

Minutes of the February 27, 2020 Commissioners Meeting

1. **Call to order:** Meeting called to order at 6:59 P.M.
2. **Establishment of a quorum:** Quorum present, Commissioner Mayberry, Commissioner Berumen, Commissioner Anaya and Commissioner Rankins.
3. **Pledge of Allegiance:** The Pledge was recited.
4. **Presentations:** None
5. **Take action on swearing in Commissioner Berumen:** Chief Menendez gave the oath of office to Commissioner Berumen.
6. **Review and approve minutes of January 2020 meeting:** Commissioner Mayberry asked about Native Air's Usage of the building as mentioned in the Chief's report in the minutes. Clarification was given by the chief. Motion to accept the minutes made by Commissioner Anaya and seconded by Commissioner Rankins. Motion carries.
7. **Discussion and take action on Station #2 Construction Project:** Chief Menendez presented a letter from Medlock requesting a 6-week extension on Station #2. The Chief's recommendation to the board was a 4-week extension. A representative from Medlock Construction was present at the meeting and stated that the project is moving along but they are having a supply issue with the HVAC system. Commissioner Mayberry stated that he agreed that Medlock is doing a great job and has been honest and fair with the ESD. A motion was made to grant a 4-week extension by Commissioner Anaya and was seconded by Commissioner Berumen. Motion carries. The new Completion date for the project will be April 16th.
8. **Review and approve communications report on monthly calls as reported by Horizon City dispatch:** Sarai Yepez, from communications, presented the dispatching data from January 2020. Alarm calls 15, Assistance 13, Brush Fires 9, Car fires 0, Leaks 12, Medical calls 180, MVA's 36, Structure Fires 5. Motion to accept report was made by Commissioner Berumen and seconded by Commissioner Anaya. Motion carries.
9. **Review and approve Chief's report on run volume, stipend, training, fleet, personnel, fire response, building construction and additional fire information:**
 - Calls for the month of January: 288
 - Calls for the year 2020: 506
 - Stipend: \$27,259.33 for month of January. (2 pay periods)
 - Hours: 2418.50
 - Training: Completed Ballistic vest training for Operations. G.O. will be going out for start of new policy. FM office will be trained next.
 - Fleet: Waiting on parts for Rescue 405, light tower. Also, for air horn on Pumper 403. Received new Brush truck; equipment is being ordered to place the unit in service.

- Personnel: Picked up 4 personnel for Operations, Deputy Fire Marshal resigned, add has been placed. Have a number of applicants applying for Ops, next interview process will be March.
- Fire Response: No structure fires to report.
- Building Construction: Issues were brought up about crack in concrete, height of weight room and station extension completion date. Crack in concrete was determined to be normal. Height of ceiling was only dropped 2” as they moved the drains on the roof. Agenda item placed for station completion extension. There was an initial charge for \$800.00 that involved running electrical to a fan. That charge has been covered by ASA.
- Misc.: Vendor letters sent out, still attempting to make contact with Fred Loya. Talked to the supervisor handling the case and since has not returned call even with numerous messages left. Still going to attempt call back and issuance of checks. FM Office was approached to sign a non-disclosure agreement. Agreement was sent to legal and had to be modified before he was comfortable with us signing. Looking at options for Fire Marshals offices.
- Annual Infection Control report: There are noted improvements on safety of members and the computer program purchased for tracking has proved to be very affective. We are at 100% compliance with member vaccinations and 77% compliant with FIT testing. 13 of 15 employees have completed their annual physicals. In 2019 we have had 2 nonrecordable Worker’s Comp injuries and 6 recordable injuries and a recommendation of a light duty program has been made. The Department has formed a Safety committee that meets quarterly to address these issues. The ICN would also like to evaluate the use of PPE in the field through ride a long on calls.

Follow up questions were asked by the board. Motion made to accept the report was made by Commissioner Rankins and seconded by Commissioner Anaya. Motion carries.

