

**MINUTES OF DECEMBER 18, 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 Administration Building located at 21201 Morton Road, Katy, Texas 77449 on Tuesday, December 18, 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	Absent
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 EMS, Eric Bank, Acting Assistant Chief of Operations, Brett Ellis, Division Chief of Logistics, Ray Sidwell, HR Office Manager, Walla Mourad, Assistant Office Manager, Jackie Tobar, and other ESD Members. Also, 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.

TO RECEIVE PUBLIC COMMENT.

No public comment.

TO REVIEW, DISCUSS, AND TAKE ACTION RELATED TO 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 4 to 0.

Please see Report from Ryan Fortner with Sales Revenue, Inc. for complete listings and details of all figures presented.

TO RECEIVE A PRESENTATION FROM MR. RICARDO MARTINEZ OF MARTINEZ ARCHITECTS, LLC.

Mr. Martinez discussed the following items in his presentation:

Design Activities:

- The Design team is currently putting together construction documents for civil, landscaping, architectural, structural, MEP, and technology.
- Preliminary plans have been issued for cost estimates.
 - Two (2) estimates have been obtained:
 - \$5,611,210
 - \$6,010,354
- Preliminary layout of Temporary Facility
 - Upon receipt of temporary facility, documents to be issued to Harris County Permitting Office.
 - Once county approval, bids to be requested.

Anticipated Activities:

- Owner review of 75% Construction Documents in January.
- Temporary facility installation is awaiting owner review of structures.

Schedule:

- On schedule for March bid.

Financials:

- No action

TO DISCUSS AND TAKE ACTION REGARDING THE DISTRICT’S NEW FIRE STATION NO. 1 PROJECT.

Chief Sidwell discussed the District’s new Fire Station No. 1 project.

Mr. **Henderson** made a motion to rescind authorization to enter into a contract with Aries Building Systems, LLC. Mr. **Solomon** seconded the motion. The motion passed 4 to 0.

Mr. **Solomon** made a motion to allow Chief Sidwell to proceed forward with BOXX Modular, LLC to acquire temporary Station 1 buildings. Mr. **Henderson** seconded the motion. The motion passed 4 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 November 30, 2018, the District’s combined Cash Balances (Current Assets) total \$5,960,671.12. The estimated remaining Property Tax Collections based upon the 2017 tax rate total approximately \$150,000. The estimated remaining 2018 Sales Tax Collections are \$335,000. The estimated remaining 2018 EMS Billing Collections are \$150,000. The remaining 2018 Budgeted Expenses are \$1,125,043. The anticipated Cash Reserve for December 31, 2018 is \$4,900,132. The District’s Total Debt Service Outstanding is \$18,328,759. The District’s

combined Note Balances (Liabilities & Equity) total \$14,347,003.89. The District has collected \$3,703,769.39 in Sales Tax Revenue for 2018.

Mr. **Henderson** made a motion to accept the Financial Report from the District Bookkeeper as presented. Mr. **Fleming** 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 PAY DISTRICT INVOICES AND EXPENSES AND TAKE ACTION RELATED TO THE DISTRICT'S INVESTMENT FUNDS AND OTHER ACCOUNTS.

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 4 to 0.

Chief Westall stated that funds in the amount of \$500,000 needed to be transferred from Compass Bank into Allegiance Bank for the month of December.

Mr. **Henderson** made a motion to approve the transfer of funds from Compass Bank to Allegiance Bank in the amount of \$500,000. Mr. **Fleming** seconded the motion. The motion passed 4 to 0.

TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING AMENDMENTS TO THE 2019 BUDGET.

No action regarding this item. This matter will be removed from future agendas.

TO ADOPT THE REVISED DISTRICT INVESTMENT POLICY.

Mr. Coveler previously distributed to the Board and the District Bookkeeper a revised District Investment Policy for 2018. Mr. Coveler discussed the revisions sharing that some of them were made to match the reality of how the District wants to invest its funds, some of the changes were necessitated by statute and some of the changes were made to improve upon the policy generally.

Following the presentation and discussion, Mr. **Henderson** made a motion to accept the District Investment Policy as presented. Mr. **Solomon** seconded the motion. The motion passed 4 to 0.

TO REVIEW AND TAKE ACTION ON MINUTES OF PRIOR MEETINGS.

Mr. **Henderson** made a motion to accept the November Minutes presented. Mr. **Fleming** seconded the motion. The motion passed 4 to 0.

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

No action was needed at this time.

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

Chief Hevey discussed the advertisement for the Assistant Chief of Operations position. He stated that this will be an internal and external posting that will be advertised state wide.

