

Meeting Minutes
Harris County Emergency Services District No. 7

The Board of Commissioners of **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 7** held a meeting on **November 16, 2023, at 6:30 p.m.** at the following location in the District, **Spring Fire Department Administration Building, 656 East Louetta Road, Spring, Texas 77373.**

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|-------------------------|------------------------|------------------|
| Melanie Gander | President | (Present) |
| Gayle Fuller | Vice-President | (Present) |
| Todd Anderson | Treasurer | (Present) |
| Keith Willingham | Secretary | (Present) |
| David Mills | Asst. Treasurer | (Absent) |

Also in attendance:

Scott Seifert, Fire Chief, Spring Fire Department
Jerod Davenport, Spring FD Deputy Chief
Scott Schoonover, Spring FD Deputy Chief
Steve Schoonover, Spring FD Senior Captain
Lawrence "Rocky" Langone, Spring FD Captain
Steven Villarreal, Spring FD Captain
John Peeler, Coveler & Peeler, District Legal Counsel
Renee Butler, McLennan & Associates, District Bookkeeper
Greg Thrower, Thrower Law, Special Legal Counsel for real estate
Carole Thrower, Thrower Law
Donald May, Spring FD Facilities Manager
Shannon Taylor, HCESD7 Administrator

Call meeting to order.

Commissioner Melanie Gander called the meeting to **ORDER** at 6:30 p.m.

2. To receive public comment.

No public comment was made.

THE BOARD UNANIMOUSLY AGREED TO SKIP TO AGENDA ITEM 6.

- 6. To review and take any action regarding construction, improvements, repairs renovations to real property, facilities and stations, including construction payments, change orders, permits, engaging architects(s) or engineers(s), and selecting contractor(s), including but not limited to administrative or maintenance facilities, training facilities and stations.**

In Ricardo Martinez' absence, Chief Seifert discussed information with the Board, provided by Ricardo Martinez with Martinez Architects, LP and acted on the following matters:

Station 72 - Architectural permit awaiting final approval. Waiting on CenterPoint Energy to disconnect the gas (2-4 weeks). Demolition is planned between December 12 - December 22, depending on gas disconnect.

Station 77 - Martinez Architects provided the 100% DD Drawings to Construction Masters for preliminary pricing. A meeting between Construction Masters, the Building Committee and Design Team will take place once the contract is approved.

Commissioner Gander moved to approve the contract with Construction Masters for the Construction Manger at Risk for the renovation of Station 77. Second by Commissioner Anderson. Motion approved 4-0.

Training Center - Construction on the monument sign is planned around November 27. Guaranteed Maximum Price from SpawGlass is forthcoming. Termination, Abandonment and Release of Rights for the easements have been recorded.

[6:35 p.m. GREG THROWER ENERED THE MEETING]

6:37 p.m. ENTER CLOSED SESSION

Closed Session, the Board convened in Closed Session and included District Legal Counsel, John Peeler, real estate counsel Greg Thrower, Carole Thrower and Fire Chief Scott Seifert.

- 3. To meet in Closed Session under Government Code §551.071 to consult with legal counsel regarding pending or contemplated litigation, settlement offers or on matters which require confidentiality under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas and Tax Code §323.3022 to discuss sales tax matters.**
- 4. To meet in Closed Session under Government Code §551.072 to deliberate on real estate matters.**
- 5. To meet in Closed Session under Government Code §551.074 to discuss personnel matters.**

7:04 p.m. RECONVENE FROM CLOSED SESSION

THE BOARD UNANIMOUSLY AGREED TO SKIP TO AGENDA ITEM 7.

7. To review and act on financial matters including, financial report, investments, depository institutions, depository security agreements, audits, Investment Policy, and District bills.

A proposal for the 2023 HCESD 7 Audit was reviewed by the Board, but the Board took no actions pending questions. Chief Seifert will follow up with Jill of Breedlove & Co. P.C. to address the Board's questions and update the Board at a later meeting.

