



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2022-1598 **Name:**

Type: Resolution **Status:** Passed

File created: 6/9/2022 **In control:** Metropolitan Council

On agenda: 6/21/2022 **Final action:** 6/21/2022

Title: A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Kristen Jenkins against the Metropolitan Government of Nashville and Davidson County in the amount of \$24,000.00, and that said amount be paid out of the Self-Insured Liability Fund.

Sponsors: Burkley Allen

Indexes:

Code sections:

Attachments: 1. Letter to Metro Clerk

| Date | Ver. | Action By | Action | Result |
|-----------|------|------------------------------|----------|--------|
| 6/23/2022 | 1 | Mayor | approved | |
| 6/21/2022 | 1 | Budget and Finance Committee | approved | |
| 6/21/2022 | 1 | Metropolitan Council | adopted | |
| 6/14/2022 | 1 | Metropolitan Council | filed | |

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Kristen Jenkins against the Metropolitan Government of Nashville and Davidson County in the amount of \$24,000.00, and that said amount be paid out of the Self-Insured Liability Fund.

WHEREAS, on April 6, 2021, Kristen Jenkins was southbound approaching the intersection of Gallatin Pike and Neely's Bend Road when a northbound NDOT truck attempted a turn across the southbound lanes of Gallatin Pike causing Kristen Jenkins to swerve to the right to avoid a collision with the NDOT truck. Ms. Jenkins' vehicle left the roadway jumping a sidewalk and striking a pole before coming to a stop, causing her 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 any and all claims or causes of action brought or that could have been brought by Kristen Jenkins related to the events detailed above be compromised and settled for \$24,000.00, 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 Kristen Jenkins for the sum of \$24,000.00 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 April 6, 2021, Kristen Jenkins was traveling southbound on Gallatin Pike near Neely's Bend Road. An NDOT truck approached the same intersection from the North and attempted to turn across the southbound lanes of Gallatin Pike. The NDOT employee did not see Ms. Jenkins approaching. Ms. Jenkins swerved to avoid a wreck and struck a pole. Her vehicle was deemed a total loss and she has previously been compensated for the property damage. Ms. Jenkins sought treatment for injuries to her neck and lower back.

The Department of Law recommends settlement of this case for \$24,000, which includes \$14,155.82 for her medical bills and \$1,772 in lost wages.

Fiscal Note: This \$24,000 settlement, would be the 29th payment from the Self-Insured Liability Fund in FY22 for a cumulative total of \$1,284,315. The fund balance would be \$7,597,198 after these payments.