

Comal County Emergency Services District #7

Minutes of April 13, 2023 Meeting

1. CALL TO ORDER

A regular meeting was held 550 Landa Street, New Braunfels City Hall and was called to order at 8:30 A.M. by President James Frye.

2. STATEMENT OF QUORUM

The following Commissioners were present: James Frye, Christine Seidel, Kim Carroll, and Mark Kauzlarich. A quorum was declared. Also, in attendance were ESD7 Accountant, Patricia Wagner; New Braunfels Fire Department Fire Chief Ruy Lozano and Assistant Fire Chief Matt Bushnell, City Manager Robert Camareno, Assistant City Manager Jared Werner, Finance Director Sandy Paulos, and Assistant City Attorney Frank Onion.

3. APPROVAL OF MINUTES OF PRIOR MEETING

Board members reviewed Minutes from the March 23, 30, 2023 meetings. On a motion made by Mark Kauzlarich and seconded by Christine Seidel, to accept the minutes, the motion carried unanimously.

4. CITIZEN COMMENT

There were no comments from citizens.

5. REVIEW CITY CALL REPORT

Chief Bushnell presented February 2023 Call Report.

ESD 7 had 114 calls which is normal for this time of year. Christine Seidel asked about the time stamp on the calls list in the report. Chief Bushnell explained that it represents the time of day that the call was received by the dispatcher. Ms. Seidel also asked about a call described as "Advanced extrication with tools". Chief Bushnell explained that it represented a category of Motor Vehicle Accident that wasn't used often but was necessary to track.

6. CHIEF'S REPORT

Chief Bushnell presented the Chief's Report as follows:

- Station 7 construction is on schedule. The date for the topping out ceremony was scheduled but will need to be reset.
- FD is working on the 2024 budget.
- Chief Lozano stated that there had been significant mechanical issues on the EMS side which caused a temporary reduction in the number of units available. The issues have been resolved.

7. CITY MANAGER OFFICE REPORT

Assistant City Manager Jared Werner led a discussion regarding Veramendi and Mayfair developments relating to the ESD7 Sales and Use Tax (SUT).

- He asked if there were any questions of the City.
- Mark Kauzlarich stated that, based on his research of applicable statutes and the City's development agreements, that ESD7 cannot transfer SUT funds for purposes other than for support of Fire and EMS services.
- City Attorney Frank Onion and Jared Werner said that they would propose that any agreement between ESD7 and the City would specify that funds would be expended only on transportation and water services infrastructure which can be considered support services for Fire and EMS.
- Kim Carroll said that the City was supposed to submit proposed contract or agreement language to ESD7 board members and the ESD7 attorney. Jared Werner replied that the City would do so.
- Frank Onion said that he was working with ESD7 attorney, Ken Campbell regarding agreement language.
- James Frye and Mark Kauzlarich stated that ESD7 would prefer an agreement separate from the existing ESD7/City contract.
- Matt Bushnell stated that the Fire Department has purview over infrastructure standards with regard to streets (transportation) and water supply.
- James Frye asked that presentation of any proposed agreement be in layman's language which specifies in detail what any additional contribution from ESD7 would be used for.

Jared Werner and Patricia Wagner discussed the current estimated 2022 true-up cost.

- Mr. Werner stated that the current level of cost is not an "anomaly" as had been considered for the 2021 true-up cost. Ms. Wagner agreed with Mr. Werner.
- Additional costs which had been discussed at the previous several board meetings were causing the increase in true-up costs.
- Total call numbers are continuing an upward trend.
- The City will work to prepare better true-up cost estimates which need to be prepared prior to final accounting by the Fire Department due to ESD7 annual audit timing.
- After discussion of the method of payment of the true-up costs to the City, the ESD7 Board consensus was to continue paying on a quarterly basis.

8. DISCUSSION OF SB 2370 AND CITY'S DEVELOPMENT AGREEMENTS WITHIN ESD7

There was a general discussion of issues related to SB 2370.

- James Frye said that he understands that Senator Campbell's office is looking at possible statewide impacts because of SB2370.
- Mark Kauzlarich said that the division of responsibility and cost for calls would be difficult to determine along the section of the I-35 corridor potentially shared by ESD7 and a new ESD.
- Mark Kauzlarich said that, if passed, the bill and new ESD would be in effect by September of 2023, based on his understanding of the current draft.

9. TREASURER'S REPORT

Patricia Wagner presented the Treasurer's Report as follows:

- Reviewed the March 2023 Balance Sheet.
- TxPool fund balance is currently \$6,702,850.
- The Accounts Payable on the Balance Sheet is \$977,313 because the 2022 True-Up cost has to be fully accrued even though we are paying the true-up cost quarterly.
- TxPool interest rate for the current period was 4.79%.
- 96.65% of 2022 taxes have been paid. ESD7 is still owed \$67,742 in taxes.

10. CLOSED MEETING OF BOARD OF EMERGENCY SERVICES COMMISSIONERS TO MEET AND CONFER WITH LEGAL COUNSEL PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

A closed meeting was not held.

ACTION AGENDA

11. DISCUSSION AND ACTION ON PAYMENT OF BILLS

- Haynie & Company - \$350.00 for 2022 audit services
- Patricia Wagner - \$682.50 for accounting services

On a motion made by Kim Carroll and seconded by Christine Seidel, to pay the bills as presented, the motion carried unanimously.

DISCUSSION ITEMS:

A. OLD BUSINESS: Patricia Wagner stated that she needed 2 Board signatures on audit documents requesting banking records.

B. NEW BUSINESS/ANNOUNCEMENTS: There was no new business to discuss.

C. NEXT MEETING: The next regular meeting of ESD7 will take place at 8:30 A.M. Thursday, May 25, 2023 at 550 Landa Street, New Braunfels City Hall.

D. ADJOURNMENT: There being no further business, the meeting adjourned at approximately 9:42 A.M.



Kim Carroll, Secretary