

**MINUTES OF THE JULY 20, 2020 MEETING OF  
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46**

A Meeting was duly called of **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46**, which was held on July 20, 2020, at the Offices of the District at the Atascocita Fire Department Headquarters Building located at 18425 Timber Forest Drive, Humble, Texas 77346.

The Meeting was called to order at 7:00 p.m., by **TOM TRUVER**, President. Those Commissioners present were **TOM TRUVER, RON CLARKE, BUDDY RICE** and **JOHN BOLLUM**. **JOHN COYLE** was not in attendance. Chief of Department Mike Mulligan, Assistant Chief of EMS Sean Conley, Assistant Chief of Fire Sean Richardson, District Administrator Mary Anne Sokol, Director of ITC & Operations Support Mike Wassell and District Counsel, Mr. Ira Coveler of Coveler & Peeler, P.C., and Dr. Ron Welch of Municipal Information Services were also in attendance at this meeting.

The Board opened the floor for public comment though none was offered.

The Board next addressed matters relating to calling a Commissioner election to be held on November 3, 2020. Mr. Coveler reminded the Board that they had originally called the election for May 2020, but due to COVID the Board had previously taken action, consistent with Governor Abbott's disaster declaration, to postpone the election until November 3, 2020. Mr. Coveler stated that with tonight's action the Board would be joining the Harris County run election. He did note to the Board that while it was time to take this action, he was unable as of the date of this meeting to provide the District with a cost estimate for the election, but did share that he expected it to be more expensive than it had been for prior May elections. After review, a Motion was made by Mr. **RICE**, seconded by Mr. **BOLLUM** to join the Harris County ballot for November 2020. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then reviewed the sales tax report prepared by Alberta Balderas of ESD Tax Management Services regarding matters related to the District's Sales Tax revenue. The Board reviewed the report and discussed it, but no action was taken.

The Board next received a report from Dr. Ron Welch with Municipal Information Services. The Board made several inquiries with Dr. Welch related to real estate prices, development in the District and the District's future expected values. Dr. Welch is expecting to have more detailed census information for the 2021 report. The Board thanked Dr. Welch for his services. No action taken.

The Board addressed item 6, review of the Meeting Minutes of prior meeting(s). Thereupon after review, a Motion was made by Mr. **BOLLUM**, seconded by Mr. **CLARK** to approve the meeting Minutes of the regular meeting held June 15, 2020. After discussion, the Motion was approved by a vote of 4 to 0.

The District next reviewed a financial report prepared by Ms. Sokol, District Administrator. Ms. Sokol relayed the District's balances for the period ended June 30, 2020. Ms. Sokol stated that overall the budget was fine and looked good for the remainder of the year. She explained that the District's revenue and expenses were aligning as expected other than interest revenue which is

less than anticipated due to COVID-19 and the general state of the economy. Ms. Sokol did mention that some costs were up for the month of June because of COVID 19, but nothing that was out of tolerance for the District. Thereupon after review, Mr. **TRUVER** made a Motion, seconded by Mr. **CLARK**, to accept the financial report as presented including. After discussion, the Motion was approved by a vote of 4 to 0. Please see the District's treasurer's Report for a more detailed presentation of the financial condition of the District.

Mr. Coveler next explained the tax rate adoption planning. The Board took no action on the District 2021 budget and 2020 District tax rate as these items will be addressed at the District's special meeting scheduled for August 3, 2020.

The Board then addressed the tax rate calculations for 2020. A Motion was made by Mr. **CLARKE** to designate the Harris County Tax Assessor-Collector's Office to prepare the District's No New Revenue Tax Rate and related tax calculations for 2020. Mr. **BOLLOM** seconded the Motion. After discussion, the Motion was approved by a vote of 4 to 0.

The Board next addressed publication of tax rate setting notices. After review, a Motion was made by Mr. **CLARKE**, seconded by Mr. **BOLLOM** to authorize District counsel to publish the necessary 2020 Tax Rate setting notices. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then discussed with Chief Mulligan and other persons present for this meeting matters related to COVID 19. No action was necessary at this time.

The Board next addressed District bills and commissioner submittals. Added to the bills previously submitted were some expense reimbursements requested and submitted by commissioners **RICE** and **BOLLOM**. After review, Mr. **RICE** made a Motion, seconded by Mr. **BOLLOM** to ratify the payment of prior bills and approve payment of submittals as presented. The Motion was approved by a vote of 4 to 0. Please see the District's treasurer's Report for a more detailed presentation of the bills and invoices submitted for payment.

