



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2021-1127, **Version:** 1

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A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Joselyn Ibarra against the Metropolitan Government of Nashville and Davidson County in the amount of \$7,200.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on August 12, 2020, an employee of the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), while operating a vehicle owned by the Metropolitan Government, was approaching the intersection of East Trinity Lane and Gallatin Pike behind a vehicle driven by Joselyn Ibarra. Ms. Ibarra stopped at the intersection because the traffic light turned red. However, the NDOT employee did not stop his vehicle in time and struck the rear of the vehicle driven by Joselyn Ibarra, causing injury to Ms. Ibarra; and,

WHEREAS, after investigation, the Metropolitan 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 personal injury claim be compromised and settled for \$7,200.00, 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 personal injury claim of Joselyn Ibarra for the sum of \$7,200.00 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 August 12, 2020, an employee of the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) was driving behind Joselyn Ibarra on Gallatin Pike. The traffic signal at the intersection of Gallatin Pike and East Trinity Lane turned red and Ms. Ibarra stopped. The NDOT driver did not stop and struck Ms. Ibarra's vehicle in the rear. A claim for property damage for Ms. Ibarra's vehicle for \$2,478.22 has previously been paid. This settlement arises out of the same incident in Resolution No. RS2021-1128.

Ms. Ibarra reported pain in her neck, shoulder, and lower back. She sought treatment to relieve and decrease pain and muscle spasms. Her medical bills totaled \$3,595. The Department of Law recommends settlement of this personal injury claim for \$7,200.

*Fiscal Note: This \$7,200 settlement, along with the settlements per Resolution No. RS2021-1126, RS2021-1128, and RS2021-1137 would be the 8th, 9th, 10th, and 11th payments from the Self-Insured Liability Fund in FY22 for a cumulative total of \$439,172. The fund balance would be \$443,942 after these payments.*