

MINUTES OF SEPTEMBER 16, 2024 MEETING
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46

A public meeting was duly called by the Board of Commissioners of **Harris County Emergency Services District No. 46** on **September 16, 2024**, which was held at the **Atascocita Fire Department, Headquarters Building**, located at **18425 Timber Forest Drive, Humble, Texas 77346**.

CALL MEETING TO ORDER AND ESTABLISH A QUORUM.

The meeting was called to order at 7:00 p.m. by **RON CLARKE**, Secretary of the Board, and Chairman of the meeting.

Chairman **CLARKE** announced that a quorum was present. Those Commissioners present for the meeting were:

Tom Truver	President	Absent
Buddy Rice	Vice President	Absent
John Bollom	Treasurer	Present
Ron Clarke	Secretary	Present
James Cone	Asst. Sec/Treas.	Present

Also present at the meeting were Chief of the Department, Mike Mulligan, Director of ITC & Operations Support Mike Wassell, Director of Human Resources and Finance Mary Anne Sokol, Ira Coveler and Melissa Wiggins of Coveler & Peeler, P.C., District legal counsel, Ricardo Martinez of Martinez Architects, and members of the Fire Department and public.

TO RECEIVE PUBLIC COMMENT AND CONDUCT THE PUBLIC HEARING/OPEN FORUM TO ALLOW INTERESTED PARTIES TO ADDRESS THE BOARD OF COMMISSIONERS AND BE HEARD REGARDING THE PROPOSED PROPERTY TAX RATE SETTING.

The Board first opened the floor to public comment, especially related to the 2024 property tax rate, though none was forthcoming.

CONCLUDE PUBLIC HEARING ON TAX INCREASE.

Mr. Coveler reminded the Board that a rate of \$0.10 per \$100 valuation had been proposed, and though the rate itself had not changed from 2023, it was still technically an increase as the 2024 tax base included new growth in the District and would raise approximately \$0.19 more for maintenance and operations on a \$100,000 home. There being no public comment, the Board then closed the public hearing.

TO ADOPT THE DISTRICT 2025 BUDGET.

Next, the Board discussed the 2025 District budget. Chief Mulligan advised that no changes had been made to the proposed budget. After review, Mr. **BOLLOM** made a Motion, seconded by Mr. **CONE**, to adopt the District's 2025 budget as presented. Thereafter, Chairman **CLARKE** called for a vote, and the Motion passed by a vote of 3 to 0.

TO ADOPT THE DISTRICT 2024 TAX RATE.

The Board then addressed the District's 2024 tax rate adoption. After review, Mr. **CONE** made a Motion, seconded by Mr. **CLARKE**, to adopt a rate of \$0.10 per \$100 valuation, effectively raising the tax rate by 2.64%. Thereafter, Chairman **CLARKE** called for a vote, and the Motion passed by a vote of 3 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION ON ANY MATTERS RELATED TO THE STATION 29 CONSTRUCTION PROJECT.

Next, the Board received a report on Station 29 construction matters from Mr. Ricardo Martinez who stated contractors had been on site working on the building exterior, and would be moving to complete interior work soon. Parts of the exterior masonry had been removed in order to properly install supports for the Station sunshade and awnings. Unfortunately, most of that brick could not be reused, though the cost of that work was being documented as part of the ongoing lawsuit with Christensen Building Group related to the project.

Mr. Martinez stated that regular meetings were being held to see weekly progress on the project. He listed items which had previously been left incomplete or incorrectly installed including the sunshades and awnings, flagpole, lighting, and gas appliances, and advised the Board that all such matters were being documented and addressed by MACO. Mr. Martinez then presented Pay Application No. 2 from MACO in the amount of \$214,628.71 for Board consideration. After review, Mr. **CONE** made a Motion, seconded by Mr. **BOLLOM**, to approve payment of Pay Application No. 2 as presented. Thereafter Chairman **CLARKE** called for a vote and the Motion passed by a vote of 3 to 0.

