

MINUTES OF JUNE 19, 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, June 19, 2018.

CALL MEETING TO ORDER AND ESTABLISH A QUORUM.

The meeting was called to order at 7:03 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 EMS, Eric Bank, Assistant Chief of Administration, Tommy Westall, Assistant Chief of Operations, Les Fulgham, Division Chief of Logistics, Ray Sidwell, Office Manager, Walla Mourad, Rehab Captain, Lou Fabricant, and other HCESD No. 48 Members. Also present were, Rich Majeres with Ubersnosky & Majeres, Ryan Fortner with Sales Revenue Inc., PLLC, Mr. Littlejohn, District's Realtor and Ira Coveler, of the law firm of Coveler & Peeler, the District's legal counsel.

WELCOME BY CHIEF HEVEY AND SWEARING IN CEREMONY OF NEW PERSONNEL OF THE DISTRICT.

Item tabled. The ceremony was rescheduled to the July meeting.

TO ADMINISTER OATH(S) TO NEWLY ELECTED DISTRICT COMMISSIONERS.

Commissioners Mr. Fleming and Mr. Henderson were sworn in to the office of Harris County ESD No. 48 by Mr. Coveler.

TO ELECT DISTRICT OFFICERS.

Mr. **Kramer** called for nominations of the following District officers:

Mr. **Fossum** made a motion to nominate Mr. Kramer as President. Mr. **Henderson** seconded the motion. The motion passed 5 to 0.

Mr. **Henderson** made a motion to nominate Mr. Fossum as Vice President. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

Mr. **Fleming** made a motion to nominate Mr. Solomon as Secretary. Mr. **Fossum** seconded the motion. The motion passed 5 to 0.

Mr. **Kramer** made a motion to nominate Mr. Henderson as Treasurer. Mr. **Fleming** seconded the motion. The motion passed 5 to 0.

Mr. **Solomon** made a motion to nominate Mr. Fleming as Assistant Secretary/Treasurer. The motion was seconded by Mr. **Henderson**. The motion passed 5 to 0.

TO RECEIVE PUBLIC COMMENT.

Captain Fabricant addressed the Board to kindly consider reinstating a part of the exemption funds for the sixty-five (65) and older group.

TO REVIEW AND TAKE ACTION ON MINUTES OF PRIOR MEETINGS.

There was discussion of the minutes, but no action was taken.

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

Mr. Fortner presented the Monthly Sales Tax Report. A review of the monthly reports provided by the Comptroller of Public Accounts reflects 2,691 active taxpayer accounts coded to Harris County Emergency Services District No. 48. Average number of taxpayers filing each month: 1,331. Sales tax receipts for calendar year 2018 total \$2,011,099.95. For tax year 2018 (March-June), sales tax receipts total \$1,270,686.24. Out of the District's current sales tax allocation, fifty-three (53) businesses filed local taxes in excess of \$1,000.00. It is important to note that the taxpayers with returns over \$1,000.00 reflect 80% of the total monthly allocation, with combined filings of \$270,833.16. Harris County Emergency Services District No. 48 has received \$9,192,232.30 in sales tax receipts since the October 1, 2014, effective date. The June 2018 local tax allocation to be refunded to the District totals \$336,982.91.

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

Thereupon, Mr. **Henderson** made a motion to accept the Monthly Sales Tax Report as presented. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

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

Mr. Majeres with Ubernosky & Majeres, PLLC presented the District's Financial Report. As of June 2018, the District's combined Cash Balances (Current Cash Assets) total \$12,378,340. **The District has received more Property Tax revenue than budgeted.** The estimated remaining 2018 Sales Tax Collections is \$2,000,000. The estimated remaining 2018 EMS Billing Collections is \$990,000. The remaining 2018 Budgeted Expenses are

\$8,701,119.00. The District's Total Debt Service Outstanding is \$18,202,867. The District has collected \$1,674,117.04 in Sales Tax Revenue for 2018. Mr. Majeres stated, "In regards to the District's 2017 audit, we have received several boxes from McClennan & Associates and have passed them over to Breedlove."

Mr. **Henderson** made a motion to accept the Financial Report from the District Bookkeeper as presented. Mr. **Solomon** 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 AND TAKE ACTION ON THE DISTRICT'S 2017 AUDIT.

