



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2022-1910

Type: Resolution **Status:** Passed

File created: 12/8/2022 **In control:** Metropolitan Council

On agenda: 12/20/2022 **Final action:** 12/20/2022

Title: A resolution authorizing the Metropolitan Department of Law to compromise and settle the Metropolitan Government of Nashville and Davidson County's property damage claim against Clarissa Martinez in the amount of \$31,925.00, and that said amount be paid to the Office of Fleet Management.

Sponsors: Kevin Rhoten

Indexes:

Code sections:

Attachments: 1. Letter to Metro Clerk

Date	Ver.	Action By	Action	Result
12/22/2022	1	Mayor	approved	
12/20/2022	1	Metropolitan Council	adopted	
12/19/2022	1	Budget and Finance Committee	approved	
12/13/2022	1	Metropolitan Council	filed	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the Metropolitan Government of Nashville and Davidson County's property damage claim against Clarissa Martinez in the amount of \$31,925.00, and that said amount be paid to the Office of Fleet Management.

WHEREAS, on October 22, 2019, a Nashville Fire Department ambulance collided with a vehicle driven by Clarissa Martinez while attempting to pass through the intersection of Hamilton Church Road and Hobson Pike. The ambulance's emergency lights and siren were activated and it was responding to an emergency call when the accident occurred.

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 the Metropolitan Government of Nashville and Davidson County related to the events detailed above, be compromised and settled for \$31,925.00, and that this amount be paid to the Office of Fleet Management.

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 Metropolitan Government for the sum of \$31,925.00 with said amount to be paid to the Office of Fleet Management, Business Unit 10510610.

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 October 22, 2019, a Nashville Fire Department ambulance was traveling eastbound on Hamilton Church Road attempting to proceed through the intersection with Hobson Pike. The ambulance's lights and siren were activated. Clarissa Martinez was approaching the same intersection northbound on Hobson Pike with a green traffic signal. All other vehicles near the intersection were stopped, yielding the right-of-way to the ambulance. Ms. Martinez did not see the ambulance and proceeded into the intersection and collided with the ambulance.

The ambulance was unable to be repaired due to substantial damage and was determined to be a total loss. The Metropolitan Department of General Services estimates Metro's total damages to be \$32,802, which represents the total value of the vehicle minus the salvage value. Ms. Martinez's insurance company estimates the salvage value to be higher than Metro's estimate and proposes to settle Metro's claim for \$31,925.

The Department of Law recommends the settlement of Metro's property damage claim for \$31,925.

Fiscal Note: The defendant, Clarissa Martinez, will pay the Metropolitan Department of General Services Office of Fleet Management a settlement in the amount of \$31,925.