



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2021-1137 **Name:**

Type: Resolution **Status:** Passed

File created: 8/26/2021 **In control:** Metropolitan Council

On agenda: 9/7/2021 **Final action:** 9/7/2021

Title: A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Lyverta E. Robertson against the Metropolitan Government of Nashville and Davidson County in the amount of \$30,684.57, with said amount to be paid out of the Self-Insured Liability Fund.

Sponsors: Kyonzte Toombs, Delishia Porterfield, Emily Benedict, Russ Bradford, Tom Cash, Thom Druffel, Erin Evans, Jennifer Gamble, Larry Hagar, Jonathan Hall, Tonya Hancock, Gloria Hausser, Angie Henderson, Sharon Hurt, Courtney Johnston, Antoinette Lee, Bob Mendes, Kathleen Murphy, Bob Nash, Freddie OConnell, Sean Parker, Russ Pulley, Kevin Rhoten, Mary Carolyn Roberts, Dave Rosenberg, John Rutherford, Sandra Sepulveda, Colby Sledge, Joy Styles, Zulfat Suara, Robert Swope, Jeff Syracuse, Brandon Taylor, Nancy VanReece, Tanaka Vercher, Ginny Welsch, Brett Withers, Zach Young

Indexes:

Code sections:

Attachments: 1. RS2021-1137 Letter to Clerk

Date	Ver.	Action By	Action	Result
9/8/2021	1	Mayor	approved	
9/7/2021	1	Metropolitan Council	adopted	
9/7/2021	1	Budget and Finance Committee	approved	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Lyverta E. Robertson against the Metropolitan Government of Nashville and Davidson County in the amount of \$30,684.57, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on June 4, 2021, a water main broke in the vicinity of 1004 Lenore Street, resulting in extensive water and property damage to the home of Lyverta E. Robertson; 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 Lyverta E. Robertson be compromised and settled for a total of \$30,684.57, 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 Lyverta E. Robertson for the sum of \$30,684.57, 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 June 4, 2021, a water main broke in the vicinity of the property located at 1004 Lenore Street, owned by Lyverta E. Robertson. At 7:55 p.m. on June 4, Metro Water received a call reporting a water main break. Crews responded and began the repair at 12:57 a.m. Utilities had to be identified before repair could begin. The repair was completed at 1:41 a.m.

Ms. Robertson reported damage to a storage room, closet, laundry room, and stairway in the basement of the home. Damage included damaged doors, drywall, paint, and flooring. The homeowner was required to stay overnight in a hotel the night of the water main break. She further purchased cleaning supplies and replacement clothing, washer and dryer, exercise equipment, freezer, bikes, and luggage.

The Department of Law recommends settlement of this personal property claim for \$30,684.57, which includes the cost of cleanup, repairs, hotel, lost personal items, dumpster rental, and cleaning supplies.

Fiscal Note: This \$30,684.57 settlement, along with the settlements per Resolution No. RS2021-1126, RS2021-1127, and RS2021-1128 would be the 8th, 9th, 10th, and 11th payments from the Self-Insured Liability Fund in FY22 for a cumulative total of \$439,172. The fund balance would be \$443,942 after these payments.