

**MINUTES**  
**REGULAR MEETING**  
**BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5**  
**JULY 25, 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. 6<sup>th</sup> Street, Somerset, TX 78069 on JULY 25, 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 6:14 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 he would like Chief Estep to be a 3<sup>rd</sup> alternative for the Association. Motion by Commissioner Schneider to appoint Chief Estep as the 3<sup>rd</sup> alternative for the Association. Seconded by Commissioner Dalros. Motion carried.*

- 5) Report from Art Martinez de Vara on legislative topics and local matters, with action taken, if necessary**

*Art Martinez was in attendance and said they are working on legislation that would fix ESD boundaries and annexation issues. Chief Estep would also like him to look into road closure issues and the lack of notification of such. Chris Herrera of OEM said he would look into this.*

- 6) Report from Chris Herrera, Office of Emergency Management, with action taken, if necessary**

*Chris Herrera said they will be hosting a training on August 3<sup>rd</sup> and so far they have about 27 attendees. He said the training will include legislative issues and about an hour focused on auditing.*

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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) Report from the General Manager, with action taken, if necessary**  
*Sheila Staggs reported on the Bexar County Audit saying it started on Monday and seems to be going well so far. She also noted that Sylvia Garza will take a 2 week vacation starting August 12<sup>th</sup>.*
- 8) Report from investment officer, Commissioner Pierce, with action taken, if needed.**  
*It was noted the district has received over \$160k in interest since 10/1/2024.*
- 9) Consent Agenda:**
- a) Review and approval of the minutes for the Regular Meeting on June 20, 2024 and Special Meeting on June 26, 2024**  
*Moton by Commissioner Schneider to accept the minutes as presented. Seconded by Commissioner Pierce. Motion carried.*
  - b) Review and approval of financials**  
*Motion by Commissioner Dalros to accept the financials as presented. Seconded by Commissioner Flores. Motion carried.*
- 10) 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**  
*Chief presented his report in the Fire Rescue meeting and had nothing further.*
  - b) Lytle Volunteer Fire Dept.**  
*Vanessa Lopez was present for the Lytle report. She reported call volumes and response times.*
- 11) Action items:**
- Re: Future fire station on Montgomery Road:**
- a) Construction progress report from AGCM, with action taken as necessary, for continued progress on the project**  
*Chief Estep said he forwarded an email from SARA over to Woody's office on July 18<sup>th</sup> regarding an easement but has not had any response. Mark Price said they are continuing their meetings with the architect and contractor every other week. He said the building for the*

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*bay will be delivered next week. Electric and plumbing rough in has been done in the interior. He said there has been some theft at the site – 2 skid steers and a gate panel – so they will be installing something more permanent. He said the structural steel will be coming next month. No action taken.*

**Re: Future fire station at IH35 and Luckey Road:**

- b) Discussion and possible action regarding environmental surveys, clean up, shredding, dumpster, requests for qualifications and request for proposals, construction methods and any other matters related thereto**

*Chief Estep said he put together the RFQ for architectural services and it has been approved by legal counsel.*

*Motion by Commissioner Dalros to approve the posting of the RFQ. Seconded by Commissioner Pierce. Motion carried.*

*Mark Price said he will get that out tomorrow.*

**Re: Land purchase located on Mechler Lane:**

- c) Status on the purchase of the property with action taken as necessary regarding environmental surveys, endangered species study, appraisals, clean up, financing with Government Capital, resolutions and any other related matters**

*Commissioner Postert said the paperwork at Stewart Title did not reflect the down payment the District is making so it has to be resigned. Revised paperwork was signed. There was a discussion about a farmer baling hay on the acreage. Attorney said he will work on a lease for him to sign.*

*Staff was directed to make sure all the properties have liability insurance on them.*

**Other items:**

- d) Discuss and consider approval to file an amicus brief in Elliot v. City of College Station at the Texas Supreme Court**

*Art Martinez talked about a push to make ETJs unconstitutional. He said it lost at trial so it is being sent to the Texas Supreme Court. The amicus brief would say that ESD5 concurs with the arguments being made. The Association may file but the deadline is August 15<sup>th</sup>. Art said he would do it for a flat fee of \$5000.*

*Motion by Commissioner Dalros to have Art Martinez file the amicus brief on behalf of ESD5.*

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*Seconded by Commissioner Schneider. Motion carried.*

- e) **Discussion and action as needed to set the budget for 2023-2024**  
*This item was tabled.*
- f) **Discussion and action as needed for the process of setting the tax rate for 2024**  
*As the paperwork has not been received, this item was tabled.*
- g) **Discussion and possible action regarding EMS service**  
*There was a discussion about Acadian ambulance service taking too long to respond. The board discussed an overlay district for EMS, contracting with another ESD, or contracting directly with an ambulance service. No action taken.*
  
- h) **Discussion and action to amend the policies & procedures book pg 55, A. regarding credit card use**  
*GM noted that the policies and procedures book says the District does not use credit cards at all and once the District started banking with Texas Regional Bank, they are using credit cards. GM will amend the language and bring back to the board for approval.*
- i) **Personnel issues: Including but not limited to hiring, terminations, discipline, suspensions, compensation, evaluations, and any other related matters**  
*Employee evaluations were discussed. Commissioner Postert said they would be done by September. No action.*
- j) **Update, if any, on land from Galm Realty for future fire station(s)**  
*Mr. Galm was not present.*
- k) **Discussion and possible action regarding future PIDs in the District 5 area**  
*There was a brief discussion of a PID at Montgomery Road and 90. No action taken.*
- l) **Discussion and action to set August 19, 2024 as the date to approve the election order if exceeding the de minimus rate and August 26, 2024 as the date to approve the tax rate if exceeding the voter approval rate but not the de minimus rate**  
*Tax rate worksheet has not been received by the county, so no action taken, however, legal counsel said the publication should be around August 7<sup>th</sup> through the 15<sup>th</sup>.*

**12) Adjourn**

*Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Dalros. Motion carried.  
Meeting adjourned at 7:26 pm.*

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