Mr. **Solomon** made a motion to accept the advertisement posting for Assistant Chief of Operations. Mr. **Fleming** seconded the motion. The motion passed 4 to 0.

TO RECEIVE 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 628 calls for the month of November 2018. Average response time was six (6) minutes and twenty-seven (27) seconds. There were three-hundred thirty-five (335) non-transport/non-emergency calls. Life Flight was used once this month. EMS conducted the following Mutual Aid: one (1) call to Community FD, one (1) call to Fort Bend County FD, two (2) calls to Katy FD, and two (2) calls to Westlake FD.

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

Chief Westall had no Administrative Report to present.

Chief Ellis discussed the Fire Report. Suppression had a total of 695 calls for the month of November 2018. There were 1 Mutual Aid requests. Average response times in District Structure Fires: six (6) minutes fifty-three (53) seconds. District-wide response times on all responses combined: six (6) minutes thirty-three (33) seconds, 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 thirty-nine (39) personnel. Volunteer suppression consists of forty-nine (49) personnel. Rehab consists of twenty (19) personnel. Upcoming Suppression events: Full-Time Firefighter Assessment (hiring process) will begin on January 8, 2019. Full-Time Lieutenant Assessment process will begin on January 24, 2019. The following trainings taking place are Wild Land Course in house and skills testing, ISO Skill Testing, Inspector Skill Testing, Driver Operator clearance with Full-Time and Part-time, Cadet Class 18-02 prep.

TO DISCUSS AND TAKE ACTION REGARDING THE DISTRICT'S WEBSITE PROVIDER.

There was discussion regarding this agenda item, but no final action was taken at the meeting regarding this item. Mr. Sidwell was instructed to review this matter further.

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

Chief Hevey stated that he wanted to start using Lexipol, LLC to prepare, distribute and manage the District's SOGs and Policies in 2019.

Mr. **Henderson** made a motion to authorize the Department to contract with Lexipol, LLC to manage the District's policies, procedures, and standard operating guidelines. Mr. **Solomon** seconded the motion. The motion passed 4 to 0. Mr. Coveler stated that there were a few contract issues to resolve, but that he expected to resolve those issues with Lexipol.

TO REVIEW, DISCUSS, AND TAKE ACTION ON ANY NECESSARY REPAIRS OF EQUIPMENT, APPARATUS, AND FACILITIES IN SERVICE TO THE DISTRICT.

Mr. **Henderson** made a motion for the District to proceed achieving access with ASAP Security Services, LLC. Mr. **Solomon** seconded the motion. The motion passed 4 to 0.

Scott Seifert with Prime ITS presented a letter for consideration by the Board. Mr. Coveler stated Prime ITS has offered the District a 10% discount if the District prepay the fee for regular services for the year. This would save the District around \$10,000. There was extensive discussion of this item. Mr. Coveler explained that since the amount being requested was below \$100,000 a bond was not necessary. He also confirmed that the District was at greater risk of getting a refund in the event that Prime ITS defaulted.

Mr. **Henderson** made a motion to pay Prime ITS the annual fee in advance for the 10 % discount. Mr. **Solomon** seconded the motion. The motion passed 4 to 0.

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

Line 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 §775.251, INCLUDING DISPOSAL TO THE TEXAS FORESTRY SERVICE HELPING HANDS PROGRAM OR TO A PUBLIC SURPLUS AUCTION.

Chief Sidwell discussed the disposal of surplus and/or salvage property. The District received one (1) bid back from Jackson County Emergency Services District No. 3 in the amount of \$351.00 for the purchase of the 2001, Ford F-350, Service Truck.

Mr. **Solomon** made a motion to accept Jackson County Emergency Services District No. 3 bid in the amount of \$351.00. Mr. **Henderson** seconded the motion. The motion passed 4 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 2, 2019, AT 6:30 P.M., AND THE REGULAR MONTHLY MEETING TO BE HELD ON TUESDAY, JANUARY 15, 2019, AT 7:00 P.M.

The bill pay meeting will be held on Wednesday, January 2, 2019, at 6:30 p.m. and the regular monthly meeting will be held on Tuesday, January 15, 2019, at 7:00 p.m.

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 Closed Session to discuss contemplated litigation matters at 9:30 p.m.

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

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

Entered Closed Session at 9:30 p.m., to also discuss personnel matters

The Board exited Closed Session at 10:49 p.m.

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

ADJOURNMENT.

Mr. **Henderson** made a motion to adjourn the meeting. Mr. **Fleming** seconded the motion. The motion passed 4 to 0. The meeting adjourned at 10:20 p.m.

The foregoing minutes were passed and approved by the Board of Commissioners on January 15, 2019.

Russell Solomon
District Secretary