



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2023-2152 **Name:**

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

**File created:** 4/19/2023 **In control:** Metropolitan Council

**On agenda:** 5/2/2023 **Final action:** 5/2/2023

**Title:** A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Rae H. Ryan against the Metropolitan Government of Nashville and Davidson County in the amount of \$91,532.93, with said amount to be paid out of the Self-Insured Liability Fund.

**Sponsors:** Kevin Rhoten

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit

Date	Ver.	Action By	Action	Result
5/8/2023	1	Mayor	approved	
5/2/2023	1	Metropolitan Council	adopted	
5/1/2023	1	Budget and Finance Committee	approved	
4/25/2023	1	Metropolitan Council	filed	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Rae H. Ryan against the Metropolitan Government of Nashville and Davidson County in the amount of \$91,532.93, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on March 1, 2023, a contractor, approved by Metro Water Services, was attempting to tie in a new water line for an Airbnb located in the basement of 408 McAdoo Avenue. An end cap on the water main adjacent to the property failed while the contractor was preparing to connect a service line to the main, releasing water into the basement of the property for approximately two hours and causing extensive 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 Rae H. Ryan be compromised and settled for a total of \$91,532.93, 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 Rae H. Ryan for the sum of \$91,532.93, 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 1, 2023, Rae Ryan received approval from Metro Water Services (“MWS”) for a private contractor to tie in a new waterline for the basement of a home at 408 McAdoo Avenue. While trying to locate the existing water line, the end cap blew off and released water into the basement. The contractor called MWS emergency customer support to have the water turned off. A MWS inspector went to 408 McAdoo Avenue to inspect the situation and by the time the inspector arrived, the water had been turned off. However, the water ran for approximately two hours before it was turned off. The property was flooded with over two inches of water causing extensive damage. The end cap appeared to have been improperly installed.

The damages totaled \$91,532.93, including loss of rental revenue, loss of non-salvageable items, storage of salvageable items, demolition and construction, landscaping, foundation damage, and clean-up.

The Metropolitan Department of Law recommends settlement of this property damage claim for \$91,532.93.

*Fiscal Note: This \$91,532.93 settlement would be the 30<sup>th</sup> payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$1,102,454. The fund balance would be \$18,863,996 after these payments.*