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January 21, 2025

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

Re: Communication from JORGE PADILLA  
C.I. File No. 1068-2024-1899

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 3255 South 9<sup>th</sup> Place when a City tree fell on it on October 14, 2024.

Our investigation revealed that on October 14, 2024, the Forestry Department received a request for service regarding a tree that fell on a vehicle at 3255 South 9<sup>th</sup> Place. The Forestry crew arrived and located the fallen tree, cleared the branch and noted damage to claimant's vehicle. The crew found that the tree was alive but there was internal decay at the point of failure. The decay was not evident or visible from the outside of the tree. Forestry received no other service requests for this address in the past six years.



To the Honorable Common Council  
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Page Two

On October 14, 2024, the City of Milwaukee experienced peak wind speeds of 25 MPH, gusting up to 45 MPH. The inspection and pruning of trees in this section was completed in 2020. 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 Jorge Padilla in the amount of \$10,934.81 be denied.

Very truly yours,

**/s/ Evan C. Goyke**

EVAN C. GOYKE  
City Attorney

**/s/ Naomi E. Sanders**

NAOMI E. SANDERS  
Deputy City Attorney

ECG/NES/PK/cdr

Enclosures