

MINUTES OF SEPTEMBER 15, 2020, MEETING
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 48

A regular meeting was duly called of Harris County Emergency Services District No. 48, held at the District Administration Building located at 21201 Morton Road, Katy, Texas 77449, on Tuesday, September 15, 2020.

CALL MEETING TO ORDER AND ESTABLISH A QUORUM.

The meeting was called to order at 6:08 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, Ray Sidwell, Chief of Logistics, Machel Richter, Business Manager, Walla Almasri, and Office Manager, Jackie Tobar. Also, Ricardo Martinez, with Martinez Architects, LLC, Jill Henze, with Breedlove & Co., P.C., and Ira Coveler, the District's legal counsel with the law firm of Coveler & Peeler. On the phone: Rich Majeres with Ubernosky & Majeres, PLLC, and Ryan Fortner with Sales Revenue Inc., were also present.

TO RECEIVE PUBLIC COMMENT.

No public comment was made.

TO RECEIVE THE DISTRICT'S 2019 AUDIT REPORT AND TAKE ANY ACTION RELATED TO THE REPORT.

Mrs. Henze presented the District's 2019 Audit report.

Thereupon, Mr. **Henderson** made a motion to approve the District's 2019 Audit report with the requested changes made. Mr. **Fossum** seconded the motion. The motion passed 5 to 0.

Please see the Report from **Jill Henze** with Breedlove & Co., P.C. for complete listings and details of all figures presented.

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 4,697 active taxpayer accounts coded to Harris County Emergency Services District No. 48. The average number of taxpayers filing each month: 2,258. The sales tax receipts for calendar year 2020 total \$4,220,295.06. For Fiscal Sales Tax Year 2020 (which lasts from March 1, 2020 through February 28, 2021), the sales tax receipts total \$3,066,518.68. Within the District's recent sales tax allocation, seventy-four (74)

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 81% of the total monthly allocation, with combined filings of \$402,312.18. Harris County Emergency Services District No. 48 has received \$20,043,874.21 in sales tax receipts since October 1, 2014, effective date. The September 2020 local tax allocation to be refunded to the District totals \$462,494.76.

Thereupon, Mr. **Henderson** made a motion to approve the Monthly Sales Tax Report as received. Mr. **Fossum** 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 REVIEW AND TAKE ACTION ON MINUTES OF PRIOR MEETINGS.

Item tabled.

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

Mr. Martinez submitted the HCESD No. 48 project to be illustrated in FireHouse Magazine.

The following Pay Applications are due for payment: Pay Application No. 15 for \$31,287.24 and Pay Application No. 16 (final retainage) for \$82,563.75.

Mr. **Solomon** made a motion to approve Pay Application No. 15 for \$31,287.24 and Pay Application No. 16 for \$82,563.75. Mr. **Fossum** 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, presented the District's Financial Report. As of September 15, 2020, the District's Cash Balance totals \$12,714,035.00. Less Cash in Construction account \$448,948.00. The Projected Cash Reserve as of 12/31/2020 \$7,137,104.00. The District's Total Debt Service Outstanding is \$25,132,492.00. The District's combined Note Balances (Liabilities and Equity) total \$19,987,536.82. The District has collected \$3,757,800.30 in Sales Tax Revenue for 2020.

Thereupon, 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 Ubernosky & Majeres, PLLC, for complete listings and details of all figures presented.

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

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 previous meeting for \$217,675.77. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

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

a. Bi Weekly Payroll	\$ 315,495.16
b. <u>Monthly Payroll</u>	<u>\$ 12,813.99</u>
Total Payroll for June/July	\$ 328,309.15

Mr. **Fossum** made a motion to approve the District's payroll obligations for August and September for \$328,309.15. 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 informed the Board that HCESD No. 48 could not deploy to California because we did not have an engine boss. Chief Hevey also stated, during Hurricane Laura, we staffed personnel just in case, but nothing happened.

TO RECEIVE AN 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 722 calls in August 2020. The average response time was six (6) minutes, thirty (30) seconds. There were three-hundred sixty (360) non-transport/non-emergency calls. Life Flight was utilized two (2) times this month. EMS conducted the following Mutual Aid: nine (9) calls to Westlake FD, and three (3) calls to Katy FD. Chief Bank also discussed the current Covid-19 situation.

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. The total Department calls for Fort Bend ESD No. 1 in August were five (5) calls. The total Department calls for the District in August were two-hundred, and eighty-two (282) calls. Suppression averaged 9.1 calls per day in August with an average response time of six (6) minutes and forty-eight (48) seconds.

The Community Risk Reduction Department resumed Home Safety Surveys mid-August. The mySidewalk data was transferred from ESO. CRR proposed a virtual 2020 Katy Area Safety Fest event due to ongoing Covid-19.

The Training Department is conducting Driver Operator clearance for all Part-Time and Full-Time Driver Operators. Blue Card training will be held for the next four (4) Lieutenants for 2021. Working on a re-acclimation process for Volunteers and conducting Cadet Interviews.

Also, in the process of hiring six (6) Full-Time Firefighters to complete the fourth shift in September.

