



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2023-2387

Type: Resolution **Status:** Passed

File created: 8/1/2023 **In control:** Metropolitan Council

On agenda: 8/15/2023 **Final action:** 8/15/2023

Title: A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of April Parker against the Metropolitan Government of Nashville and Davidson County in the amount of \$51,000.00, and that said amount be paid from of the Self-Insured Liability Fund.

Sponsors: Kevin Rhoten

Indexes:

Code sections:

Attachments: 1. Letter to Metro Clerk

Date	Ver.	Action By	Action	Result
8/28/2023	1	Mayor	approved	
8/15/2023	1	Metropolitan Council	adopted	
8/14/2023	1	Budget and Finance Committee	approved	
8/8/2023	1	Metropolitan Council	filed	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of April Parker against the Metropolitan Government of Nashville and Davidson County in the amount of \$51,000.00, and that said amount be paid from of the Self-Insured Liability Fund.

WHEREAS, April Parker claims personal injuries and damages resulting from a motor vehicle accident when an NDOT employee's vehicle struck Ms. Parker's vehicle on the Jefferson Street Bridge on September 17, 2019; 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 any and all claims or causes of action brought or that could have been brought by April Parker related to the events detailed above, be compromised and settled for \$51,000.00, 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 April Parker for the sum of \$51,000.00, 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 September 17, 2019, an NDOT employee was driving a dump truck westbound on the Jefferson Street

Bridge in the middle lane. At the same time, April Parker was driving westbound in the right lane on the Jefferson Street Bridge. As the NDOT employee attempted to merge into the right lane, the truck struck the rear driver's side of Ms. Parker's vehicle. The NDOT employee stated that Ms. Parker's vehicle was in his blind spot. The Metro truck sustained minor damage to the front passenger side and Ms. Parker's vehicle sustained minor damage to the rear driver's side.

Ms. Parker sought treatment at the emergency room after the accident. She had pain in her right neck and arm. She underwent examination and x-rays of her right upper arm, right hand, and CTs of her cervical spine and head. She was ultimately diagnosed with a cervical strain. She was referred to a specialist who ordered MRIs of her spine, right shoulder, scapula, right elbow, and right wrist. Her diagnosis was adjusted to a strain of the right sternoclavicular joint, right bicep tendonitis at the shoulder, and a flare of her pre-existing carpal tunnel syndrome. She was treated with a right-hand brace, muscle relaxers, and steroids.

Ms. Parker incurred \$22,779.51 in medical bills. During the claims process, Metro paid \$1,746.58 for the property damage to Ms. Parker's vehicle.

The Department of Law recommends settlement of Ms. Parker's personal injury claim for \$51,000.

Disciplinary action taken against the NDOT employee consisted of a written reprimand.

Fiscal Note: This \$51,000 settlement, along with the settlement per Resolution No. RS2023-2392 would be the 4th and 5th payments from the Self-Insured Liability Fund in FY24 for a cumulative total of \$209,374. The fund balance would be \$17,248,343 after these payments.