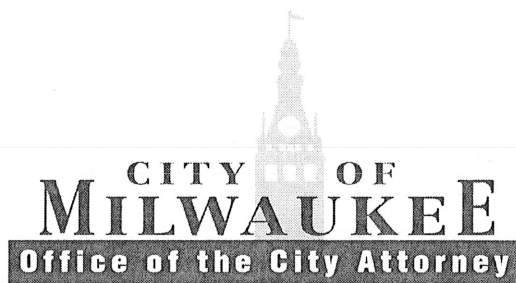


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October 3, 2022

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

Re: Communication from CASIEDEAN ANDREWS
C.I. File No. 1068-2021-1175

Dear Council Members:

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

On August 10, 2021, Casiedean Andrews notified the Forestry Department of multiple branches from a City tree that had fallen down blocking the sidewalk and yard at her house located at 3056 North 37th Street. There was no report of damage in the service request. The location was surveyed by Forestry personnel on August 16, 2021, but nothing was remaining at the site. It is uncertain as to whether the branches were cleaned up by the resident or by other City staff that were engaged in ongoing cleanup after the storm on August 10, 2021. From the pictures provided by Ms. Andrews, the failed branches appeared to be fully leafed out and alive.

The City of Milwaukee experienced a strong thunderstorm event on August 10, 2021. The storm produced sustained wind speeds of 35 MPH and peak winds of 50 MPH, along with .13 inches of rain on top of the 3.29 inches received over the previous four days. These saturated soils and excessive wind speeds caused catastrophic tree failures throughout the City.



To the Honorable Common Council
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It is Forestry's position that there was no reasonable or prudent action that could have foreseen or prevented this damage from occurring. Therefore, there is no evidence that the City was negligent in this matter, and as such, the city would not be liable. It is recommended that the claim submitted by Ms. Andrews in the amount of \$7,640.08 be denied.

Very truly yours,



TEARMAN SPENCER
City Attorney



S. TODD FARRIS
Deputy City Attorney

STF/PK/cdr

1068-2021-1175/281968