



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2021-970, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the Metropolitan Government's claims against B & B Laser, LLC.

WHEREAS, on June 1, 2020, a fire occurred during construction operations conducted by B&B Laser, LLC causing damage to the Nashville Farmers' Market building and its contents, which resulted in a significant cost to the Metropolitan Government for repairs and business interruption loss; and,

WHEREAS, after investigation, the Department of Law believes that the settlement listed in Section 1 is fair and reasonable and in the best interest of the Metropolitan Government and recommends that the Metropolitan Government accept payment in the amount of \$265,000.00 as compensation for all damages to the Metropolitan Government.

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 its claim against B & B Laser, LLC, in accordance with the attached Settlement Agreement, in an amount totaling \$265,000.00, which shall be deposited into an appropriate fund and account as determined by the Department of Finance.

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

This resolution authorizes the Department of Law to settle Metro's claim against B&B Laser, LLC for the amount of \$265,000. On June 1, 2020, the Grow Local Kitchen silo roof and turret at the Nashville Farmers' Market caught fire and sustained significant damage. The fire was the result of an improperly welded weathervane on top of the silo by B&B Laser. B&B has admitted liability for the fire, and Metro is seeking payment through B&B's insurance carrier.

The Farmers' Market obtained a higher repair quote from a third-party claims agent, but that quote included costs that Metro would be unlikely to recover at trial, such as preparation of the claim, security costs, staffing, and overhead. The Department of Law recommends accepting a payment of \$265,000 to settle the claim since it is unclear whether Metro could obtain a higher amount if the case went to trial. The Farmers' Market has indicated that this amount should be sufficient to repair the damage.

Fiscal Note: Metro will receive \$265,000 in accordance to this Settlement Agreement to a fund to be determined by the Department of Finance.