



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2023-2231      **Name:**

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

**File created:** 5/24/2023      **In control:** Metropolitan Council

**On agenda:** 6/6/2023      **Final action:** 6/6/2023

**Title:** A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Josmar Jordan against the Metropolitan Government of Nashville and Davidson County in the amount of \$21,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

**Sponsors:** Kevin Rhoten

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
6/15/2023	1	Mayor	approved	
6/6/2023	1	Metropolitan Council	adopted	
6/5/2023	1	Budget and Finance Committee	approved	
5/30/2023	1	Metropolitan Council	filed	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Josmar Jordan against the Metropolitan Government of Nashville and Davidson County in the amount of \$21,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on May 21, 2022, Metropolitan Nashville Water Services employee, Leroy Davis, was driving southbound on Spence Lane approaching a curve in the road. At the same time, Josmar Jordan was driving northbound on Spence Lane. The two vehicles collided, causing personal injury to Mr. Jordan; 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 of Josmar Jordan be compromised and settled for \$21,000.00, 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 Josmar Jordan for the sum of \$21,000.00 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 21, 2022, Josmar Jordan was driving northbound on Spence Lane. A Metro Water Services ("MWS")

employee was driving southbound on Spence Lane in a Metro-owned dump truck. As both vehicles approached a curve in the roadway, Mr. Jordan's vehicle crossed into the MWS employee's lane of travel. The police report indicated that Mr. Jordan failed to keep his vehicle in the proper lane, however, the Metro employee involved failed to provide a statement and did not complete the accident form for MWS.

Mr. Jordan was transported by ambulance to the hospital. He had significant blood loss, oral and facial lacerations, a severed bottom lip, fractures of his left femur and ribs, and contusions. Multiple x-rays were taken and CT scans were performed of his head, spine, and chest. Mr. Jordan underwent surgery for his lip and fractured femur. Mr. Jordan's total medical bills were \$168,255.62.

The Metro dump truck received damage totaling \$30,433.02. Mr. Jordan's vehicle was deemed a total loss.

The Metropolitan Department of Law recommend settlement of Mr. Jordan's personal injury claim for \$21,000.

*Fiscal Note: This \$21,000 settlement, along with the settlements per Resolution Nos. RS2023-2218, RS2023-2228, RS2023-2229 and RS2023-2230 would be the 32<sup>nd</sup>, 33<sup>rd</sup>, 34<sup>th</sup>, 35<sup>th</sup> and 36<sup>th</sup> payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$1,406,499. The fund balance would be \$18,224,942 after these payments.*