



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2023-2228, **Version:** 1

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A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Laura Beth Boles against the Metropolitan Government of Nashville and Davidson County in the amount of \$21,850.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on March 11, 2023, large quantities of water released during construction improvements to the Eighth Avenue Reservoir, causing flooding and damage to the property located at 834A Argyle Avenue; 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 Laura Beth Boles be compromised and settled for a total of \$21,850.00, 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 Laura Beth Boles for the sum of \$21,850.00, 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 March 11, 2023, during construction improvements to the 8<sup>th</sup> Avenue Reservoir, large quantities of water were released causing flooding in the crawl space of 834A Argyle Avenue, owned by Laura Beth Boles. The flooding caused damage to the property's landscaping, artificial turf, and shared driveway. Ms. Boles' expenses to repair the property damage totaled \$21,850.00.

The Department of Law recommends settlement of Ms. Boles' property damage claim in the amount of \$21,850.00.

*Fiscal Note: This \$21,850 settlement, along with the settlements per Resolution Nos. RS2023-2218, RS2023-2229, RS2023-2230, and RS2023-2231 would be the 32<sup>nd</sup>, 33<sup>rd</sup>, 34<sup>th</sup>, 35<sup>th</sup> and 36<sup>th</sup> payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$1,406,499. The fund balance would be \$18,224,942 after these payments.*