



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2021-1297 **Name:**

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

**File created:** 12/9/2021 **In control:** Metropolitan Council

**On agenda:** 12/21/2021 **Final action:** 12/21/2021

**Title:** A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Embassy Suites by Hilton against the Metropolitan Government of Nashville and Davidson County in the amount of \$15,229.00, with said amount to be paid out of the Self-Insured Liability Fund.

**Sponsors:** Burkley Allen

**Indexes:**

**Code sections:**

**Attachments:** 1. RS2021-1297 Letter to Metro Clerk

Date	Ver.	Action By	Action	Result
12/21/2021	1	Metropolitan Council	adopted	
12/20/2021	1	Budget and Finance Committee	approved	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Embassy Suites by Hilton against the Metropolitan Government of Nashville and Davidson County in the amount of \$15,229.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on September 21, 2021, a Nashville Fire Department employee was exiting the Embassy Suites by Hilton property when the fire truck he was driving struck the exit kiosk damaging its base; 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 be compromised and settled for \$15,229.00, 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 property damage claim of the Embassy Suites by Hilton for the sum of \$15,229.00 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 21, 2021, a Nashville Fire Department employee attempted to exit the Embassy Suites by Hilton Property on Century Boulevard after responding to a call. The employee struck an exit kiosk, damaging its base.

The total damages to the exit kiosk are \$15,229, including the repair and replacement of the damaged kiosk, shipping, labor, supplies, and installation of a custom graphic panel with credit card reader and intercom. The Department of Law recommends settlement of this claim for \$15,229.

Disciplinary action against the employee consisted of a written reprimand, the completion of 20 hours of driver's training, and the successful completion of obstacle/road courses.

*Fiscal Note: This \$15,229 settlement, along with the settlement per Resolution Nos. RS2021-1277, and RS2021-1294 would be the 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> payments from the Self-Insured Liability Fund in FY22 for a cumulative total of \$1,022,807. The fund balance would be \$6,864,004 after these payments.*