

Comal County Emergency Services District #7

Minutes of September 14, 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, Kim Carroll, Christine Seidel, Greg Drake, and Mark Kauzlarich. A quorum was declared. Also, in attendance were ESD7 Accountant, Patricia Wagner, New Braunfels Fire Department Chief Ruy Lozano, and City of New Braunfels Finance Director, Sandy Paulos.

3. APPROVAL OF MINUTES OF PRIOR MEETING

Board members reviewed Minutes from the September 24, 2023 meeting. On a motion made by Christine Seidel and seconded by Mark Kauzlarich, to approve the minutes, the motion was carried unanimously.

4. OPEN PUBLIC HEARING ON PROPOSED 2023 AD VALOREM TAX RATE.

President James Frye opened the Public Hearing on the proposed 2023 Ad Valorem tax rate at 8:31 a.m. There were no members of the public in attendance at the hearing.

5. CLOSE PUBLIC HEARING ON PROPOSED 2023 AD VALOREM TAX RATE.

President James Frye closed the Public Hearing on the proposed 2023 Ad Valorem tax rate at 8:32 a.m.

6. CITIZEN COMMENT

There were no comments from citizens.

7. REVIEW CITY CALL REPORT

Chief Lozano discussed the August 2023 Call Report.

- There were 85 calls in ESD7 which is lower than normal and is 7.35% of the total number of calls for the month. Motor vehicle accidents represent the majority of calls.
- James Frye asked a question about the Authorized Controlled Burning category. Chief Lozano said that City residents are typically given a warning for the first violation and are cited and potentially fined for subsequent incidents. ESD7 residents found to be in violation of burn ban orders are referred to the Comal County Fire Marshall's office.
- Chief Lozano discussed a Significant Incident Report regarding an explosion and fire which occurred in ESD7. The structure which was mostly destroyed is a manufactured home located in a rural area of the County. Multiple units responded along with a Battalion Chief, Medical Officer, engine, and water tender. The resident of the home received minor injuries but declined medical attention. A drone (UAV) with thermal

imaging was utilized by the New Braunfels Police Department to identify hot spots in the area around the home. The incident was referred to the Comal County Fire Marshall's office for investigation. There has been no contact from the Fire Marshall's office regarding the incident and investigation.

- James Frye said that the Nbfd should be informed regarding any investigation in ESD7 by the Comal County Fire Marshall's office because Nbfd is the service provider even though they do not have jurisdiction with regard to potential illegal activities. James Frye said that he would contact the County Fire Marshall's office to inquire about the status of the investigation.
- Christine Seidel asked if special equipment was necessary for this type of fire. Chief Lozano said that standard equipment is sufficient but that the gear is professionally cleaned before it is used again.
- There was a discussion of the "challenging" relationship between Nbfd and the Comal County Fire Marshall's office. James Frye said that he would contact the Fire Marshall's office to start a conversation regarding the Fire Marshall's activities and relationship with ESD7 and Nbfd.

8. CHIEF'S REPORT

Chief Lozano presented the report as follows:

- Chief Lozano led a discussion of equipment needs in ESD7. The Nbfd currently has one Fire Tender (aka water tanker) truck in the fleet. There are numerous areas in ESD7 which are not served by water systems and fire hydrants and water must be transported to the scene of a fire. Two Tenders are necessary in order to maintain a constant supply of water for fire suppression. A Brush Truck would help with fighting fires which are not accessible to standard fire apparatus.
- Christine Seidel asked a question about the impact on EMS services by the homeless population. Chief Lozano said that there was a significant impact because of "super-utilizers" of the 911 call system. Approximately 1,200 super-utilizers have been identified by Nbfd year-to-date. A mobile-integrated health program has been initiated by the City of New Braunfels. The City is planning to hire a person whose responsibility will be to track and engage repeat 911 users in order to provide information and education regarding how to best use the health care system without calling 911 for non-emergency purposes. Funding for the program is available from the opioid settlement with participation by the McKenna Foundation.

9. CITY MANAGER OFFICE REPORT

There was no report from the City Manager's office. Mark Kauzlarich asked Sandy Paulos about the status of development of the list of Commercial sales and use tax payors within the Veramendi and Mayfair developments which would form the basis for allocation of sales and use tax (SUT) revenue to the City of New Braunfels by ESD7. Ms. Paulos said that she was not aware of the status.

