

AGENDA ITEM 36

Discuss and take any appropriate action on road bond program.

Mike Weaver of Prime Strategies addressed the court on road bond issues. He stated that he and Charlie Crossfield were continuing to meet with the City of Austin regarding an interlocal agreement dealing with SH 45 right-of-way acquisition. He also urged the commissioners to appoint a representative from Williamson County to the CAMPO Loop 1/US 183 Special Corridor Committee.

AGENDA ITEM 37

Discuss and take any appropriate action on jail/courthouse annex expansion.

Ronald Swain of Georgetown asked Judge Doerfler if there would be a public hearing on the location of the jail/courthouse annex expansion project, to address neighborhood concerns.

Judge Doerfler stated that the decision had been made regarding the location, and that he did not anticipate a public hearing on the matter.

No action was taken on this agenda item.

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 10:37 A.M. ON TUESDAY, JULY 3, 2001.

AGENDA ITEM 38

Discuss potential litigation: Property Damage claim Mr. James Bryant (EXECUTIVE SESSION REQUESTED as per VTCA Govt. Code sec. 551.071 consultation with attorney)

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 10:45 A.M. ON TUESDAY, JULY 3, 2001.

< Attachment >

**Williamson County Attorney
Gene Taylor
405 M.L.K., #7
Georgetown, TX 78626
(512) 943-1111
(512) 943-1120 fax**

Memo

To: Jane Tableriou
From: Warren O. Waterman
CC:
Date: 06/28/01
Re: Vehicle Damage Claim

Attached please find documentation supporting a claim for property damage by Mr. James Bryant.

There is only one estimate provided instead of the usual three due to the car not being driveable and Mr. Bryant not wishing to have the car towed around to various places to get multiple estimates.

Please place this item on the agenda for the next Commissioner's Court meeting scheduled for July 3, 2001. If there is anything else you need provided or if I can be of assistance in any way, please contact me at the address or telephone number listed above.

Mr. Waterman;

6-02-01

I am submitting a claim for damages done to my car by the Williamson County Road and Bridge crew while cutting branches from a tree that had fallen during a thunderstorm on 5-20-01.

To bring you up to date here is the story:

My car was parked at 9708 Meadowheath and Waters Race Ct. on the evening of 5-20-01. At approximately 9:30 pm a thunderstorm came through the area with strong winds. The wind blew down a large diameter limb from a tree on the property of Vicky and Miguel Castro onto my car parked in the street. The car is a 1993 Mazda MX6. I went to the site at 10:30 pm and found the limb on my car. The impact had shattered the front and back windows of the car but otherwise it was ok. The Williamson County police came and filed a report case #C01-05-4184. The Williamson County Road and Bridge crew showed up around 10:45 to cut branches from the tree because it was blocking the road. I stayed until the R&B crew ran out of gas for their chainsaws which was about 12:00 am. Up till this point they had only trimmed branches that were out into the road. Other larger branches were supporting the weight of the tree from falling further onto my car. I said I would be back in the morning to get the car.

The next day, 5-21-01 I came back and found the tree trunks on the hood of my car. The R&B crew had attempted to cut the remaining tree branches without supporting the larger portion of the trunk above my car. Mrs. Castro was there the entire time the R&B crew was cutting branches and said she couldn't believe they were continuing to cut without supporting the tree above my car. They just cut it and let it fall onto the car. Her phone # is 336-2786 if you need an eyewitness to the situation. The following photos were taken on 5-21-01 at approximately 9:00 am before they came and removed the rest of the tree later that day.

Photos 1 & 2 show the cut tree trunk on the hood of the car. Given the position of these trunks it would have been impossible to have made the chainsaw cuts without cutting into the hood of the car. There are no chainsaw marks on the hood, therefore the trunks were allowed to drop onto the hood creating the damage seen in the photos. Photo 3 shows the front of the car. Photo 4 shows cuts made into the trunk in front of the car with no support to keep them from falling. Photo 5 shows damage to the left front fender and door. My son opened this door the night before to remove his CD player and it was fine. We could not open it the next day without causing more damage because the fender was now crushed into it. Photo 6 shows the trunk separated from the main tree. The night before this was intact and supported by other branches.

The other two photos show the damage created by the tree falling onto the vehicle after it was cut unsupported. These were the photos I submitted to Northwest Body and Paint for a rough estimate to repair. The estimate was \$3000.00 minus the windshield, which was not R&Bs fault. This estimate is based on the photos only. There is more damage to the supporting areas of the body panels and additional damage to the engine. The car will

start but the accelerator is not functional. I also got a quote on the window glass which was broken before the R&B crew started cutting and it would be about \$500.00 to replace both front and back windows. Bottom line I could have fixed the car for about \$500.00 dollars before the R&B damages were incurred.

