



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2021-1160      **Name:**

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

**File created:** 9/9/2021      **In control:** Metropolitan Council

**On agenda:** 9/21/2021      **Final action:** 9/21/2021

**Title:** A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of the Waste Management - River Hills Recycling Center against the Metropolitan Government of Nashville and Davidson County in the amount of \$45,173.35, with said amount to be paid out of the Self-Insured Liability Fund.

**Sponsors:** Kyonzte Toombs

**Indexes:**

**Code sections:**

**Attachments:** 1. RS2021-1160 Letter to Clerk

Date	Ver.	Action By	Action	Result
9/22/2021	1	Mayor	approved	
9/21/2021	1	Metropolitan Council	adopted	
9/20/2021	1	Budget and Finance Committee	approved	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of the Waste Management - River Hills Recycling Center against the Metropolitan Government of Nashville and Davidson County in the amount of \$45,173.35, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on April 22, 2021, an employee of the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) department, while disposing of recycled waste, damaged the upper portion of the building and rolling steel door of the Waste Management - River Hills Recycling Center; 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 the property damage claim be compromised and settled for \$45,173.35, 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 Waste Management - River Hills Recycling Center for the sum of \$45,173.35 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 April 22, 2021, an employee of the Nashville Department of Transportation and Multimodal Infrastructure

(NDOT) damaged a 30 x 20 foot rolling steel door and an upper area of the building while disposing of recycled materials at Waste Management's River Hills Recycling Center. The included damage to the building, metal door frame, steel support beam, and rolling steel door.

The Department of Law recommends settlement of this property damage claim for \$45,173.35, which is the total cost of repair of these damages.

Disciplinary action NDOT employee consisted of a written reprimand.

*Fiscal Note: This \$45,173.35 settlement, along with the settlement per Resolution No. RS2021-1159 would be the 12th and 13th payments from the Self-Insured Liability Fund in FY22 for a cumulative total of \$677,345. The fund balance would be \$1,427,281 after these payments.*