

**MINUTES OF DECEMBER 17, 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, December 17, 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	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 Operations, Brett Ellis, HR Office Manager, Walla Almasri, Assistant HR Office Manager, Jackie Tobar, and other Department Members. Also, Scott Seifert, with Prime ITS, Ryan Fortner with Sales Revenue Inc., and Ira Coveler with the law firm of Coveler & Peeler, the District's legal counsel, were also present.

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

Fire Chief, Jeff Hevey, welcomes all to tonight's Swearing-In and Promotion Ceremony.

The Pledge of Allegiance led by Fire Chief, Jeff Hevey.

The Opening Prayer led by Chaplain, Mardie Menke.

Swearing-In and Promotion Ceremony:

Full-Time Firefighter Lieutenant:

Chase M. Robberson

Full-Time Firefighter/Emergency Medical Technician-Basic:

Daisy Noyola

Ramiro Sanchez-Alejos

Part-Time Lieutenant of Suppression Training:

Isaiah Sanchez

Recess to HCESD No. 48 Meeting.

TO RECEIVE PUBLIC COMMENT.

No public comment.

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 4,202 active taxpayer accounts coded to Harris County Emergency Services District No. 48. Average number of taxpayers filing each month: 2,153. Sales tax receipts for calendar year 2019 total \$4,573,353.89. For tax year 2019 (March-February 2020), sales tax receipts total \$3,791,234.97. Within the District's recent sales tax allocation, seventy-one (71) businesses filed local taxes in excess of \$1,000. It is important to note that the taxpayers with returns over \$1,000 reflect 76% of the total monthly allocation, with combined filings of \$332,604.88. Harris County Emergency Services District No. 48 has received \$15,778,573.15 in sales tax receipts since October 1, 2014 (effective date). The December 2019 local tax allocation to be refunded to the District totals \$351,092.04.

Please see Report from **Ryan Fortner** 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. **Fleming** seconded the motion. The motion passed 5 to 0.

TO RECEIVE THE FINANCIAL REPORT FOR THE DISTRICT AND TAKE ANY ACTION RELATED THERETO.

Mr. Majeres, with Ubernosky & Majeres, PLLC was not present to report the District's Financial Report. As of December 17, 2019, the District's combined Cash Balances (Current Assets) total \$12,401,062.12. The estimated remaining Property Tax Collections are \$0. The estimated remaining 2019 Sales Tax Collections for all 12 months have been collected as of the date of these reports. The estimated remaining 2019 EMS Billing Collections are \$107,735. The remaining 2019 Budgeted Expenses are \$803,513. The projected Cash Reserve for December 31, 2019 is \$6,058,242. The District's Total Debt Service Outstanding is \$25,369,187. The District's combined Note Balances (Liabilities and Equity) total \$25,369,187. The District has collected \$4,222,261.85 in Sales Tax Revenue for 2019.

Mr. **Henderson** made a motion to accept the Financial Report from the District Bookkeeper. 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 ON MATTERS RELATED TO THE CONSTRUCTION OF THE FIRE STATION NO. 1.

Chief Hevey discussed the construction of the Fire Station No. 1. We continue to wait for construction services from Comcast. Steel started arriving Monday, December 16, 2019. There was a meeting with Hieu Hart last week about Christensen concerning three (3) of the storm drain

inlets on the property. Hieu visited the site, and minor adjustments have been made to the storm drains to resolve the concerns.

TO REVIEW, DISCUSS, AND TAKE ACTION ON MATTERS RELATED TO THE REPAIR OF THE BATHROOMS AT FIRE STATION NO. 5.

Chief Hevey discussed the repair of the bathrooms at Fire Station No. 5. There was an internal meeting to discuss the construction bid submitted to the District by Tom Albus with Collier Construction for \$35,835. After Chief Sidwell reviewed construction documents, Collier Construction withdrew a charge for \$12,350. A Purchase Order has been presented for approval in the amount of \$23,485. This purchase order is for the cost to add drains to the bathrooms and is not in any manner a payment for prior defective work.

Mr. **Solomon** made a motion to approve the Purchase Order with Collier Construction for the amount of \$23,485. Mr. **Fleming** seconded the motion. The motion passed 5 to 0.

TO REVIEW, DISCUSS, AND TAKE ACTION ON THE DISTRICT'S CURRENT AGREEMENT WITH PRIME ITS.

Mr. Scott Seifert, with Prime ITS, discussed the District's current agreement. Mr. Seifert proposed that the District prepay for year 2020 by offering a 10% discount with the cybersecurity at a cost of \$102,675.60.

Mr. **Fossum** made a motion to approve the contract with Prime ITS, in the amount of \$102,675.60 with cybersecurity. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

TO REVIEW, DISCUSS, AND TAKE ACTION ON ENGAGING A CONTRACTOR TO PROVIDE DEVELOPMENT AND MAINTENANCE SERVICES FOR THE DISTRICT'S WEBSITE.

Chief Hevey discussed the District's website. The District's website has been moved from Trident to Positive Force Consulting. At this time, the webmaster is trying to move all of the District agendas and meeting minutes on the website before the end of the year. The cost will range from \$5,000 to \$7,500 to build the website depending on the number of pages and complexity.

Mr. **Fleming** made a motion to approve a 12-month contract for web design and maintenance with Positive Force Consulting. Mr. **Henderson** seconded the motion. The motion passed 5 to 0.

