

**MINUTES OF THE FEBRUARY 20, 2023 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 February 20, 2023, 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**, Board President, and Chairman of the meeting. Other Commissioners present include **BUDDY RICE, RON CLARKE, JOHN BOLLON** and **JAMES CONE**. Chief of the Department Mike Mulligan, Assistant Chief of Operations Terry Wygal, EMS Director Sean Conley, 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., Melissa Wiggins of Coveler & Peeler, P.C., Ricardo Martinez of Martinez Architects, Mark Christensen of Christensen Building Group, Chief Scott Seifert of ESD No. 7, and members of the Fire Department and public were also present.

The Board opened the floor to receive public comment though none was forthcoming.

The Board next discussed matters related to the Station 29 construction project and approval of pay applications presented by Martinez Architects. Ricardo Martinez presented an update on the project and made special note of the following matters:

1. Station 39 – Some programming and specification designs have been prepared though communication is ongoing between Martinez Architects and the Department to determine requirements for expansion and revision of current plans.
2. Training – Lay out and design of Training Center Feasibility has begun, and Martinez Architects is coordinating with the Department to review drawings and options. Financial estimates for the project are expected to be presented at the March meeting.
3. Fleet Maintenance – Site detention has been allocated to the Humble ISD detention system, with efforts ongoing to coordinate water access with the City of Humble and resolve conflicts regarding the storm sewer outfall pipe. Efforts to repair the damaged parking canopy are also ongoing.
4. Station 29 – Options are being reviewed to relocate the existing St. 29 sign. Replacement glazing would be installed this week after incorrect glazing was installed with the new window frames. One (1) right-of-way permit is still outstanding, delaying connection of permanent power by CenterPoint. Anticipated activities include site grading, site paving and sidewalk installation, and HVAC mounting and installation. Concerns were also raised regarding an interior demising wall which was not built to plan and will be investigated for potential solutions by both Martinez Architects and Christensen Building Group.

Mr. Martinez made note of ongoing efforts by Christensen Building Group to repair the parking lot canopy at the Fleet Maintenance Facility, stating miscommunication with the

subcontractor had led to further damage to the site. Mr. Christensen explained that the erectors mistakenly cut the East columns of the canopy by 10-12", causing a shortage and making necessary clearance impossible. Having damaged the canopy, the subcontractor will remove the damaged columns, install new columns with the appropriate 15' clearance rate with a top panel slope of 0.25" per foot to sheet water away from the carport, rather than pooling and leaking as is the current situation.

Mr. Wassell then requested shorelines be connected to the temporary subpanel to provide electricity to Department vehicles while the covered area was being renovated. Mr. Christensen agreed to look into the matter and find a solution to these concerns, stating "I'll stay on these items and keep participating in weekly meetings to push everything along." He further advised the Board of new management to replace Todd Granato on the project as of March 10<sup>th</sup>.

One (1) pay application was then presented to the Board for Station 29. Pay application No. 17 was originally submitted for \$265,733.50 but was reduced to a certified payment of \$243,746.25 based on 75% completion rate of work related to the application. Mr. Martinez advised the Board that the reduced payment could be made by the construction committee pending Board approval. After review, Mr. **CONE** made a Motion, seconded by Mr. **CLARKE** to approve the reduced payment of application No. 17, pending committee approval. Thereafter, President **TRUVER** called for a vote and the Motion passed 5 to 0.

The Board next reviewed the District's construction contract with Christensen Building Group for the Station 29 project and the District's maintenance building. Based on the previous discussion including Mr. Martinez and Mr. Christensen, the Board chose to table this item for future discussion and took no further action at this time.

The Board next received a sales tax report prepared by ESD Tax Management Services. Mary Anne Sokol presented the report, stating sales allocations for the month of February totaled \$571,714.08 for a year-to-date of \$1,080,492.99. Research was ongoing regarding some questionable allocations from known entities, and one entity was also noted as going out of business, marking an expected loss in revenue. Variances from income received in January of 2023 and 2022 further showed a decrease in revenue of \$1,711.42. After review, Mr. **CONE** made a Motion, seconded by Mr. **CLARKE** to accept the report as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed 5 to 0.

The Board then received a financial report from Ms. Sokol. Ms. Sokol stated that due to errors involving the reporting system, no information regarding budget vs. actuals was available at this time, however District balances for the month ending January 31<sup>st</sup> amounted to \$15,284,707.04. Efforts were ongoing to repair software and processes for producing financial information by the end of the week. Thereafter, Mr. **RICE** made a Motion, seconded by Mr. **BOLLOM** to accept the report as presented. After discussion, President **TRUVER** called for a vote and the Motion passed 5 to 0.

