

MINUTES
REGULAR MEETING
BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5
MARCH 16, 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 MARCH 16, 2023 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 6:34 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 a brief report on government affairs / legislative updates

(May be heard in Executive Session)

The board received a brief update from Commissioner Dalros. It was noted that Commissioner Postert will take Commissioner Dalros' place next Tuesday and the Capital.

5) Consent Agenda:

a) Review and approval of the minutes for the Regular Meeting on February 16, 2023

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

b) Review and approval of financials

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

6) 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)

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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a) Bexar County ESD 5 Fire and Rescue

Chief Estep accepted a letter of recognition from Lytle City Council for a recent structure fire.

b) Lytle Volunteer Fire Dept.

Chief Roger Garcia was in attendance for Lytle VFD. Monthly paperwork submitted shows 70 incidents in Bexar County with an average response time of 8:34.

7) 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.**

This item was taken in Executive Session.

- b) Personnel issues: Including but not limited to hiring, terminations, discipline, suspensions, and compensation, and any other related matters**

No action needed on this item.

- 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 and any other matter related thereto including but not limited to the denial of the request for debt in excess of \$20,000 by COSA.**

This item was taken in Executive Session.

- d) Discussion and action to approve the District's exemptions and tax rates**

Rates and exemptions reviewed by the Board. Legal Counsel will submit the approval to the county.

- e) Discussion and possible action regarding Lytle VFD's annual financial audit**

Motion by Commissioner Dalros for the District to pay up to \$8,500 for Lytle's audit pending review and approval by Robert Carter but noting next year, the auditor will be chosen by the district per the service provider contract. Seconded by Commissioner Schneider. Motion carried.

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f) Discussion and possible action regarding adopting and / or renewing the District's investment policy including electing an investment officer

Motion by Commissioner Dalros to nominate Robert Pierce as the Investment Officer. Seconded by Commissioner Flores. Motion carried.

Meeting was called into Executive Session at 7:17 pm for items 7a and 7c citing Texas Government Code 551.071 consultation with attorney.

Meeting resumed in Open Session at 7:34 pm.

Item 7a- No action taken.

Item 7c- Motion by Commissioner Schneider to move forward with the lawsuit regarding denial of funding against the City of San Antonio. Seconded by Commissioner Dalros. Motion carried with 4 in favor and 1 against (Pierce).

8) Adjourn

Motion to adjourn by Commissioner Flores. Seconded by Commissioner Dalros. Motion carried. Meeting adjourned at 7:34 pm.

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