



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2021-1108      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 8/5/2021      **In control:** Metropolitan Council

**On agenda:** 8/17/2021      **Final action:** 8/17/2021

**Title:** A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Vincent Dixie against the Metropolitan Government of Nashville and Davidson County in the amount of \$15,087.48, with said amount to be paid out of the Self-Insured Liability Fund.

**Sponsors:** Kyonzte Toombs

**Indexes:**

**Code sections:**

**Attachments:** 1. RS2021-1108 Letter to Clerk

Date	Ver.	Action By	Action	Result
8/18/2021	1	Mayor	approved	
8/17/2021	1	Metropolitan Council	adopted	
8/16/2021	1	Budget and Finance Committee	approved	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Vincent Dixie against the Metropolitan Government of Nashville and Davidson County in the amount of \$15,087.48, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on May 23, 2021, a Metro Water Department crew broke a valve while repairing a water main break at 404 James Robertson Parkway, resulting in Vincent Dixie’s business being flooded and causing extensive property damage to the business; and,

WHEREAS, after investigation, the Department of Law believes the settlement listed in Section 1 is fair and reasonable and in the best interest of the Metropolitan Government and recommends that the property damage claim of Vincent Dixie be compromised and settled for a total of \$15,087.48, 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 Vincent Dixie for the sum of \$15,087.48, 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.

### Analysis

On May 23, 2021, a water main burst outside of an office building at 404 James Robertson Parkway, causing flooding and damage to 4,000 square feet of office space. This also damaged furniture and electronics in the office. While repairing the water main brake, a valve was unknowingly broken and water leaked into a storm

drain. On May 24, 2021, Vincent Dixie reported water coming through the drains in the office space at 404 James Robertson Parkway. Metro then made an emergency repair.

The water caused damage to the building, as well as office furnishings and equipment such as desks, computers, chairs, fans, refrigerator, speakers, and end tables.

The Metropolitan Department of Law recommends settling the property damage claim of Mr. Dixie for \$15,087.48.

*Fiscal Note: This \$15,087.48 settlement, along with the settlements per Resolution No. RS2021-1095, RS2021-1105, RS2021-1106, and RS2021-1107 would be the 3rd, 4th, 5th, 6th and 7th payments from the Self-Insured Liability Fund in FY22 for a cumulative total of \$379,625. The fund balance would be \$1,301,766 after these payments.*