

ORDINANCE 2010-14

**TO BE ENTITLED: "AN ORDINANCE TO AMEND TITLE 5, SECTION 8
RELATIVE TO DISPOSAL OF SURPLUS REAL PROPERTY FOR USE IN
THE AFFORDABLE AND WORKFORCE HOUSING PROGRAM."**

WHEREAS, the Board of Mayor and Aldermen of the City of Franklin, Tennessee, desires to further the Affordable and Workforce Housing Program in the City; and

WHEREAS, the Board of Mayor and Aldermen of the City of Franklin, Tennessee, may desire to sell, lease or abandon surplus real property for this purpose from time to time.

NOW, THEREFORE:

SECTION I: BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that Section 5-802 of the Franklin Municipal Code be amended by adding a new subsection (4) that shall read as follows:

Sec. 5-802. Disposal of surplus real property.

* * *

(4) Real property that is to be sold, leased or abandoned for use in the Affordable and Workforce Housing Program, as approved by the Board of Mayor and Aldermen, is exempt from any bidding or publication requirements set forth herein.

SECTION II. BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this Ordinance shall take effect from and after its passage on second and final reading, the public health, safety and welfare requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY: _____
ERIC S. STUCKEY
City Administrator

BY: _____
JOHN C. SCHROER
Mayor

PASSED FIRST READING

PASSED SECOND READING



MEMORANDUM

February 23, 2010

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Shauna R. Billingsley, Interim City Attorney
Kristen L. Corn, Staff Attorney

SUBJECT: Ordinance 2010-14, to amend the Municipal Code relative to surplus real property

Purpose

The purpose of this memorandum is to present information to the Board of Mayor and Aldermen (BOMA) to consider Ordinance 2010-14, to amend Section 5-802 of the Franklin Municipal Code relative to disposal of surplus real property to be used for the Affordable and Workforce Housing Program.

Background

The City has purchased property for the purpose of selling it to the United Community Resources Foundation so that it may be used to further the Affordable and Workforce Housing Program. However, pursuant to our City Code, it does not appear that we can currently sell surplus real property that may be valued over \$25,000 without publication and a competitive bidding process. After researching state law and reviewing past recommendations by the Municipal Technical Advisory Service (MTAS), it appears that this bidding process is *not* a state law requirement. Therefore, we suggest adding an exemption to our code for any surplus real property that will be used to further the Affordable and Workforce Housing Program. The language proposed in Ordinance 2010-14 (attached) will simply exempt those properties from the publication and bidding requirements that we have set forth for the disposal of other surplus real property owned by the City.

Financial Impact

There is little financial impact attributable to this ordinance.

Recommendation

Approval of Ordinance 2010-14 as presented is recommended.