

## **FORT BEND COUNTY EMERGENCY SERVICES DISTRICT NO. 7**

Minutes for the regular Meeting of July 16, 2024

- 1. CALL MEETING TO ORDER AND OPENING PRAYER.** The meeting was called to order at 11:31 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 Janet McClain.** Commissioner **Ruston Hughes** was not in attendance. Additional persons present were: Office Manager Esmeralda Mendez; Fire Chief Antony Bates; District Legal Counsel John Peeler of Coveler & Peeler, P.C.; Melissa Wiggins of Coveler & Peeler, P.C.; Justin Wagoner of Touchstone District Services; District Bookkeeper Mark Miller of Municipal Accounts & Consulting, L.P. (via phone); Maryann Guirguis of Martinez Architects.
- 2. TO RECEIVE PUBLIC COMMENTS.** The Board opened the floor to public comment, though none was forthcoming.
- 3. TO REVIEW AND ACT TO APPROVE THE MINUTES OF PRIOR MEETINGS.** Counsel presented draft minutes for the regular meeting held on June 11, 2024. Chief Bates noted one (1) correction on Page 2, that "Station 5" should be "Station 51". After review, a Motion was made by Commissioner McClain and seconded by Commissioner Hamilton to approve as presented with noted correction. 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, REQUIRED REPORTS, AUDITS, AND REVISIONS TO BUDGET(S).** The Board reviewed the written monthly report provided by Municipal Accounts and Consulting, and Mr. Miller summarized the report noting: each of the last two months' sales tax collections exceeded \$200,000; the District has collected 96.42% of its 2023 ad valorem tax levy; and the quarterly investment report was included this month. Upon completion of the report, a Motion was made by Commissioner Hamilton, seconded by Commissioner McClain, 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 REVIEW AND ACT ON DISTRICT WEBSITE AND COMMUNITY OUTREACH MATTERS.** Mr. Wagoner provided the Board with an update of the District's community outreach activities as well as website postings and analytics. Chief Bates thanked Mr. Wagoner and Touchstone for their help posting updates and helpful resource information to the District website during the hurricane and its aftermath.
- 6. 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.** Chief Bates presented the Operations report for July, noting ongoing work on the 2025 budget, and mentioning a recent meeting with ARCOLA leaders and Office of Emergency Management regarding the recent storm. He informed the Board that the new station training room was used as a cooling center for community members in need on the East side of the County after Beryl left many in the community without electricity. He next introduced the District's Medical Director,

Dr. Kimmel, who described her background in medicine to the Board, and stated her passion for teaching and working with the crews and District personnel. Chief Bates reminded the Board that Dr. Kimmel was brought on after the District chose to work towards higher training levels in EMS care. Related to this process, he informed the Board that approximately seventy percent (70%) of District fire suppression staff were now advanced EMTs with some paramedics and other basic level personnel. He next reviewed events after Hurricane Beryl, stating the Department assisted Arcola with water distribution event, and adding that there had been a large increase in medical emergencies resulting in SETRAC activation at the County level. Recently, the District hosted a monthly CAP meeting attended by Office of Emergency Management personnel. There had also been six (6) community outreach events and one (1) smoke detector installation.

Regarding District facilities, Chief Bates reviewed storm repairs and advised that logistics personnel were working with VFIS on those claims. All District apparatus were currently in service, though Engine 52 had recently required slight repairs. The apparatus committee met for a build out meeting for new Booster 51, and also went to Denton, Texas on new Engine 51. Regarding incidents for the month, there was one (1) reported firefighter injury related to an active response event. There were also two (2) minor fleet incidents. Three hundred eight (308) calls were received during the month, with one hundred twenty (120) of those being storm related. Chief Bates then presented a request for expenditure regarding cardiac monitors. He informed the Board that four (4) were needed, but only three (3) were being initially requested at a cost not to exceed \$60,000. This request was budgeted for fiscal year 2024, and the vendor for this purchase was a participant vendor in a cooperative purchasing program. He advised that, moving forward, another life pack would be purchased every 3-5 years on cycling program to avoid buying multiple monitors all at once. After review, a Motion was made by Commissioner Hamilton, and seconded by Commissioner McClain to approve the purchase of three (3) life packs at a cost not to exceed \$60,000. The Motion was approved by a vote of 3 to 0.

**7. TO REVIEW AND ACT ON MATTERS RELATED TO CONSTRUCTION, RENOVATION, REPAIR, MAINTENANCE 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.** Mr. Peeler informed the Board that a request for Chief Bates to approve an amendment to the services agreement for Station 53 had arisen, but that no authority for spending had been given to the Chief. The amendment in question would raise fees for the architectural agreement by \$81,250. He then presented the Board with a drafted resolution which would delegate authority for Chief Bates to authorize expenditures up to a preapproved amount, without additional Board approval, on required documents or construction needs, in order to avoid delays to the project.

Ms. Maryann Guirguis of Martinez Architects advised that the results of a topographic study would be available by the end of July, and stated the increased cost amendment provided above reflected structure and architecture fees. MUD 189 recently verbally approved providing sewer service to the Station, but had not executed documents to that effect. She advised that civil engineering was also waiting on approval of the amendment to move forward with the site survey, and that a TxDot permit was still needed for the area. Once the survey was complete, additional information would

be obtained to determine if a septic system was needed. Everyone was expected to be on site by the end of the year.

Chief Bates next advised that Commissioner Hughes was working with MUD 189 to obtain a capacity letter, and then obtain official approval of sewer service provision to the site. He recommended approving the services agreement amendment to allow progress on the project at this time. A Motion was then made by Commissioner McClain, seconded by Commissioner Hamilton, to approve the amendment as presented, in the amount of \$81,250. The Motion passed by a vote of 3 to 0.

