



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2023-2350      **Name:**

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

**File created:** 7/20/2023      **In control:** Metropolitan Council

**On agenda:** 8/1/2023      **Final action:** 8/1/2023

**Title:** A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Elizabeth Todd against the Metropolitan Government of Nashville and Davidson County in the amount of \$16,074.25, with said amount to be paid out of the Self-Insured Liability Fund.

**Sponsors:** Kevin Rhoten

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
8/4/2023	1	Mayor	approved	
8/1/2023	1	Metropolitan Council	adopted	
7/31/2023	1	Budget and Finance Committee	approved	
7/25/2023	1	Metropolitan Council	filed	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Elizabeth Todd against the Metropolitan Government of Nashville and Davidson County in the amount of \$16,074.25, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on March 13, 2023, raw sewage backed up into the lower level of Elizabeth Todd’s property at 113 Dunham Springs Lane, 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 Elizabeth Todd be compromised and settled for a total of \$16,074.25, 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 Elizabeth Todd for the sum of \$16,074.25, 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

In March 2023, Elizabeth Todd reported that raw sewage had been backing up into the lower level of her home at 113 Dunham Springs Lane. At the time, Metro Water Services indicated that the Metro lines were clear and

the problem was at Ms. Todd's property. Ms. Todd hired four plumbing and remediation companies to clean up the damage that accumulated over a three-week period. However, the Metro line was cleaned and began to flow properly on April 6, 2023. Following the cleaning, the sewage backup at Ms. Todd's home was resolved.

Ms. Todd accumulated \$16,074.25 in out-of-pocket expenses to repair the sewer and water damage, along with damage to her garage, bathroom walls, and flooring. The Department of Law recommends settlement of Ms. Todd's property damage claim for \$16,074.25.

*Fiscal Note: This \$16,074.25 settlement, along with the settlements per Resolution Nos. RS2023-2344 and RS2023-2351, would be the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> payments from the Self-Insured Liability Fund in FY24 for a cumulative total of \$58,374. The fund balance would be \$17,599,413 after these payments.*