

MINUTES OF MAY 14, 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 May 14, 2024, 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 BOLLUM** and **JAMES CONE**. Chief of the Department Mike Mulligan, Assistant Chief of Operations Terry Wygal, Director of ITC & Operations Support Mike Wassell, Director of Human Resources and Finance Mary Anne Sokol, Melissa Wiggins of Coveler & Peeler, P.C., District legal counsel, Ricardo Martinez of Martinez Architects, Matthew Cire of Andrews Myers, P.C., and members of the Fire Department and public were also present.

The Board first opened the floor to public comment, at which time Ms. Jetta Richardson encouraged everyone to visit the new Station garden.

The Board next recognized unopposed candidates from the May 4, 2024 Board of Commissioners Election. President **TRUVER** informed the Board that as no additional applications had been received which would require a District election, Commissioners **CLARKE** and **BOLLUM** would be considered re-elected for a new four (4) year term.

The Board then met in Closed Session at 7:01 p.m. to consult with special construction litigation counsel regarding the Station 29 lawsuit with Christensen Building Group. The Board returned to Open Session at 7:19 p.m. At this time, Commissioner **BOLLUM** made a Motion, seconded by Commissioner **CONE**, to move forward with plans regarding the Station 29 lawsuit as discussed in Closed Session. Thereafter, President **TRUVER** called for a vote, and the Motion passed by a vote of 5 to 0.

The Board next discussed matters related to the Station 29 construction project. Mr. Martinez informed the Board no updates were available at this time, as legal efforts were ongoing to determine next steps for the project.

The Board then reviewed matters related to the construction of the District's maintenance facility. Mr. Martinez advised the Board that no word had yet been received from Humble ISD related to the ongoing detention pond and permitting issues. No action was taken at this time.

The Board next received a sales tax report from ESD Tax Management Services. President **TRUVER** presented the allocation report, stating that allocations in May totaled \$515,173.96, an

\$11,309.17 increase over the same period in 2023. Six (6) taxpayers contributed significant allocations in the amount of \$119,858.49 in the month of April, a \$7,811.18 increase over the same period in 2023. After review, Commissioner **CONE** made a Motion, seconded by Commissioner **RICE**, to accept the report as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

The Board then received the District's financial report from Ms. Mary Anne Sokol, who stated District cash balances totaled \$16,918,422.02. She advised that the expenses were adhering to budget, and no unusual issues were discussed. Ms. Sokol lastly advised that one (1) large check totaling \$183,000 was being presented for approval related to the Dodge remount project. After review, Commissioner **BOLLOM** made a Motion, seconded by Commissioner **CONE**, to approve the report as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

The Board next reviewed District bills and Commissioner submittals for payment. After review, Commissioner **BOLLOM** made a Motion, seconded by Commissioner **CONE**, to approve the payments as submitted. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

Next, the Board reviewed the April 15, 2024 meeting minutes. After review, Commissioner **CLARKE** made a Motion, seconded by Commissioner **CONE**, to approve the minutes as presented. Thereafter, President **TRUVER** called for a vote, and the Motion passed by a vote of 5 to 0.

The Board then discussed the District's Investment Policy. Ms. Wiggins informed the Board that no changes to the 2020 Investment Policy were being recommended by legal counsel at this time, and requested the current policy be renewed for the 2024 year. After review, Commissioner **CLARKE** made a Motion, seconded by Commissioner **CONE**, to approve the renewal of the District's Investment Policy. Ms. Wiggins then advised the Board that as a new Treasurer had been appointed in 2023, it was also necessary to approve appointment of the District's Investment Officer. After discussion, Commissioner **CLARKE** made a Motion, seconded by Commissioner **CONE**, to appoint Commissioner **BOLLOM** as the District's Investment Officer. Thereafter, President **TRUVER** called for a vote, and the Motion passed by a vote of 5 to 0.

The Board next discussed the designation of the Harris County Tax Assessor-Collector's Office ("Tax Office") to prepare the District's No New Revenue Tax Rate and related tax rate

calculations for 2024. Ms. Wiggins informed the Board that the resolution being presented occurred annually, and would officially designate the Harris County Tax Assessor-Collector's Office to prepare all tax calculations and appraisals at no cost to the District, which would then be used to elect the District's tax rate in the fall. Coveler & Peeler, P.C., would review the calculations provided by the tax office and would use the information compiled by the Tax Office to develop the District's tax rate scenario worksheet which would be provided to the Board for consideration when setting the new tax rate. After review, Commissioner **CONE** made a Motion, seconded by Commissioner **CLARKE**, to approve the resolution as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

The Board then reviewed the Department reports provided by Chief Mulligan. Commissioner **RICE** commented that service runs to Houston had risen again, despite recent attempts to curb abuse of the District's mutual aid agreement. Chief Mulligan then informed the Board that changes to that agreement had gone into place and just been entered into the CAD system, but that the District was still required to respond to automatic aid calls to the City of Houston. There being no further questions, Commissioner **RICE** made a Motion, seconded by Commissioner **BOLLOM**, to approve the reports as presented. Thereafter, President **TRUVER**, called for a vote, and the Motion passed by a vote of 5 to 0.

The Board next discussed the District's 2024 Capital Spending Plan. Mr. Wassell presented three (3) items to the Board for approval, including a logistics cargo van in the amount of \$68,089, a rescue boat and trailer in the amount of \$84,994, and a Chevrolet Tahoe to serve as a new command in the amount of \$116,451.03 including contingency amounts. Mr. Wassell further advised the Board that a new pumper and tower aerial would be requested in July, representing the last of the large diesel apparatus in the District's fleet. The requested items were contained in the District's Capital Spending Plan and required approval from the Board to purchase. After review, Commissioner **CONE** made a Motion, seconded by Commissioner **BOLLOM**, to approve the three (3) purchases as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

The Board then discussed thirty (30) day advance request(s) from the Department, though none were forthcoming, and no action was taken.

The Board next reviewed items for sale or disposal under Health and Safety Code §775.0735. Mr. Wassell provided a list of twenty-three (23) items which would be auctioned on public surplus, pending Board approval. After review, Commissioner **CONE** made a Motion,

seconded by Commissioner **CLARKE**, to approve the items for sale as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

The Board then discussed necessary repairs of District property, though none were forthcoming, and no action was taken.

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

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

No action was taken regarding District real estate or personnel matters.

The Board next discussed the upcoming June meeting, and agreed to reschedule the regular meeting for Tuesday, June 11, 2024 at 7:00 p.m. due to scheduling conflicts.

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

There being no further business brought before the Board, Mr. **CONE** made a Motion, seconded by Mr. **BOLLOM**, to adjourn the meeting at 7:32 p.m. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

The foregoing minutes were approved and passed by the Board of Commissioners on June 11, 2024.

By:



RON CLARKE
Board Secretary