

**MINUTES OF APRIL 16, 2019, 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 Administration Building located at 21201 Morton Road, Katy, Texas 77449 on Tuesday, April 16, 2019.

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	Absent
Bret Fossum	Present
Russell Solomon	Present
Michael Fleming	Present

Also present at the meeting were Assistant Chief of EMS, Eric Bank, Assistant Chief of Administration, Tommy Westall, Assistant Chief of Operations, Brett Ellis, Division Chief of Logistics, Ray Sidwell, Battalion Chief of EMS Training, Kevin Leverage, HR Office Manager, Walla Mourad, Assistant Office Manager, Jackie Tobar, and other ESD Members. Also, Derek Michael with Sales Revenue Inc., Rich Majeres with Ubersnosky & Majeres, PLLC, Ricardo Martinez with Martinez Architects, LLC, and Ira Coveler with the law firm of Coveler & Peeler, the District's legal counsel, were also present. Hieu Hart of Jacobs Engineering Group joined the meeting via teleconference.

WELCOME BY ACTING FIRE CHIEF TOMMY WESTALL AND SWEARING-IN AND PROMOTION CEREMONY OF NEW PERSONNEL OF THE DISTRICT.

Acting Fire Chief, Tommy Westall, welcomed all to tonight's Swearing-In and Promotion Ceremony.

The Pledge of Allegiance led by Acting Fire Chief, Tommy Westall.

The Opening Prayer led by Suppression Division Chief of Training, Glen Trahan.

Swearing-In and Promotion Ceremony:

Assistant Chief of Operations Promotion:
Brett M. Ellis

Meeting briefly held in recess to move into the District's regular meeting room.

TO RECEIVE PUBLIC COMMENT.

No public comment.

TO REVIEW, DISCUSS, AND TAKE ACTION RELATED TO THE MONTHLY SALES TAX REPORT.

Mr. Michael presented the Monthly Sales Tax Report. A review of the monthly reports provided by the Comptroller of Public Accounts reflects 3,254 active taxpayer accounts coded to Harris County Emergency Services District No. 48. Average number of taxpayers filing each month: 1,745. Sales tax receipts for calendar year 2019 total \$1,430,049.31. For tax year 2019 (March-February), sales tax receipts total \$647,930.39. Within the District's recent sales tax allocation, forty-six (46) businesses filed local taxes in excess of \$1,000. It is important to note that the taxpayers with returns over \$1,000 reflect 79% of the total monthly allocation, with combined filings of \$237,056.24. Harris County Emergency Services District No. 48 has received \$12,680,274.57 in sales tax receipts since the October 1, 2014 effective date. The April, 2019 local tax allocation to be refunded to the District totals \$349,101.79.

Please see Report from Derek Michael with Sales Revenue, Inc. for a complete listing and details of all figures presented.

Thereupon, Mr. **Solomon** made a motion to accept the Monthly Sales Tax Report as presented. Mr. **Fleming** seconded the motion. The motion passed 4 to 0.

TO PAY DISTRICT INVOICES AND EXPENSES AND TAKE ACTION RELATED TO THE DISTRICT'S INVESTMENT FUNDS.

Ms. Tobar presented the Board with the District bills. The Board reviewed and discussed the District bills. Mr. **Fossum** 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 4 to 0.

Chief Westall discussed closing and moving funds from Guarantee Bank & Trust to Texpool or Texas CLASS. Mr. **Solomon** made a motion to approve moving funds from Guarantee Bank & Trust to Texpool and or Texas CLASS as Chief Westall shall best determine. Mr. **Fossum** seconded the motion. The motion passed 4 to 0.

TO RECEIVE A PRESENTATION FROM MR. RICARDO MARTINEZ OF MARTINEZ ARCHITECTS, LP AND TO REVIEW THE CONSTRUCTION PROPOSALS RECEIVED RELATED TO THE DISTRICT'S NEW FIRE STATION NO. 1 FACILITY.

Mr. Martinez discussed the following items in his presentation:

Design Activities:

- The Design Team has finalized construction documents
- Documents have been issued to Harris County for permitting – awaiting Civil approvals
- MA has received Proposals
 - 11 bids received
- Temporary Facility
 - Water tap received from Harris-Fort Bend County MUD 3
 - \$203,209.68

- Schedule – to be coordinated with Law Construction

Anticipated Activities:

- Building Committee to proceed with scoring the bidders to narrow it down to the top qualified firms to interview
- Interviews to be scheduled for final recommendation to the Board for approval

Construction Activities:

- No activities

Schedule:

- Will be updated

Financials:

- No action

TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING THE FORMATION OF ANY NEEDED COMMITTEES AND THE SELECTION OF A CONTRACTOR TO CONSTRUCT THE DISTRICT'S NEW FIRE STATION NO. 1 FACILITY.

