



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2022-1801

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

**File created:** 9/22/2022 **In control:** Metropolitan Council

**On agenda:** 10/4/2022 **Final action:** 10/4/2022

**Title:** A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Rebecca Ferguson against the Metropolitan Government of Nashville and Davidson County in the amount of \$46,346.38, with said amount to be paid out of the Self-Insured Liability Fund.

**Sponsors:** Kevin Rhoten, Jennifer Gamble

**Indexes:**

**Code sections:**

**Attachments:** 1. Letter to Metro Clerk

Date	Ver.	Action By	Action	Result
10/5/2022	1	Mayor	approved	
10/4/2022	1	Metropolitan Council	adopted	
10/3/2022	1	Budget and Finance Committee	approved	
9/27/2022	1	Metropolitan Council	filed	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Rebecca Ferguson against the Metropolitan Government of Nashville and Davidson County in the amount of \$46,346.38, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on April 10, 2022, raw sewage backed up into the lower level of Rebecca Ferguson's property at 205 Sterry Court, causing extensive water and property damage; 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 Rebecca Ferguson be compromised and settled for a total of \$46,346.38, 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 Rebecca Ferguson for the sum of \$46,346.38, 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 10, 2022 a sewer line became blocked and flooded the basement of Rebecca Ferguson's home. Upon examination, the Metropolitan Water Services Department determined that grit and debris blocked the

main sewer line. The main sewer lines had previously been cleaned in 2017 and 2019.

Water from the blocked sewer line flooded a bathroom, kitchen, living room, and dining room. The home had to be dried out and wall board and flooring needed replacement. Ms. Ferguson lost home furnishings, artwork, and family antiques.

The property damage totaled \$46,346.38, including clean-up and restoration, a televised service line, and back flow. The Metropolitan Department of Law recommends settlement of this property damage claim for \$46,346.38.

*Fiscal Note: This \$46,346.38 settlement would be the 12<sup>th</sup> payment from the Self-Insured Liability Fund in FY23 for a cumulative total of \$298,221. The fund balance would be \$14,249,293 after these payments.*