE NOS. BL2012-171** (GILMORE) – This ordinance abandons a portion of Jefferson Street right-of-way adjacent to property located at 305 Jefferson Street next to the Third Avenue North intersection. This closure has been requested by Crescent Enterprises, Inc., the abutting property owner. The ordinance does retain all Metro easements. This ordinance has been approved by the planning commission and the traffic and parking commission.

**ORDINANCE NOS. BL2012-172** (S. DAVIS) – This ordinance abandons a portion of an unnumbered alley from Joseph Avenue eastward to its terminus. The ordinance also abandons all Metro easements. This ordinance has been approved by the planning commission and the traffic and parking commission.