



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2021-848, **Version:** 1

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A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Demetria Childress against the Metropolitan Government of Nashville and Davidson County in the amount of \$11,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on December 2, 2020, a Metro Fire Department employee was responding to a call when he passed his intended location, reversed his vehicle, and struck the vehicle behind him driven by Demetria Childress, causing injury to Ms. Childress; 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 \$11,000.00, 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 Demetria Childress for the sum of \$11,000.00 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 December 2, 2020, a Nashville Fire Department employee, while responding to a call, passed the intended location, put the vehicle in reverse, and backed into Demetria Childress's vehicle causing damage to the vehicle and personal injuries. Ms. Childress sought treatment for headaches, as well as neck, back, and shoulder pain incurring medical bills totaling \$3,935.

The Department of Law recommends settling the claim for the amount of the medical bills plus \$7,065 for pain and suffering, for a total settlement award of \$11,000 to be paid out of the self-insured liability fund. The property damage claim in the amount of \$3,926 has already been paid.

The Metro employee who caused the accident received disciplinary action consisting of a three day suspension.

*Fiscal Note: This \$11,000 settlement, along with the settlement per Resolution No. RS2021-847, would be the 27<sup>th</sup> and 28<sup>th</sup> payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,638,214. The fund balance would be \$1,262,759 after these payments.*