



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2022-1325

Type: Resolution **Status:** Passed

File created: 12/16/2021 **In control:** Metropolitan Council

On agenda: 1/4/2022 **Final action:** 1/4/2022

Title: A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Rex T. Fitzgerald against the Metropolitan Government of Nashville and Davidson County in the amount of \$17,514.21, with said amount to be paid out of the Self-Insured Liability Fund.

Sponsors: Burkley Allen

Indexes:

Code sections:

Attachments: 1. RS2022-1325 Letter to Clerk

Date	Ver.	Action By	Action	Result
1/5/2022	1	Mayor	approved	
1/4/2022	1	Metropolitan Council	adopted	
1/3/2022	1	Budget and Finance Committee	approved	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Rex T. Fitzgerald against the Metropolitan Government of Nashville and Davidson County in the amount of \$17,514.21, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on October 14, 2021, a water main broke in the vicinity of 1487 Stewarts Ferry Pike, resulting in extensive water and property damage to the home of Rex T. Fitzgerald; 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 Rex T. Fitzgerald be compromised and settled for a total of \$17,514.21, 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 Rex T. Fitzgerald for the sum of \$17,514.21 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 October 14, 2021, a water main broke at 1487 Stewarts Ferry Pike, causing massive flooding at Rex Fitzgerald's residential property. An investigation determined that there was a natural break. Mr. Fitzgerald's

yard and lower level of the residence were damaged by the rushing water.

The total cost of the damages to Mr. Fitzgerald's residence due to the water main break totaled \$17,514.21, including demolition and remodeling of the lower level of the residence and topsoil, grass seed, and straw for the yard.

The Department of Law recommends settlement of this property damage claim for \$17,514.21.

Fiscal Note: This \$17,514.21 settlement, would be the 20th payment from the Self-Insured Liability Fund in FY22 for a cumulative total of \$1,040,322. The fund balance would be \$6,823,802 after these payments.