The District's 2017 audit will be presented at the regular ESD meeting in July 2018.

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

Chief Westall stated the District will continue to keep five (5) accounts active when transitioning from BBVA Compass Bank to Allegiance Bank. Mr. Coveler made a recommendation for the Board to use CDARs to allow the District to pool its resources across multiple CD accounts without the necessity to manage multiple Texas banks to hold the CDs. No action was taken.

TO PAY DISTRICT INVOICES AND EXPENSES.

Mrs. Mourad 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. **Fossum** seconded the motion. The motion passed 5 to 0.

TO REVIEW AND TAKE ACTION ON GRANTING EXEMPTIONS FOR 2018.

The Board next addressed agenda the granting of exemptions for 2018. There was discussion regarding these exemptions and the needs of the District. The Board discussed the challenge last year of explaining to seniors why the changes were necessary. Additionally, the Chief and members of the Board stated that there were tremendous expenses in the future in the form of new stations, new apparatus, a new ambulance to be placed into service and additional personnel. Assistant Chief Fulgham and Assistant Chief Bank discussed the increased call volumes that seem to be escalating each year. Assistant Chief Bank discussed the exponential growth in the cost of medications for those requiring EMS services within the District. After review, a Motion was made by Mr. **Henderson**, seconded by Mr. **Solomon** to keep the exemptions the same as those determined in 2017. Those exemption amounts are as follows: Homestead sill remain at \$-0-, the Over-65 exemption will remain at \$20,000 and the \$160,000 Disability exemption will remain in place. After discussion, the Motion was approved by a vote of 5 to 0.

TO REVIEW AND DISCUSS APPRAISAL VALUES OF THE DISTRICT AND AUTHORIZE COUNSEL TO PREPARE AND PUBLISH EFFECTIVE TAX RATE NOTICE.

Mr. Coveler discussed the tax setting process and the anticipated schedule for receiving the certified tax rolls from Harris County. He requested approval to publish the Effective Tax Rate notice when the certified tax appraisal is available. He further added that the tax setting deadlines are very tight and the desire to get in the newspaper as soon as possible to begin the clock on the tax setting process is important. Mr. **Henderson** made a motion to authorize Mr. Coveler to prepare and publish the Effective Tax Rate notice. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

TO AUTHORIZE THE NECESSARY FUND TRANSFERS, DESIGNATE DISTRICT SIGNATORIES AND APPROVE ALL OTHER MATTERS RELATED TO THE DISTRICT'S ACQUISITION OF THE REAL PROPERTY FROM I-10 KATY LTD.

Mr. Littlejohn and Mr. Coveler made a presentation regarding all matters reviewed as part of the property acquisition for the Bella Vita property. Mr. Littlejohn stated that all documents will be emailed to Mr. Coveler for his final review and approval prior to closing and that the resolution Mr. Coveler prepared be signed by Mr. Kramer and Mr. Solomon. A wire transfer in the amount of \$1,705,317.75 would need to be sent to fund the closing if the I-10 Katy property by Thursday, June 21, 2018, before 2:00 p.m.

Mr. **Solomon** made a motion to (1) finalize the closing, (2) empower Mr. Kramer and Mr. Solomon to sign any and all necessary closing documents to acquire the property and (3) authorize the funds transfer to Charter Title Company for the real property closing with I-10 Katy LTD. Mr. **Henderson** seconded the motion. The motion passed 5 to 0.

TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING LONG RANGE PLANNING OBJECTIVES FOR THE FUTURE.

Chief Hevey stated, "We are currently waiting for the next Strategic Planning meeting in order to see the recent status of where people are presently at."

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

Chief Hevey stated, "This week is Fire Safety Stand Down. Chief Ellis and Chief Leverance are teaching the behavioral and mental side of it. I have spent time visiting the Stations to review and explain HCESD No. 48 vision to the Department about the Strategic Planning Committee and how employees can get involved as we continue to grow."

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

Chief Bank presented the District's EMS Report. EMS had a total of 675 EMS calls year to date. Average response time was six (6) minutes and thirty-nine (39) seconds. There were three-hundred and eighty-three (383) non-transport/non-emergency calls. Used Life Flight two (2) times. EMS conducted the following Mutual Aid: five (15) calls to Westlake FD, one (1) call to Fort Bend County, and three (3) calls to Katy FD. Chief Bank stated that he has sent out an internal advertisement for the Community Educator position. Chief Bank will also be interviewing for additional Paramedics to cover the ones who are leaving the Department; a Paramedic has resigned to go back to school, and another Paramedic is retiring to take care of his parents.

