



**City of Racine, Wisconsin  
Common Council**

**AGENDA BRIEFING MEMORANDUM**

**COMMITTEE:** Finance and Personnel

**LEGISLATION ITEM #: 0848-24**

**AGENDA DATE:** October 7, 2024

**DEPARTMENT:** City Attorney's Office

**Prepared By:** Deputy City Attorney Marisa Roubik

**SUBJECT:** Communication sponsored by Alder Horton on behalf of the City Attorney's Office submitting the claim of Patricia Caldwell for consideration for disallowance.

**EXECUTIVE SUMMARY:**

Patricia Caldwell filed a claim with the City requesting \$898.00 for property damages allegedly arising from a privately-owned tree that fell into the backyard of a residence she owns at 941 Villa Street in Racine and tore off the electrical mast from said house on or about June 3, 2024. The tree that fell was a privately-owned tree located on the neighboring property at 939 Villa Street. Because this tree was not owned by the City, the City is not responsible for the maintenance of the tree in question, nor is it liable for any damages caused by such tree. For this reason, it is the recommendation of the City Attorney's Office that this claim be disallowed.

**BACKGROUND & ANALYSIS:**

Patricia Caldwell, or 1506 Superior Street, Lower, Racine, Wisconsin, filed a claim with the City requesting \$898.00 for property damages allegedly arising from a privately-owned tree that fell into the backyard of a residence she owns at 941 Villa Street in Racine and tore off the electrical mast from said house on or about June 3, 2024. The tree that fell was a privately-owned tree located on the neighboring property at 939 Villa Street. Because this tree was not owned by the City, the City is not responsible for the maintenance of the tree in question, nor is it liable for any damages caused by such tree.

For this reason, it is the recommendation of the City Attorney's Office that this claim be disallowed.

31 **BUDGETARY IMPACT:**

32 Assuming the recommendation to disallow this claim is adopted, this item would have a \$0.00  
33 impact on the City's budget.

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35 **RECOMMENDED ACTION:**

36 That the disallowance of this claim be recommended for approval.

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