

FORT BEND COUNTY EMERGENCY SERVICES DISTRICT NO. 7

Minutes for the regular Meeting of June 11, 2024

1. **CALL MEETING TO ORDER AND OPENING PRAYER.** The meeting was called to order at 11:34 AM by Commissioner Lopez at the District Fire Station, 1834 W. Sycamore, Fresno, TX. The Commissioners in attendance were **Freddy Lopez, Sr., Barbara Hamilton,** and **Ruston Hughes.** Commissioner **Janet McClain** was not in attendance. Additional persons present were: Office Manager Esmeralda Mendez; Fire Chief Anthony Bates; Battalion Chief Loftin; District Legal Counsel John Peeler of Coveler & Peeler, P.C.; Justin Wagoner of Touchstone District Services, District bookkeeper Mark Miller of Municipal Accounts & Consulting, L.P. (via phone), and Paul Hamilton.

2. **TO RECEIVE PUBLIC COMMENTS.** The Board opened the floor for public comment, though none was forthcoming.

3. **TO REVIEW AND TAKE ACTION TO APPROVE THE MINUTES OF PRIOR MEETINGS.** Counsel presented draft minutes for the regular meeting held on May 14, 2024. After review, a Motion was made by Commissioner Hamilton and seconded by Commissioner Hughes to approve as presented. The Motion was approved by a vote of 3 to 0.

4. **TO ACT ON FINANCIAL MATTERS, INCLUDING FINANCIAL REPORT, INVOICES/BILLS, INVESTMENTS, INVESTMENT POLICY, FINANCIAL INSTITUTIONS, CREDIT CARDS, REQUIRED REPORTS, AND REVISIONS TO CURRENT BUDGET(S).** The Board reviewed the written monthly report provided by Municipal Accounts and Consulting with Mr. Miller providing a verbal summary of same. Mr. Miller noted the wire payment made for the District's Pierce pumper truck, as well as the land loan payment made to Government Capital in the amount of \$119,008.33. He lastly advised the Board that ninety-six percent (96%) of the District's property tax levy had been collected. Upon completion of the report, a Motion was made by Commissioner Hughes, seconded by Commissioner Hamilton to approve the financial report as presented and to pay the District bills. The Motion was approved by a vote of 3 to 0.

5. **TO DESIGNATE THE FORT BEND COUNTY TAX ASSESSOR-COLLECTOR'S OFFICE TO PREPARE THE DISTRICT'S NO NEW REVENUE TAX RATE AND RELATED TAX RATE CALCULATIONS FOR 2024, AND TO AUTHORIZE DISTRICT COUNSEL TO PUBLISH THE NECESSARY 2024 TAX RATE SETTING NOTICES.** Mr. Peeler presented a Resolution to the Board to designate the Fort Bend County Tax Assessor-Collector's office to prepare necessary tax calculations and information related to the upcoming tax setting and adoption process for the District. A Motion was made by Commissioner Hughes, seconded by Commissioner Hamilton to approve the resolution as presented. The Motion was approved by a vote of 3 to 0.

6. **TO DISCUSS AND TAKE ACTION ON THE RATIFICATION OF A CONTINUING CONTRACT WITH A COLLECTIONS COUNSEL 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 COUNSEL UNDER SAID CONTRACT. Mr. Peeler next presented a Resolution to ratify the continuation of a contract with Linebarger Goggan Blair & Sampson, LLP (“Linebarger”) to allow same to collect delinquent property taxes on behalf of the District, and to collect penalties associated with the same. A Motion was made by Commissioner Hamilton, seconded by Commissioner Hughes, to approve the ratification of that contract as presented. The Motion was approved by a vote of 3 to 0.