Interviews are being scheduled to conduct the for a final recommendation on Friday, May 17, 2019, from 1:00 p.m. to 4:00 p.m. The Board discussed show should sit on the committee. The Board requested that Commissioner **Kramer**, Commissioner **Solomon**, Ricardo Martinez, Chief Jeff Hevey, Assistant Chief Brett Ellis, Assistant Chief Tommy Westall and Division Chief Ray Sidwell sit on the interview scoring panel. Following a discussion Mr. **Solomon** made a motion to approve the recommended persons to serve on the interview scoring panel. Mr. **Fossum** seconded the motion. The motion passed 4 to 0.

TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING FINANCING THE COST OF CONSTRUCTION FOR THE DISTRICT'S NEW FIRE STATION NO. 1 FACILITY.

This agenda item will be addressed at next District bill-pay meeting.

TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING THE DISTRICT'S TEMPORARY FACILITY LOCATED AT THE STATION NO. 1 SITE INCLUDING MATTERS RELATED TO LAW CONSTRUCTION AND BOXX MODULAR.

Item tabled.

TO RECEIVE THE FINANCIAL REPORT FOR THE DISTRICT PREPARED BY THE DEPARTMENT ADMINISTRATIVE STAFF IN CONJUNCTION WITH MR. RICH MAJERES AND TAKE ANY ACTION RELATED THERETO.

Mr. Majeres with Ubernosky & Majeres, PLLC presented the District's Financial Report. As of April 19, 2019, the District's combined Cash Balances (Current Assets) total

\$13,260,750.87. The estimated remaining Property Tax Collections are \$344,826. The estimated projected remaining 2019 Sales Tax Collections are trending to fall short of the estimated budget number with a currently estimated remaining difference of \$350,000. The estimated remaining 2019 EMS Billing Collections appear to be shallowing as well and are now expected to total just over \$1.7 million for 2019. The estimated amount remaining to be paid pursuant to the ESD 1 Agreement is \$125,000. The remaining 2019 Budgeted Expenses are \$12,443,300. The projected Cash Reserve for 12/31/2019 is \$6,152,273. The District's Total Debt Service Outstanding is \$18,015,197. The District's combined Note Balances (Liabilities & Equity) total \$14,062,984.59. The District has collected \$1,080,947.52 in Sales Tax Revenue for 2019.

Mr. **Fossum** made a motion to accept the Financial Report from the District Bookkeeper as presented. Mr. **Solomon** seconded the motion. The motion passed 4 to 0.

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

TO REVIEW AND TAKE ACTION ON GRANTING EXEMPTIONS FOR 2019.

The Board discussed grant exemptions for homestead, disability, and over 65. Following a discussion, Mr. **Fossum** made a motion to have the Homestead exemption remain at \$-0-, the Over-65 exemption to remain at \$20,000 and the Disability exemption will remain \$160,000. Mr. **Fleming** seconded the motion. The motion passed 4 to 0.

TO REVIEW AND TAKE ACTION ON MINUTES OF PRIOR MEETINGS.

Item tabled.

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

No report to present.

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

Chief Ellis discussed the Fire Report. Suppression had a total of 43 calls for March 2019. There was 1 Mutual Aid request. All responses average response time: 6:55. Full-Time Suppression consists of thirty-nine (39) personnel: (3) Battalion Chiefs, (3) Captains, (6) Lieutenants, (15) Firefighter Driver-Operators, and (12) Firefighter EMTs. Part-Time Suppression consists of thirty-nine (39) personnel: (3) Captains, (10) Lieutenants, and (26) Firefighter/Driver-Operators. Volunteer Suppression consists of forty-nine (49) personnel. Rehab consists of nineteen (19) personnel.

Upcoming Suppression events: Live Burns will be held from April 17-19 (quarterly). The part-time survey was emailed out and the results will be analyzed and presented at a future

meeting. ESO will be held on May 1, 2019. Battalion Chief process will be held in May, anticipated Captain process to follow.

Acting AC Operations Initiatives: Firefighter Health and Wellness Board for Texas will be held on April 25, 2019. Chief Ellis will be working on a “Mandatory Call-Back” SOG for Full-Timers with Assistant Chief Bank. Chief Ellis discussed Blue Card Mobile Sim Labs costs and benefits.