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

Chief Sidwell discussed the Administrative Report. Ms. Tobar will be working with Allegiance Bank regarding the training needed for ACH payments. Chief Sidwell discussed ACH authorization of District utilities (gas, electric, water, sewer) to be paid online. The Administration Buildings janitorial services are unsatisfactory with the current vendor, Polished Up. Chief Sidwell requested the Boards permission to change janitorial services to Ariel Janitorial Services, Inc. once the contract with Polished Up expires on November 7, 2020. Chief Sidwell also discussed a previous request from Chief Hevey to move the remaining funds for PPE from the 2019 Budget over to the 2020 Budget. Chief Sidwell asked permission from the Board to amend the 2020 budget to reflect the 2019 funds for PPE for \$116,794.83, to be carried over into the 2020 Budget.

Mr. **Solomon** made a motion to allow the expiration of the contract with Polished Up and then to move forward with hiring Ariel Janitorial Services, Inc., for the Administration Buildings janitorial services. Mr. **Henderson** seconded the motion. The motion passed 5 to 0.

Mr. **Solomon** made a motion to approve the amendment to the 2020 Budget with the addition of the \$116,794.83 related to funds for PPE from the 2019 Budget to be reallocated to expense items in the 2020 budget. Mr. **Henderson** seconded the motion. The motion passed 5 to 0.

TO REVIEW, DISCUSS, AND TAKE ACTION ON MUTUAL AID OR INTERLOCAL AGREEMENTS REGARDING DISASTER OPERATIONS, INCLUDING REVISIONS OR AMENDMENTS TO THE HARRIS COUNTY BASIC PLAN.

Chief Hevey stated, "The Fire Marshall is making sure everyone is on board to better achieve funding from FEMA if we sign the Interlocal Agreement. There are some ESDs that never signed it and want to get them on board to protect them."

Mr. **Henderson** made a motion to authorize Chief Hevey to sign the Interlocal Agreement. Mr. **Fossum** seconded the motion. The motion passed 5 to 0.

TO REVIEW, DISCUSS, AND TAKE ACTION TO APPROVE A GRANT APPLICATION TO THE TEXAS A&M FOREST SERVICE FOR A TACTICAL TENDER.

Chief Hevey informed the Board that he would like to apply for the Texas A&M Forest Service for a Tactical Tender vehicle through a TIFMAS Grant.

Mr. **Fossum** made a motion to authorize Chief Hevey to apply to the Texas A&M Forest Service for a Tactical Tender vehicle through a TIFMAS Grant. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

TO RECEIVE AN EQUIPMENT, APPARATUS, AND FACILITIES REPORT AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.

Chief Sidwell discussed the ongoing septic plumbing issues at Station 5 Morton Complex.

TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING PLANNING AN OPEN HOUSE EXHIBITION FOR NEW STATION 1.

Chief Hevey stated that the Open House will be held Saturday, October 10, 2020.

TO REVIEW, DISCUSS, AND TAKE ACTION ON THE APPLICATION FOR DISTRICT MEMBERSHIP IN THE KATY AREA CHAMBER OF COMMERCE.

Chief Hevey discussed the Community Risk Reduction division to join the Katy Area Chamber of Commerce.

TO REVIEW, DISCUSS, AND TAKE ACTION ON ENTERING INTO AN AGREEMENT WITH WCA WASTE CORPORATION FOR WASTE DISPOSAL SERVICES.

Chief Sidwell discussed the new agreement with WCA Waste Corporation. Rates will be locked in for 12-months, with the maximum price increase of 12% per year. If, for any reason, we are not satisfied with their service, we can cancel the agreement without penalty.

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

Chief Hevey presented the Board with the following updated policies, standard operating guidelines, and/or job descriptions:

- 1) District Standard Operating Guidelines and Policy Binders
- 2) Respiratory Protection Policy
- 3) False Alarm Policy for Suppression and Emergency Medical Services
- 4) Fire Captain Job Description
- 5) Captain Assistant Training Officer Job Description
- 6) Lieutenant Job Description
- 7) Fire Battalion Chief Job Description
- 8) Battalion Chief Training Officer Suppression and Rescue Job Description

TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING THE DISTRICT'S CONTRACT WITH CYPRESS CREEK EMS RELATED TO THE DISPATCH SERVICES PROVIDED BY COMM CENTER.

Chief Hevey stated that he would be visiting the Comm Center to discuss the ongoing dispatch service issues that the Fire Department is facing.

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 Old Engine 1. Brindlee Mountain has offered \$100,000.00 for the vehicle. The offer is valid until Tuesday, September 29, 2020.

Mr. **Solomon** made a motion to sell Engine 1 to Brindlee Mountain for \$100,000.00. Mr. **Fleming** 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, OCTOBER 7, 2020, AT 6:00 P.M., AND THE REGULAR MONTHLY MEETING TO BE HELD ON TUESDAY, OCTOBER 20, 2020, AT 6:00 P.M.

The Bill Pay meeting will be held on Wednesday, October 7, 2020, at 6:00 p.m.

The Regular Monthly meeting will be held on Tuesday, October 20, 2020, at 6:00 p.m.

TO DISCUSS ANY DISTRICT PERSONNEL MATTERS.

Item tabled.

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.

The Board entered into Executive Session at 8:28 p.m. to consult regarding legal matters with District Counsel and concluded executive session at 9:23 p.m.

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

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

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

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

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

No action was taken by the Board.

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 9:23 p.m.

The foregoing minutes were passed and approved by the Board of Commissioners on December 16, 2020.



Russell Solomon
District Secretary