

**MINUTES OF THE SEPTEMBER 20, 2021 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 September 20, 2021, 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 7:01 p.m., by **TOM TRUVER**, President. Those Commissioners present were **TOM TRUVER, RON CLARKE, BUDDY RICE**, and **JOHN BOLLLOM**. Commissioner **JOHN COYLE** was not in attendance at the meeting. Chief of Department Mike Mulligan, Assistant Chief of Operations Jonathon Campos, Director of ITC & Operations Support Mike Wassell, Director of Human Resources and Finance Mary Anne Sokol, District Counsel, Mr. Ira Coveler of Coveler & Peeler, P.C., and Alberta Balderas of ESD Tax Management Services were also in attendance.

The Board opened the floor to receive public comment. Mr. **TRUVER** expressed his thanks to the Department for the September 11th Tribute as he conveyed the great job exhibited by Chief Vince Rodriguez. Mr. **TRUVER** also conveyed his appreciation for the police participation in the remembrance of the 20th anniversary of the September 11th attacks on the World Trade Center.

The Board then reviewed the District sales tax report prepared by Ms. Alberta Balderas. Ms. Balderas presented a comparison, as requested by the Board, including the 2019 collections. She explained the usual amounts were reflected to the left of the dotted line and the variance compared to prior years was set forth on the right side of the report. Ms. Balderas also reviewed the year-to-date totals for the District's sales tax collections. Noting specific businesses, Ms. Balderas noted Comcast to be listed under four (4) different categories because of the scope of its services. Additionally, the District received revenue from two (2) new businesses in the Walden area. Mr. **CLARKE** requested information about a Chik-Fil-A location. Ms. Balderas explained that no sales tax would be collected as the restaurant is not located within District sales tax territory. The Board shared with Ms. Balderas that this new report format was "Excellent" and answered the District's prior questions. After review, Motion was made by Mr. **CLARKE** seconded by Mr. **RICE** to approve the report as presented. Thereafter, President **TRUVER** called for a vote and the motion passed by a vote of 4 to 0.

The Board tabled review the meeting minutes of prior meeting(s).

The District next received a financial report from Mary Anne Sokol, Director of Human Resources and Finance, for the period ended July 31, 2021. Ms. Sokol relayed 85% of the District's Revenue Budget had been accrued and 71.9% of the Expense Budget had been disbursed. Ms. Sokol also noted that sales tax is expected to decrease approximately \$800,000 this month. Thereupon after review, Mr. **CLARKE** made a Motion, seconded by Mr. **BOLLLOM**, to accept the financial report as presented. Thereafter, President **TRUVER** called for a vote and the motion passed 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.

The Board next addressed District bills and commissioner submittals. After review, Mr. **CLARKE** made a Motion, seconded by Mr. **BOLLOM** to ratify and approve the payment of the District's bills. Thereafter, President **TRUVER** called for a vote and the motion passed by a vote of 4 to 0.

Mr. **CLARKE** then made a Motion to approve compensation to Mr. **RICE** in the amount of \$750.00. Following a review and discussion related to same, President **TRUVER** called for a vote and the motion passed by a vote of 3 to 0 with Mr. **RICE** abstaining.

Please see the District's treasurer's Report for a more detailed presentation of the bills and invoices submitted for payment.

The Board then addressed matters related to COVID 19. Chief Mulligan relayed that he was preparing his submission to the federal government related to available COVID-19 funds. Additionally, he stated that he is providing responsive information to Safe-D so they can attempt to recover funds for all of the emergency service districts throughout Texas. Chief Mulligan noted that Safe-D is attempting to recover from the \$16 billion dollar award made to Texas under the American Rescue Plan Act funds. Chief Mulligan shared that the District has incurred additional expenses related to COVID in excess of \$131,000. The Department recovered \$21,347 from Department of Health and Human Services last year. Mr. **RICE** stated that by applying for the funds and responding to the survey you are not obligating yourself to anything. The Board thanked Chief Mulligan for preparing the necessary submission and responding to the survey. Chief Mulligan stated that he was not certain if the submissions would result in any funds to the District.

The Board then addressed entering into a financing agreement with Government Capital Corporation for the construction of new Station 29. Mr. Coveler discussed with the Board the loan documents and requirements related to the District's \$6,900,000 construction loan. Mr. Coveler explained that the loan was originated through Government Capital Corporation, but will most likely be assigned to another lender. Mr. Coveler verified the terms and conditions of the loan with the Board explaining that there was a period of time in which the loan could not be pre-paid and thereafter it could be pre-paid without a prepayment premium. Mr. Coveler explained that the annual percentage rate on the loan is 1.96% and that the loan is fixed at that rate 2036 and that the loan is not eligible to be prepaid in any part until October 1, 2028. Finally, Mr. Coveler explained that all of the funds would be immediately invested into the District's Texas Class account for the District's use as of October 1, 2021. After review and discussion, a Motion was made to pay the origination fee to Government Capital Corporation in the amount of \$34,500 and to enter into the financing agreement with Government Capital Corporation by Mr. **BOLLOM** seconded by Mr. **CLARKE**. Thereafter, President **TRUVER** called for a vote and the motion passed by a vote of 4 to 0.

