

HARRIS COUNTY EMERGENCY SERVICES DISTRICT # 13

11900 Cypress North Houston
Cypress, Texas 77429-5948
281 894-0151

MEETING MINUTES

Monday, January 23, 2017 7:30 P.M.

Commissioners present: Ben Henderson
Vince Tobin
Scott Johnson
Homer Stevens
JoAnne Arosell

Others: Richard Lieder Sara Hooper
Timothy Gibson Angela Hazlegrove
Jason Blackman Ira Coveler
Joey Dockins
Jason Corthell

Ben Henderson called the meeting to order at 7:34 p.m.

- I. Review and take action on matters relating to calling an election to be held on May 6, 2017.
Vince Tobin moved, Homer Stevens seconded, a motion to adopt the order as presented.
The motion passed 5-0.

Adjourn.

Vince Tobin moved, JoAnne Arosell seconded a motion to adjourn. The motion passed 5-0.

Ben Henderson called the regular meeting to order at 7:42 p.m.

Information items:

A. Fire Department Report.

The combined radio dispatch project is scheduled to go live Wednesday March 8, 2017.

Station 24 first half of the roof repair is complete.

Full-time 4 station staffing started January 16, 2017.

The cell phone program will be significantly reduced. All personnel will have their own personal cell phone accounts and only Chief Officers will be eligible for a reimbursement stipend.

B. Staff Report

TCDRS calculated the ESD's contribution rate for the retirement plan at 10.94% for 2017.

We have 2 quotes this year to renew the ESD policies which will not be issued until approval is given for the short-term policy to June or the annual renewal to next February.

C. Treasurer Report.

The percentage of collections for 2017 is approximately 48.12%. \$560,000 was transferred January 2017 to cover expenses including \$21,281 for the balance of the combined fire dispatch system; \$9,196 for additional premiums for worker's compensation; and reimbursement to the department for \$187,759.29. Year-end carryover at this point is \$1,000,445.99

D. Public Comment.

None.

E. Any additional business that may come before the Board.

None.

Action items:

- I. To review and approve the Quarterly Investment Report for 2016 4th Quarter.
Vince Tobin moved, Homer Stevens seconded, a motion to approve the Quarterly Investment Report as presented. The motion passed 5-0.
- II. To review and approve payment to Northwest Communications for the remaining balance and change order adding \$665.96 to Purchase Order #012 for the combined fire dispatch channel per their Invoice #1024893 for \$21,281.74.
Homer Stevens moved, Scott Johnson seconded, a motion to approve payment to Northwest Communications for the remaining balance of \$21,281.74. The motion passed 5-0.
- III. To review and approve purchases for Reconfigurable Maze System Starter Kit for training tower per Quote #16-255 for \$10,531.00 and one garage door breach prop per Quote #16-256 from WHP Trainingtowers.com.
Vince Tobin moved, Scott Johnson seconded, a motion to approve the purchases for Reconfigurable Maze System Starter Kit for \$10,531.00 and garage door breach prop for \$15,199.00 for a total of \$25,730. The motion passed 5-0.
- IV. To review and approve burn building training tower roof work proposal for \$23,100.00.
Homer Stevens moved, Vince Tobin seconded, a motion to approve burn building training tower roof work proposal for \$23,100.00. The motion passed 5-0.
- V. To review and approve the purchases of loose equipment as quoted for \$11,462.00 and \$2,350.00.
Vince Tobin moved, JoAnne Arosell seconded, a motion to approve the purchase of loose equipment as quoted for \$11,462.00 and \$2,350.00. The motion passed 5-0.
- VI. To review and discuss capital improvement plans for 2017 including construction, repair, or renovation of Station 21 and payment for professional services from Joiner Architects related to architectural and engineering services.
Vince Tobin moved, JoAnne Arosell seconded, a motion to authorize architectural professional service contract with Joiner for Sta 21 renovation. The motion passed 5-0.
- VII. To review, discuss and approve any needed repairs and improvements related to the operation of the District fire stations or equipment.
Postponed.
- VIII. To review and approve actions regarding Huffmeister Road property and ratify or take action as needed pursuant to Tex. Health & Safety Code, Chapter 775 and Tex. Local Government Code, Chapter 272.
Postponed.

