



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

<b>File #:</b>	RS2021-1269	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	11/18/2021	<b>In control:</b>	Metropolitan Council
<b>On agenda:</b>	12/7/2021	<b>Final action:</b>	
<b>Title:</b>	A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Lynda Patton against the Metropolitan Government of Nashville and Davidson County in the amount of \$54,010.00, with said amount be paid out of the Self-Insured Liability Fund.		
<b>Sponsors:</b>	Burkley Allen		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. RS2021-1269 Letter to Metro Clerk		

Date	Ver.	Action By	Action	Result
12/8/2021	1	Mayor	approved	
12/7/2021	1	Metropolitan Council	adopted	
12/6/2021	1	Budget and Finance Committee	approved	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Lynda Patton against the Metropolitan Government of Nashville and Davidson County in the amount of \$54,010.00, with said amount be paid out of the Self-Insured Liability Fund.

WHEREAS, on September 10, 2019, Robert Fleming, an employee of the Metropolitan Nashville Water Department, was driving a dump truck westbound on Buena Vista Pike. At the same time, Lynda Patton was driving her vehicle westbound on Buena Vista Pike in the adjacent lane. Mr. Fleming attempted a lane change and collided with Ms. Patton's vehicle, causing injury to Ms. Patton; 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 Lynda Patton related to the events detailed above be compromised and settled for \$54,010.00, 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 Lynda Patton for the sum of \$54,010.00, 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 10, 2019, an employee of Metro Water Services (MWS) was driving a Metro dump truck westbound on Buena Vista Pike. Ms. Lynda Patton was also traveling westbound on Buena Vista Pike in the adjacent lane. The MWS employee attempted to merge from one lane into another but struck Ms. Patton's vehicle in the process.

Ms. Patton was transported to the hospital with complaints of a headache and pain in her neck, left shoulder, left hip, and ankle. She was diagnosed with bulging disks with positional cord impingement and required treatment by a neurologist and physical therapist.

Ms. Patton's damages totaled \$31,414.09, including medical treatment and lost earnings. Metro previously paid \$7,267.34 for property damage to her vehicle.

The Department of Law recommends settlement of this claim for \$54,010.

*Fiscal Note: This \$54,010 settlement would be the 16<sup>th</sup> payment from the Self-Insured Liability Fund in FY21 for a cumulative total of \$928,078. The fund balance would be \$7,106,899 after these payments.*