



Mayor Mario Vasquez
Mayor Pro Tem Raymond Elmore
Councilwoman Brenda Campbell
Councilmember Gerald Hollis
Councilmember Steve Nichols
Councilmember Demarcus Odom

Hutchins City Hall
321 N. Main Street
Hutchins, TX 75141
www.cityofhutchins.org

NOTICE OF MEETING - MINUTES
HUTCHINS CITY COUNCIL MEETING – SPECIAL CALLED
MONDAY, SEPTEMBER 24, 2018, 6:00 P.M.

A. CALL TO ORDER/ROLL CALL: *The Mayor will call the meeting order and declare a quorum.*

Mayor Vasquez requested a roll call and called the meeting to order at 6:30 p.m.

Present: Mayor Mario Vasquez
Mayor Pro Tem Raymond Elmore
Councilmember Gerald Hollis
Councilmember Demarcus Odom
Councilmember Steve Nichols
City Attorney Joe Gorfida

Absent: Councilmember Brenda Campbell

B. REGULAR AGENDA:

1. Discuss and consider a claim filed by Fin and Feather regarding property damage at 1500 E Cleveland St, Hutchins, TX 75141.

City Administrator Lewis briefed the city council on the series of overflow issues reported on March 26, 2018 at the Sikes Lift Station causing a sewer spillage into the lakes at Fin and Feather Club of Dallas and resulting in fish killed. Fin and Feather Club of Dallas filed a claim with the city's property insurance carrier, Texas Municipal League Intergovernmental Risk Pool (TMLIRP), who denied the claim. Representatives of Fin and Feather requested a meeting with the city council to dispute the claim or discuss other means to resolve the claim for damages.

Fin and Feather Club of Dallas board members Bryan Ward and John Hall were present as well as property manager and caretaker Reid Lambert. Mr. Lambert presented pictures of the species killed in the sewer spill, explained the annual restocking schedule, and amounts spent per stocking cycle. Mr. Lambert informed council that the revised claim was for the cost to restock only and not water treatment. They determined that the lake levels were back to normal range. Robert McWayne, City of Hutchins Interim Operations Manager, informed council that about three months after the incident the city had water samples tested and confirmed that the lake levels were at normal range.

Mr. Ward and Mr. Hall expressed their concern with the lack of explanation in the denial of claim by TMLIRP. City Attorney Joe Gorfida explained the city's sovereign immunity and the Texas Torts Claim Act.

The City Secretary read into the record Section 551.071 of the Texas Government Code, the city council's right to convene in executive session to seek confidential legal advice from the city attorney. Mayor Vasquez moved council into executive session at 6:22 p.m.


Mayor Vasquez reconvened the city council into regular session at 6:42 p.m. and announced a proposed settlement offer of \$15,000. Councilmember Nichols made a motion to authorize the city administrator and city attorney to negotiate and executive a settlement and release agreement for damages incurred by Fin and Feather regarding the March 26, 2018 sewer overflow in an amount of \$15,000, seconded by Councilmember Hollis. Mayor Vasquez asked for a roll call vote. All in favor, the motion carried unanimously 4 – 0.

D. ADJOURNMENT

Mayor Pro Tem Elmore made a motion seconded by Councilmember Hollis to adjourn the meeting at 6:43 p.m. Mayor Vasquez requested a roll call vote. All in favor, the motion carried unanimously 4-0.

PASSED AND APPROVED BY THE HUTCHINS CITY COUNCIL AT A REGULAR MEETING HELD ON OCTOBER 1, 2018.

APPROVED:



Mario Vasquez, Mayor

ATTEST:



Cynthia Olguin, City Secretary

