

Bexar County Emergency Services District No. 3
May 13, 2025
5:30 PM
MINUTES

In accordance with Chapter 551 of the Texas Government Code, notice is hereby given to the public that the Board of Commissioners of Bexar County Emergency Services District No. 3 (BCESD No. 3) had a regular board meeting on May 13, 2025 at 5:30 PM at the Bexar-Bulverde Fire Department Station 105, 25408 Canyon Golf Road, San Antonio, Texas, 78260.

1. **Commissioner Wilkinson called meeting to order at 5:30 PM and a quorum was established by roll call.** Robert Moss, David Diharce, Ray Wilkinson, George Drew, and John Kirk were present at roll call.
2. **Welcome and recognition of citizens.** None.
3. **Citizen Comment.** None.
4. Reading and approval of minutes:
 - a. **Public Meeting conducted on April 8, 2025.**
MOTION: Commissioner Diharce made motion to accept the minutes for the Regular Meeting conducted on April 8, 2025 at 5:30 PM.
2nd: Commissioner Drew.
MOTION PASSED: 5/0 in favor.
 - b. **Special Meeting conducted on April 25, 2025.**
MOTION: Commissioner Diharce made motion to accept the minutes for the Special Meeting conducted on April 25, 2025 at 4:30 PM.
2nd: Commissioner Drew.
MOTION PASSED: 5/0 in favor.
5. **Introduction of BCESD No. 3 Senior Human Resources Generalist, Tiffany Brawith.** Executive Director Jerry Bialick introduced Ms. Brawith and provided information on her experience and background in the Human Resources field. Ms. Brawith began her BCESD No. 3 employment in April 2025. No action taken.

NOTE: Board President Commissioner Wilkinson requested to defer from the order of the agenda and proceed to Item 7.

7. **Receive 2024 Year End Summary of Delinquent Tax Collection Activities and Results report from representative of Linebarger Goggan Blair & Sampson, LLC (Linebarger).** Edra Bush, Partner with Linebarger, presented the Year End Summary of Delinquent Tax Collection Activities and Results for BCESD No. 3, January – December 2024. Discussion followed.
8. **Discuss/Take Action on Agreement to Revive and Extend Contract for the Collection of Delinquent Taxes between BCESD No. 3 and Linebarger Goggan Blair & Sampson, LLC, Attorneys at Law.** BCESD No. 3 Legal Counsel, Gilbert Vazquez, reported the required Notice of Public Meeting provided by Linebarger pursuant to Section 2254.1036 of the Texas Government Code was posted along with the regular Notice of Public Meeting for today's Board

meeting. Mr. Vazquez summarized the Agreement to Revive and Extend Contract for the Collection of Delinquent Taxes between BCESD No. 3 and Linebarger. He reported that under the terms of the agreement, the contract would be revived and extended for a five (5) year period. Mr. Vazquez also summarized a proposed Resolution of the BCESD No. 3 Board of Commissioners Authorizing the Execution of a Contingent Fee Contract with Linebarger. Edra Bush, Partner at Linebarger, was present. Discussion followed.

MOTION: Commissioner Kirk made motion to approve the Resolution of the BCESD No. 3 Board of Commissioners Authorizing the Execution of a Contingent Fee Contract with Linebarger Goggan Blair & Sampson, LLC, Attorneys at Law, for Delinquent Tax Collection Services.

2nd: Commissioner Moss.

MOTION PASSED: 5/0 in favor.

9. BCESD No. 3 Financial Reports:

a. **Discuss/Take Action on monthly financial report.** Commissioner Moss presented the financial report for month of April 2025

MOTION: Commissioner Kirk made motion to accept financial report as submitted for the month of April 2025.

2nd: Commissioner Diharce.

MOTION PASSED: 4/0 in favor with Commissioner Moss abstaining.

b. **Discuss/Take Action on approval and authorization of expenditures.** Commissioner Moss presented April expenditures in the amount of \$483,518.40.

MOTION: Commissioner Moss made motion for approval and authorization of April expenditures in the amount of \$483,518.40.

2nd: Commissioner Kirk.

MOTION PASSED: 5/0 in favor.

10. BCESD No. 3 District Territory Report:

a. **Monthly activity and performance report from Fire Chief or representative; discuss/take action as appropriate.** Fire Chief Dustin Beaudoin presented the BBFD Incident Reporting System Emergent Responses for 4/1-30/25.

April 2025 Emergent calls = 248, with overall average on-scene at 6:22 minutes.

2025 YTD Emergent calls = 1,144 with overall on-scene at 6:29 minutes.

2024 YTD Emergent calls = 1,055 with overall on-scene at 6:06 minutes.

b. **Monthly report on City of San Antonio (COSA) U.S. Hwy 281 North Commercial Corridor within Bexar County (“Annexed Territory”); discuss/take action as appropriate.** Fire Chief Beaudoin reported SAFD Emergent calls in the US Hwy 281N Commercial Corridor for the month of April 2025.

