

**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

\_\_\_\_\_



HISTORIC  
FRANKLIN  
TENNESSEE

## MEMORANDUM

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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.