District bookkeeper Renee Butler presented the monthly District financial reports, including the following items of note: General Fund Current balance is \$77,113,097.75; investment reports from October to November were reviewed; the property tax collections for the 2022 levy stand at 100.17%. Additional invoices from Martinez Architects for \$6,345.76 and Safequip for \$1,990.00 were approved and will be added to the cash disbursement report.

Commissioner Gander moved to approve the bookkeeper's report as presented and to pay District bills as presented. Second by Commissioner Fuller. Motion approved 4-0.

8. To review and act on amendments to District budgets.

Chief Seifert and Chief Logan reported that they met with Commissioner Anderson and Commissioner Mills to review the 2024 Budget for necessary revisions. Chief Seifert presented a revised Budget with the following additions and changes: approved department vehicles; payment for the recent loan with JP Morgan Chase for the Training Facility; total Operations expense is now \$26,504,341.16; total 2024 Budget expenditures are \$36,000,554.68.

Commissioner Willingham moved to approve the 2nd Amendment to the 2024 Budget as presented. Second by Commissioner Anderson. Motion approved 4-0.

9. To review and take any action regarding real estate, including sale, purchase, lease, platting, utilities, encumbrances, maintenance and legal actions related to real estate.

Counsel and Chief Seifert presented material on the proposed Petition to Amend Nextera Water, LLC's Water and Sewer Certificate of Convenience and Necessity regarding the provision of water service to the District's training facility land. After review, motion by Commissioner Gander, Second by Commissioner Anderson to approve the Petition and accompanying affidavit and authorize the Board President to execute same. Motion approved 4-0.

10. To review and act on interlocal agreements, with other emergency services districts regarding the use or lease of facilities and maintenance of same.

No action taken by the Board.

- 11. To review and act on matters related to financing, payment and acquisition of capital items, including equipment and vehicles, and action on acquisition/construction financing of same, including retiring or incurring financing for the construction of District facilities or acquisition of vehicles and equipment.**

No action taken by the Board.

- 12. To review and act on sales tax matters.**

A sales tax report for November was presented for the Board to review monthly sales tax revenue, trends and projections. Sales tax revenue for November is \$1,591,510.99

No action taken by the Board.

- 13. To review and take action on the ratification of a continuing Contract with a private law firm pursuant to §6.30 of the Tax Code for the collection of delinquent District ad valorem property taxes and providing for the payment of up to 20% of the delinquent taxes, penalties, and interest which are collected by the attorney under said Contract.**
- 14. To discuss and take action on the imposition of additional penalty on delinquent taxes pursuant to §33.07 of the Tax Code and adoption of a Resolution regarding same for taxes.**
- 15. To discuss and take action on the imposition of additional penalty on delinquent taxes to defray costs of collection by the District's delinquent tax attorney, pursuant to §33.08 of the Tax Code and adoption of a Resolution regarding same.**
- 16. To discuss and take action on the imposition of early additional penalty for collection costs for taxes imposed on personal property on delinquent taxes pursuant to §33.11 of the Tax Code and adoption of a Resolution regarding same.**

District Legal counsel presented information on items 13-16 together.

Commissioner Gander moved to continue the District's contract with Linebarger Goggan Blair & Sampson, LLP and to approve the resolution presented by counsel regarding the imposition of penalties under tax codes §33.07, §33.08, §33.11 and to defray the costs of Linebarger Goggan Blair & Sampson, LLP's collections efforts. Second by Commissioner Anderson. Motion approved 4-0.

17. To review and act regarding insurance.

No action taken by the Board.

18. To review and act to approve a license agreement with ESRI for GIS software.

Commissioner Willingham moved to approve the proposal with Environmental Systems Research Institute, Inc. ("ESRI") for an annual subscription cost of \$5,039.53. Second by Commissioner Gander. Motion approved 4-0.

