Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2023-2351, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Dru Bloom against the Metropolitan Government of Nashville and Davidson County in the amount of $15,300.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on March 16, 2023, a Metro Water and Sewer Waste Services truck, while attempting to turn into a narrow alley to pick up trash, struck the retaining wall separating Dru Bloom's property at 300 32nd Avenue South from the alley next to it, causing damage to the retaining wall;

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 Dru Bloom be compromised and settled for a total of $15,300.00, 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 Dru Bloom for the sum of $15,300.00, 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 16, 2023, a Metro Waste Services driver attempted to turn into a narrow alley and struck a cinder block retaining wall between the property of Dru Broom at 300 32nd Avenue South and the alley adjoining it. The collision caused significant damage to the retaining wall, which broke and partially moved off its foundation when it was struck.

The estimated costs to repair the cinder block wall are $15,300. This includes $9,900 in labor costs and $5,400 of materials including concrete mix, sand, mortar, gravel, rebar, and cinder blocks.

The Department of Law recommends settlement of Dru Bloom's property damage claim for $15,300.

Disciplinary action against the Metro employee is currently pending.

Fiscal Note: This $15,300 settlement, along with the settlements per Resolution Nos. RS2023-2344 and RS2023-2350, would be the 1st, 2nd and 3rd 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.