

December 20, 2005

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Communication from Debbie Griffith, Risk Manager
On behalf of SBC (25200507-50-0132)
C.I. File No.: 05-S-224

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Claimant, SBC, 2140 Davidson Road, Waukesha, WI 53186 Debbie Griffiths, Risk Manager allege that on July 28, 2005, while installing conduit at/near 3829 North 35th Street, an Infrastructure Services Division-Underground Operations work crew damaged their underground cable and facility. They claim damages in the amount of \$10,919.27.

Our investigation reveals that this work crew was engaged in this activity on the date in question. The area had been marked for all utilities, but SBC. A city supervisor instructed the work crew to contact the marker again prior to beginning their excavation, because the markings may have been obscured by weather conditions. The instruction was not passed on to the crew, however, and it failed to call prior to the start of their work. While engaged in this activity the crew did damage a facility belonging to the claimant. The claimant has agreed to settle this claim for \$9,989.27.

To the Hon. Common Council
December 20, 2005
Page 2 of 2

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend payment of this claim in the amount of \$9,989.27 and have enclosed the appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
1029-2005-2140:99287