

**MINUTES OF FEBRUARY 20, 2018, MEETING
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 48**

A regular meeting was duly called of Harris County Emergency Services District No. 48, which was held at the District Administrative Building located at 21201 Morton Road, Katy, Texas 77449 on Tuesday, February 20, 2018.

CALL MEETING TO ORDER AND ESTABLISH A QUORUM.

The meeting was called to order at 7:00 p.m. by **Marshall Kramer**, President, who announced that a quorum was present. Those Commissioners present were:

Marshall Kramer	Present
Sam Henderson	Present
Bret Fossum	Present
Russell Solomon	Present
Michael Fleming	Present

Also present at the meeting were Fire Chief and Emergency Management Director, Jeff Hevey, Assistant Chief of Administration, Tommy Westall, Assistant Chief of Operations, Les Fulgham, Division Chief of Logistics, Ray Sidwell, HR Office Manager, Walla Mourad, Assistant Office Manager, Jackie Tobar, Public Information Officer, Simon VanDyk, Firefighter, Nick Bourdumis, Firefighter, Chandler Huber, Firefighter, Richard Hughes, Firefighter, Jeremy Perez, Firefighter, Cassidy Wallace, Firefighter, Travis Williams, and other ESD Members. Also, Rich Majeres with Ubernosky & Majeres, PLLC, Hart Mason, President and Jared Laday, Vice President with Branch Towers III, LLC, Hieu Hart with Wiesner Engineering, Mr. Littlejohn, District's Realtor, and Ira Coveler, of the law firm of Coveler & Peeler, the District's legal counsel, was also present.

TO ADMINISTER OATHS TO NEWLY HIRED AND/OR PROMOTED EMPLOYEES IN SERVICE TO THE DISTRICT.

The meeting initially started in the training room. Fire Chief, Jeffrey S. Hevey, welcomed all of the guests to the Swearing-In and Promotion Ceremony being conducted at the meeting.

The Pledge of Allegiance led by Assistant Chief of Operations, Les Fulgham.

The Opening Prayer led by Chaplain, Mardie Menke.

Swearing-In and Promotion Ceremony of the following individuals to Full-Time Firefighters Driver/Operator EMT-Basic:

Nick Bourdumis
Chandler Huber
Richard Hughes
Jeremy Perez
Cassidy Wallace

Travis Williams

The Board congratulated the Department as well as these new members. **Marshall Kramer** announced that the remainder of the meeting would be moved into the meeting room, but that anyone was welcomed to join and attend that meeting.

TO REVIEW AND TAKE ACTION ON MATTERS RELATING TO CALLING AN ELECTION TO BE HELD ON MAY 5, 2018.

- a. To consider and take action on such other Orders, Resolutions and related matters as required or appropriate to call for the District election.

Mr. Coveler announced that the District had received four (4) candidate applications for the two (2) seats available for the election. Mr. Coveler explained that the District would again have a substantial number of mail ballots to send out, newspaper notices would be required, the Board would need to appoint and confirm signature verification committees in the future and appoint a Early Voting Ballot Board. While no action was taken, there was a brief discussion held on this item regarding the conducting of the election.

TO RECEIVE PUBLIC COMMENT.

No public comment made.

TO REVIEW AND TAKE ACTION ON MINUTES OF PRIOR MEETINGS.

Mr. Coveler stated all of the minutes have been completed for 2017 and are current. Mr. **Henderson** made a motion to approve prior meeting Minutes for 2017 that had not been previously approved. Mr. **Fleming** seconded the motion. The motion passed 5 to 0.

TO RECEIVE AND REVIEW THE MONTHLY SALES TAX REPORT.

The monthly Sales Tax Report was emailed to the Commissioners by Mr. Fortner. The Board reviewed the Sales and Use Tax Administration Report. Thereupon, Mr. **Henderson** made a motion to approve the monthly Sales Tax Report as received. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

Please see the report from Ryan Fortner with Wheeler & Associates, Inc. for complete listings and details of all figures presented.

TO RECEIVE A FINANCIAL REPORT FROM THE DISTRICT BOOKKEEPER AND TAKE ANY ACTION RELATED THERETO.

Mr. Rick Majeres with Ubersnosky & Majeres, PLLC presented the District's Financial Report. Mr. Majeres went over Cash Balances as of February 20, 2018:

The District's combined cash and investment assets total \$14,356,883.25. The District's combined liabilities & equity total \$15,146,474.74. The District currently has seven percent (7%) in reserves and has collected ninety-three percent (93%) of the anticipated *ad valorem* tax

revenue for the year so far. Additionally, the District has collected \$740,413.71 in Sales Tax Revenue during the last two (2) months of 2018 which represents 24.7% of the total budgeted amount of Sales Tax Revenue.

