



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2021-753, **Version:** 1

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A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Hanna Anki against the Metropolitan Government of Nashville and Davidson County in the amount of \$25,342.90, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on October 23, 2020, a water main leak occurred under the paved parking lot at 2830 Gallatin Pike causing extensive property damage to the paved parking lot; 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 Hanna Anki be compromised and settled for a total of \$25,342.90, 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 Hanna Anki for the sum of \$25,342.90, 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

The resolution authorizes the Department of Law to settle the property damage claim of Hanna Anki against the Metropolitan Government for the amount of \$25,342.90 to be paid out of the self-insured liability fund. Metro Water Services (MWS) had been called out to Ms. Anki's property located at 2830 Gallatin Pike several times because of water in the parking lot. MWS initially determined that the problem was the result of a spring under the parking lot. However, after further investigation, it was determined that the problem was caused by a water main leak. Ms. Anki spent \$19,442.90 to repair the parking lot and lost \$5,900 in rent while the parking lot was unusable.

The Department of Law recommends settling the claim for the total amount of the costs to repair the parking lot and the lost rent since Metro failed to initially identify the water main leak.

*Fiscal Note: This \$25,342.90 settlement, along with the settlement per Resolution Nos. RS2021-749 and RS2021-754, would be the 24th, 25th, and 26th payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,602,214. The fund balance would be \$1,468,087 after these payments.*