



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2022-1865 **Name:**

Type: Resolution **Status:** Passed

File created: 11/3/2022 **In control:** Metropolitan Council

On agenda: 11/15/2022 **Final action:** 11/15/2022

Title: A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Laura Franklin against the Metropolitan Government for \$19,011.29, with said amount to be paid out of the Self-Insured Liability Fund.

Sponsors: Kevin Rhoten

Indexes:

Code sections:

Attachments: 1. Letter to Metro Clerk

Date	Ver.	Action By	Action	Result
11/17/2022	1	Mayor	approved	
11/15/2022	1	Metropolitan Council	adopted	
11/14/2022	1	Budget and Finance Committee	approved	
11/8/2022	1	Metropolitan Council	filed	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Laura Franklin against the Metropolitan Government for \$19,011.29, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on August 25, 2022, an employee of the Metro Nashville Police Department, while operating a vehicle owned by the Metropolitan Government, entered the intersection of Lyle Avenue and Broadway, striking Laura Franklin’s vehicle in the driver’s side door and causing damage to her 2020 Hyundai Veloster; 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 property damage claim of Laura Franklin be compromised and settled for \$19,011.29, 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 Laura Franklin for the sum of \$19,011.29 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 25, 2022, a Metropolitan Nashville Police Department (“MNPD”) officer was on patrol in his patrol

vehicle and approached the intersection of Lyle Avenue and Broadway. He stopped at the stop sign on Lyle Avenue and proceeded northbound into the intersection crossing Broadway. The MNPD officer did not see Laura Franklin traveling westbound on Broadway and struck the driver's side of Ms. Franklin's vehicle. Ms. Franklin's vehicle was determined to be a total loss. She was not injured in the collision. State Farm Insurance is requesting reimbursement of \$19,011.29, which represents the total property damage less the deductible and salvage.

The Department of Law recommends settlement of this property damage claim for \$19,011.29, payable to State Farm Insurance.

Disciplinary action against the MNPD officer consisted of a written reprimand.

Fiscal Note: This \$19,011.29 settlement, along with the settlements per Resolution Nos. RS2022-1864, and RS2022-1878 be the 15th, 16th, and 17th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$548,700. The fund balance would be \$15,690,168 after these payments.