

HARRIS COUNTY EMERGENCY SERVICE DISTRICT NO. 47

MINUTES OF REGULAR MEETING

September 23, 2021

The Board of Directors of Harris County Emergency Service District No. 47 (“the District”) met in regular session, open to the public, on the 23rd day of September 2021 at 7:00 p.m. at the Westlake Fire Department, 19636 Saums Rd., Houston, TX 77084, a designated meeting place of the Board and via telephone conference due to the current COVID-19 pandemic. The Commissioners and members of the general public may participate in the meeting via Zoom video conference (using the video provisions of Section 551.127 of the Texas Government Code). The designated and primary method for participation is by telephone conference call pursuant to Chapter 551.125 of the Texas Government Code. The roll was called of the duly constituted members of the Board, to-wit:

Brian Havran	President
John P. Blanke	Vice-President
Gilberto Porras	Secretary and Records Retention Officer
Mitchell Copeland	Assistant Secretary and Assistant Treasurer
Mike Miller	Treasurer

Commissioner Havran, Commissioner Porras, Commissioner Miller and Commissioner Copeland were present at the Fire Station. Commissioner Blanke was present via zoom. The meeting was recorded via zoom.

Also present at the fire station were Santos Acuna of Precision Utility, LLC, the District’s Bookkeeper (“Bookkeeper”); W.A. “Butch” Callegari, Jr. of Callegari Law Firm, PC, Attorney for the District (“Attorney”); Derek Michael of Sales Revenue, Inc.; Shannon Draper, Fire Chief of Westlake Fire Department; Ginny Valls, recording secretary for the District; Joseph Ellis, Auditor for the District and the Fire Department; Alberto Sayago, Treasurer of the Department; Mark Palmer, community member.

Commissioner Havran called the meeting to order at 7:10p.m., and the following business was transacted.

Attorney Callegari confirmed that COVID emergency still exists and explained the protocol for electronic meetings and in person meetings.

Mark Palmer, a community member, asked to speak. Comm. Havran gave him the floor. Mr. Palmer spoke regarding support for the new fire chief as well as possibly budgeting for benefits for the new fire chief as well as the secretary.

The approval of prior minutes was discussed. After review, Comm. Porras made a motion to accept the June 17, 2021 minutes as presented. Comm. Miller seconded the motion, and the motion was unanimously accepted by the District. Comm. Copeland made a motion to accept the July 15, 2021 minutes as presented. Comm. Porras seconded the motion, and the motion was unanimously accepted by the District. The August 26, 2021 meeting was discussed. Comm. Miller asked that Mr. Fortner’s new company, Revenue Management Services, be noted. Comm. Havran asked that the proposals for sales tax be referred to as proposals for sales tax consultant services. **Comm. Miller made a motion to accept the August 26, 2021 minutes as corrected. Comm. Copeland seconded the motion, and the motion was unanimously accepted by the District. Comm. Copeland made a motion to accept the September 15, 2021 minutes as presented. Comm. Miller seconded the motion, and the motion was unanimously accepted by the District.** The minutes from the August 11, 2021 meeting were

deferred as Comm. Havran had not seen them.

Derek Michael with Sales Tax Revenue presented the report to the District. The report was reviewed by the District. There was discussion. He will be adding another graph that breaks down the information more and gives a more confidential report. Comm. Havran agreed the District would try it for a month. **After review, Commissioner Porras made a motion to accept the sales and use tax report. Comm. Miller seconded the motion, and the motion was unanimously accepted by the District.**

Sales and use tax consultants were discussed. The District has another company that will bring a presentation. Sales Tax Assurance will have some documents for the District to sign giving them access to the sales tax accounts. Comm. Copeland stated he has faith in Mr. Fortner. **Comm. Copeland made a motion to hire Revenue Management Services as the District's sales tax consultant.** Attorney Callegari would like the opportunity to review the documents Sales Tax Assurance provided before signing. Comm. Miller inquired how the fees line up with the current provider. Comm. Havran stated their fee is \$3,600.00 per year and if they recover funds, they keep 36%. There was no second for Comm. Copeland's motion. Comm. Miller felt that the matter should be tabled until next month, so the District has three to choose from. **Comm. Miller made a motion to defer. Comm. Havran seconded the motion. Comm. Miller and Comm. Havran were for the motion and Comm. Copeland and Comm. Porras were opposed. Motion does not pass. Comm. Copeland made a motion to hire Revenue Management Services as the District's Sales Tax Consultant affective January 1, 2022. Comm. Porras seconded the motion. Comm. Copeland, Comm. Porras and Comm. Blanke were for the motion and Comm. Miller and Comm. Havran were opposed therefore the motion carries.**

