

HARRIS COUNTY EMERGENCY SERVICE DISTRICT NO. 47

MINUTES OF REGULAR MEETING

June 17, 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 17th day of June, 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, and Commissioner Miller were present at the Fire Station. Commissioner Blanke was present via zoom. Commissioner Copeland was unable to attend. The meeting was recorded via zoom.

Also present at the fire station were Brian Desilets of Precision Utility, LLC, the District’s Bookkeeper (“Bookkeeper”); W.A. “Butch” Callegari, Jr. of Callegari Law Firm, PC, Attorney for the District (“Attorney”); Ryan Fortner of Sales Revenue, Inc.; Ginny Valls, Fire Department bookkeeper (“bookkeeper”); Dawn Visneau, Fire Department Board President; and Alberto Sayago, Fire Department Board Treasurer. District Chief Scott Strait from ESD 48 and Captain Denis Maldonado from Community Fire Department were also in attendance at the fire station. Chief Mark Palmer of Westlake Fire Department, Fire Chief of the Department and Josh Rambo of McCall Gibson Swedlund and Barfoot were present via Zoom.

Commissioner Havran called the meeting to order at 7:06p.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.

There were no members from the public so public comment was deferred.

Attorney Callegari explained that out of an abundance of caution, the Board should consider ratifying all actions from the May 20th Regular Meeting due to the storm that day. **Commissioner Porras made a motion to ratify all actions from the May 20th meeting. Commissioner Blanke seconded the motion and the motion received the unanimous consent of the District.**

The approval of prior minutes was then given consideration. The approval of the minutes from the regular May meeting held on May 20, 2021 was discussed. Comm. Miller asked that it be noted that Comm. Havran and Comm. Copeland were available to serve on the committee for hiring the new Fire Chief. Comm. Other changes include adding the word “old” to the section regarding auction of the 2013 ambulances that are no longer in service and replacing “We with Westlake in regards to hiring a labor attorney to discuss overtime. **After discussion, Comm. Miller made a motion to accept the minutes with wording corrected. Comm. Porras**

seconded the motion and the motion was unanimously accepted by the District.

The review of the District's annual audit was discussed. Mr. Ellis delivered reports for the commissioners. Josh Rambo of McCall Gibson, Swedlund and Barfoot reviewed the report with the District. There was nothing unusual to note and similar to what the District has seen in prior years. He reviewed the management letter. Ginny will get Comm. Copeland and Comm. Blanke to sign and return a copy to both Attorney Callegari and Mr. Rambo. The original will be sent to Mr. Ellis. After review, Commissioner Miller made a motion to accept the Audit as presented. Commissioner Porras seconded the motion and the motion received the unanimous consent of the District.

The review of the audit for the Department were deferred as it has not been started.

The sales and use tax report was next for discussion. Mr. Fortner of Sales Revenue, Inc. presented the report to the District. The report was reviewed by the District. Mr. Fortner apologized for the report that was sent in error to the commissioners. The top 25 filers have brought in the majority of the funds. There has been a slight downturn but it is likely due to things leveling out. **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.**

Commissioner Havran then recognized Brian Desilets for consideration of the Bookkeeper's report for the month of May 2021. The report was emailed prior to the meeting. The report was reviewed and discussed by the commissioners. The tax collection budget on page 7 shows \$2.6M but shows \$2.7M on page 8. Mr. Desilets will make the correction. **After review, Comm. Miller'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.**

The District's investment options and broker authorizations were discussed. Mr. Desilets stated that BBVA Compass will no longer collateralize funds after July 31, 2021 for public funds. Mr. Desilets presented proposals from Allegiance and Bank of the Ozarks (OZK). They are essential the same or very close in funding. Mr. Desilets stated he feels OZK is easier to work with. Precision Utility has a relationship with OZK but has not had the opportunity to work with Allegiance. **After review, Comm. Miller's motion, seconded by Comm. Porras to change the District's banking relationship from BBVA Compass to Bank of the Ozarks, received the unanimous consent of the Board.**

The investment options and amending the broker authorizations was then reviewed and discussed. **After review, Comm. Miller's motion, seconded by Comm. Porras to establish or amend the list of approved banks and investment broker organizations to include any entity permitted to do business in the State of Texas as provided in the Government Code and Health and Safety Code including but not limited to BBVA Compass, Texas Class, TxPool, Bank of the Ozarks and Allegiance Bank and their respective successors received unanimous consent of the Board.**

Commissioner Havran recognized Chief Mark Palmer for consideration of the Fire Department report for the month of May 2021. Chief Palmer presented copies of the written monthly report detailing the number of calls by category and the overall response times. Calls for the year are up due to the freeze. The Department is still waiting on the finalization of the ISO rating and Chief Palmer inquired about getting to a 1. The Department will keep the tanker at the training station or the main station as room permits. There are currently three

ambulances in service. The cascade system has been ordered. The lights are now working. Mr. Sayago spoke on the hiring process for the Fire Chief position. They received 57 resumes from 9 states. Scenarios have been emailed and they will start interviews soon. Comm. Havran thanked Mr. Sayago for his hard work on this project. **Upon motion by Comm. Porras and seconded by Comm. Miller, the Board unanimously approved the Fire Department report.**

Chief Palmer or Ms. Valls will let Attorney Callegari know when one of the old ambulances is available for auction.

