

MINUTES OF APRIL 21, 2020, 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 21, 2020.

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 District Fire Chief, Jeffrey Hevey, Assistant Chief of EMS, Eric Bank, Assistant Chief of Operations, Brett Ellis, Assistant Chief of Administration, Tommy Westall, Office Manager, Walla Almasri, Assistant Office Manager, Jackie Tobar, Division Chief Ray Sidwell. Also, Ira Coveler, with the law firm of Coveler & Peeler, the District's legal counsel was present. Those persons joining the meeting via teleconference included Rich Majeres with Ubernosky & Majeres, PLLC, Ricardo Martinez, with Martinez Architects, LLC, Ryan Fortner of Sales Revenue Inc., and the Station 5 crew, were also present.

TO RECEIVE PUBLIC COMMENT.

No public comment made.

TO REVIEW, DISCUSS, AND TAKE ACTION ON MATTERS RELATED TO THE CONSTRUCTION OF THE FIRE STATION NO. 1.

Mr. Martinez presented his report which consisted of the following:

Design Activities:

- Storm sewer connection review
 - Coordinate with Christensen installation of Old Castle Skimmer Baskets
 - 4 to 6 week lead-time on ordering
 - County to inspect all final tie-ins to storm system
 - Coordinate lockers – revise lockers from two-tier to single-tier (Martinez Architects to cover cost of door revisions)
 - Addition of outdoor gas grill

Construction Activities:

- Exterior wall waterproofing complete
- Opening frames (door/windows) installed
- MEP at framed wall complete; two-side drywall complete

- Face brick exterior 90% complete
- Apparatus Bay painting complete
- Apparatus Bay electrical cord drops coordinated
- Project Meetings/Inspections
 - Construction meetings held: 3/25, 4/2, 4/9, 4/16
 - Inspections 3/27

Anticipated Activities:

- Coordinate Prime deposit – Owner to provide direction
- Ongoing review of COVID-19 impact to construction activities; limited onsite activities to minimize interaction amongst crews
- Construction Project meetings have continued regularly online

Schedule:

- Reference attached schedule by Christensen Building Group

Financials:

Contract Amount	\$6,500,000.00
Change Orders to the Project	\$ 12,600.00
Pay Applications – Pay App No. 8	\$ 376,740.55
Balance of Contract Amount	\$2,618,182.16

Discussion was held regarding prepayment for PRIME services/installation. Though the funds had been included for release later in the contract, Christensen requested funds to proceed with at this time. Mr. **Fossum** made a motion to approve the early release of funds to Christensen in the amount of \$23,238.80. Mr. **Fleming** seconded the motion. The motion passed 5 to 0.

Mr. Martinez also explained the need to have on-sight inspections though may be necessary to do so in small groups due to social distancing.

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

Mr. Fortner emailed the Monthly Sales Tax Report to the Commissioners. The Board reviewed the Sales and Use Tax Administration Report. Mr. Fortner explained that the report reflected January activity. Though Chief Ellis and Mr. Kramer had requested an audit be performed for the entire District, all canvassing had been placed on hold due to COVID-19. Mr. Fortner assured the Board that once restrictions are lifted, an aggressive effort to poll the community.

Mr. Fortner relayed that the report to be presented in May would show the physical affect of COVID-19. He will be recreating reports to include comparisons of 2019 and 2020, month over month.

Mr. Fortner stressed that there would be no quick fix to the sales tax as a result of COVID-19 and urged the Board to contact him with any concerns which may arise.

Thereupon, Mr. **Henderson** made a motion to approve the Monthly Sales Tax Report as received. Mr. **Fleming** seconded the motion. The motion passed 5 to 0.

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

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

Mr. Majeres with Ubersnosky & Majeres, PLLC, presented the District's Financial Report. As of April 20, 2020, the District's Cash Balance totals \$19,063,390.00. Less Cash in Construction account \$3,027,186.00. Projected Cash Reserve as of 12/31/2020 \$7,092,203.00. The District's Total Debt Service Outstanding is \$25,859,571.00. The District's combined Note Balances (Liabilities and Equity) total \$20,488,298.77. The District has collected \$1,559,149.57 in Sales Tax Revenue for 2020.

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

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

Rich Majeres left the meeting at this time.