10. TREASURER'S REPORT

Patricia Wagner presented the monthly financial report.

- Ms. Wagner said that the TxPool account balance is \$8,314,445 which includes a \$37,044 interest payment (5.3% rate) for July. She stated that the total delinquent tax for all years is \$31,067.
- Sale tax revenues remain fairly constant. August sales tax revenue was \$341,000. The 2024 budget includes monthly sales tax payments of \$314,000.
- Mark Kauzlarich asked a question regarding the total sales tax collected to date. The payments totaled \$1,880,279 for 2022 and \$4,010,838 for 2023.

11. 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

12. ADOPT 2024 BUDGET.

Patricia Wagner presented and led a discussion regarding the proposed 2024 budget. Greg Drake asked a question regarding the meaning of No New Revenue Tax Rate vs. Voter Approved Tax Rate (VAR). Ms. Wagner said that adoption of the VAR would not require an election. On a motion made by Christine Seidel and seconded by Kim Carroll to approve and adopt the 2024 ESD7 budget as presented, the motion was carried unanimously.

13. ADOPT 2023 AD VALOREM TAX RATE OF .051831.

Pat Wagner led a discussion which was a review of the various tax rate calculations. On a motion made by Kim Carroll and seconded by Christine Seidel to set the 2023 Ad Valorem tax rate at \$0.051831 per \$100 of valuation, the motion was carried unanimously.

14. DISCUSSION AND ACTION ON PAYMENT OF BILLS

The following bills were presented for approval and payment.

- Patricia Wagner - \$2,307.36 for accounting services including an expense reimbursement of \$1,497.36 for the Public Hearing notice in the Herald-Zeitung newspaper.

On a motion made by Kim Carroll and seconded by James Frye, to approve payment of the bills as presented, the motion was carried unanimously.

15. DISCUSSION AND ACTION ON AUTOMATIC AID AGREEMENT.

Kim Carroll said that the Automatic Aid Agreement had not been fully executed by ESD2 and 3, but Angela Hemphill would provide the original document to ESD7 as soon as all signatures are acquired. James Frye asked if any board members knew why Hazardous Materials Response was not specifically included in the list of services on Exhibit A. Mark Kauzlarich and Greg Drake said that Hazardous Materials Response was not specifically discussed regarding inclusion on the list. Mark Kauzlarich pointed out that Hazardous Materials Response is specifically listed as a response item in paragraph 2 of the proposed agreement. James Frye said that he would prefer to discuss the list with Assistant Fire Chief, Matt Bushnell, prior to

consideration of approval of the proposed automatic Aid Agreement. Board members concurred with James Frye's request.

16. DISCUSSION ON FUNDING PURCHASE OF TENDER FOR THE FIRE DEPARTMENT.

James Frye led a discussion regarding the purchase of a Water Tender truck.

- James Frye asked the board to consider acquiring a Water Tender truck that would be used by the Nbfd. The tender unit would be used in ESD7 areas that do not have water supplies and/or fire hydrants. The tender might be purchased by the City and reimbursed by ESD7, or it might be purchased by ESD7 and utilized by the Nbfd under an interlocal agreement.
- He said that he had discussed the process of acquiring the tender with ESD7 attorney Ken Campbell.
- Ken Campbell advised that, according to Health and Safety Code chapter 775.073(d), ESD7 would need to purchase the tender unit and allow City use according to an interlocal agreement (ILA).
- There was a discussion regarding issues involved with purchase by ESD7 such as competitive bidding, insurance, registration.
- Board members agreed to continue the discussion of a path forward at future board meetings.

DISCUSSION ITEMS:

A. OLD BUSINESS: There was no Old Business to discuss.

B. NEW BUSINESS/ANNOUNCEMENTS: James Frye suggested that ESD7 board members consider the purchase of shirts which would have the ESD7 logo embroidered on them. All board members agreed that wearing shirts with ESD7 logo would increase visibility of the District and of board members at future public events. He also suggested that an ESD7 business card be developed that lists the ESD7 website address. Board members were generally in favor of his suggestion.

C. NEXT MEETING: The next regular meeting of ESD7 will take place at 8:30 A.M. Thursday, October 19, 2023, at 550 Landa Street, New Braunfels City Hall.

D. ADJOURNMENT: There being no further business, the meeting adjourned at approximately 9:50 A.M.



Kim Carroll, Secretary