A RESOLUTION AUTHORIZING THE SETTLEMENT CLAIM FILED BY EDUARDO BAERGA

WHEREAS, on April 8, 2019, Eduardo Baerga filed a Notice of Claim against the City of Mount Vernon (the "City"), seeking damages of Two Million Five Hundred Thousand Dollars ($2,500,000), alleging that on January 16, 2019, while at the Department of Public Works Sanitation Yard to refuel a Mount Vernon Police Department vehicle, he observed an upside-down yellow bucket positioned next to two temporary gas pumps;

WHEREAS, Mr. Baerga further alleged that, after placing both hands on the yellow bucket, it slid forward, causing him to lose balance, step into an uncovered manhole, and fall forward onto his chest and hands, resulting in injuries for which he sought damages in the amount of $2,500,000; and

WHEREAS, on June 10, 2020, a federal lawsuit was filed against the City of Mount Vernon on behalf of Eduardo Baerga; and

WHEREAS, the Corporation Counsel, by letter dated September 18, 2025, has recommended that the Board of Estimate and Contract approve settlement of this matter for $390,000; **NOW, THEREFORE, BE IT**

RESOLVED, that the claim of Eduardo Baerga is hereby settled for $390,000.00, and said settlement is hereby approved; and be it further

RESOLVED, that payment of said settlement shall be made from Budget Code A1930.494 (Judgments & Settlements), 2025 Budget.