10. Review and approve Fire Marshal’s report on operational & construction permits, annual fire safety inspections, new building construction, personnel, training miscellaneous activities & information:

- Construction and Operational Permits: Total for the 2020 calendar year we have an estimated 70 Construction & Operational Permits; Paid Construction Permits = 24; Paid Operational Permits = 46
- Annual Fire Safety Inspections: EPC ESD – FMO has inspected 40 businesses for their annual fire safety inspection, as per Emergency Reporting; No major issues to report.
DFM Franco issued a Stop Work Order (SWO) to Burgertime at 653 Ascencion Ste. F on 02/20/20 for a new tenant who open their store w/out the required plan review submittal & required permit for a Tenant Improvement (T.I.).
- New Building Construction: FMO is continuously working with on-going projects:
Free-Standing ER Hospital, EPCESD #1 Fire St. #2, Fire Protection Systems, IDEA Schools, SISD & CISD, Harmony School, Multiple Tenant Improvements, Wendy’s, Burger time, Residential Communities. ESD #1 FMO continues working with R&B; TOHC representatives; and other AHJ’s to discuss and clarify any issues within our jurisdiction regarding new construction or new roads within the County of EP.

- Personnel: FMO recovered (1) DFM... Deputy Fire Marshal Joe Gutierrez is back from his hip surgery. FMO lost (1) DFM... Deputy Fire Marshal Rick Flores resigned and separated from EPC ESD #1. FMO placed our ad within EIPasoHelpWanted.com for the current vacancy created by DFM Flores. FMO will request an additional part-time inspector for future construction projects (such as the Eastlake Market Place Shopping Center Project) within the ESD.
- Training: I, Fire Marshal Guillen, have been approved to attend the annual 2020 Edu-Code Conference, EPC ESD #1 has shown presence since 2014 (6-years now). AFM Ornelas and I will be attending a local training event for EPC ESD #1 – FMO on 03/24-25/2020.
- Miscellaneous Activities & Information: We (FMO) continue entering our inspections within Emergency Reporting (ER) and I am supervising FMO personnel on the proper procedures for data entry within Emergency Reporting (ER). No major complaints received to the FMO by the community or by HFD. No commercial fires reported to the FMO by HFD.

Motion made by Commissioner Berumen to accept report as presented. Motion seconded by Commissioner Anaya. Motion carries.

- 11a. **Discussion and take action on legal services (Originally item #21 on the Agenda):** The Chief presented the proposal for legal services by the Kemp Smith law firm as they were the only one who submitted a proposal. The firm has attorneys that specialize in different areas and the fees proposed will vary by area of expertise. Commissioner Berumen asked questions about their attendance at the meetings and their availability for phone calls for questions that may arise. The firm will prepare a letter of engagement to include agreed upon rates and services that will be provided. Motion to approve Kemp Smith law firm for legal representation for the ESD made by Commissioner Anaya and seconded by Commissioner Berumen. Motion carries.
11. **Discussion and take action on Fred Loya claim for rock wall and fence:** Motion to table made by Commissioner Berumen and seconded by Commissioner Anaya. Motion carries.
12. **Discussion and take action on adding a firefighter to the pension board:** Motion to table made by Commissioner Berumen and seconded by Commissioner Anaya. Motion carries.
13. **Discussion and take action on Brush 402 Equipment:** Motion to table made by Commissioner Berumen and seconded by Commissioner Anaya. Motion carries.
14. **Discussion and take action on Rescue grant – 75% grant pay, 25% Department pay with an amount awarded not to exceed \$20,000.00:** Commissioners acknowledged their understanding of the ESD’s monetary obligation of the grant. Motion to accept made by Commissioner Anaya and seconded by Commissioner Rankins. Motion carries.
15. **Discussion and take action on Medical Director Contract:** The Chief presented the renewal contract for Dr. Berumen which is the same contract as previously approved. The contract will be for 3 years with a next expiration date of 09/30/2023 in the continued amount of \$12,000.00 per year. Motion to approve as presented made by Commissioner Berumen and seconded by Commissioner Rankins. Motion carries.
16. **Discussion and take action on SOP 200.009 – Commissioner Reimbursement:** Motion to table made by Commissioner Anaya and seconded by Commissioner Rankins. Motion carries.
17. **Discussion and take action on P.O.C.’s to talk to county about creating standard document for budget process for the ESD:** The Chief proposed making Katherine Ames and himself be appointed as the POC’s for the ESD. Wally Hardgrove, from the County spoke about what would be included in the budget process document. Commissioner Berumen asked that the board treasurer, Commissioner Anaya be included in the meetings as well. Commissioner Berumen made a motion to appoint the above 3 mentioned

individuals as POC'S for the ESD. Motion was seconded by Commissioner Anaya. Motion carries.

