

**A RESOLUTION AUTHORIZING  
THE SETTLEMENT OF THE CLAIM OF  
DENNIS SMITH v. CITY OF MOUNT VERNON**

**WHEREAS**, on May 29, 2024, a Notice of Claim was filed by Dennis Smith against the City of Mount Vernon alleging violations of his civil rights arising from an incident occurring on August 5, 2023, including unlawful search and seizure, false arrest and false imprisonment, excessive force, malicious prosecution, and failure to intervene, personal injuries and seeking damages in the amount of \$25,000.00; and

**WHEREAS**, the City of Mount Vernon was subsequently served with a summons and complaint arising out of the same August 5, 2023, asserting claims of unlawful search and seizure, false arrest and false imprisonment, excessive force, malicious prosecution, and failure to intervene; and

**WHEREAS**, on December 18, 2024, the Defendants filed a Notice of Removal transferring the action to the United States District Court for the Southern District of New York; and

**WHEREAS**, on January 14, 2025, said removal was perfected, and the matter proceeded in the United States District Court for the Southern District of New York; and

**WHEREAS**, following review and evaluation of the claim, the Corporation Counsel, by correspondence dated April 16, 2026, has recommended that the Board of Estimate and Contract approve a settlement of the claim in the amount of \$15,000.00, payable on or before July 14, 2026;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Board of Estimate and Contract hereby authorizes the settlement of the claim of Dennis Smith in the amount of \$15,000.00, payable on or before July 14, 2026; and be it further

**RESOLVED**, that the Comptroller is hereby authorized and directed to make payment of said amount from Budget Code A1930.494 (Judgments and Settlements) in the 2026 Budget.