The Board then discussed engaging Martinez Architects, LP for design services related to the reconstruction of Station 29. Mike Wassell discussed with the Board his desire to explore the cost to build a new fire station at the Station 29 site. Mr. **CLARKE** questioned how it was decided to work with Ricardo Martinez and if other candidates had been considered. Mr. Coveler explained that there were other firms available, but that the District was within its rights (the selection of Martinez Architects, LP was permitted by law without a formal solicitation) to work with Mr. Martinez's firm and that he had a number of fire station projects being developed in and around Harris County. Mr. Coveler also stated that the District had previously worked with PGAL and Joiner Architects on different projects in the past and that Martinez Architects, LP was the architect for the 1501 Rustic Timbers project. After review, a Motion was made by Mr. **BOLLOM**, seconded by Mr. **RICE** to appoint a committee to review the matter. The Motion was approved by a vote of 4 to 0.

The Board next reviewed the Station 29 renovation/reconstruction. Chief Mulligan stated there was no action necessary at this time.

The Board then reviewed the renovation of the District's maintenance facility. Chief Mulligan and Mike Wassell reported that Phase 1 of the renovation was progressing as half of the bay doors had been installed at the facility. They also reported that Phase II would be commencing in the near future. Chief Mulligan requested that the District purchase a forklift to assist with building maintenance matters. Mr. Wassell reported that there had not been any theft at the 1501 Rustic Timbers property while the building had been open during renovations. After review, a Motion was made by Mr. **RICE**, seconded by Mr. **BOLLOM** to approve the purchase of the requested forklift in an amount not to exceed \$24,000. The Motion was approved by a vote of 3 to 1 with Mr. **CLARKE** voting in opposition to the acquisition of the forklift.

The Board then received reports from the Department. Chief Mulligan informed the Board that eight (8) employees had tested positive for COVID 19. None of the employees were in the hospital long-term and all are recovered or expected to recover in the near future. Chief Mulligan added that response times had not experienced significant delays due to COVID-19 related cases. After review, a Motion was made by Mr. **BOLLOM**, seconded by Mr. **RICE** to approve the Department reports as received. The Motion was approved by a vote of 4 to 0.

The Board then addressed the upcoming ISO evaluation of the Department's Public Protection Classification (PPC). Chief Mulligan stated that the current evaluation is scheduled to commence tomorrow, July 21, 2020. He shared that MUDs were cooperating with pertinent information and that the ISO evaluation is anticipated to take approximately half the day. No action taken.

The Board took no action on (30) day advance requests as none were submitted by the Department though future purchase of a forklift was noted.

The Board next addressed the sale or disposal of surplus and/or salvage property pursuant to Texas Health and Safety Code §775.251. Mr. Wassell stated that the scrap gym equipment was still for sale though no new items were being presented for consideration.

The Board took no action on repairs for equipment, apparatus and facilities in service to the District.

The Board then confirmed the date for the next regular meeting will be August 17, 2020, either in-person or via teleconference. All commissioners found the date accommodating to their schedules.

The Board then reviewed items to be placed on the August meeting agenda. No specific items were requested.

The Board entered Closed Session at 7:43 p.m., to consult with legal counsel and discuss real estate matters. The Board returned to Open Session at 8:23 p.m.

Following closed session, the Board addressed the employment related claim(s) discussed in closed session related to the complaint filed by Chad Hodgins. After review, a Motion was made by Mr. **CLARKE**, seconded by Mr. **RICE** to accept the settlement proposal discussed in closed session. Mr. Coveler stated to the Board that the minutes should reflect that the liability to

Mr. Hodgins was contested and that the amounts paid in settlement would be sourced entirely from the District's insurance carrier.

The Board next discussed entering into a real estate contract with Startap, Inc. for the purchase of property adjacent to the District's 1501 Rustic Timbers property. After review, a Motion was made by Mr. **RICE**, seconded by Mr. **BOLLOM** to approve the real estate acquisition with Startap, Inc., as presented in closed session. The Motion was approved by a vote of 3 to 1 with Mr. **CLARKE** voting in opposition. Mr. **CLARKE** asked that the record reflect that he had concerns about future issues with the TCEQ related to development of mineral rights at the property and stated that it was critical for any party developing their mineral rights at the site have a bond filed with the TCEQ to help address any potential environmental matters.

The Board then addressed a real estate contract with Clayton Ivy, Inc., for the purchase of property adjacent to the District's 1501 Rustic Timers property. After review, a Motion was made by Mr. **RICE**, seconded by Mr. **BOLLOM** to approve the real estate acquisition with Clayton Ivy, Inc., as presented in closed session. The Motion was approved by a vote of 3 to 1 with Mr. **CLARKE** voting in opposition. Mr. **CLARKE** asked that the record reflect that he had concerns about future issues with the TCEQ related to development of mineral rights at the property and stated that it was critical for any party developing their mineral rights at the site have a bond filed with the TCEQ to help address any potential environmental matters.

The Board took no action on District real estate matters or personnel matters discussed in closed session.

There being no further business brought before the Board, the meeting adjourned at 8:25 P.M.

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Buddy Rice  
Secretary of the Board