



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2021-1193, **Version:** 1

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A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Andrew Kim against the Metropolitan Government of Nashville and Davidson County in the amount of \$56,723.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on July 5, 2021, raw sewage backed up into the lower level of Andrew Kim's property at 145 Thompson 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 Andrew Kim be compromised and settled for a total of \$56,723.00, 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 Andrew Kim for the sum of \$56,723.00, 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 July 5, 2021, raw sewage backed into the lower level of 145 Thompson Lane through floor drainage pipes. Approximately 3,000 square feet of the building was damaged. Upon investigation, it was determined that the sewer main was full and packed with plywood, grease, rocks, trash, and excrement. The sewer main has been cleaned several times by the Metro Water Department.

The clean-up and restoration of the property is estimated to be \$56,723. This includes drywall removal and replacement, moisture treatment of wood and cinderblocks, vinyl flooring removal and replacement, tile removal and replacement, baseboard removal and replacement, electrical work, and painting for 3,000 square feet of the building.

The Metropolitan Department of Law recommends settlement of this claim for \$56,723.

*Fiscal Note: This \$56,723 settlement, would be the 14th payment from the Self-Insured Liability Fund in FY21 for a cumulative total of \$734,068. The fund balance would be \$1,195,492 after this payment.*