



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2021-1031, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Robert Harwell against the Metropolitan Government of Nashville and Davidson County in the amount of \$20,733.59, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on March 27, 2021, torrential rain caused sewage to back-up in the finished basement of 2404 Brittany Drive, causing extensive property damage to Mr. Harwell's home; 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 Robert Harwell be compromised and settled for a total of \$20,733.59, 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 Robert Harwell for the sum of \$20,733.59, 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 27, 2021, there was a sewage backup at Robert Harwell's home located 2404 Brittany Drive after a heavy rainfall. The sewage backup caused \$15,321.02 in damage to the home and \$5,412.27 in lost personal property.

This is the second time the home has experienced a sewage backup due to heavy rain. The Council approved the settlement of a previous claim for this property in the amount of \$19,122.34 by Resolution No. RS2021-884 on April 20, 2021. Metro Water Services has taken remedial action to prevent future backups at this property.

Fiscal Note: This \$20,733.59 settlement, along with the settlements per Resolution No. RS2021-1028 and Resolution No. RS2021-1029, would be the 35th, 36th, and 37th payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,919,594. The fund balance would be \$944,408 after these payments.