

MINUTES
REGULAR MEETING
BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5
SEPTEMBER 21, 2023

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 SEPTEMBER 21, 2023 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 6:37 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 held on 9/12/2023 including noting the next ESD Association meeting will be held 10/12/2023 at noon and hosted by ESD 5 at Station 150**

A draft version of how the City of San Antonio will handle annexations in the future was shared with the board. It was noted that ESD5 will host the next Association meeting.

- 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**

Art Martinez said he is working with the county on the road behind the Montgomery Road property. Commissioner Dalros said this would not hold up the bid process and it could be handled as a change order, if necessary. Commissioner Postert said there was a developer buying 80 acres at Quintana and IH 35 and they may donate 2 acres to the Fire Department. Art said the Association had a plaque for Representative Lujan so he may be present at the October 12th meeting.

- 6) Report, if any, from the General Manager**

No report necessary.

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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7) Consent Agenda:

- a) Review and approval of the minutes for the Regular Meeting on August 17, 2023, the and the Public Hearing and Special Meeting on August 24, 2023**

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

- b) Review and approval of financials**

Chief Estep noted that the union dues are deducted from the firefighters payroll and then a check is processed payable to the union. The ESD is not paying union dues.

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**

Nothing further to report.

- b) Lytle Volunteer Fire Dept.**

Logan Medina was present for Lytle VFD. He reported 59 calls in Bexar County in August. It was also noted that Lytle is not asking for an increase in their service provider contract for this coming year.

9) Action items:

- a) Discussion with action taken as appropriate regarding the future fire station on Montgomery Road, including any action necessary regarding financing, bid process, status of platting, water drilling issues, waiver/Agreement from the City of San Antonio, and resolutions that may be required for any actions taken, and any other matters related thereto**

This item was taken in Executive Session.

- b) Discussion and possible action regarding the purchase of land for a future fire station in the Luckey Rd / Pearsall Rd / IH35 area, including appraisals, environmental surveys, approval/ratification of Unimproved Property Contract, approval/ratification of professional services agreement with STC Environmental Services, Inc for Phase**

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I environmental and Resolution that may be required for any actions taken, and any other matters related thereto

This item was taken in Executive Session.

- c) **Discussion and possible action to adopt the new Chief Evaluation form**
Motion by Commissioner Schneider to approve the evaluation form with the amendments as discussed – on the 3rd page, changing the F to an E and the Total Points 6 to a 5. Seconded by Commissioner Dalros. Motion carried.
- d) **Personnel issues: Including but not limited to hiring, terminations, discipline, suspensions, and compensation, and any other related matters, including annual evaluation (Chief Estep – September)**
This item will be postponed to a special meeting Wednesday, October 4, 2023 noting that any raise will be made retroactive back to 9/1/2023.
- e) **Discussion and possible action regarding a District Policy Manual**
Motion by Commissioner Dalros to approve the District Policy Manual as presented. Seconded by Commissioner Pierce. Motion carried.
- f) **Discussion and possible action regarding opening a bank account with Texas Regional Bank including naming the signers and deciding on the opening deposit, if approved**
Moton by Commissioner Schneider to move the entire balances of the accounts from Texas Community Bank and Lytle State Bank to Texas Regional Bank and / or TRB Wealth Management, LLC with all board members as signers – Herschel Postert, Howard Dalros, Andrew Flores, Becky Schneider, and Robert Pierce. Motion seconded by Commissioner Dalros. Motion carried.
- g) **Discussion and possible action regarding opening an account with TexPool, including amendment to the investment policy, if needed, and approval of a resolution, designate authorized representatives, and opening balance with direction where funds will come from**
Motion by Commissioner Dalros to authorize general manager, Sheila Staggs, to start the process of getting a TexPool account for the proceeds of the station loan with Government Capital with all 5 board members as signers (Herschel Postert, Howard Dalros, Andrew Flores, Becky Schneider, and Robert Pierce) and approve the Resolution as presented. Motion seconded by Commissioner Schneider. Motion

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carried.

h) Discussion and possible action regarding renewing the service provider contract with Lytle VFD expiring 9/30/2023

This item was taken in Executive Session.

i) Discussion and possible action regarding the request for waiver of penalty and interest per letter from the Tax Assessor Collector dated 9/5/2023

Motion by Commissioner Pierce to accept the waiver of penalty and interest as presented. Seconded by Commissioner Flores. Motion carried.

Meeting was called into Executive Session at 7:12 pm for items 9a, 9b, and 9h citing Texas Government Code 551.071 Consultation with Attorney.

Meeting resumed in Open Session at 7:44 pm.

Item 9a – Motion by Commissioner Schneider to authorize Commissioner Dalros to get clarification on the \$60k fee with Government Capital and then proceed with the loan. Seconded by Commissioner Flores. Motion carried.

Item 9b – Motion by Commissioner Dalros to approve the purchase of the 2.5 acres off Luckey Road for \$425,000 subject to the Phase 1 environmental survey and due diligence. Seconded by Commissioner Schneider. Motion carried.

Item 9h – Motion by Commissioner Flores to approve the service provider contract for Lytle VFD for 1 year in the amount of \$120,000. Seconded by Commissioner Pierce. Motion carried.

10) Adjourn

Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Pierce. Motion carried. Meeting adjourned at 7:45 pm.

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