

MINUTES OF FEBRUARY 6, 2020 MEETING
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 29

A regular meeting was duly called of Harris County Emergency Services District No. 29, which was held at **Champions Emergency Services Fire Station at 12730 Champion Forest Drive, Houston, Texas 77066** on Thursday, February 6, 2020.

CALL TO ORDER.

The meeting was called to order at 4:34 p.m. by **Scott Morgan**, President.

ROLL CALL AND ESTABLISH QUORUM.

Mr. **Escott** announced that a quorum was present. Those Commissioners present were:

Scott Morgan	Present
Richard Escott	Present
David Parker	Present
Kenneth Latimer	Present
Bill Hogue	Absent

Also present at the meeting were Fire Chief Dan Shelor, Bill Russell of Myrtle Cruz, Inc., District Bookkeeper, Ricardo Martinez of Martinez Architects, LP, Brad Dill of BD Realty, Inc., and Ira Coveler of Coveler & Peeler, P.C. Scott Seifert, with Prime ITS, Mr. Cameron Aschenbeck of JE Dunn were also in attendance along with members of the public.

TO RECEIVE PUBLIC COMMENT.

Scott Seifert with Prime ITS informed the Board that he would be presenting a new service agreement between the District and Prime ITS at the March Board meeting.

REVIEW AND TAKE ACTION ON MATTERS RELATING TO CALLING AN ELECTION TO BE HELD MAY 2, 2020.

Mr. Coveler explained the process for the election and answered questions about how the election would be conducted. The commissioners made the determinations regarding the time and place for the polling location(s) as well as the Early Voting Clerk and other related election matters. Please see the District's election order for more details. Mr. **Latimer** made a Motion, seconded by Mr. **Escott** to approve items (a) through (i) of the election process. The Motion passed 4 to 0. Please see the 2020 Election Order regarding the calling of the election.

TO RECEIVE A REPORT FROM THE DISTRICT BOOKKEEPER, TO REVIEW AND TAKE ACTION ON THE TREASURER'S REPORT.

Bill Russell of Myrtle Cruz, Inc. the District Bookkeeper, provided the District's financial report to the Board at the meeting. Mr. Morgan questioned why Mr. Latimer had not been contacted regarding the outstanding loan payments that had not been made. Mr. Russell and Mr. Latimer then discussed payment of the loan balances in the amount of \$117,544.19 and

\$137,015.00. Mr. Russell informed the Board that he still had not made the requested loan payments as of the date of the meeting. There was no explanation given as to why the loan payment were not made.

TO PAY OR RATIFY DISTRICT BILLS AND AUTHORIZE FUND TRANSFERS REQUIRED FOR OPERATIONS AND CAPITAL EXPENSES.

Motion was made by Mr. **Escott** to transfer funds in the amount of \$156,400 and approve \$282,400 for payroll and \$-0- for administrative expenses as presented. Mr. **Latimer** seconded the Motion. The Motion passed 4 to 0.

Mr. **Escott** then made a Motion, seconded by Mr. **Latimer** to approve the payment of the District bills as presented. The Motion passed 4 to 0.

Mr. **Latimer** requested clarification on the \$10,000 disbursement to Cy-Creek EMS. Chief Shelor explained that the payment was related to the dispatch fees charged to the department.

TO REVIEW, DISCUSS AND TAKE ACTION ON REPORTS AND CONSTRUCTION MATTERS FROM DISTRICT ARCHITECT RICARDO MARTINEZ OF MARTINEZ ARCHITECTS FOR THE STATION 12 CONSTRUCTION PROJECT.

Ricardo Martinez provided updates on the Station 12 construction. He reported that the installed stormwater catch basin was not approved by Harris County and that the filter installed was changed during construction by the subcontractor. Neither Mr. Martinez nor the District had been made aware of the substitution. The cost to change baskets to the approved system would result in an additional cost of \$58,000. The cost will NOT be incurred by the District and will be the responsibility of JE Dunn or its subcontractor.