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

Chief Fulgham presented the District's Fire Report. Total Department calls for the month of May 2018 were 839 calls. Both Fire and EMS gave Mutual Aid to the following Fire Departments for the month of May: Katy FD (7), Cy-Fair FD (4), Westlake FD (17), Community FD (2), and Willowfork FD (1). Average response times in District Structure Fires: 2:54 minutes. District-wide response times on all responses combined: 6:25 minutes, on average. Full-Time suppression consists of thirty-nine (39) personnel: (3) Battalion Chiefs, (3) Captains, (6) Lieutenants, (15) Firefighter Driver-Operator, and (12) Firefighter EMTs. Part-Time suppression consists of forty-two (42) personnel. Volunteer suppression consists of forty-nine (49) personnel. Rehab consists of twenty (20) personnel. ISO update, Hydrant Flow Tests initial round complete. 31 out of the 35 MUDs have returned the surveys.

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

Chief Westall presented the District's Administrative Report. Chief Westall stated, "We will probably continue to keep using Blue Cross Blue Shield as our health care provider because the price will stay the same. This consists of health, vision, dental, short-term disability, and long-term disability."

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

Chief Hevey presented the following SOGs for the Board of Commissioners to review:

- Part-Time Fire Lieutenant Job Description
- Full-Time Fire Lieutenant Job Description
- Paid Firefighter/Driver/EMT-B
- Paid Battalion Chief Job Description
- Assistant to Vehicle/Building Maintenance Supervisor
- Paid Fire Captain Job Description
- Part-Time Fire Captain Job Description

Part-Time Members are required to enter their availability by mid-month. Members should enter a minimum of one-hundred and eight (108) hours, minimum of seventy-two (72) hours per month. Members must also notify the Battalion Chief by phone call. Also looking at employees who put in availability and dropped coverage.

Chief Hevey has placed an internal announcement for Part-Time Firefighter applications. Chief Hevey also stated that the Maintenance Supervisor has requested a Part-Time Assistant Mechanic.

Mr. Kramer: "What is the dollar amount of brining a Part-Time Assistant Mechanic?"

Chief Hevey: "Around twenty-five (\$25.00) an hour, working twenty-five (25) hours a week."

Mr. **Solomon** made a motion to adopt the recommend policies, procedures, and Standard Operating Guidelines. Mr. **Fleming** seconded the motion. The motion passed 5 to 0.

Mr. **Fossum** made a motion to accept the proposal of a Part-Time Assistant Mechanic. Mr. **Fleming** seconded the motion. The motion passed 5 to 0.

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

Chief Hevey stated, "The high-water vehicles have been painted. The Ambulance went to Ford due to an oil leak. The Aerial ladders will be tested next week."

TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING HVAC REPAIRS BEING MADE AT STATION 3.

Chief Sidwell discussed the following HVAC issues in regards to Station3. Chief Sidwell stated, "David Rowe, the Vice President of Durotech has pointed to DBR and stated that it is an engineering flaw and they need to fix it. We are waiting to hear from Salas O'Brien. We have put data loggers and temperature monitors at Station 3." Mr. Coveler, "We need to obtain from Durotech and/or the architect the as-builts plans and the specification book for the station."

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

Chief Hevey requested to discuss this line item in closed session.

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 AND THE REGULAR MONTHLY MEETING TO BE HELD ON JULY 17, 2018, AT 7:00 P.M.

There were no new items provided and the Board confirmed the meeting dates and times.

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 MATERS 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.

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

The Board adjourned the regular session of the meeting at 9:26 p.m., and entered closed session to consult with District counsel and discuss personnel matters. The Board exited closed session at 9:59 p.m.

ADJOURNMENT.

No additional action was taken following closed session. Mr. **Henderson** next made a motion to adjourn the meeting. Mr. **Solomon** seconded the motion. The motion passed 5 to 0. The meeting adjourned at 10:01 p.m.

Russell Solomon
District Secretary