- IX. To consider approval for payment to Coveler & Katz, P.C. for professional services as invoiced.
JoAnne Arosell moved, Vince Tobin seconded, a motion to approve the payment of \$1,211.93 to Coveler & Katz, but postpone payment of additional invoices for Ira Coveler to review. The motion passed 5-0.
- X. To review and approve hiring a graphic artist to assist with assembling the newsletter to be distributed as part of the sales tax election process.
Vince Tobin moved, JoAnne Arosell seconded, a motion to hire a graphic artist to prepare the brochure for sales tax election. The motion passed 5-0.
- XI. To review and approve hiring a local printer to be responsible for the printing and distribution of any informative election materials created by the District.
Postponed.
- XII. To consider payment to Cypress Creek VFD:
a. Monthly reimbursement.
Homer Stevens moved, Vince Tobin seconded, a motion to reimburse Cypress Creek VFD in the amount of \$187,759.29. The motion passed 5-0.
- XIII. To review and approve expense reimbursements and Trainings including SAFE-D webcasts, continuing college education credits and online training classes for Commissioners and Employees and consider attendance at SAFE-D's 16th Annual Conference March 9-11, 2017.
Postponed.
- XIV. To review and approve additional payment of \$9,196.00 to TML Intergovernmental Risk Pool as a result of the payroll audit for the plan year October 2015-2016.
Homer Stevens moved, Vince Tobin seconded, a motion to approve the additional payment of \$9,196.00 to TML. The motion passed 5-0.
- XV. To review and approve coverage proposal and payment of annual premiums for District Insurance Policy Renewals February 7, 2017, and consider alternate proposal for coverage from February 7, 2017 to Jun 8, 2017 to coincide with insurance renewals of Cypress Creek VFD:
Homer Stevens moved, Vince Tobin seconded, a motion to approve the alternate proposal for short-term coverage from February 7 to June 8 to coincide with Cypress Creek VFD insurance renewals. The motion passed 5-0.
- XVI. To consider approval of the List of Checks Issued which includes disbursements as approved separately; ACH withdrawals and transfers for payroll processing; TCDRS retirement plan; and operating expenses.
Vince Tobin moved, JoAnne Arosell seconded, a motion to approve the List of checks Issued without the Coveler & Katz check #2468 in the amount of \$2,752.65 and adding the insurance check in the amount of \$14,005.00. The motion passed 5-0.
- XVII. To accept HCESD #13 Financial Statements of December 31, 2016, as presented.
Vince Tobin moved, Scott Johnson seconded, a motion approve the financial statements as presented. The motion passed 5-0.
- XVIII. To consider approval of the minutes from the monthly meeting December 19, 2016.
Vince Tobin moved, Homer Stevens seconded, a motion to accept the minutes from the monthly meeting December 19, 2016. The motion passed 5-0.

XIX. To adjourn to Executive session at any time during the course of this meeting to discuss any of the matters listed with Attorney, Sec. 551.071; to deliberate about Real Gifts and Donation, Sec. 551.073; to deliberate the discipline, or dismissal of a public officer or employee as permitted by the Texas Government Code, Open Meetings Act, Sec. 551.074; Deliberation about Security Devices, Sec. 551.076.

Postponed.

XX. To Take Action considered as a result of executive session to discuss personnel matters.

Postponed.

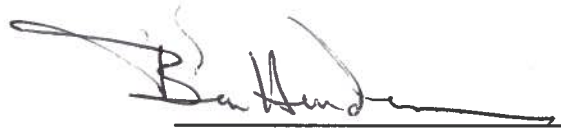
Adjourn

Vince Tobin moved, JoAnne Arosell seconded, a motion to adjourn. The motion passed 5-0. The meeting was adjourned at 9:12 p.m.

Respectfully submitted,



Scott A. Johnson
Secretary/Treasurer



Ben Henderson
President

ORDER FOR ELECTION TO BE HELD MAY 6, 2017 ON THE PROPOSITION OF AUTHORIZING A ONE PERCENT (1%) SALES TAX IN HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 PURSUANT TO HEALTH & SAFETY CODE §775.0751 AND §775.0752

WHEREAS, HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 (the "District") operates pursuant to Texas Constitution, Article III, § 48-e, and Chapter 775, Health & Safety Code; and

WHEREAS, the District is a Harris County District and is therefore governed by an elected Board of Emergency Services Commissioners under Chapter 775, Health & Safety Code; and

WHEREAS, §775.0345, Health & Safety Code, requires that such Election be held in conformity with § 41.001, of the Texas Election Code, providing for Uniform Election Dates; and

WHEREAS, §775.0751, Health & Safety Code, provides that the District may adopt a sales and use tax at an election held as provided by §775.0752; and

WHEREAS, the District may impose the tax at a rate from one-eighth of one percent to two percent in increments of one-eighth of one percent; and

WHEREAS, the District may not adopt a tax if as a result of the adoption of the tax the combined rate of all sales and use taxes imposed by the District and other political subdivisions of this state having territory in the District would exceed two percent at any location in the District; and

WHEREAS, there is contained in the District certain territories - being those territories contained in certain municipal utility districts (MUDs), water conservation improvements districts (WCIDs) or other utility or improvement districts (UDs) all or portions of which have been annexed by the City of Houston for limited purposes pursuant to Article 43 of the Texas Local Government Code (herein referred to as the "City of Houston limited purpose annexation areas") - whereby a one percent (1%) sales and use tax has been imposed by the City of Houston pursuant to various Strategic Partnership Agreements executed with those certain MUDs, WCIDs and UD's affecting said City of Houston limited purpose annexation areas, and other improvements districts whereby a one percent (1%) sales and use tax has been imposed, and where there is also imposed a METRO sales and use tax of one percent; and

