



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2021-1192, **Version:** 1

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A resolution authorizing the Metropolitan Department of Law to compromise and settle the Metropolitan Government of Nashville and Davidson County's property damage claim against Hunter Marine Transport, Inc. and Hines Furlong Line, Inc. in the amount of \$285,000.00, and that said amount be paid to the General Fund.

WHEREAS On June 6, 2017, the motor vessel James H. Hunter, a towboat owned and operated by Hunter Marine Transport, Inc., which was later acquired by Hines Furlong Line, Inc., was navigating the Cumberland River in downtown Nashville. The pilot on watch turned the vessel too sharply causing a barge in tow to break loose and collide with a floating dock, owned and operated by the Metropolitan Government of Nashville and Davidson County, on the west bank of the Cumberland River. The dock suffered significant damage as a result of the collision.

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 the Metropolitan Government of Nashville and Davidson County related to the events detailed above, be compromised and settled for \$285,000.00, and that this amount be paid to the General 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 the Metropolitan Government for the sum of \$285,000.00 with said amount to be paid to the General 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 June 6, 2017, a towboat named James H. Hunter, owned and operated by Hunter Marine Transport, Inc, was navigating the Cumberland River in Nashville. The pilot of the vessel turned the vessel too sharply causing a barge in tow to break loose and collide with a floating dock owned and operated by the Metropolitan Government. In January 2018, Hunter Marine Transport, Inc, and the James H. Hunter towboat were purchased by Hines Furlong Line, Inc.

The floating dock, which is managed by the Metro Department of Parks and Recreation, was severely damaged due to the collision. At least six concrete modules were damaged beyond repair and cables holding the modules were also damaged. The steel gangway ramp was damaged beyond repair and the steel stiff arms holding the dock to the shore also suffered extensive damage. In addition to the damage, Parks and Recreation lost moorage fees estimated to be approximately \$33,000.

The Department of Law recommends settling Metro's claim for \$285,000. This proposed settlement amount

represents the midpoint between the parties' disagreement regarding replacement costs and the depreciation of the dock. This midpoint would be a replacement cost valuation of \$263,000 for the dock plus \$22,000 for the moorage fees.

*Fiscal Note: Metro will receive a settlement in the amount of \$285,000 to be paid to the General Fund.*