Mr. **Solomon** made a motion to approve the Mobile Blue Card Sims Lab in the amount of \$9,800. Mr. **Fleming** seconded the motion. The motion passed 4 to 0.

TO RECEIVE THE EMS DIVISION REPORT FROM ASSISTANT CHIEF ERIC BANK AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.

Chief Bank discussed the EMS Report. EMS had a total of 627 calls for March 2019. Average response time was 6 minutes 27 seconds. There were 349 non-transport/non-emergency calls. Life Flight was not used this month. EMS conducted the following Mutual Aid: one (1) call to Community FD; one (1) call to Katy FD; and thirteen (13) calls to Westlake FD.

Chief Bank informed the Board that there are pending publications for whole blood. Dr. Osbourne got picked for abstract presentation publication. We have three (3) new Full-Time Paramedics that will start on Monday, April 22, 2019. One paramedic will be resigning on June 1, 2019. We are up to eight (8) compound medications. Benadryl is currently on backorder at the moment.

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

Item tabled.

TO REVIEW, DISCUSS, AND TAKE ACTION ON ANY NEEDED MAINTENANCE OR REPLACEMENTS OF THE DISTRICT’S EQUIPMENT, APPARATUS, AND FACILITIES.

Chief Sidwell discussed the camera and security systems at all Stations. Chief Sidwell asked permission from the Board to move forward with vendor Climatec LLC, camera and security system project in the amount of \$162,336.

Mr. **Fleming** made a motion to proceed with the proposal from Chief Sidwell to contract with Climatec for an upgrade in Stations cameras and security systems in the amount of \$162,336. Mr. **Solomon** seconded the motion. The motion passed 4 to 0.

REVIEW AND TAKE ACTION ON DISTRICT PERSONNEL MATTERS.

Item moved to executive session.

TO REVIEW, DISCUSS, AND TAKE ACTION FOR THE SALE OR DISPOSAL OF SURPLUS AND/OR SALVAGE PROPERTY PURSUANT TO TEXAS HEALTH AND SAFETY CODE §775.0735.

Chief Sidwell discussed Medic 7 vehicle, still pending sale to South Robberson Rescue.

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 TO BE HELD ON WEDNESDAY, MAY 1, 2019 AT 6:30 P.M., AND THE REGULAR MONTHLY MEETING TO BE HELD ON TUESDAY, MAY 21, 2019 AT 7:00 P.M.

The bill pay meeting to be held on Wednesday, May 1, 2019, at 6:30 p.m., and the regular monthly meeting to be held on Thursday, May 23, 2019, at 7:00 p.m. The swearing in of new personnel and the selection of a contractor for the construction of Fire Station No. 1 will be placed on regular monthly meeting agenda.

TO MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE §551.071 TO CONSULT WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR ON MATTERS WHICH REQUIRE CONFIDENTIALITY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS AND TAX CODE §323.3022 TO DISCUSS SALES TAX MATTERS.

The Board did not exercise the option to meet in Closed Session to discuss sales tax matters.

TO MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE §551.072 TO DELIBERATE REGARDING REAL ESTATE MATTERS.

The Board did not exercise the option to meet in Closed Session to deliberate real estate matters.

TO MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE §551.074 TO DISCUSS PERSONNEL MATTERS.

The Board entered Closed Session to discuss personnel matters at 8:57 p.m. and returned to Open Session at 10:31 p.m.

TO AND TAKE ACTION ON DISTRICT REAL ESTATE MATTERS AND PERSONNEL MATTERS DISCUSSED IN CLOSED SESSION.

The Board did not exercise the option to meet in Closed Session to deliberate real estate matters.

TO REVIEW AND TAKE ACTION ON DISTRICT PERSONNEL MATTERS DISCUSSED IN CLOSED SESSION.

Following a brief discussion in open session about Assistant Chief Eric Bank and the excellent work he is doing for the District and the efforts he has made to promote the District, Mr. **Fleming** made a motion to extend Eric Banks' contract as discussed in closed session. Mr. **Solomon** seconded the Motion. The Motion passed 4 to 0. Mr. Coveler was instructed to prepare a revised contract for Bank's review.

ADJOURNMENT.

Mr. **Fleming** made a motion to adjourn the meeting. Mr. **Solomon** seconded the motion. The motion passed 4 to 0. The meeting adjourned at 10:36 p.m.

The foregoing minutes were passed and approved by the Board of Commissioners on June 18, 2019.

Russell Solomon
District Secretary