Next for discussion Commissioner Havran then recognized Santos Acuna for consideration of the Bookkeeper's report for the month of August 2021. The report was emailed prior to the meeting. The report was reviewed and discussed by the commissioners. **After review, Comm. Copeland's motion, seconded by Comm. Porras to approve the Bookkeeper's report, the District's Financial Report, the Investment Report and payment of the bills as presented, received unanimous consent of the Board.**

Commissioner Havran recognized Chief Shannon Draper for consideration of the Fire Department report for the month of August 2021. Chief Draper presented copies of the written monthly report detailing the number of calls by category and the overall response times. Chief Draper stated that the department has an increasing call volume. He stated the department has transitioned to WestComm. He discussed bids for door locks ranging from \$81k to \$106k. Chief Draper recommends the \$64k option. Attorney Callegari explained the bidding process for purchases over \$50k and suggested looking to see if the vendor is on HGAC or BuyBoard to eliminate the need to use the bidding process. The department can wait until the next budget cycle. The matter will be deferred until next month when options from HGAC and BuyBoard are obtained. Chief Draper has encountered a few operational issues with the current radios and suggests going with the Motorola P25XE. He found some errors in the quotes and has asked for them to be rewritten. There was discussion on issues with the radios. There is a six-month lead time on ordering the radios. Chief Draper will find out if they need funds up front for the radios. The quotes available are both from HGAC vendors and are Northwest Communications and Bearcom. Chief Draper suggest Bearcom. **Comm. Havran made a motion to purchase the Motorola XE Radios. Comm. Porras seconded the motion, and the motion received the unanimous consent of the Board.** Comm. Miller commented that the funding could come from the budgeted traffic signal amount. Commissioner Havran advised that there will be a busget amendment next month. Chief Draper stated that he would be happy to meet with any of the commissioners. **Upon motion by Comm. Miller and seconded by Comm. Copeland, the Board unanimously approved the Fire Department report.**

Attorney Callegari attempted to put the ambulance on auction, but he has not heard back from them. He

will contact them.

The audit for the Department was discussed. Mr. Ellis presented the District with copies of the audit for them to review. Attorney Callegari inquired as to whether the department should budget for depreciation. Mr. Ellis stated that they did not need to. **After review, Comm. Porras motioned to approve the audit. Comm Copeland seconded the motion, and the motion received the unanimous approval of the District.**

The fire department budget was then reviewed. Ms. Valls presented the 2022 budget with break down between the ESD funds and Department funds. Attorney Callegari had questions about the calculations, and she will verify.

Comm. Havran presented a revised copy of the District budget for review.

Attorney Callegari presented information regarding the tax levy. The District discussed different options for levying the tax rate. The proper notices were posted, the District had a tax hearing and it has been more than 7 days since the tax hearing. **After discussion, Comm. Copeland made a motion that the property tax rate be increased to the rate of \$0.084 per \$100 valuation which is effectively \$8.04 above the current tax rate. Comm Havran seconded the motion. The motion was voted on by record vote as follows: Comm. Blanke – for, Comm. Copeland – for, Comm. Havran – for, Comm. Miller – for, Comm. Porras – for.**

Attorney Callegari discussed the November Election. The District has signed the contract and paid the deposit. Early voting can be done anywhere in the county. If the District needs to canvas the votes we may need to meet early.

The report from Attorney Callegari was next for discussion. He met with Glenn Hastings of VFIS regarding the insurance coverage. The coverage has not changed. Mr. Acuna will take care of the bill.

The firearms carry policy was deferred.

Comm. Copeland and Comm. Miller both went to Safe D. Comm. Copeland mentioned the American Rescue Plan Act for Covid related expenses. Ms. Valls provided Comm. Copeland with information and we will see what happens. Comm. Copeland and Comm. Miller will email Attorney Callegari information on the courses taken. Katy Area Safety Fest will be held April 23, 2022. The next meeting will be October 21, 2021. Comm. Copeland feels we got the right person for the Chief's position. The ESD is behind him. Chief Draper stated it is a great organization and he looks forward to working with everyone. Benefits may need to be discussed in the future, but the District need to be cautious and clear.

THERE BEING NO FURTHER DISTRICT BUSINESS TO CONDUCT, Comm. Porras motioned for adjournment at 8:51 p.m. Comm. Miller seconded the motion, which received the Board's unanimous consent.

Passed and approved (date)

Gilberto Porras, Secretary