The N.A.D.A fair market retail appraisal on this vehicle is \$5100.00 in good condition. My car had low mileage 90K, the interior was perfect, and the body was in good shape. It also has new tires. I understand that the damage caused to the windows prior to the R&B crew is my responsibility but at that point I could have fixed the glass for \$500.00 and still had a driveable vehicle. After the damage caused by the R&B crew the car is essentially a total loss. I had the car ~~was~~ towed to my residence at 12508 Dove Valley Tr. If you would like an adjuster to look it over to verify this information feel free to do so. I can't afford to have it towed to body shops and back at this time for full estimates and that is why I had Northwest estimate from the photos.

The rough estimate is basically \$3000.00. This is based on the photos only. There is more damage beneath the fenders and hood and to the motor. I feel \$4200.00 would be a fair market settlement for the damage caused by the R&B crew. Please contact me with regards to this matter as my wife has been without transportation for 2 weeks and will continue to be without until this is resolved.

Thank you for your help.

James Bryant
12508 Dove Valley Tr.
Austin, Tx. 78729
335-1849 hm
491-9500 wk





Page 135

Q
KAR
GOLD
CLASS

[illegible]

FILE COPY

CAPITOL CITY JEWELRY
7500 SOUTH CONGRESS
AUSTIN, TX 78745
820-252-7245

Sim Bryant

CASH

SOLD TO

SHIP TO

SALSMAN
SER-1 CSH CASH ESTIMATE

TAX CONF

SHIP VIA

Page 1

QUANTITY PART NUMBER AND DESCRIPTION

STK#002376 GL7-7
V#1YVGE31A7P5106728

UNIT PRICE EXTENSION

Requested 94 MX6
1 275-58539 1U-BACK GLASS
Requested 94 MX6

STK#001064 GL3-37
V#1YVGE31B5P5211140

150.00 150.00

ALL SALES ARE FINAL-PART REPLACEMENT GUARANTEE ONLY!

Subtotal	275.00	
Taxable	275.00	TAX TX 22.69
Parts	275.00	TOTAL 297.69

RECEIVED BY

REFERENCE #	DATE
5/25/01	1:49 PM
P.O. #	CUSTOMER #



Appraisal Report
Official Used Car Guide - Import
Consumer Edition
May 25, 2001

www.nadaguides.com

MAZDA**1993****MX-6 - Front Wheel Drive**

Body Style:	Coupe 2 Door
Model Number:	GE31A
Weight:	2,600
Average Trade-In:	\$3,675
Average Retail:	\$5,100

 [Print Report](#) [Get Another Price](#)

Average Trade-In — An Average Trade-In vehicle should be clean and without glaring defects. Tires and glass should be in good condition. The paint should match and have a good finish. The interior should have wear in relation to the age of the vehicle. Carpet and seat upholstery should be clean and all power options should work. The mileage should be within the acceptable range for the model year. The "Average Trade-In" value is a national average calculated from the Official Used Car Guide's nine regions. The "Average Trade-In" value for your vehicle could be higher or lower than the national average due to your local market conditions.

Average Retail Value — An average retail vehicle should be clean and without glaring defects. Tires and glass should be in good condition. The paint should match and have a good finish. The interior should have wear in relation to the age of the vehicle. Carpet and seat upholstery should be clean, and all power options should work. The mileage should be within the acceptable range for the model year.

An Average Retail vehicle on a dealer lot may include a limited warranty or guarantee, and possibly a current safety and/or emission inspection (where applicable).

(*) Vehicles with low mileage that are in exceptionally good condition and/or include a manufacturer certification can be worth a significantly higher value than the Average Retail price shown.

The web Trade-In, Retail Vehicle, and Optional Equipment values, as well as the Acceptable Mileage Ranges, are based on the Quarterly edition of the N.A.D.A. Official Used Car Guide ®.

AGENDA ITEM 39

Discuss and take any appropriate action on potential litigation: property damage claim of Mr. James Bryant.

No action was taken on this agenda item.

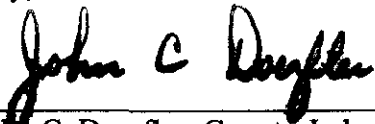
AGENDA ITEM 40

Comments from commissioners.

There were no comments from commissioners.

COMMISSIONERS' COURT ADJOURNED AT 10:46 A.M. ON TUESDAY, JULY 3, 2001.

THE FOREGOING MINUTES recorded on Minutes Pages 1 through 138, inclusive had at a Special Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 17th day of July, 2001.



John C. Doerfler, County Judge

ATTEST: Nancy E. Rister, Clerk County Court & Ex-officio Clerk,
Commissioners' Court, Williamson County, Texas

By: 

Deputy Clerk