West Comm was then discussed. Attorney Callegari contacted the attorney for Harris Fortbend ESD 100 and Community Fire Department, and they are not interested in a partnership. Attorney Callegari received the contract today. His overall assessment of the contract finds nothing wrong with the content of the contract. Attorney Callegari stated the District could move forward with the agreement but needs to review the contract further. Chief Palmer feels West Comm is the best option at this time. **Upon motion by Comm. Havran and seconded by Comm. Miller, the Board unanimously approved entering a service agreement with Harris Fortbend ESD 100 and Community Fire Department to provide dispatch service to Westlake Fire Department.**

Radios for the department were discussed. Commissioner Havran read his proposal for the purchase of new radios. The company that issued the quote is on Buy Board. The warranty for the radios is very good. Comm. Havran stated that Westlake needs these radios. ESD 48 District Chief Strait discussed the radios and how they would make it easier for ESD 48 and Westlake to communicate with each other. Chief Palmer stated he did not feel the Kenwood radios the department currently has were unreliable but that there has been a lot of user error. There was much discussion on the functionality of both the Kenwood radios and the Motorola radios. Community VFD Captain Maldonado explained many aspects of the radios and how they would help Westlake with communicating with the other departments and West Comm. Comm. Miller asked where the funds would come from in the budget. Comm. Havran stated it could be taken from the sales tax funds being collected. Comm. Havran made a motion to purchase the Motorola radios not to exceed \$335,000.00. After some discussion there was no second on the motion. Comm. Miller feels the District needs to talk more about the radios. A. Sayago stated we need the radios in the event of a large incident so communication is better. Comm. Miller asked to wait until next month due to budget concerns. Comm. Havran stated the pricing will go up in July. Attorney Callegari stated he sees there are many questions and recommended everyone do their homework for the next meeting. Chief Palmer stated the Motorola is a better, more durable radio. He was concerned about people saying the Kenwood radios are not good radios when that is not the case. He stated the Motorola radios do give the Department better options. The matter will be deferred until next month.

The contract between ESD 47 and Westlake was discussed. Attorney Callegari sent out the updated copy to the Commissioners but many did not get it. He will send out again to get comments. Some items to discuss will be exclusivity, separation of funds, and neighboring departments. There was discussion on EMS Billings and MUD donations and who they belong to. D. Visneau felt some of EMS Billing should go to the Department. There was much discussion on the matter. The intent is to not allow for excess funds but will discuss with the commissioners to clarify. The Commissioners will review the contract, return with comments for Attorney Callegari to update and send out again for review.

Chief Palmer asked that the locks for the station be added to the agenda for the next meeting.

Firearms Carry Policy was discussed. Now that HB1927 was passed and signed the District needs to review the firearms policy for the department. Policy is to have no firearms on apparatus or in the building. Attorney Callegari will review the Department By-Law.

Attorney Callegari discussed the upcoming election. The District will participate in a joint election with Harris County. It will be on the agenda next month to call the election. Comm. Havran, Comm. Miller and Comm. Porras are up for re-election. Attorney Callegari will provide them forms to run again. Attorney Callegari will also get the application to Comm. Havran to put on the website. Training hours for the commissioners are as follows: Comm. Miller needs 6, 2 need to be open meetings and records. Comm. Copeland needs 3. Comm. Porras needs 3. Comm. Blanke needs 6. If not done, it could be cause to have someone removed. Safe-D.org offers classes. There will be a spring and a fall conference. Open records and meetings can be obtained on the Secretary of State website. The District should also look at joining Safe-D. It will likely benefit the District now to join. Attorney Callegari will put it on the agenda next month. Attorney Callegari is expecting the Emergency order from Gov. Abbott to expire in June. With this in mind, the District will no longer participate in zoom meetings. The July meeting will be all face to face and the District may start having meals again.

THERE BEING NO FURTHER DISTRICT BUSINESS TO CONDUCT, Comm. Porras motioned for adjournment at 10:26 p.m. Comm. Miller seconded the motion, which received the Board's unanimous consent.

Passed and approved (date)

Gilberto Porras, Secretary