TO PAY THE DISTRICT'S INVOICES AND EXPENSES, INCLUDING THE APPROVAL OF ANY PAY APPLICATIONS.

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.

Mr. **Henderson** made a motion to accept the pay application No. 4 in the amount of \$246,060.45. Mr. **Fleming** seconded the motion. The motion passed 5 to 0.

TO REVIEW, DISCUSS, AND TAKE ACTION ON FUNDING THE DISTRICT'S PAYROLL OBLIGATIONS FOR DECEMBER AND JANUARY.

Mr. Coveler stated that the Board needed to begin documenting District payroll every month. Mr. **Henderson** made a motion to fund the District's payroll obligation for December and January. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

TO REVIEW AND TAKE ACTION ON MINUTES OF PRIOR MEETINGS.

The November Bill Pay and Regular Meeting minutes were presented at the meeting, but the Board had not adequate time to review the minutes. The item was tabled and the November minutes will be considered at the January meeting.

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

Chief Hevey discussed his report. The Awards Committee is looking to recognize awards on a quarterly basis and present when we conduct regular ESD meetings. We went over staffing with the crews. Pay and hours have been readjusted to meet our needs. A notice will go out tomorrow to hire Part-Time personnel. We will be transitioning in the next couple of months, and this might cause some people to leave the Department. We have tried our best to explain this. Staffing for next year: still targeting for June/July to bring more people on board through the hiring list. We are moving forward with TAPHI and leaving Texas Mutual.

Mr. **Fleming** approved for the Awards Committee to conduct quarterly awards with the regular ESD meetings. Mr. **Fossum** seconded the motion. The motion passed 5 to 0.

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

Chief Bank was not present to discuss the EMS Report; a copy of the report was emailed to the Board. EMS had a total of six hundred fifty-eight (658) calls for November 2019. Average response time was six minutes and thirty-six seconds (6.36 minutes). There were three hundred seventy-four (374) non-transport/non-emergency calls. Life Flight was used twice this month. EMS conducted the following Mutual Aid: one (1) call to Katy FD and five (5) calls to Westlake FD. Community Paramedic, Joe Casciotti, explained the need for good quality EMS Part-Time staff who come with a clinical background. Mr. Casciotti stated, "We are having a hard time finding that pool, and when we hire someone, we don't release them till they have gone through extensive training." Mr. Casciotti also discussed the Julota grant, a contract which will communicate with our systems and the hospitals charting system. This will cost \$15,000 for 240 patients per year with an initial set up fee.

TO RECEIVE A FIRE DIVISION REPORT FROM ASSISTANT CHIEF BRETT ELLIS AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.

Chief Ellis discussed the Fire Report. Suppression had a total of two hundred seventy-three (273) calls for November 2019. Training is managing the following: Interviewed for Part-Time Training Lieutenant and promoted Mr. Isaiah Sanchez. In House Wildland course to reduce overtime. Quarterly Burns for all Firefighters at Fort Bend Fire Field. HazMat Incident Command in January. Rescue 5 has been staffed with Volunteers for Mobile Air and Blocking Vehicles. New Suppression Staffing Model (16 paid, average 20 to 22 with Volunteers). Driver Operator process took place on December 5, 2019. Currently, we have seven (7) Cadets in Training.

TO RECEIVE AN ADMINISTRATIVE REPORT FROM ASSISTANT CHIEF TOMMY WESTALL AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.

Chief Westall was not present to discuss the Administrative Report, item tabled.

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

The District's Employee Handbook, Standard of Conduct, and Discipline is being reviewed and updated by Mr. David Manley.

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

Chief Hevey stated Tower 4 would be available by the end of the week. He also advised that he hopes to have one of the new Ambulances in service by next week. He reported that Medic 2 is at Siddons-Martin being worked on.

REVIEW AND TAKE ACTION ON DISTRICT PERSONNEL MATTERS.

Item moved to closed 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 Hevey stated Engine 1 will go out for bid, and the ESD should expect and estimate between \$175,000 to \$250,000 for the rig. The Ambulance needs to be detailed before selling, and we can expect an amount between \$15,000 to \$25,000.

Mr. **Henderson** made a motion to allow Chief Sidwell to prepare vehicles for bid. Mr. **Fossum** seconded the motion. The motion passed 5 to 0.

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, JANUARY 8, 2020, AT 6:30 P.M., AND THE REGULAR MONTHLY MEETING TO BE HELD ON TUESDAY, JANUARY 21, 2020, AT 7:00 P.M.

The bill pay meeting will be held on Wednesday, January 8, 2020, at 6:30 p.m., and the regular monthly meeting will be held on Tuesday, January 21, 2020, at 7:00 p.m. Mr. **Fossum** approved the bill pay and regular meetings. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

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 entered into closed session at 9:29 p.m.

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

No need for closed session on this matter.

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

No need for closed session on this matter.


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

The Board exited closed session at 9:45 p.m. District Counsel presented the Board with the settlement agreement regarding the litigation with Les Fulgham. Mr. **Fossum** motion to authorize the approval and execution of the settlement agreement as presented. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

ADJOURNMENT.

Mr. **Henderson** made a motion to adjourn the meeting. Mr. **Solomon** seconded the motion. The motion passed 5 to 0. The meeting adjourned at 9:46 p.m.

The foregoing minutes were passed and approved by the Board of Commissioners on January 21, 2020.


Russell Solomon
District Secretary