7. (Items 7-9 taken up together) 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 SECTION 33.11 OF THE PROPERTY TAX CODE. (8) TO DISCUSS AND TAKE ACTION ON THE IMPOSITION OF ADDITIONAL PENALTY ON DELINQUENT TAXES PURSUANT TO SECTION 33.07 OF THE PROPERTY TAX CODE AND ADOPTION OF A RESOLUTION REGARDING SAME. (9) 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 COUNSEL, PURSUANT TO SECTION 33.08 OF THE PROPERTY TAX CODE AND ADOPTION OF A RESOLUTION REGARDING SAME. Mr. Peeler further advised that the previously approved Resolution included action to impose penalties associated with the collection of delinquent property taxes for the District in accordance with Sections 33.11, 33.07, and 33.08 of the Property Tax Code, including those to defray the cost of those collections by Linebarger. A Motion was made by Commissioner Hughes, seconded by Commissioner Hamilton, to approve the remaining Resolution items related to penalties on delinquent ad valorem taxes as presented by counsel. The Motion was approved by a vote of 3 to 0.

10. TO REVIEW AND TAKE ACTION ON DISTRICT WEBSITE AND COMMUNITY OUTREACH MATTERS. Mr. Wagoner updated the Board on recent social media activity on the District’s web pages, including safety warnings for upcoming weather events. Chief Bates also stated that the County Office of Emergency Management (“OEM”) would host a hurricane workshop related to the same. Commissioner Hughes recommended posting a link to OEM rather than repeating posts on District webpages.

11. TO RECEIVE A REPORT FROM THE FIRE CHIEF AND COMMAND STAFF REGARDING FRESNO FIRE & RESCUE OPERATIONS AND ACTIVITIES, TO REVIEW REQUESTS FROM FIRE DEPARTMENT ON OPERATIONAL EXPENSES. Fire Chief Bates provided a written operations report and verbal summary to update the Board on current activities: work on the 2025 District budget was ongoing; a new part-time administrative assistant had been hired to help with payroll and other matters; a formal presentation regarding the purchase of a ladder truck would be provided soon by the Apparatus Committee. Chief Bates briefly described recent community outreach events. BC Loftin advised the Board that information had been obtained from Missouri City and Stafford fire departments regarding the new ladder truck, to assist with the Apparatus Committee’s final recommendation for purchase, and estimated a new truck would take four (4) years to receive due to extended production and lead times. Regarding Facilities matters: rusted support beams at Old Station 51 would require

approximately \$600 in repairs; 1-year warranty review would soon be done for New Station 51 though no immediate concerns were listed; Chief Bates stated the County was helping with the road cut-through for the Station related to Sycamore Street expansion; Commissioner Hughes advised regarding future Station 52 that the MUD 189 engineer had been consulted regarding water and sewer tie-in matters which would be discussed at the upcoming MUD meeting; Chief Bates advised the Geotech report had been received regarding that Station. Regarding Operations: the District's EMS First Responder Organization Agreement was being reviewed by the County, and Assistant Chief Henderson had received Certified Fire Executive certification from the Texas Fire Chiefs Association. Regarding Apparatus, the Board was informed that Engines 51 and 52 were currently in service. Regarding Training matters: the District Training Captain and Committee were reviewing requirements for TCFP compliance and ISO rating requirements.

12. TO REVIEW AND TAKE ACTION ON MATTERS RELATED TO CONSTRUCTION, RENOVATION, REPAIR AND IMPROVEMENTS TO DISTRICT FACILITIES AND REAL PROPERTY, INCLUDING ENGAGEMENT OF DESIGN PROFESSIONALS OR ENGINEERING SERVICES, SELECTION OF BUILDERS/CONTRACTORS AND COOPERATION WITH OTHER COUNTY ENTITIES REGARDING THE DEVELOPMENT OF STATIONS, INCLUDING ACTION ON CONSTRUCTION FINANCING. No updates were provided, and no action was taken.

13. TO ACT ON REAL ESTATE, INCLUDING SALES, PURCHASES, LEASES, PERMITS, ENCUMBRANCES, PLATTING, SURVEYING, UTILITIES AND ACQUISITION FINANCING. No updates were provided, and no action was taken.

