

MINUTES OF MARCH 5, 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, March 5, 2020.

CALL TO ORDER.

The meeting was called to order at 4:32 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. Mr. Cameron Aschenbeck and Ms. Robin Webb of JE Dunn were also in attendance at the meeting.

TO RECEIVE PUBLIC COMMENT.

Mr. **Morgan** opened the floor for public comment though none was offered.

REVIEW AND TAKE ACTION TO CANCEL THE ELECTION.

Mr. Coveler explained that the Board had received only three (3) candidate applications for the 2020 District Commissioner election. Those applications were received from the incumbent commissioners as follows:

Bill Hogue
Kenneth Latimer
David Parker

Mr. Coveler explained that since there were three (3) candidate openings and only three (3) candidate applications, the three (3) applications were elected to the Board positions without necessity of an election. He went on to state that the Board needed to accept the candidates and cancel the election. Following a discussion, Mr. **Escott** made a Motion, seconded by Mr. **Morgan** to recognize the certification of the three (3) unopposed candidates named above. The Motion passed 4 to 0. Following the vote, Mr. Coveler added that each commissioner is elected to a term of four (4) years commencing on June 1, 2020 and ending on May 31, 2024.

Another Motion was then made by Mr. **Escott**, seconded by Mr. **Latimer** to cancel the general commissioner election scheduled for May 2, 2020. The Motion passed 4 to 0. Please see the 2020 Election Order regarding the cancelation 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. Russell reported payment of bills in the amount of \$83,872.58, two-period payrolls totaling \$196,892.15 and \$8,000 disbursed from the Station account.

Mr. Latimer questioned what the issue had been regarding the wire transfer(s), previously not transmitted at the February meeting, as it took Nancy Davis thirteen additional days to wire the funds. Mr. Russell stated that Ms. Davis is the only person authorized to handle wire transfers. Mr. Latimer reminded Mr. Russell that the control of wire transfers had been given to Mr. Russell, per his instruction. Mr. Latimer made a Motion, seconded by Mr. Parker to place Kim Russell on the Banc Corp South account as an authorized Myrtle Cruz employee to handle wire transfers in the absence of Nancy Davis. The Motion passed 4 to 0.

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 \$82,300 and approve \$282,400 for payroll and \$-0- for administrative expenses as presented. Mr. **Parker** seconded the Motion. The Motion passed 4 to 0.

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

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

No submissions were received by the Board.

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 pond had been re-surveyed. Results determined allowable capacity in the pond.

Ricardo Martinez and Cameron Aschenbeck of JE Dunn noted the following outstanding matters to be reviewed: (1) JE Dunn is finalizing matters related to the storm sewer baskets and the requirements of Harris County; (2) JE Dunn is working to obtain a temporary occupancy permit for the District if a permanent permit cannot be obtained; (3) the Harris County inspection of the property is scheduled for Monday, March 9, 2020; (4) the detention pond needs new grass

stabilization; and (5) Martinez Architects issued the substantial completion letter on February 24, 2020.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING ANY CHANGE ORDERS OR PUNCH LIST ITEMS THAT NEED TO BE ACTED ON BY THE BOARD.

Cameron Aschenbeck provided a spreadsheet presentation regarding outstanding items for review by the Board. The Board took no action.

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

Mr. Martinez explained the need to install a generator and pump related to the operation of the detention pond. Following the presentation and a discussion, a Motion was made by Mr. **Parker**, seconded by Mr. **Latimer** to approve the rental of the generator and pump for \$27,460. The Motion passed 4 to 0.

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

Brad Dill presented a report on his communications with MUD 191.

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 February 6, 2020. The Motion passed 4 to 0.

TO REVIEW AND DISCUSS DISTRICT ISSUES THAT WERE IDENTIFIED AT THE SAFE-D CONFERENCE.

Mr. Morgan reported that over 900 attendees gathered for the 2020 Safe-D Conference. Mr. Coveler discussed SB2.

TO RECEIVE A PRESENTATION FROM MULTIVISTA REGARDING THE STATION 12 PROJECT.

Brian Altus presented photographs from the project. A discussion was held regarding comments on the pictures.

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 99 calls during the previous month with 20 calls overlapping one another. There were two (2) vehicle fires, one (1) trash fire and one (1) small cooking fire during the month of January. Chief Shelor stated mutual aid was provided on 5 occasions and assistance received 6 times during the month. The response time for all calls averaged five minutes and fifty-five seconds (5:55) for the month of January.

After review, a Motion was made by Mr. **Latimer**, seconded by Mr. **Escott** to accept the Fire Operations Report and Fire Inspection reports as presented. The Motion passed 4 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING A POLICY RELATED TO THE GRANTING OF A VARIANCE FOR THE UTILIZATION OF NATURAL WATER RESOURCES TO SUPPLY WATER FOR FIREFIGHTING PURPOSES.

Chief Shelor discussed receiving a letter requesting the placement of a pond or tank at the developer's property. The developer stated he prefers to install a tank as opposed to installing a pressurized fire suppression system. After discussion, a Motion was made by Mr. **Parker**, seconded by Mr. **Latimer** to produce a letter and/or resolution rejecting pond based drafting systems for fire suppression. 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.

Mr. Parker made a Motion, seconded by Mr. Escott to add GTT Intelligence to Station 12. The Motion passed 4 to 0.

Discussion was then held regarding the conversion of light kits for Station 11 from fluorescent to LED. After review, Motion was made by Mr. **Parker**, seconded by Mr. **Escott** to purchase a new projection system including dongle equipment installation through I-evolve not to exceed \$12,400. The Motion passed 4 to 0.

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, April 2, 2020, to commence at 4:30 p.m. The renewal of HdL was 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 6:29 p.m. and reconvened in Public Session at 6:51 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 6:59 P.M. The Motion passed 4 to 0.

The foregoing minutes were passed and approved by the Board of Commissioners on August 6, 2020.

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

By: _____
David Parker
District Secretary