



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2024-359

Type: Resolution **Status:** Passed

File created: 4/3/2024 **In control:** Metropolitan Council

On agenda: 4/16/2024 **Final action:** 4/16/2024

Title: A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Donegal Insurance Group as subrogee of Brenda Thompson against the Metropolitan Government for \$27,504.38, with said amount to be paid out of the Self-Insured Liability Fund.

Sponsors: Kyonzte Toombs, Delishia Porterfield

Indexes:

Code sections:

Attachments: 1. Letter to Metro Clerk

Date	Ver.	Action By	Action	Result
4/18/2024	1	Mayor	approved	
4/16/2024	1	Metropolitan Council	adopted	
4/15/2024	1	Budget and Finance Committee	approved	
4/9/2024	1	Metropolitan Council	filed	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Donegal Insurance Group as subrogee of Brenda Thompson against the Metropolitan Government for \$27,504.38, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on September 14, 2023, Brenda Thompson was east bound on Briley Parkway when the vehicle in front of her stopped suddenly, causing Ms. Thompson to come to a complete stop. The Metro owned 2017 Dodge Ram truck was behind Ms. Thompson's 2023 Mazda CX5 and was unable to stop, rear-ending Ms. Thompson's vehicle and, causing considerable damage to it; 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 of Brenda Thompson be compromised and settled for \$27,504.38, 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 the Donegal Insurance Group as subrogee of Brenda Thompson for the sum of \$27,504.38 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 September 14, 2023, an employee of the Nashville Department of Transportation and Multimodal

Infrastructure ("NDOT") was traveling east on Briley Parkway in a truck pulling a skid loader on a trailer. The NDOT employee was behind Brenda Thompson. A four-vehicle crash ensued where a vehicle stopped short, causing Ms. Thompson's vehicle and another vehicle to make a hard stop. The NDOT employee applied his brakes but did not have enough time to stop. The NDOT employee collided with Ms. Thompson's vehicle and pushed it into the vehicle in front of her. The original vehicle the stopped short fled the scene before the police arrived.

Ms. Thompson's vehicle sustained damage to her rear bumper and lift gate. The total estimate for the repair is \$26,821.74, which includes a \$1,000 deductible. This amount exceeded 70% of the market value of Ms. Thompson's vehicle and the vehicle was declared a total loss. The value of the vehicle was \$35,381.44, plus \$709.09 for a rental and \$269.91 rack unit and installation. The vehicle was salvaged for \$8,856.06.

The Department of Law recommends settlement of Donegal Insurance Group, as subrogee of Ms. Thompson's property damage for a total of \$27,504.38, in full settlement of the claim.

Fiscal Note: The total settlement amount is \$27,504.38. This settlement along with Resolution No. RS2024-368 would be the 23rd and 24th payments from the Self-Insured Liability Fund in FY24 for a cumulative total of \$1,193,067. The fund balance would be \$14,052,782 after these payments.