

**A RESOLUTION AUTHORIZING THE
SETTLEMENT OF THE CLAIM OF CYNTHIA RUSSELL
v.
CITY OF MOUNT VERNON, PAULINO AND PEREZ-FAMILIA**

WHEREAS, on May 30, 2023, *Cynthia Russell* filed a Notice of Claim against the City of Mount Vernon, seeking compensation in the amount of \$250,000.00 for injuries allegedly sustained from a trip and fall incident that occurred on April 7, 2023, purportedly caused by a tree stump located in the vicinity of the accident site; and

WHEREAS, Ms. Russell asserts that as a result of the incident, she suffered a full rotator cuff tear requiring surgical intervention, as well as eye damage resulting in blurry vision that may require future surgery; and

WHEREAS, on November 7, 2023, a lawsuit was filed against the City of Mount Vernon on behalf of Ms. Russell; and

WHEREAS, the abutting landowners, *Paulino and Perez-Familia*, have agreed to contribute \$100,000.00 toward the settlement of this matter, as it was established that they were aware of the defective condition at the time of purchasing the property and failed to take corrective measures to repair the sidewalk; and

WHEREAS, it is in the best interest of the City of Mount Vernon to join in the settlement of this case with a modest contribution of \$7,500.00, thereby resolving the matter in its entirety and avoiding the potential for higher financial exposure should the plaintiff require additional surgical treatment; and

WHEREAS, by letter dated November 10, 2025, the Office of the Corporation Counsel has recommended that the City Council approve settlement of this claim for the amount of \$7,500.00; **NOW, THEREFORE, BE IT**

RESOLVED, that said amount shall be disbursed from Budget Code A1930.494 (Judgments & Settlements) of the 2025 City Budget.