

MINUTES
REGULAR MEETING
BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5
JANUARY 18, 2024

In accordance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, the Board of Commissioners of Bexar County Emergency Services District No. 5 had a REGULAR MEETING at 7120 E. 6th Street, Somerset, TX 78069 on January 18, 2024 immediately following the Bexar County ESD5 Fire and Rescue Board of Directors meeting scheduled for 6:00 pm.

1) Call the Bexar County Emergency Services District 5 meeting to order and establish a quorum.

Meeting was called to order at 6:20 pm and a quorum was established. Board members in attendance were Herschel Postert, Howard Dalros, Andrew Flores, Becky Schneider, and Robert Pierce.

2) Invocation: Pledge of Allegiance to the American Flag.

Pledge recited.

3) Citizens to be heard: This item will be open for a maximum of 30 minutes with 3 minutes per speaker. (If there are more than 10 speakers, each will be given 2 minutes.)

There were no citizens to speak

4) Report on the ESD Association meeting, with action taken, if necessary

Commissioner Dalros said at the last Association meeting, they were talking about the audits that the county is doing on all ESDs. He said the ones that have already gone through the audit are putting together a pamphlet of things they will be looking for. Commissioner Dalros said the legislative focus will be on annexations, PIDs, and ETJ issues. He said Representative Dorazio said he would sponsor the next bill. No action taken.

5) Report from Art Martinez de Vara on legislative topics, local matters, and contact with developers regarding a possible donation, with action taken, if necessary

For the legislative matters, Art said he met with Commissioner Moody and Representative Campbell on the issue of PIDs.

For the Montgomery Road station, Art has spoken to Public Works but there is a new head engineer starting on January 29th so he doesn't think anything will be done before that.

For the possible donation of land off Jungman Road, Art is still trying to find a contact. No action taken.

The Bexar County Emergency Services District No. 5 reserves the right to adjourn into closed session at any time during the course of the meeting to discuss any of the matters listed above should such action be necessary as authorized by the Texas Open Meetings Act, Texas Government Code 551.071 (Consultation with Attorney), 551.074 (Personnel Matters) or 551.087 (Economic Development) and any other provision under Texas Law that permits this governmental body to discuss a matter in a closed session. Action, if any, will be taken in open session.

The Bexar County Emergency Services District No. 5 is committed to compliance with the Americans with Disabilities Act. Reasonable modification and equal access to communications will be provided upon request. Requests for accommodation or interpretive services at meetings should be made 48 hours prior to this meeting. Please contact Bexar County Emergency Services District No. 5 at 830-429-7119.

MINUTES
REGULAR MEETING
BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5
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6) Report, if any, from the General Manager

There was a reminder of the Safe-D Conference. Commissioner Postert said the February meeting would be moved to February 29th just in case something came from the conference that needs to be addressed.

7) Consent Agenda:

a) Review and approval of the minutes for the Regular Meeting on November 16, 2023 and the Special meeting on January 4, 2024

Motion by Commissioner Dalros to accept the minutes as presented. Seconded by Commissioner Schneider. Motion carried.

b) Review and approval of financials

Commissioner Pierce, as the investment officer, has taken some of the money from the ESD account and put it in the money market. He is working with Texas Regional Bank to invest in treasury bills much like the way the loan money is structured. Commissioner Dalros talked about paying construction bills from the Fire Rescue operating account and then have the loan money account pay the Fire Rescue operating account back either monthly or quarterly. Commissioner Dalros suggested staff call Robert Carter for his advise.

Motion by Commissioner Flores to accept the financials as presented. Seconded by Commissioner Dalros. Motion carried.

8) Reports, presentations, and funding requests with action taken as appropriate:

(Reports should include Financial reports (revenue and expenditures), Run Reports, Training Reports and Hours, Volunteer Hours)

a) Bexar County ESD 5 Fire and Rescue

Report given in the Fire Rescue meeting. Nothing further.

b) Lytle Volunteer Fire Dept.

Assistant Chief Logan Medina was present for the report. Commissioner Dalros noted again that the paperwork needs to be submitted 7 days prior to the meeting for the Board to have time to review.

Chief Medina gave his report on training, and call volumes reporting an average response time of 7:55. He said their annual audit has been completed and they are requesting a reimbursement of \$8,000.

Motion by Commissioner Schneider to reimburse Lytle VFD for the audit in the amount of \$8,000. Seconded by Commissioner Dalros. Motion carried.

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JANUARY 18, 2024

9) Action items:

Re: Future fire station on Montgomery Road:

- a) Discussion with action taken as appropriate regarding any action as necessary for platting, permits, and any other matters related thereto**

No action taken on this item.

- b) Discussion with action taken as appropriate regarding the bids submitted for the fire station construction on along with the selection committee's recommendation to enter into negotiations with the chosen firm**

This item was taken in Executive Session.

- c) Discussion and possible action on procurement of Construction and Materials Testing firm through issuance of RFQ**

Motion by Commissioner Dalros to authorize AGCM to release the RFQ for a geo-tech firm and bring the selections back to the board for approval. Seconded by Commissioner Pierce. Motion carried.

- d) Discussion and possible action of owners contingency amount to be included into general contractors contract and establishment of a District designee to approve contingency expenditures in an not to exceed amount and any other matter related to the terms of the contract with the general contractor.**

Motion by Commissioner Dalros to approve contingency allowance with a cap of \$40,000 and authorize Chief Estep as the designee noting any unused funds come back to the District. Seconded by Commissioner Schneider. Motion carried.

Re: Future fire station at IH35 and Luckey Road:

- e) Discussion and possible action regarding environmental surveys, and any other matters related thereto**

Commissioner Dalros said someone will need to be hired to clean the property up.

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REGULAR MEETING

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JANUARY 18, 2024

Chief Estep said he would go walk the property and give the board an update.

f) Discussion and possible action regarding installing a sign at the property

Chief Estep said he would get a sign installed similar to the one on Montgomery Road.

Other items:

g) Discussion and possible action regarding exploring the possibility of a donation of land on Jungman Road

This item was discussed by Art Martinez earlier in the meeting. No action taken.

h) Personnel issues: Including but not limited to complaints by employees related to their employment and/or hiring, terminations, discipline, suspensions, and compensation, and any other related matters including the Fire Chief.

This item was taken in Executive Session.

Meeting was called into Executive Session at 7:01 pm for items 9b and 9h citing Texas Government Code 551.071 consultation with attorney.

Meeting resumed in Open Session at 8:01 pm.

9b – Motion by Commissioner Dalros to have Legal Counsel draft a contract and begin negotiations with Griggs Construction. Seconded by Commissioner Schneider. Motion carried.

9h – No action taken.

10) Adjourn

Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Flores. Motion carried. Meeting adjourned at 8:03 pm.

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