

Resolution No. RS2020-624

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of the Sherwood Green Homeowners Association against the Metropolitan Government of Nashville and Davidson County in the amount of \$20,283.46, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, in February 2020, a Metropolitan Water Department employee accessed a sewer overflow by driving a Vactor truck over a sidewalk causing extensive property damage to the grass and walkway at Sherwood Green including the infrastructure beneath; and,

WHEREAS, after investigation, the Metropolitan Department of Law believes that the settlement listed in Section 1 is fair and reasonable and in the best interest of the Metropolitan Government, and recommends that any and all claims or causes of action brought or that could have been brought related to the events detailed above, be compromised and settled for \$20,283.46, and that this amount be paid from the Self-Insured Liability Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: The Metropolitan Department of Law is authorized to compromise and settle the property damage claim of the Sherwood Green Homeowners Association for the sum of \$20,283.46 with said amount to be paid from the Self-Insured Liability Fund.

Section 2: This resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO AVAILABILITY OF FUNDS:



Kevin Crumbo,
Director of Finance

INTRODUCED BY:



Member(s) of Council

APPROVED AS TO FORM AND LEGALITY:



Robert E. Cooper, Jr.,
Director of Law

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



JOHN COOPER
MAYOR

ROBERT E. COOPER, JR.
DIRECTOR OF LAW

DEPARTMENT OF LAW
METROPOLITAN COURTHOUSE, SUITE 108
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October 23, 2020

Ms. Elizabeth Waites
Metropolitan Clerk
205 Metropolitan Courthouse
Nashville, Tennessee 37201

Re: *Sherwood Green Homeowners Association v. Metropolitan Government of Nashville and Davidson County*

Dear Ms. Waites:

In accordance with Rule 18 of the Rules of Procedure of The Metropolitan Government Council, I have reviewed the claim set out above.

It is my opinion that it would be in the best interests of the Metropolitan Government to settle this claim for the amount specified in the attached resolution.

Sincerely,

A handwritten signature in black ink, appearing to read "R. E. Cooper, Jr.", written over a horizontal line.

Robert E. Cooper, Jr.
Director of Law

Enclosure