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 including Pay Application No. 8 for \$376,740.55. Mr. **Solomon** made a motion to approve the District bills related to expenses incurred by the District since the previous meeting and Pay Application No. 8. Mr. **Fossum** seconded the motion. The motion passed 5 to 0.

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

Mr. **Henderson** made a motion to approve the District's payroll obligations for April and May. Mr. **Fossum** seconded the motion. The motion passed 5 to 0.

TO REVIEW AND TAKE ACTION ON GRANTING EXEMPTIONS FOR 2020.

The Board next addressed agenda the granting of exemptions for 2018. There was discussion regarding these exemptions and the needs of the District.

Mr. **Fossum** made a Motion, seconded by Mr. **Henderson** to keep the exemptions the same as those determined in 2019. 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 TAKE ACTION ON MINUTES OF PRIOR MEETINGS.

Item tabled.

TO REVIEW AND TAKE ACTION ON MATTERS RELATED TO COVID-19 PREPARATIONS.

Chief Bank provided a review of matters related to COVID-19. Chief Bank stated that daily discussions were being held with on-duty crews covering highlights on any issues and how to address matters of concern. Active PPE training was taking place and being done so in a manner to keep personnel safe while doing same. Chief Bank relayed that four individuals were participating in an infectious disease officer training to act as a safety net keeping ems/fire crews safe.

Chief Bank reported the EMS received \$37,000 as part of Coronavirus Aid, Relief, and Economic Security (CARES) Act and asked if the funds should be kept or sent back. If kept, Chief Bank suggested the money be utilized for the Community Paramedic Program.

Chief Bank stated that a couple of personnel had been tested for COVID-19 and a few placed on quarantine though no reports of infection. Several patients testing positive for COVID-19 had been transported to the hospital. Chief Bank shared that several of the tests available were not legal. Chief Bank also noted that approximately fourteen hours of each day was being directed to COVID-19 related matters. Moving forward, the main concern will prove to be primary care as many patients will experience medical issues which should have been addressed previously but declined to go to the hospital, doctor, etc. Call volumes were down 30-35% due to same. In his words, Chief Bank believes we are headed for a primary care crisis.

Mr. **Solomon** made a motion to accept the \$37,000 received from the Care Act to be utilized for the Community Paramedic Program. Mr. **Henderson** seconded the motion. The motion passed 5 to 0.

TO RECEIVE CHIEF JEFF HEVEY'S DEPARTMENT REPORT AND TAKE ANY NECESSARY ACTION RELATED TO HIS REPORT.

Chief Hevey, Chief Ellis, and Chief Westall have been checking the staff. Chief Hevey stated that he planned to alternate staff depending on the budget in August as ambulances would be staffed at all times. Testing for five additional firefighters was in the near future though timing had not been determined. One additional volunteer was also being considered. Chief Hevey expressed his intent to maintain jobs currently in place and minimize spending in an effort to stay afloat.

Chief Hevey reported a complaint placed by a citizen concerned about Department personnel and the lack of social distancing. Chief Hevey reminded personnel that they are a model for the community and needed to portray a sense of security and protection wherever possible.

Chief Hevey reported he was in the process of purchasing extra bunker gear.

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

Mr. Kramer inquired as to the number of children being transported to the hospital Chief Bank stated that there were very few children transported.

Chief Bank explained the process the crew follows to sanitize units after a call noting the length of time of approximately forty-five (45) minutes. He stated that paint sprayers would be used to apply a new disinfectant, with a ten-minute (10) contact time, which should prove to be much more efficient.

Chief Bank stated that traffic had been increasing on the roadways as the Governor has begun to open up the State. He advised that the remainder of 2020 will prove to be busy due to a rise in primary care in May/June, hurricane season into the flu/COVID-19 season. Chief Bank reported that the Department is working with hospitals and other destinations to augment Community Paramedic Program to manage the amount of patients being seen. Chief Bank said he would be using the COVID-19 fund received from CMS and looking at the budget for possible additional funding. Chief Bank noted that all medic units were active and he would continue to monitor personnel hours as it was important not to exceed the funding for same.

Mr. Solomon thanked the Chiefs for the fantastic job and efforts being displayed.

