

SHAWYN PATTERSON-HOWARD
MAYOR



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CONFIDENTIAL

July 10, 2024

(Through Office of the Mayor)

Honorable Board of Estimate and Contract
City Hall
Mount Vernon, New York

Re: **Settlement of Claim for property damage**
JARAMILLO, ANGIE v. City of Mount Vernon
Settlement Amount: \$2,926.00

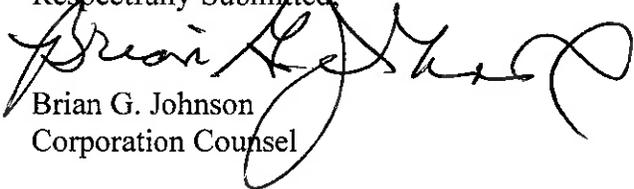
Honorable Members:

Pursuant to Section 152 of the City Charter, the undersigned respectfully requests the approval of this Honorable Board to settle the above-captioned matter against the City of Mount Vernon for the total sum of \$2,926.00.

This office has evaluated the facts and circumstances of this matter and believes that it is in the best interest of the City to settle for the above amount.

If your Honorable Body agrees, a Resolution approving the settlement of this claim should be adopted.

Respectfully Submitted,


Brian G. Johnson
Corporation Counsel

Cc: Mayor
Comptroller
Law Department



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Memorandum

PRIVILEGED & CONFIDENTIAL

July 10, 2024

To: Mayor Shawyn Patterson-Howard
Office of the Mayor

From:  Brian G. Johnson
Corporation Counsel

Re: **JARAMILLO, ANGIE v. City of Mount Vernon**
Date of Loss: May 1, 2024
Notice of Claim filed: June 5, 2024
Amount of Claim: \$2,926.00
Settlement Amount: \$2, 926.00

Nature of Claim: Property damage to claimant's 2007 Toyota Avalon.

Reasons for Settlement: Claimant's vehicle sustained extensive damage to the clear coat finish and body damage on her car due to leaking roof sealant and debris falling from the ceiling onto her vehicle parked in the North 3rd Avenue Parking Garage.

Our investigation indicates that it had rained heavily prior to the occurrence-involving claimant's vehicle. A review of claimant's photographs revealed damage to the hood, roof, windshield, front grill, sunroof, and rear windshield.

This is the 2nd claim of this nature within the last year at the subject location.

The Department of Public Works is taking steps to remedy the situation.

Claimant provided an estimate for \$2,926.00 to repair and repaint her vehicle. The City's estimate was for the total sum of \$5,583.20. Claimant vehicle had a fair market value of approximately \$6,540.00 immediately before the occurrence.

Claimant agreed to settle this matter for her \$2,926.00 estimate. The claimant has been informed that the above settlement should not be construed as an admission of liability.

While liability is not clear given the fact that claimant was not at fault under the facts of this case and in the interest of fairness, a settlement for \$2,926.00 seems equitable because the claimant is a monthly parking permit holder and was parking in her designated spot at the time of the occurrence.

We recommend settlement.

cc: Mayor
Comptroller
Board of Estimate & Contract