

**EVAN C. GOYKE**  
City Attorney

**MARY L. SCHANNING**  
**ROBIN A. PEDERSON**  
**NAOMI E. SANDERS**  
**JULIE P. WILSON**  
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551  
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

**HEIDI WICK SPOERL**  
**KATHRYN Z. BLOCK**  
**THOMAS D. MILLER**  
**PETER J. BLOCK**  
**PATRICK J. MCCLAIN**  
**ANDREA J. FOWLER**  
**JOANNA FRACZEK**  
**HANNAH R. JAHN**  
**MEIGHAN M. ANGER**  
**ALEXANDER R. CARSON**  
**GREGORY P. KRUSE**  
**ALEX T. MUELLER**  
**ALEXANDER D. COSSI**  
**LISA A. GILMORE**  
**KATHERINE A. HEADLEY**  
**SHEILA THOBANI**  
**STACY J. MILLER**  
**JORDAN M. SCHETTLE**  
**THERESA A. MONTAG**  
**ALEXANDER E. FOUNDOS**  
**TRAVIS J. GRESHAM**  
**KYLE W. BAILEY**  
**JOSEPH M. DOBBS**  
**WILLIAM K. HOTCHKISS**  
**CLINT B. MUCHE**  
**TYLER M. HELSEL**  
**ZACHARY A. HATFIELD**  
**MEGHAN C. MCCABE**  
**MARIA E. MESOLORAS**  
**CYNTHIA HARRIS ORTEGA**  
**OLUWASEUN CHRIS IBITOYE**  
**KEVIN P. TODT**  
**NATHANIEL E. ADAMSON**  
Assistant City Attorneys

January 21, 2025

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

Re: Communication from JOSE GARCIA  
C.I. File No. 1068-2024-1528

Dear Sir or Madam:

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

Claimant alleges that he sustained damage to his vehicle while it was parked in the area of 5367 South 8<sup>th</sup> Street when a large branch from a City tree fell on it on August 4, 2024.

Our investigation revealed that on August 7, 2024, the Forestry Department received a request for service regarding a tree branch that fell on a vehicle at 5367 South 8<sup>th</sup> Street. The Forestry crew arrived and located the fallen branch, however it was not on a vehicle. While the crew was engaged in chipping the fallen branch, Mr. Garcia approached them regarding the damage to his vehicle. The crew noted that the tree was healthy with no visible signs of decay. Forestry received one other service requests for this address in the past six years.



To the Honorable Common Council  
Of the City of Milwaukee  
January 21, 2025  
Page Two

On August 18, 2019, Forestry was notified of a split tree at this location as a result of a lightning strike. A crew responded the same day and cleaned up the downed branches. The inspection and pruning of the trees in this section was completed in February, 2024. It is our position that the Forestry Department followed standard operating procedures in this case, and were not negligent in this matter. Therefore, we recommend that the claim submitted by Jose Garcia in the amount of \$8,000.00 be denied.

Very truly yours,

**/s/ Evan C. Goyke**

EVAN C. GOYKE  
City Attorney

**/s/ Naomi E. Sanders**

NAOMI E. SANDERS  
Deputy City Attorney

NES/PK/cdr

Enclosures

1068-2024-1528/295279