Mr. **Henderson** made a motion to accept the Financial Report from the District Bookkeeper as presented. Mr. **Fossum** seconded the motion. The motion passed 5 to 0.

Please see the report from **Rich Majeres** with Ubernosky & Majeres, PLLC for complete listings and details of all figures presented.

TO REVIEW, DISCUSS AND TAKE ACTION RELATED TO THE DISTRICT'S BANK ACCOUNTS AND DISTRICT INVESTMENT FUNDS, POOLS, AND ACCOUNTS.

The District is in the process of acquiring the Westbound Bank account by March 2018. The District further authorized District counsel to prepare the necessary resolutions for Westbound Bank to open the bank account.

TO PAY DISTRICT INVOICES AND EXPENSES.

Ms. Tobar presented the Board with the District bills. The Board reviewed and discussed the District bills. Mr. **Henderson** made a motion to approve the District bills related to expenses incurred by the District since the prior meeting. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

TO RECEIVE A REPORT FROM CHIEF JEFF HEVEY AND TAKE ANY NECESSARY ACTION RELATED TO HIS REPORT.

Chief Hevey presented his report to the Board. Chief Hevey stated, "Harris County ESD No. 48 has hired six (6) Full-Time Firefighter Driver Operator EMT-Basic employees who have just been sworn in. We finished interviewing twelve (12) Full-Time Firefighter EMT-Basic positions, their conditional offer letters have been sent out, and their expected start date is on April 2, 2018. They are currently in the process of going through background checks, medical evaluations, drug testing and other steps to become part of the Department." Chief Hevey added, "we have allowed the Battalion Chiefs and Lieutenants to be a part of the interview process since they are the ones who mentor, spend the most time with the new hires, and see their strengths and weakness." Chief Hevey announced that "we are bringing in quality people. The new-hires will be going through a two (2) week training period. I sent out an advertisement for the Community Risk Reduction position. Lieutenant Johnson is not quitting the Department. She is just stepping down from that role."

TO RECEIVE AN EMS DIVISION REPORT AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.

Chief Hevey presented the EMS Report in absence of Chief Bank. Chief Hevey stated, "EMS interviewed seven (7) people for the Division Chief position. We will know on Monday who was chosen for the position." EMS had a total of 719 EMS calls year to date. Average response time was six minutes and forty-seven seconds (6:47). There were four-hundred and twenty-one (421) non-transport/non-emergency. Life-flight was utilized three (3) times. EMS

responded to thirty-five (35) calls in a 24-hour period. EMS provided mutual aid fourteen (14) times to Westlake FD and received mutual aid five (5) times from Westlake FD. Chief Hevey stated, "Chief Bank has four (4) more Full-Time Paramedic employees to hire for 2018."

TO RECEIVE A FIRE DIVISION REPORT AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.

Chief Fulgham presented his Fire Division Report. The total District calls in January were 897: Suppression Apparatus 297, EMS Assist 130, Motor Vehicle Incidents 59, Suppression 167, Mutual Aid 40 total requests, 23 arrivals: (1) Katy FD, (3) Cy-Fair FD, (18) Westlake FD, and (2) Willowfork FD. The District's year to date calls total 1,400, that is an average of 28 calls per day. Chief Fulgham stated, "We currently have 27 Full-Time Suppression, (49) Part-Time, (52) Volunteers, and (17) Rehab personnel. The Training Division is prepping for new Driver/Operator and Firefighter orientations. We have had three (3) completed Bi-Weekly pay periods with wages YTD \$814,364.74 and completed two (2) Monthly pay periods with wages YTD \$39,520. The 2018 budgeted wages Bi-Weekly and Monthly combined is \$7,286,025. The projected 2018 wages based on YTD totals is \$7,294,947.75. The projected amount over/ under and percentage over/under is \$89,922.75 (0.12%)."

TO RECEIVE ANY ADMINISTRATIVE REPORTS FROM THE DEPARTMENT AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.

Chief Westall presented the Administrative Report. Chief Westall stated the Report on QuickBooks looks fairly good. Chief Westall has been emphasizing the importance of safety driving to the District's Employees.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING ADOPTION, AMENDMENT, AND EXPLANATION OF DISTRICT POLICIES, PROCEDURES, AND STANDARD OPERATING GUIDELINES.

Chief Hevey reported that the Public Information Officer and the Community Risk Reduction Officer SOGs have both been completed.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING THE DISTRICT'S EMPLOYEE HANDBOOK.

