

MINUTES
REGULAR MEETING
BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5
OCTOBER 20, 2022

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 October 20, 2022 immediately following the meeting of the Board of Directors for Bexar County ESD 5 Fire and Rescue 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 6:24 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) **The Board will hear report on the work by R4 Strategies**

(May be heard in Executive Session)

No report given.

- 5) **The Board will hear a brief report from the General Manager**

GM reported the round table with other Bexar County ESDs is proceeding. Legal Counsel provided a Resolution to be signed regarding same. Commissioner Dalros instructed her to go ahead and get invitation out. GM reported the rooms for Safe-D 2023 have been booked; administrative assistant was able to clear out one file cabinet after having scanned all the files; required information has been reported on Bexar County's truth in taxation site; annual ESD reporting through Safe-D has been done; and the end of year budget reports have been completed.

- 6) **Consent Agenda:**

- a) **Minutes from the Public Hearing and Regular Meeting on September 15, 2022 and the Special Meeting on October 3, 2022**

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.

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

b) Review and approval of financials

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

7) 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 Fire Rescue meeting. Nothing further to report.

b) Lytle Volunteer Fire Dept.

Chief Roger Garcia was present along with former Chief Matt Dar. Chief Garcia said the training required in the contract has been started. Chief Dear said the new brush truck is now in service. Monthly paperwork reflected 51 calls for the month of September.

8) Action items: Consider, discuss, and action as appropriate.

- a) Discussion with action taken as needed regarding the future fire station in the Montgomery Road area, including but not limited to bid process, including resolutions, if any, and any other matters related thereto.**

No discussion, no action.

- b) Personnel issues: Including but not limited to hiring, terminations, discipline, suspensions, and compensation, and any other related matters including action, if appropriate, regarding annual evaluation for Fire Chief**

This item was taken in Executive Session.

- c) Discussion and possible action regarding the litigation with the City of San Antonio in reference to Cause No. 2019-CI-26125 and Cause No. 2020-CI-24975**
- Nothing reported. This item was taken in Executive Session.*

- d) Discussion and possible action regarding the letter from the City of San Antonio dated October 21, 2022 in reference to annexation of approximately 50 acres of land in the District 5 area**

Commissioner Postert said he spoke with Mark Verstuyft and he said he did not

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volunteer to be annexed but that he is selling the property to a developer and maybe the realtor did that. The letter said there will be a public hearing on November 10, 2022 for interested parties. Legal Counsel stated the ESD does have an interest. Commissioner Dalros was concerned about interfering with the sale.

Motion by Commissioner Dalros to authorize Legal Counsel to object to the annexation and prepare for the hearing. Motion seconded by Commissioner Schneider. Motion carried.

- e) **Discussion regarding service provider contracts (Lytle VFD & FR), with action taken as appropriate**

This item was taken in Executive Session.

- f) **Discussion and action, if any, to amend 2021-2022 budget and 2022-2023 budget**
General Manager suggested an amendment to the 2021-2022 budget to clear up the one item that was overbudget which was the insurance line item. The total budget was under budget so this revision does not affect the total budget at all. For the 2022-2023 budget, the only item to revise is the correct number on the rollover from the 2021-2022 budget.

Motion by Commissioner Schneider to accept the amendments as presented on both budgets. Seconded by Commissioner Pierce. Motion carried.

Meeting was called into Executive Session at 6:46 pm for items 8b, 8c, and 8e citing Texas Government Code 551.071 consultation with attorney.

Meeting resumed in Open Session at 8:09 pm.

8b – Motion by Commissioner Schneider to approve an increase to the Chief's salary of 3%. Seconded by Commissioner Flores. Vote taken – Schneider, Flores in favor; Dalros, Pierce opposed. Postert abstained. Motion failed.

Motion by Commissioner Dalros to approve an increase in the Chief's to \$110,000. Seconded by Commissioner Pierce. Vote taken – Dalros, Pierce in favor; Flores, Schneider opposed; Postert abstained. Motion failed.

Motion by Commissioner Postert to approve a raise in the Chief's salary of 5%. No second. Motion failed.

Motion by Commissioner Dalros to approve a raise in the Chief's salary of 10%. Seconded by Commissioner Pierce. Vote taken – Dalros, Pierce in favor; Schneider, Flores opposed. Postert abstained. Motion failed.

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8c – Motion by Commissioner Schneider to approve the Resolution as presented. Seconded by Commissioner Pierce. Motion carried.

8e – Motion by Commissioner Schneider to approve the service provider contract with Lytle VFD as discussed in closed session with an amount of \$132,000. Seconded by Commissioner Pierce. Motion carried.

*Meeting called back into Executive Session at 8:20 for item 8b.
Meeting resumed in Open Session at 8:54 pm.*

8b – There will be a special meeting on November 3, 2022 at 6:00 pm to discuss this item further.

9) Adjourn

Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Dalros. Motion carried. Meeting adjourned at 8:55 pm.

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