Cameron Aschenbeck of JE Dunn then reported that they are seventy-two (72) days behind schedule and noted the following outstanding matters to be reviewed: (1) need to review offsets that need to be finalized between the parties; (2) review the additional charges which were incurred related to the MMG issues (the estimated cost of the stormwater line relocation is approximately \$13,000) with a related generator cost of approximately \$4,300; and (3) the generator cost related to issues with the detention pond of \$19,000. Mr. Aschenbeck also discussed the issues with the detention pond problems.

Mr. Morgan asked questions about the stormwater basket change and stated that the District needed to have a summary of all of the costs.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING THE DETENTION POND CONSTRUCTION AND STORMWATER SEWER CONNECTION.

The Board later addressed this matter under Closed Session.

TO REVIEW AND TAKE ACTION OF ANY PAY APPLICATIONS SUBMITTED BY JE DUNN AND APPROVE BY MARTINEZ ARCHITECTS.

The Board next reviewed Pay Application No. 14 from JE Dunn in the amount of \$118,540. After review and discussion, a Motion was made by Mr. **Parker**, and seconded by Mr. **Latimer** to approve payment of the Application as presented. The Motion passed 4 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING MATTERS RELATED TO THE WORK PERFORMED BY MMG CONTRACTORS AND ALJ LINDSEY FOR THE INSTALLATION OF WATER AND SEWER LINES BENEFITING THE STATION 12 PROPERTY.

The Board later addressed this matter under Closed Session.

TO REVIEW AND TAKE ACTION REGARDING MODIFYING THE DISTRICT'S COST SHARING AGREEMENT WITH MUD 191.

No action taken.

TO APPROVE THE MINUTES OF PRIOR MEETING(S).

The Board then addressed the Minutes of prior meetings. After review, Mr. **Latimer** made a Motion, seconded by Mr. **Escott** to approve the Minutes from the District's regular meeting held January 9, 2020. The Motion passed 4 to 0.

TO RECEIVE, DISCUSS AND TAKE ACTION ON THE FIRE OPERATIONS REPORT.

Fire Chief Dan Shelor presented the Fire Operations Report including payroll reports and the Fire Inspection Report. Chief Shelor noted the Department responded to 108 calls during the previous month with 19 calls overlapping one another. The only major incident reported for the month was that of a vehicle fire. Chief Shelor stated mutual aid was provided on 19 occasions and assistance received 2 times during the month. The total calls to date equal 1,123. After review, a Motion was made by Mr. **Escott**, seconded by Mr. **Parker** to accept the Fire Operations Report and Fire Inspection reports as presented. The Motion passed 4 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION ON NEEDED IMPROVEMENTS OR REPAIRS TO THE DISTRICT'S STATION OR RELATED FACILITIES.

Chief Shelor will present an update on recommendations for Station 11 at the February Board meeting.

TO REVIEW, DISCUSS AND TAKE ACTION ON SUBMITTALS OF ADVANCE REQUEST(S) FOR PURCHASE OF ITEMS NECESSARY FOR DISTRICT OPERATIONS.

No requests were received by the Board.

TO REVIEW AND TAKE ACTION ON APPROVAL OF EXPENSES RELATED TO UPCOMING TRAINING CLASSES, COURSE MATERIALS, EQUIPMENT AND RELATED EXPENDITURES TO BE INCURRED BY THE DISTRICT.

No requests were received by the Board.

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

No amendments were necessary.

TO DISCUSS ANY NEW ITEMS THAT NEED TO BE ON THE AGENDA FOR THE SUBSEQUENT DISTRICT MEETINGS AND TO SET THE DATE FOR THE NEXT SCHEDULED MEETING FOR FEBRUARY.

The next regular meeting will be held on Thursday, March 5, 2020, to commence at 4:30 p.m. No specific items were requested for placement on the agenda.

TO MEET IN CLOSED SESSION, PURSUANT TO §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 consult with legal counsel regarding contemplated litigation at 5:28 p.m. and reconvened in Public Session at 6:05 p.m.

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

The Board had no need to enter Closed Session regarding personnel matters.

ADJOURNMENT.

There being no further business brought before the Board, Mr. **Latimer** made a Motion, seconded by Mr. **Parker** to adjourn the meeting at 6:00 P.M. The Motion passed 4 to 0.

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

**HARRIS COUNTY
EMERGENCY SERVICES DISTRICT NO. 29**

By: _____
David Parker
District Secretary