Mr. Peeler then informed the Board that MUD 189 had verbally agreed to amend their prior agreement for water and sewer services to the site, allowing the District to proceed with engineering work as soon as a formal amendment was executed. He then recommended the Board approve the amended agreement with MUD 189, and also recommended and authorizing Commissioner Lopez to execute that amendment pending legal review. A Motion was made by Commissioner McClain, seconded by Commissioner Hamilton, to approve the amendment for water and sewer services with MUD 189 as discussed. The Motion passed by a vote of 3 to 0.

Mr. Peeler next advised that there should be no problems with entering into an agreement with MUD 189 to obtain access to District property and to approve execution once that agreement was developed, but that such an agreement would require a description of the property provided by the surveyor. Due to scheduling difficulties, he recommended authorizing the Board President to execute an easement agreement, and any other related documents, with MUD 189, to allow access to the site. A Motion was made by Commissioner Hamilton, seconded by Commissioner McClain, to approve entering into the agreement as described, and to authorize President Lopez to execute any necessary documents related to the same. The Motion passed by a vote of 3 to 0.

Lastly, Mr. Peeler again recommended delegating limited authority to Chief Bates to handle issues, including purchasing or spending requirements related to the Station 53 construction project, up to an amount approved by the Board. He presented a drafted resolution to authorize Chief Bates to spend an approved amount over the next few months without requesting Board approval for each expense. After discussion, a Motion was made by Commissioner Hamilton, seconded by Commissioner McClain, to approve a resolution authorizing Chief Bates to approve purchases and expenses up to \$100,000 related to the project. The Motion passed by a vote of 3 to 0.

**8. TO ACT ON REAL ESTATE, INCLUDING SALES, PURCHASES, LEASES, PERMITS, ENCUMBRANCES, PLATTING, SURVEYING, UTILITIES AND ACQUISITION FINANCING.** Mr. Peeler stated no signed plat from the County had been received, and asked if someone can provide the signed document to his office for review for the future Station 53 land.

**9. TO REVIEW AND ACT ON TRUTH IN TAXATION MATERIAL REQUESTED BY THE FORT BEND COUNTY TAX OFFICE, INCLUDING PLANNING CALENDAR AND DEBT MATERIAL NEEDED FOR NOTICES.** Mr. Peeler advised the Board that extra meetings would be needed in August related to the District's tax setting process, between August 7<sup>th</sup> and 26<sup>th</sup>. The County required an adoption calendar which was provided by counsel, giving a date of August 7<sup>th</sup> to propose the 2024 tax rate and 2025 budget. He then suggested the date of

adoption be scheduled for August 20th with the regular meeting. The Board agreed to follow the meeting schedule as presented.

**10. TO REVIEW AND ACT ON AN INTERLOCAL AGREEMENT TO HOUSE FORT BEND EMS AT THE DISTRICT FIRE STATION.** The Board tabled action regarding the housing agreement until October. No further action was taken.

**11. TO REVIEW AND ACT ON THE ACQUISITION OF EQUIPMENT AND VEHICLES, INCLUDING APPROVAL OF ACQUISITION FINANCING FOR SAME AND TO DISCUSS AND ACT ON THE DISPOSITION OF SURPLUS OR SALVAGE PROPERTY PURSUANT TO TEXAS HEALTH AND SAFETY CODE §775.0735.** No requests were forthcoming, and no action was taken.

**12. TO REVIEW AND ACT ON AN AGREEMENT FOR EMERGENCY VEHICLE MAINTENANCE AND REPAIR SERVICES.** Chief Bates requested this item be tabled for November when it could be discussed with the final 2025 FY budget. No action was taken.

**13. TO REVIEW AND ACT ON THE ACQUISITION OF A MODULAR BUILDING TO HOUSE DISTRICT PERSONNEL AT NEW FIRE STATION FACILITIES.** Chief Bates advised the Board that action had previously been approved by the Board, though no updates were available at this time. He recommended holding action until issues with the MUD and architect were settled. Mr. Peeler further advised a downpayment was requested by the vendor, which had not yet been approved.

**14. 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.** No Closed Session was held under §551.071

**15. TO MEET IN CLOSED SESSION PURSUANT TO GOVT. CODE §551.072 REGARDING REAL ESTATE MATTERS.** No Closed Session was held under §551.072


**16. TO MEET IN CLOSED SESSION PURSUANT TO GOVT. CODE §551.074 TO DISCUSS PERSONNEL MATTERS.** No Closed Session was held under §551.074.

**17. TO REVIEW AND ACT ON PERSONNEL MATTERS, INCLUDING DISTRICT ADMINISTRATIVE STAFF, FIRE SUPPRESSION STAFF, COMMAND STAFF AND FIRE CHIEF, INCLUDING COMPENSATION, BENEFITS, JOB DUTIES, SCHEDULING, HIRING AND RETENTION.** The Board reviewed the final version of Chief Bates' employment contract as approved by legal counsel. Chief Bates signed the contract as approved by the Board and legal counsel.

**18. TO DISCUSS FUTURE AGENDA ITEMS AND SET THE FUTURE MEETING DATES.** The Board agreed to hold a special meeting on August 7, 2024 at 11:30 AM to propose the District's 2024 tax rate and 2025 budget. They then noted the next regular Board meeting

would be held on August 20, 2024, at which time the Public Hearing and Adoption of the 2024 tax rate and 2025 budget would take place.

**19. ADJOURNMENT.** There being no further business brought before the Board, the meeting was adjourned at 12:36 PM.

  
Janet McClain, Secretary