The Board next addressed entering into an agreement with Christensen Building Group for the Station 29 construction project. After review and discussion, a Motion was made by Mr. **CLARKE** seconded by Mr. **BOLLOM** to approve the agreement. Thereafter, President **TRUVER** called for a vote and the motion passed by a vote of 4 to 0.

The Board then addressed the Station 29 reconstruction project. Chief Mulligan stated that a preconstruction meeting is scheduled for Thursday, September 23, 2021. Work has commenced at the Rustic Timbers location in anticipation of the Notice to Proceed as of October 1, 2021. Chief

Mulligan noted November 1, 2021 to be the target date to relocate from Station 29 to the Rustic Timbers location for the operations of Station 29. No action taken.

The Board next addressed the construction of the District's maintenance facility. Chief Mulligan reported the new septic system had been installed. The stormwater system is being installed currently and the finalization of the fencing will follow thereafter. No action taken.

The Board next received reports from the Department, previously emailed out by Chief Mulligan. Chief Mulligan reviewed the report stating the Department provided mutual aid ninety-one (91) times during the month of August. Chief Mulligan stated that the Department had been backfilling for Harris County Emergency Corps ("HCEC") because HCEC had been providing support to the Harris County ESD No. 11 territory related to the transition of services away from Cypress Creek EMS. After review, a Motion was made by Mr. **BOLLOM** seconded by Mr. **CLARKE** to approve the Department reports as received. Thereafter, President **TRUVER** called for a vote and the motion passed by a vote of 4 to 0.

The Board then addressed the replacement for the District's High-Water Vehicle. Chief Mulligan reported that the matter had been discussed at the strategic plan meeting from which alternate options were considered. Deer Park has a good solution that the Department is evaluating along with other possible options. Chief Mulligan stated the assumption is that the ESD Board wants a High-Water Rescue even though this type of rescue is not part of the Department's traditional service model. Chief Mulligan asked the Board, "Do we want to provide this service?" Mr. **RICE** replied, "we are going to be the ones making the rescues. Where you need them, you need them." Chief Mulligan relayed various options are being explored which will be provided to the Board for future consideration. No action taken.

The Board next addressed entering into an agreement with the Northeast Hospital Authority to obtain a grant for the acquisition of a new ambulance. Chief Mulligan and Mr. Coveler discussed the details of the agreement with the Board. Mr. Coveler shared his concerns regarding accepting the \$339,844.63 donation from the Northeast Hospital Authority. Following the discussion with District counsel and Chief Mulligan, Mr. **CLARKE** made a motion, seconded by Mr. **BOLLOM** to approve the agreement with the Northeast Hospital Authority as presented. Thereafter, President **TRUVER** called for a vote and the motion passed by a vote of 4 to 0.

The Board then addressed the opening of new accounts with Chase Bank. Signers on the bank accounts will include all commissioners and Mary Anne Sokol, acting as Secretary. Each individual will need to present his/her Texas driver license and social security card for identification verification purposes. Discussion was held by the Board regarding the opening of bank accounts into which sales tax and property tax accounts would be moved.

The Board next addressed thirty (30) day advance requests submitted by the Department. No requests were received by the Board.

The Board took no action on the sale or disposal of surplus and/or salvage property pursuant to Texas Health and Safety Code §775.251 as no items were presented for consideration.

The Board next addressed repairs for equipment, apparatus and facilities in service to the District. No requests were received by the Board.

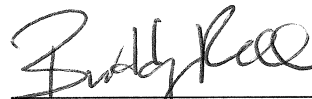
The Board then confirmed the date for the next regular meeting will be October 18, 2021 at the Maintenance Facility on 1501 Rustic Timbers Drive, Humble, Texas 77338. All commissioners in attendance found the date accommodating to their schedules. No specific requests were made for items to be placed on the October meeting agenda.

The Board did not exercise the option to enter Closed Session.

The Board took no action on real estate or personnel issues.

There being no further business brought before the Board, Mr. **RICE** made a Motion seconded by Mr. **BOLLOM** to adjourn the meeting 7:54 P.M. Thereafter, President **TRUVER** called for a vote and the motion passed by a vote of 4 to 0.

The foregoing minutes were passed and approved by the Board of Commissioners on October 18, 2021.



Buddy Rice
Secretary of the Board