WHEREAS, the District Board of ESD Commissioners finds that it would be in the best interests of the District and the residents and commercial interests situated in the District to afford the eligible voters within the District the opportunity to determine whether the District should impose a sales tax at a rate of one percent, **excluding any areas** where there currently exists a 2% local sales and use tax; and

WHEREAS, Health & Safety Code, §775.0752 and Tax Code, §323.403, requires that such Election be held on the next uniform election day not less than 30 days after the day on which the order calling the election was passed,

WHEREAS, the next uniform date for an election called under such circumstances is May 6, 2017,

NOW, THEREFORE, IT IS HEREBY ORDERED that an Election be held in Harris County Emergency Services District No. 13 on Saturday, May 6, 2017, between the hours of 7:00 a.m. and 7:00 p.m., on the following proposition:

"To authorize the adoption of a local sales and use tax in Harris County Emergency Services District No. 13 at the rate of one percent."

IT IS FURTHER ORDERED that:

1. The ballot for the Sales Tax Election shall provide for voting "for" or "against" the above stated proposition. A majority of the votes cast either "for" or "against" the proposition shall determine whether the proposition is adopted. A vote "for" shall mean a vote in favor of the proposition and a vote "against" shall mean a vote against the proposition.

2. The Election shall be held within the designated Harris County Election Precincts wholly or partially located within the District.

3. Only persons qualified to vote within the geographic boundaries of Harris County Emergency Services District No. 13, **excluding any areas** where there currently exists a 2% local sales and use tax, shall be allowed to vote in the Harris County Emergency Services District No. 13 Election and each voter shall vote at the Polling Place designated by Order of Harris County Emergency Services District No. 13.

4. The voting shall be by electronic device (Hart 6.2.1 system) as certified by Texas Secretary of State, April 30, 2009.

5. **SARA HOOPER** is hereby designated as the Early Voting Clerk for the Election. Early voting shall be conducted from April 24, 2017 (the date which represents the earliest date on which early voting may begin) through May 2, 2017 (the date which represents the last day on which early voting may be performed). As ordered by the District Board of Emergency Services Commissioners, the location of main early voting place is designated as follows:

Cypress Creek Volunteer Fire Department, Administration Building
11900 Cypress N. Houston Road, Cypress, Texas 77429
Monday-Friday: 9:00 a.m. - 5:00 p.m.
Saturday, April 29, 2017: 9:00 a.m. - 12:00 noon

6. For the use of those voters in the District who are entitled by law to vote early by mail, the Early Voting Clerk above named shall receive applications for early voting ballots to be voted by mail in accordance with the Texas Election Code. For the

use of those voters who are entitled by law to vote an early voting ballot by mail, the District shall provide each voter with a paper ballot and instructions to make a mark on the paper ballot.

7. Ballot applications and ballots voted shall be sent to the Early Voting Clerk at Harris County ESD No. 13, 11900 Cypress N. Houston Road, Cypress, Texas 77429. There shall be no provision for telephonic facsimile transmission of ballot applications. The ballot applications must be received by April 25, 2017, at 5:00 p.m.

8. The following concurrent and subsequent Orders, among other Orders, may be made by the District to facilitate the Election: Order Approving and Appointing an Agent; Order Approving a Contract with Hart Elections; Order Establishing And Designating Election Precincts And Polling Places; Order Appointing Presiding Election Judge(s); Order Appointing Early Voting Ballot Board; Order Appointing An Early Voting Clerk; Order Establishing And Designating A Polling Place.

9. In accordance with all applicable Federal and State law, there shall be provided Spanish translation of the ballot as well as other applicable election materials.

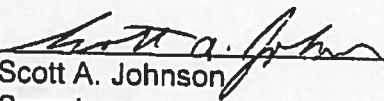
10. This Order constitutes the Election Order of Harris County Emergency Services District No. 13 Election to conduct an election on the proposition "To authorize the adoption of a local sales and use tax in Harris County Emergency Services District No. 13 at the rate of one percent." The Notice of the Election shall be prepared in accordance with the law and shall be given by publication of the Notice of Election along with the Order designating the Voting Precincts and Polling Places for the Election. Such publication shall be made one time in a daily newspaper of general circulation within the geographic boundaries of the District, said publication to be made not earlier than the 30th day nor later than the 10th day before the Election Date. Further, a copy of such Notice shall, not later than the 21st day before the Election Date, be posted on the bulletin board or other place conspicuous to the public used for posting Notices of the meetings of the District Board of ESD Commissioners and a copy shall be filed with the County Clerk of Harris County, Texas. After publication, the District Board of ESD Commissioners shall retain a copy of the published Notice that contains the name of the newspaper in which it was published and the date of publication.

ADOPTED at Open Meeting this the 23rd day of January 2017, by a vote of 5 to 0.

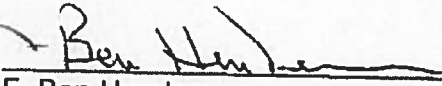
ATTEST:

HARRIS COUNTY EMERGENCY SERVICES
DISTRICT NO. 13

By:


Scott A. Johnson
Secretary

By:


F. Ben Henderson
President