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

Chief Ellis discussed staffing and the Fire Report. There were 4 Department calls to the ESD No. 1 service area in March. There were 246 Department calls in the District in March. The average call volume has been approximately 8 runs per day. Discussion was held regarding volunteer personnel and ways in which to award them for the elevated hours worked. Staffing of three individuals per unit, per shift is the goal resulting of two volunteers working per day. Orientation for two new firefighters is being conducted. Stairs at the electronic building have been accessed for training of all personnel.

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

Chief Westall discussed the need to review the 2020 budget. Chief Westall reported that he is working on the draft 2021 budget suggesting the need to hold a workshop on same. Counsel provided an update on the contract noting that it was still in review.

The Board discussed whether if it would be wise to include Mr. Ubernosky and Mr. Fortner to assist with the 2021 budget. Mr. Kramer reminded that the 2020 data would not be available until August which may prove to be too late in the drafting of the 2021 budget. Discussion was held regarding options to review budget data. Rather than conducting a workshop, it was decided that the 2021 draft budget be placed on the May bill-pay meeting.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING ENTERING INTO A CONTRACT WITH CUSTOM SCAPES FOR LANDSCAPE SERVICES TO THE DISTRICT.

A discussion was held regarding the proposals received for landscape services to the District. Chief Westall recommended the proposal received from Custom Scapes as it was detailed and specific to the needs of the District.

Mr. **Solomon** made a motion to accept the settlement proposal from Custom Scapes. Mr. **Henderson** seconded the motion. The motion passed 5 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION ON ENGAGING A CONSULTING AGREEMENT WITH KELLY COLEMAN FOR GRANT WRITING SERVICES FOR THE DISTRICT.

Joe Casciotti stated that Kelly Coleman had been referred by Christ Clinic. Ms. Coleman's main area of expertise is healthcare though she is open to any area of interest. Joe and Chief Sidwell met with Ms. Coleman prior to the COVID-19 pandemic. She will research all matters for the District and has proven prompt response time. Ms. Coleman takes all guesswork out of grant and is specific on what is needed to process a grant. Mr. **Fossum** questioned who would be responsible for tracking the hours billed by Ms. Coleman to which Joe Casciotti would monitor the hours billed. Counsel confirmed the contract received from Ms. Coleman was acceptable.

Mr. **Fossum** made a motion to engage the services of Kelly Coleman for grant writing services for \$50 per hour. Mr. **Fleming** seconded the motion. The motion passed 5 to 0.

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

Check writing procedures including access for Tommy Westall and Walla Almasri to accounts to be placed on future agenda.

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

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 §775.0735.

Chief Sidwell discussed the sale or disposal of surplus and/or salvage property pursuant to Texas Health and Safety Code §775.0735. Discussion was held regarding the sale and/or relocation of Temporary Station 1. Counsel will contact Atascocita regarding any interest it may have in the temporary building. Chief Sidwell will begin website registration listing the building for sale in the minimum reserve, \$15,000, as the asking price. Breakdown and relocation of the building will be the responsibility of the buyer.

Mr. **Solomon** made a motion to list the temporary building for sale at the minimum reserve of \$15,000. Mr. **Henderson** 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, MAY 6, 2020, AT 6:30 P.M., AND THE REGULAR MONTHLY MEETING TO BE HELD ON TUESDAY, MAY 19, 2020, AT 7:00 P.M.

The Bill Pay meeting will be held on Wednesday, May 6, 2020, at 6:30 p.m., and the Regular Monthly meeting will be held on Tuesday, May 19, 2020, at 7:00 p.m. The draft 2021 budget will be placed on the Bill Pay meeting agenda.

TO MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE §551.071 TO CONSULT WITH LEGAL COUNSEL OR TO DISCUSS SALES TAX MATTERS AS PERMITTED BY TAX CODE §323.3022 TO DISCUSS SALES TAX MATTERS.

The Board entered into Executive Session at 9:30 p.m., to discuss legal matters with District counsel and concluded executive session at 10:52 p.m.

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

The Board did NOT enter Executive Session to review and real estate matters.

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

The Board did NOT enter Executive Session to discuss personnel matters.


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

No action taken.

ADJOURNMENT.

Mr. **Henderson** made a motion to adjourn the meeting. Mr. **Fleming** seconded the motion. The motion passed 5 to 0. The meeting adjourned at 10:52 p.m.

The foregoing minutes were passed and approved by the Board of Commissioners on August 5, 2020.



Russell Solomon
District Secretary