19. To review and act to engage consultant to conduct ISO Pre-Survey Water Supply study.

Commissioner Gander move to approve the Contract/Agreement with Mike Pietsch, P.E. Consulting Services, Inc. to perform their consulting services in conjunction with Harris County ESD 7 / Spring Fire Department's ISO rating, with a cost of \$28,000.000. Second by Commissioner Willingham. Motion approved 4-0.

20. To review and act to engage consultant to develop website for Spring Fire Department Community Risk Reduction Programs.

Commissioner Gander moved to approve the Agreement with 512 New Media to create, design and deliver a new website for Spring Fire Department Community Risk Reduction Programs for \$12,600.00. Second by Commissioner Fuller. Motion approved 4-0.

21. Fire Department report on activities, including current and long-range information exchange.

Fire Chief Scot Seifert presented information on the following:

- October's Profit and Loss Reports.
- The Department is \$3,002,425.25 under budget.
- Transaction list of all expenses paid for October.
- No Workers Compensation claims to report.
- October's Incident Reports.
- November 4, 2023 - The Annual Banquet was held at La Tranquila Ranch.
- November 6, 2023 - The crew at Station 72 moved to Klein's Fire Station to prepare for Station 72's demolition.
- November 18, 2023 - A badge pinning ceremony is planned for the eight new firefighters who finished their five-week orientation.

22. To review and act regarding the disposition of surplus and salvage property.

Commissioner Willingham moved to accept the Surplus and Salvaged Equipment report as presented and to authorize the use of Renee Bates Auction Site to auction a front bumper, front center console and tailgate from one of the Department's 2023 Ford F250's. Second by Commissioner Gander. Motion approved 4-0.

23. To review and act on matters related to communications, dispatching, or traffic preemption, including interlocal agreements, contracts or purchasing equipment.

No action taken by the Board.

24. Receive ESD committee reports, including Legislative matters.

Regarding the Texas Legislature - Chief Seifert reported the 4th Special Session has no items regarding Emergency Services Districts.

Commissioner Fuller informed the Board the Harris County Sherriff's office is expanding. Members of Harris County Sherriff's office recently toured SFD's Administration office and are interested in possibly purchasing the property. Commissioner Fuller discussed use of commercial properties in which the owner can claim tax free deductions. The Board generally discussed the possibility of selling the SFD Administration building and property and determined that the property would not be offered for sale at this time.

No action taken by the Board.

25. To review and act on personnel matters, including policies, scheduling, evaluations, benefits, compensation, hiring, retention and evaluation of District employees, including District Fire Chief, command staff, administrative staff, and suppression personnel.

Chief Seifert presented information regarding the Texas County & District Retirement System ("TCDRS").

Valuation Results as of December 31, 2022 are:

| | |
|------------------------------|-------------|
| Actuarial Accrued Liability: | \$6,768,278 |
| Actuarial Value of Assets: | \$5,223,059 |
| Unfunded / (Overfunded) AAL: | \$1,545,219 |
| Funded Ratio: | 77.2% |

The Department will continue employer matching at 250%.

Commissioner Willingham moved to approve the plan assessment from Texas County & District Retirement System ("TCDRS") as presented which maintains the employer match at the rate of 2.5:1. Second by Commissioner Gander. Motion approved 4-0.


26. To review and approve minutes of prior meetings.

Commissioner Gander moved to approve the October 19, 2023 Meeting Minutes and November 2, 2023 Special Meeting Minutes as presented. Second by Commissioner Anderson. Motion approved 4-0.

27. To review and act to schedule the next regular monthly meeting date and discuss the addition of items to place on the next meeting agenda.

The next regular meeting is scheduled for December 21, 2023.

There being no further business brought before the Board, or any further public comment. Motion to adjourn made by Commissioner Gander. The meeting was adjourned at 7:54 p.m.



District Secretary
Shannon Taylor

Shannon Taylor, Preparer