The Board next reviewed District bills and commissioner submittals pursuant to Texas Health and Safety Code §775.038(a-1). After review, Mr. **RICE** made a Motion, seconded by Mr. **CONE** to approve payment of the District's bills. Thereafter, President **TRUVER** called for a vote and the Motion passed 5 to 0.

The Board next reviewed the January 16<sup>th</sup> meeting minutes. After review, Mr. **CONE** made a Motion, seconded by Mr. **CLARKE** to approve the January meeting minutes. Thereafter, President **TRUVER** called for a vote and the Motion passed 5 to 0.

The Board then reviewed the Department reports presented by Chief Mulligan. Chief Mulligan advised the Board that all reports had been submitted on the shared drive earlier in the week. He further stated that Humble held the highest receipt of mutual aid from the District. With no questions forthcoming, after review Mr. **CLARKE** made a Motion, seconded by Mr. **CONE** to accept the Department reports as provided. Thereafter, President **TRUVER** called for a vote and the Motion passed 5-0.

The Board then discussed the purchase of loose equipment from Texas Fire Apparatus. Mr. Wassell advised the Board that two (2) requests were being made regarding equipment and storage options. Firstly, due to cost escalations and equipment changes, \$24,209.10 was being requested to cover the expense of loose equipment for two (2) new pumpers. An additional \$27,342.50 was also requested to cover the expense of rescue tools for two (2) new pumpers. After review, Mr. **CONE** made a Motion, seconded by Mr. **BOLLOM** to approve the purchase increase for loose equipment and rescue tools in the amount of \$51,551.60. Thereafter, President **TRUVER** called for a vote and the Motion passed 5 to 0.

At this time, Mr. **CONE** made mention of recent equipment thefts from neighboring Departments and along with Mr. **CLARKE**, asked that possible actions or measures be considered to prevent the same occurring locally.

The Board then discussed entering an agreement with Fire Manufacturing Innovations LLC ("FMI") for the design and installation of equipment mounting solutions on the District's apparatus. Mr. Wassell advised the Board that Fire Manufacturing Innovations LLC was the best option for producing equipment storage. Mr. Wassell also commented on FMI's warranty and production process which would ensure repairs and replacement would be available in the event of accident or damage to an apparatus. Furthermore, as the two (2) new pumpers were purchased under budget, the remaining \$17,000 could offset the original cost, \$76,917.58 related to equipment mounts for those apparatus. After review, Mr. **CLARKE** made a Motion, seconded by Mr. **CONE** to approve the agreement with Fire Manufacturing Innovations LLC pending Counsel review, for \$59,917.58. Thereafter, President **TRUVER** called for a vote and the Motion passed 5 to 0.

The Board next discussed thirty (30) day advance request(s) for necessary purchases related to the provision of emergency services in accordance with the current District Budget. Mr. Wassell stated that no requests had been made and no action was necessary.

The Board next discussed the sale or disposal of obsolete surplus and/or salvage property. Mr. Wassell again reported no requests for disposal and the Board took no action at this time.

The Board then discussed any necessary repairs of District equipment, apparatus and facilities. Mr. Wassell stated no repairs were necessary at this time and the Board took no action.

Before convening in Closed Session, the Board reviewed any items to be added to the agenda for subsequent District meetings including the regular District meeting set for March 20,

2023. At this time no new items were noted for addition to the future agenda, and the proposed date of March 20<sup>th</sup> was confirmed by the Board. Mr. **CONE** shared that he would not be present due to attending a conference out of town.


The Board then convened in Closed Session at 7:45 P.M. to consult with legal counsel, discuss personnel matters, and deliberate matters regarding real estate.

The Board reconvened in Open Session at 8:04 P.M.

The Board then reviewed District matters discussed in closed session. After review, Mr. **BOLLOM** made a Motion, seconded by Mr. **CONE** to approve the compensation changes for Chief Mulligan as discussed in closed session. Thereafter, President **TRUVER** called for a vote and the Motion passed 4 to 1 with Mr. **CLARKE** voting in opposition to the action without additional comment.

There being no further business brought before the Board, Mr. **CONE** made a Motion, seconded by Mr. **CLARKE** to adjourn the meeting at 8:07 P.M. Thereafter, President **TRUVER** called for a vote and the Motion passed 5 to 0.

The foregoing minutes were passed and approved by the Board of Commissioners on March 20, 2023.

  
**JOHN BOLLOM**  
District Secretary of the Board