14. TO REVIEW AND ACT ON AN INTERLOCAL AGREEMENT TO HOUSE FORT BEND EMS AT THE DISTRICT FIRE STATION. Chief Bates and Mr. Peeler reported that they are working on this issue and would present a report in July. Chief Bates stated Fort Bend County EMS does not pay rent to any Fire Department in the County, but had offered to contribute to the cost of Station consumables.

15. TO REVIEW AND ACT TO APPROVE REVISED PURCHASING POLICY. Mr. Peeler noted that his office has completed review of the purchasing policy developed by staff and recommended approval by the Board. A Motion was made by Commissioner Hamilton, seconded by Commissioner Hughes, to approve the policy as presented. The Motion was approved by a vote of 3 to 0.

16. TO REVIEW AND TAKE ACTION ON THE ACQUISITION OF EQUIPMENT AND VEHICLES, INCLUDING APPROVAL OF ACQUISITION FINANCING FOR SAME AND TO DISCUSS AND TAKE ACTION FOR THE SALE OR DISPOSAL OF SURPLUS AND/OR SALVAGE OF AND OTHER PROPERTY PURSUANT TO TEXAS HEALTH AND SAFETY CODE §775.0735. No updates were provided, and no action was taken.

17. TO REVIEW AND ACT ON AN AGREEMENT FOR EMERGENCY VEHICLE MAINTENANCE AND REPAIR SERVICES. No updates were provided, and no action

was taken.

18. TO REVIEW AND ACT ON THE ACQUISITION OF A MODULAR BUILDING TO HOUSE DISTRICT PERSONNEL AT NEW FIRE STATION FACILITIES. Mr. Peeler advised the Geotech report had arrived, though some items were still under review. Chief Bates stated options for temporary facilities were being reviewed with the District architect while permanent facilities were developed. The Board requested those details be provided for their review when available.

19. TO MEET IN CLOSED SESSION PURSUANT TO GOVT. CODE §551.071 TO CONSULT WITH LEGAL COUNSEL ON LITIGATION, SETTLEMENTS OR CONFIDENTIAL MATTERS UNDER TEXAS BAR RULES. The Board entered into Closed Session to consult with Legal Counsel at 12:26 PM and returned to Open Session at 12:58 PM.

20. TO MEET IN CLOSED SESSION PURSUANT TO SECTION 551.072, ON REAL ESTATE MATTERS. No closed session was held under Section 551.072.

21. CLOSED SESSION UNDER SECTION 551.074, ON PERSONNEL MATTERS. No closed session was held under Section 551.074.

22. TO REVIEW AND TAKE ACTION ON PERSONNEL MATTERS, INCLUDING DISTRICT ADMINISTRATIVE STAFF, FIRE SUPPRESSION STAFF, COMMAND STAFF AND FIRE CHIEF, INCLUDING COMPENSATION, BENEFITS, JOB DUTIES, SCHEDULE, HIRING AND RETENTION. No updates were provided, and no action was taken.

23. TO ACT AND APPROVE AN EMPLOYMENT CONTRACT WITH FIRE CHIEF ANTHONY BATES. Mr. Peeler presented an employment contract for Chief Bates to the Board for consideration and review, noting the need to complete the minor revisions discussed in closed session. A Motion was made by Commissioner Hughes, seconded by Commissioner Hamilton, to accept the contract as presented and authorize execution by Commissioner Lopez upon final review of the revisions. The Motion was approved by a vote of 3 to 0.

24. TO DISCUSS FUTURE AGENDA ITEMS AND SET THE FUTURE MEETING DATES. The Board noted that the next regularly scheduled meeting is scheduled for July 9, 2024 at 11:30 am.

25. ADJOURNMENT. There being no further business brought before the Board, the meeting was adjourned at 1:00 PM.


Janet McClain, Secretary