



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2021-976

**Type:** Resolution **Status:** Passed

**File created:** 5/21/2021 **In control:** Metropolitan Council

**On agenda:** 6/1/2021 **Final action:** 6/1/2021

**Title:** A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Charles M. Davis against the Metropolitan Government of Nashville and Davidson County in the amount of \$35,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

**Sponsors:** Kyonzte Toombs

**Indexes:**

**Code sections:**

**Attachments:** 1. RS2021-976 Letter to Clerk

Date	Ver.	Action By	Action	Result
6/4/2021	1	Mayor	approved	
6/1/2021	1	Metropolitan Council	adopted	
6/1/2021	1	Budget and Finance Committee	approved	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Charles M. Davis against the Metropolitan Government of Nashville and Davidson County in the amount of \$35,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on September 22, 2020, an employee of the Metropolitan Nashville Public Works Department, while operating a vehicle owned by the Metropolitan Government, struck the side of the vehicle Charles Davis was driving, causing injury to Mr. Davis; 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 \$35,000.00, 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 Charles M. Davis for the sum of \$35,000.00 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

This resolution authorizes the Department of Law to settle the claim of Charles Davis against Metro for the amount of \$35,000. On September 22, 2020, Mr. Davis and a Metro Public Works employee were both driving

northbound on South Gallatin Pike when the Public Works employee veered into Mr. Davis to avoid another vehicle attempting to enter into the employee's lane. Mr. Davis sustained injuries to his back and hip, incurring medical bills totaling \$21,223.09.

The Department of Law recommends settling the claim for the amount of the medical bills plus \$13,776.91 for pain and suffering. Damage to Mr. Davis's vehicle in the amount of \$2,957.25 has already been paid.

*Fiscal Note: This \$35,000.00 settlement, along with the settlement per Resolution No. RS2021-973, would be the 33<sup>rd</sup> and 34<sup>th</sup> payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,811,361.00. The fund balance would be \$1,100,972 after these payments.*