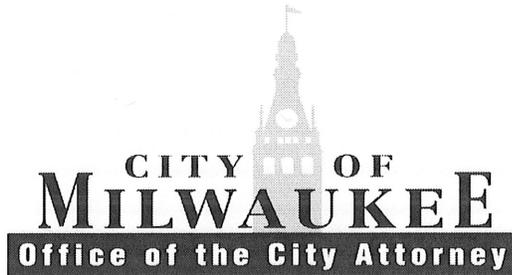


TEARMAN SPENCER
City Attorney

ODALO J. OHIKU
ROBIN A. PEDERSON
S. TODD FARRIS
JENNIFER L. WILLIAMS
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
HANNAH R. JAHN
JULIE P. WILSON
MEIGHAN M. ANGER
ALEXANDER R. CARSON
ALEXANDER T. MUELLER
ALEXANDER D. COSSI
LISA A. GILMORE
TAVISS K. SMITH
KATHERINE A. HEADLEY
L. ANTHONY JACKSON
STACY J. MILLER
MICHAEL C. RADAVIDH
JORDAN M. SCHETTLE
THERESA A. MONTAG
ALEXANDER E. FOUNDOS
JAMES D. LEWIS
TRAVIS J. GRESHAM
KYLE W. BAILEY
JOSEPH M. DOBBS
WILLIAM K. HOTCHKISS
CLINT B. MUCHE
Assistant City Attorneys

July 31, 2023

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

Re: Communication from Jazmyn Lopez
C.I. File No. 1068-2022-1519

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 she sustained damage to her vehicle while it was parked in the area of 2100 North Cramer Street and East Newport Avenue Avenue when a large branch from a City tree fell on it on October 12, 2022.

Our investigation revealed that on October 12, 2022, the Forestry Department received a request for emergency service regarding a tree branch that fell on a vehicle at 3363 North Cramer Street. The Forestry crew arrived, noted the damage to the vehicle, and removed the branch from the scene. The crew left instructions for filing a claim on the vehicle and the tree was marked for removal. The failed branch was alive, but there was some decay present at the point of failure. Forestry did not receive any other service requests for this address in the past ten years.



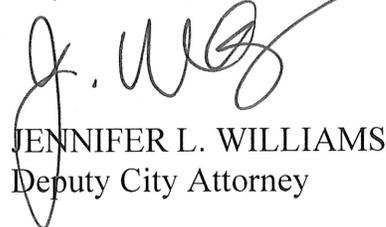
To the Honorable Common Council
Of the City of Milwaukee
July 31, 2023
Page Two

On October 12, 2022, Milwaukee had a weather system move through the City with sustained winds of 39 mph and peak winds of 59 mph. This contributed to widespread tree damage throughout the city. 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 Jazmyn Lopez in the amount of \$14,555.74 be denied.

Very truly yours,



TEARMAN SPENCER
City Attorney



JENNIFER L. WILLIAMS
Deputy City Attorney

JLW/PK/cdr

Enclosures