The Harris County ESD No. 48 Handbook has been revised to include accumulated sick leave and clarifies that sick leave is not paid out. However, unused and accrued vacation is paid out when an Employee departs from the Department, however there are limits as set forth in the District's Employee Handbook and per policy of the Department as may be amended..

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING THE DISTRICT'S 2018 HONORS AND RECOGNITION DINNER.

The District's 2018 Honors and Recognition Dinner will be held on April 20, 2018, at 6:00 p.m. Captain Fabricant is requesting approval from the Board to purchase backpacks. Mr. **Henderson** made a motion to allow authorization to Captain Fabricant for acquisition of backpacks to not exceed \$13,750 for the quantity of two-hundred and seventy-five (275) backpacks. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION WITH RESPECT TO PREPARING FOR THE ANNUAL SAFETY FEST EVENT.

Lieutenant VanDyk discussed the 2018 Annual Safety Fest event. Lieutenant Vandyk stated, "There will be a 5k Fun Run included in this year's Safety Fest Event, and we will also have the Passport event. Our next internal meeting is in March. We will be finalizing Sponsors in two (2) weeks." Lieutenant Vandyk continues, "We have never put financials in to marketing, and if we do it, I believe it will be a great impact and possibly receive some assistance from our neighboring ESDs. *Impact Magazine* would be an ideal start to marketing HCESD No. 48, and it costs \$3,200 to be inside one page."

Mr. **Solomon** made a motion to allow payment in the amount of \$3,200 to obtain a full one (1) page advertisement for *Impact Magazine* for marketing the 2018 Annual Safety Fest event. Mr. **Fleming** seconded the motion. The motion passed 5 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING ENTERING INTO AN AGREEMENT WITH MIX DOCTORS MOBILE DJ SERVICES.

Mr. **Henderson** made a motion to authorize a contract agreement with Mix Doctors Mobile DJ services in the amount of \$900. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING ENTERING INTO A GROUND LEASE AGREEMENT WITH BRANCH TOWERS III, LLC.

Mr. Hart Mason, President and Jared Laday, Vice President with Branch Towers III, LLC discussed the following:

Mr. Mason: "The Lease will be with Branch Towers III, LLC. We build for four (4) major carriers, one of them is T-Mobile. The Lease will be for fifty (50) years. \$800 dollars monthly is paid to the District, during the preliminary phase, and then \$700 dollars a month rent.

Mr. Fossum: "What kind of criteria do you consider?"

Mr. Mason: "FAA, FCC, TRIBAL, and DENTRAMENTAL."

Mr. Solomon: "What is your proposed construction time?"

Mr. Laday: "We would need to go through the process, it takes one-hundred eighty (180) days of construction process, a foundation needs to be drilled. This location is suitable for us."

Marshall: "What happens if T-Mobile wants to abandon it? We would look for another carrier? The reason I ask is because technology is changing so fast."

Mr. Laday: "Carriers have an obligation to us, and we have an obligation to you, and the structure is designed to utilize all."

Mr. Coveler: "If we wanted to structure this as a sale, as to opposed to a lease option, would that be possible?"

Mr. Laday: "Yes."

Mr. Laday asked the Board when they might make a decision. Mr. Coveler explained to Branch Tower III, LLC how the ESD meetings process worked.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING OBTAINING A NEW CONTROLLED ACCESS SYSTEM FOR THE DISTRICT FACILITIES.

Item tabled.

TO REVIEW, DISCUSS AND TAKE ACTION ON ANY EQUIPMENT, VEHICLE MAINTENANCE, AND STATION MAINTENANCE MATTERS.

Chief Hevey discussed updates on HCESD No. 48 Vehicles: "Tower 4 will be ready by tomorrow, the cost of the damage was \$49,000. Engine 1 is back in service."

TO REVIEW, DISCUSS AND TAKE ACTION ON APPROVAL OF EXPENSES RELATED TO UPCOMING CLASSES (FIREFIGHTING, EMS OR ADMINISTRATIVE), COURSES MATERIALS, EQUIPMENT AND RELATED EXPENDITURES INCURRED FOR THE BENEFIT OF THE DISTRICT.

Item Tabled.

TO REVIEW AND TAKE ACTION ON DISTRICT PERSONNEL MATTERS INCLUDING ACTIONS REGARDING COMPENSATION, PROMOTION, DEMOTION, BENEFITS, SCHEDULING, RETENTION, HIRING AND/OR TERMINATION OF EMPLOYEES.

Item tabled.

TO REVIEW, DISCUSS AND TAKE ACTION ON SUBMITTALS BY THE DISTRICT OF THIRTY (30) DAY ADVANCE REQUEST(S).