18. **Discussion and take action on Surplus Equipment:** The items being consider for surplus include old radios, batteries and chargers and the previous Cascade system. The Chief's recommendation for the cascade system is to sell it for \$10,000.00 as he already has another department interested in purchasing it. The radios parts will be sold to our radio vendor for credit to purchase items in the future. Motion to surplus items at recommended amounts made by Commissioner Anaya and seconded by Commissioner Rankins. Motion carries.
19. **Discussion and take action on Native Air rental agreement:** The Chief presented the rental agreement for Native area. It would include the use of the living room, kitchen and one bedroom during the day. The rental amount will be \$650.00 for the above described spaces from 8:00am to 8:00pm with a 90-day contract that can be renewed every 90 days. The Chief reviewed the circumstances in which they may be called out to respond within our district. If Native Air accepts the terms of contract it will become affective March 1, 2020. Motion made by Commissioner Anaya to accept contract as presented and seconded by Commissioner Rankins. Motion carries.
20. **Discussion and take action on public comment rules:** Commissioner Rankins presented information on HB 2840 Section 551.007 regarding public comment. There was discussion about the placement of the statement on the agenda and the allotted time for public comments. Motion by Commissioner Rankins to create a rule for public comment limiting the time to two (2) minutes per item per member of the public, and to add the following language to the header of every ESD 1 Board of Commissioners meeting agenda:
"Members of the public who desire to address the Board of Commissioners regarding an item on this agenda may address the item to the Board of Commissioners before or during the body's consideration of the item. Public comment will be limited to two (2) minutes per item per member of the public."
Motion seconded by Commissioner Anaya. Motion carries.
21. **See item number 11a**
22. **Discussion and take action on new proposed FPD building:** The Chief presented drawings of a possible addition of a FPD building. He spoke about renting a building and making renovations to accommodate the needs of the office. We could build a new building on the training land next door or purchase additional land. The Chief asked that the board to start thinking of future additions to help meet the growing needs of the ESD. Commissioner Anaya also inquired about land for station #3. Commissioner Rankins asked about leasing options as well. A motion was made to take no action on this item by Commissioner Berumen and seconded by Commissioner Anaya. Motion carries.

Executive Session: Moved into executive session at 8:19 pm.

23. **Discussion and take action on ESD Staff:** No action taken

Regular Session: Returned into regular session at 8:52 pm

24. **Discussion and take action on ESD Staff:** Motion made to approve Proposition #2 made by Commissioner Anaya and seconded by Commissioner Rankins. Ayes: Commissioner Anaya, Commissioner Berumen, Commissioner Rankins. Abstention: Commissioner Mayberry.

25. **For the Good of the District:** Commissioner Berumen asked the Chief about what the Fire Department uses as protective gear on MVA's. The Chief spoke about different ways to position trucks on accidents to keep staff safe on incidents. Commissioner Rankins asked about preemptive devices for the main traffic lights in our district and there was discussion about cost and feasibility. Mrs. Ames stated that the County has set the budget presentation for the 20-21 FY budget on August 13th at 10:30am. Commissioner Mayberry inquired about the status of the new commissioner applicant and the Chief stated that there has not been a decision made as per Mr. Hardgrove. All four employees requested to become notaries have completed the process and are now certified. An overview of the SAFE-D conference was given by attendees. CPR class to HFD staff and community members will be scheduled in the upcoming month.
26. **Next meeting:** The next meeting will be on Thursday, March 26, 2020 at 6:30 P.M.
27. **Adjourn:** Motion to adjourn made by Commissioner Anaya. Meeting was adjourned at 9:08 P.M.

Submitted by: Katherine Ames, Budget & Finance Specialist

Reviewed by: Kristian Menendez, Fire Chief