When asked, Chief Mulligan advised that significant completion was anticipated by November 14th, after which time crews would move into the Station around Thanksgiving. The Station grand opening was currently scheduled for January 11, 2025. No further action was taken.

TO REVIEW, DISCUSS AND TAKE ANY NECESSARY ACTION RELATED TO THE CONSTRUCTION OF THE DISTRICT'S MAINTENANCE FACILITY.

Mr. Martinez then addressed matters related to the construction of the District's maintenance facility. He informed the Board that Humble ISD was still working on their redesign of the detention pond, and until that was complete, no service could be provided. No action was taken by the Board at this time.

TO RECEIVE A SALES TAX REPORT FROM ESD TAX MANAGEMENT SERVICES.

The Board then received a sales tax report prepared by Ms. Alberta Balderas of ESD Tax Management Services. Mr. **BOLLOM** presented the report, stating September allocations totaled \$449,859.45, with a year-to-date total of \$4,097,148.11. Those figures represented a \$132,623.89 decrease in allocations compared to the same month in 2023, and a \$71,007.19 decrease in overall allocations for the year compared to the same period for 2023. The top ten (10) taxpayers made significant contributions during the month of August totaling \$204,540.88, a \$35,381.30 increase over August 2023. Ms. Balderas noted in her report that several entities were being researched regarding their allocations in August and September, and updates would be provided when

available. Chief Mulligan cautioned that decreases in sales tax income could impact the 2025 budget, and was advised it might be wise to amend the budget to reflect a decreased revenue expectation. No further action was taken by the Board.

TO RECEIVE A FINANCIAL REPORT FROM MARY ANNE SOKOL AND TAKE ANY NECESSARY ACTION REGARDING THE REPORT.

Next, the Board received the District's financial report from Mary Anne Sokol who stated that current account balances totaled \$14,279,926. She further informed the Board that the District's PNC account would officially close this week. She lastly noted large expenditures for loan payments related to Stations 19 and 29. After review, Mr. **CONE** made a Motion, seconded by Mr. **CLARKE**, to accept the report as presented, and to authorize the two (2) loan payments as presented. Thereafter, Chairman **CLARKE** called for a vote and the Motion passed by a vote of 3 to 0.

TO PAY DISTRICT BILLS AND APPROVE COMMISSIONER SUBMITTALS PURSUANT TO TEXAS HEALTH AND SAFETY CODE §775.038(A-1).

Ms. Sokol then addressed District bills and Commissioner submittals. Commissioner **BOLLOM** requested compensation in the amount of \$2,850 for nineteen (19) meetings since June 2024. After review, Mr. **CONE** made a Motion, seconded by Mr. **CLARKE**, to approve the payment of District bills and submittals as presented. Thereafter, Chairman **CLARKE** called for a vote and the Motion passed by a vote of 3 to 0.

TO APPROVE THE MINUTES OF PRIOR MEETING(S).

Next, the Board reviewed minutes of the August 12, 2024 meeting. After review, Mr. **BOLLOM** made a Motion, seconded by Mr. **CONE**, to approve the minutes as presented. Thereafter, Chairman **CLARKE** called for a vote and the Motion passed by a vote of 3 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING THE DISTRICT'S 2024 CAPITAL PURCHASE PLAN.

The Board then discussed the District's 2024 Capital Purchase Plan. Chief Mulligan advised that items being discussed had previously been approved as part of the plan and budget, but required approval for certain related budgetary increases. Mr. Wassell briefly reviewed the cost differences with the Board, after which Mr. **BOLLOM** made a Motion, seconded by Mr. **CONE**, to approve the revisions to the purchase plan as discussed. Thereafter, Chairman **CLARKE** called for a vote, and the Motion passed by a vote of 3 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION ON THE DEPARTMENT REPORTS.

