



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2022-1368

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

**File created:** 1/19/2022 **In control:** Metropolitan Council

**On agenda:** 2/1/2022 **Final action:** 2/1/2022

**Title:** A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Jerniqua Moore against the Metropolitan Government of Nashville and Davidson County in the amount of \$12,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

**Sponsors:** Burkley Allen, Zulfat Suara

**Indexes:**

**Code sections:**

**Attachments:** 1. Letter to Metro Clerk

Date	Ver.	Action By	Action	Result
2/2/2022	1	Mayor	approved	
2/2/2022	1	Mayor	approved	
2/1/2022	1	Metropolitan Council	adopted	
1/31/2022	1	Budget and Finance Committee	approved	
1/25/2022	1	Metropolitan Council	filed	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Jerniqua Moore against the Metropolitan Government of Nashville and Davidson County in the amount of \$12,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on May 20, 2021, an employee of the Nashville Department of Transportation and Multimodal Infrastructure, while operating a vehicle owned by the Metropolitan Government, was stopped in traffic near the intersection of Eighth Avenue South and Demonbreun Street behind Jernique Moore's vehicle. When the light turned green, the Metro vehicle struck Ms. Moore's vehicle in the rear, causing Ms. Moore personal injury; 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 \$12,000.00, 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 Jernique Moore for the sum of \$12,000.00 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 May 20, 2021, an employee of the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) was driving behind Jerniqua Moore in stopped traffic at the intersection of Eighth Avenue and Demonbreun Street. The traffic signal turned green and the NDOT employee's vehicle struck the rear of Ms. Moore's vehicle, which had not begun to move. Ms. Moore's property damage claim was previously settled for \$4,084.29.

Ms. Moore sought treatment for back and neck pain. She also sought treatment for a muscle sprain in her neck and back.

The Department of Law recommends settlement of this personal injury claim for \$12,000, based on \$7,604.70 for medical costs and \$4,395.30 for pain and suffering.

Disciplinary action against the NDOT employee consisted of a written reprimand.

*Fiscal Note: This \$12,000 settlement would be the 23<sup>rd</sup> payment from the Self-Insured Liability Fund in FY22 for a cumulative total of \$1,104,918. The fund balance would be \$7,365,051 after these payments.*