



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2022-1457 **Name:**

Type: Resolution **Status:** Passed

File created: 3/25/2022 **In control:** Metropolitan Council

On agenda: 4/5/2022 **Final action:** 4/5/2022

Title: A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of WeGo Public Transit against the Metropolitan Government of Nashville and Davidson County in the amount of \$28,040.96, with said amount to be paid out of the Self-Insured Liability Fund.

Sponsors: Burkley Allen

Indexes:

Code sections:

Attachments: 1. Letter to Clerk

Date	Ver.	Action By	Action	Result
4/6/2022	1	Mayor	approved	
4/5/2022	1	Metropolitan Council	adopted	
3/29/2022	1	Metropolitan Council	referred	
3/29/2022	1	Metropolitan Council	filed	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of WeGo Public Transit against the Metropolitan Government of Nashville and Davidson County in the amount of \$28,040.96, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on January 6, 2022, a Metro Fire Department engine, with lights and siren activated, attempted to brake on an icy and snow-covered Jefferson Street at the intersection of Jefferson Street and Third Avenue North, striking a WeGo Public Transit bus as it was proceeding through the intersection on a green traffic signal, causing property damage to the right rear side of the bus; 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 \$28,040.96, 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 WeGo Public Transit, for the sum of \$28,040.96, 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 January 6, 2022, a Nashville Fire Department engine was traveling north on Jefferson Street with emergency equipment activated. A WeGo Public Transit bus was driving through the intersection of Jefferson Street and Third Avenue North on a green traffic signal. The NFD engine slid on the icy road and collided with the right rear of the bus, causing the bus to spin on the roadway.

The WeGo bus sustained damage to the right rear. In-house repairs were made to the bus totaling \$28,040.96, including \$17,640.96 in parts and \$10,400 for labor. The Department of Law recommends settlement of this property damage claim for \$28,040.96.

Disciplinary action against the NFD employee consisted of a ten day suspension and additional driver training.

Fiscal Note: This \$28,040.96 settlement, along with the settlement per Resolution No. RS2022-1450, would be the 25th and 26th payments from the Self-Insured Liability Fund in FY22 for a cumulative total of \$1,215,761. The fund balance would be \$7,109,974 after these payments.