The Board next reviewed the Department reports as provided by Chief Mulligan who began by noting only fifteen (15) calls had been made to the City of Houston, all of which were billable EMS runs. He also noted fifteen (15) mutual aid calls to the District during the month of July, though that figure included eleven (11) calls which took place during a District event. Thirty-six (36) mutual aid calls were made by the District during the month. He lastly advised that as of August, all units were down significantly in use and wait times with local hospitals, though efforts to decrease those wait times were also still ongoing. After review, Mr. **CONE** made a Motion,

seconded by Mr. **BOLLOM**, to approve the report as presented. Thereafter, Chairman **CLARKE** called for a vote and the Motion passed by a vote of 3 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION ON SUBMITTALS OF THIRTY (30) DAY ADVANCE REQUEST(S) FOR NECESSARY PURCHASES RELATED TO THE PROVISION OF EMERGENCY SERVICES IN ACCORDANCE WITH THE CURRENT DISTRICT BUDGET.

The Board took no action regarding thirty (30) day advance request(s) from the Department.

TO REVIEW, DISCUSS AND TAKE ACTION FOR THE SALE OR DISPOSAL OF OBSOLETE SURPLUS AND/OR SALVAGE PROPERTY PURSUANT TO TEXAS HEALTH AND SAFETY CODE §775.0735.

The Board then reviewed items for sale or disposal. Mr. Wassell presented multiple items including CCTV cameras which were purchased for Station 29, but could not be used, and also HVAC controllers for the Station which also were incompatible with existing systems. Mr. Wassell explained the items would be auctioned off to attempt to recoup their original investment as they had not been used and could not be used by the District. He requested permission to sell the items on eBay, though Mr. Coveler requested that he waited until legal counsel had reviewed rules of public auctions with regards to such sites.

Mr. Wassell also informed the Board that with their approval, the District's Charger would be sold on GovDeals.com, along with the old ambulance cabin chassis from San Antonio. Unfortunately, that chassis could not be mounted according to District needs, and thus would be auctioned off to offset costs. After review, Mr. **CONE** made a Motion, seconded by Mr. **BOLLOM**, to approve the auction of all listed items, pending legal review and approval. Thereafter, Chairman **CLARKE** called for a vote and the Motion passed by a vote of 3 to 0.

THE BOARD TOOK NO ACTION REGARDING THIRTY (30) DAY ADVANCE REQUEST(S) FROM THE DEPARTMENT.

The Board took no action regarding advanced requests from the Department.

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

The Board took no action related to repairs of District assets.

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 did not meet in Closed Session to consult with legal counsel.

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

The Board did not meet in Closed Session to discuss personnel matters.

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

The Board did not meet in Closed Session to deliberate real estate matters.

REVIEW AND TAKE ACTION ON DISTRICT REAL ESTATE MATTERS AND PERSONNEL MATTERS.

The Board took no action regarding District real estate or personnel matters.

DISCUSS ANY NEW ITEMS WHICH NEED TO BE ON THE AGENDA FOR THE SUBSEQUENT DISTRICT MEETINGS, INCLUDING THE REGULAR DISTRICT MEETING SET FOR OCTOBER 21, 2024.

Next, the Board confirmed the upcoming monthly meeting for Monday, October 21, 2024, and asked that an item to recite the pledge of allegiance be added to all future agendas.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING CHANGING THE DISTRICT'S REGULAR MEETING DATE AND TIME.

The Board took no action regarding changing the District's regular meeting date and time, and asked for the item to be tabled until further notice.

RECEIVE ANY ANNOUNCEMENTS FROM THE BOARD OF COMMISSIONERS OR THE DEPARTMENT STAFF.

No announcements were forthcoming from the Board of Commissioners or Department staff.

ADJOURNMENT.

There being no further business brought before the Board, Mr. **BOLLOM** made a Motion, seconded by Mr. **CLARKE**, to adjourn the meeting at 7:30 p.m. Thereafter, Chairman **CLARKE** called for a vote and the Motion passed by a vote of 3 to 0.

The foregoing minutes were approved by the Board of Commissioners on October 21, 2024.

By:



RON CLARKE
Board Secretary