Item tabled.

TO REVIEW, DISCUSS AND TAKE ACTION FOR THE SALE OR DISPOSAL OF SURPLUS AND/OR SALVAGE PROPERTY PURSUANT TO TEXAS HEALTH AND SAFETY CODE §775.251.

Item tabled.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING OBTAINING PROPERTY SITES FOR THE DISTRICT'S NEXT FIRE STATION PROJECT.

Mrs. Hieu Hart with Weisser Engineering discussed property sites for the District's next Fire Station project.

Mrs. Hart: "I recommend to build the Station higher. Detention is provided by the pond which will make tax fees a bit higher. Option three (3) has a major drainage swell that goes right through the property at forty (40) feet. If you look at the highest point of the road, Bella Katy sites are already elevated.

Commissioners agreed that option three (3), the Grand Reserve is not an option.

Mr. Coveler: "What is the expected tap fee? Mrs. Hart responded that we should expect between \$150,000 to \$200,000.

Mr. Kramer: "Do we have to add slab to heighten for floods?"

Mrs. Hart: "I recommend that we do since we are an Emergency Response facility."

Mr. Littlejohn: "5.53 acres Bella Katy option one (1) is asking for \$16.00/foot, and it is eighteen (18) acers. 5.98 Bella Katy option two (2) is asking for \$18.00/foot.

Chief Hevey: "Option one (1) is what is more ideal for the District."

TO REVIEW, DISCUSS AND TAKE ACTION TO ADOPT AND IMPLEMENT THE DISTRICT'S FALSE ALARM POLICY PURSUANT TO TEXAS HEALTH AND SAFETY CODE §775.040.

Chief Hevey presented the Board with an SOG for False Fire Alarms. The SOG states a \$200 charge after the first three (3) false alarms, each time the Fire District is dispatched for an automatic false alarm.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING ANY MATTERS RELATED TO WEBSITE AND DIRECT MAILING PUBLIC OUTREACH.

Mr. Coveler stated the letter explaining exemptions is currently posted on the District's website. Mr. Henderson made a suggestion that if the ESD receives a call to mail the individual a copy of the letter.

TO DISCUSS ANY NEW ITEMS WHICH NEED TO BE ON THE AGENDA FOR THE SUBSEQUENT DISTRICT MEETINGS AND APPROVE THE PROPOSED MEETING DATES FOR THE BILL PAY MEETING ON MARCH 7, 2018, AND REGULAR MONTHLY MEETING ON MARCH 20, 2018.

Chief Hevey stated that he will be swearing in EMS personnel at the next ESD meeting held on March 20, 2018.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING HVAC ISSUES AT STATION NO. 3.

Chief Sidwell discussed HVAC issues at Station No. 3. "HTS will replace thermostats. Traylor Mechanical will be at Station No. 3 to fix the hole found in the duct work. Crews were asked to report data on a daily basis. Software settings were changed the day of the HVAC meeting. We agreed to meet after thirty (30) days."

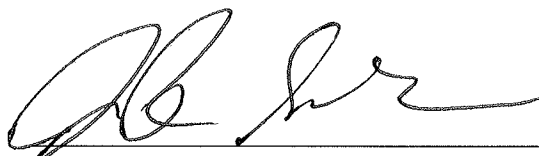
EXECUTIVE SESSION, PURSUANT TO GOVERNMENT CODE §551.072, TO DISCUSS REAL ESTATE MATTERS OR GOVERNMENT CODE §551.074 TO DISCUSS DISTRICT PERSONNEL MATTERS, DISTRICT EMPLOYMENT VACANCIES, AND HIRING.

District counsel recommended to the Board that the Commissioners meet in closed session to discuss real estate matters pursuant to Texas Government Code §551.072. President Kramer next announced at 10:04 p.m., that the meeting was being conducted as a closed session. Following the announcement, the Board met in closed session to discuss the real estate options presented by Mr. Littlejohn. The Board exited closed session at 11:04 p.m.

Following closed session, President Kramer reopened agenda item 25 regarding real estate. Mr. **Henderson** made a motion to authorize Mr. Littlejohn and Mr. Coveler to work together to obtain the property sites as discussed in closed session and upon the terms authorized. Mr. **Fossum** seconded the motion. The motion passed 5 to 0.

ADJOURNMENT.

Mr. **Henderson** moved to adjourn the meeting at 11:08 p.m. Mr. **Solomon** seconded the motion. The meeting was adjourned.

A handwritten signature in black ink, appearing to read 'Russell Solomon', written over a horizontal line.

Russell Solomon
District Secretary