20 Emergent San Antonio Fire Department calls in the US HWY 281N corridor.

17 BBFD arrivals prior to any cancellation.

53 billable Emergent calls YTD.

c. **Receive report on BBFD Station(s) 103, 104, 105, and 106; discuss/take action as appropriate.** Chief Beaudoin reported Station 103 construction meetings with Malitz Construction are ongoing every two weeks. A small groundbreaking will be held at the Station 103 site in May or June. No action taken.

11. **BCESD No. 3 Executive Director Report.** Executive Director Bialick reported on status of BCESD No. 3’s firefighting vehicles including their maintenance schedules, life spans and production time of new builds. BCESD No. 3 will require a new Tender Truck to replace an existing Tender Truck approaching its 20-year useful life. Production time for a new vehicle is approximately 2 years. Discussion followed.

NOTE: Board President Commissioner Wilkinson requested to defer from the order of the agenda and proceed to Item 13.f.

13. f. **Status report/update on BCESD Association.** Executive Director Bialick and Fire Chief Beaudoin reported on updates to various House and Senate bills under consideration in this session of the Texas State Legislature.

NOTE: Board President Commissioner Wilkinson announced the Board would return to Item 6.

6. **Presentation from representative of Texas Cooperative Liquid Assets Securities System Trust (Texas CLASS).** Danny King, Director, Investment Services, and Travis Zander, CPA, Director, Investment Services, of Texas CLASS presented information regarding their investment pool. Discussion followed.

NOTE: Board President Commissioner Wilkinson announced the Board would return to Item 12.

12. **Executive Session** – The following may be discussed in Executive Session and Action Taken in an Open Meeting Session under Section 551.071 of the Texas Open Meetings Act: Consultation with Legal Counsel regarding Matters in which the Duty of Legal Counsel to Bexar County Emergency Services District No. 3 under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly Conflicts with the Act. Tabled.
13. Consider, discuss, and take appropriate action on the following items:
 - a. **Discuss and take action on Interlocal Agreement between the City of San Antonio (COSA) and the BCESD No. 3 to provide for Firefighting and Emergency Services in the U.S. Hwy 281 North Commercial Corridor Area annexed by COSA.** No report.
 - b. **Discuss/take action to on joining Texas CLASS, a local government investment pool (LGIP).** Tabled.
 - c. **Discuss/Take Action on the amendment to the Professional Services Agreement for additional design services for new Fire Station 103 construction.** Executive Director Bialick explained need for the amendment. Discussion followed.
MOTION: Commissioner Drew made motion to approve the proposed amendment to the Professional Services Agreement with Genesis Design & Associates, LLC, in the amount of \$9,825.00 to provide additional services for the Fire Station 103 construction project.
2nd: Commissioner Moss.
MOTION PASSED: 5/0 in favor.
 - d. **Bexar County Safety Expo & ESD Commissioner Training – June 20, 2025.** Assistant Fire Chief George Amen reported the BCESD Association will be hosting the Bexar County Expo & ESD Commissioner Training at the Freeman Expo Hall on June 20, 2025. Commissioners will have the opportunity to earn 3-5 training hours at this event. BCESD Association suggests posting a Special Meeting Notice if number of Commissioners attending will meet quorum threshold. Discussion followed.
 - e. **Discuss/Take Action on integration of BBFD and BCESD No. 3 websites.** Legal Counsel, Gilbert Vazquez, discussed his reading of the federal statute requiring government entity websites to be ADA compliant by April 2027. Discussion followed. Administrative Assistant Stacy Shults will do further research on cost and timeline of combining the websites. No action taken.
 - f. **Status Report/update on BCESD Association.** *See discussion above after Item 11.*
 - g. **BCESD No. 3 Sales and Use Tax matters.** No report.
 - h. **Recurring Reports Calendar.** Discussion held.

i. **Date and time of the June 2025 monthly meeting.**

MOTION: Commissioner Drew made motion that the regular meeting be held June 10, 2025, at 5:30 PM at BBFD Station 105, 25408 Canyon Golf Road, San Antonio, Texas, 78260.

2nd: Commissioner Diharce

MOTION PASSED: 5/0 in favor.

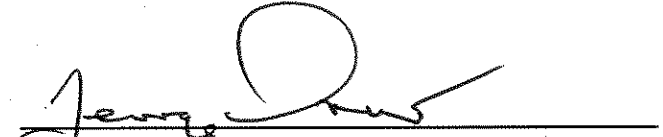
14. **Close meeting.**

MOTION: Commissioner Moss made motion to close meeting at 7:15 PM.

2nd: Commissioner Diharce.

MOTION PASSED: 5/0 in favor.

ATTEST:


George Drew
Secretary

**A RESOLUTION OF THE BEXAR COUNTY EMERGENCY SERVICES DISTRICT No. 3
BOARD OF COMMISSIONERS AUTHORIZING THE EXECUTION OF A
CONTINGENT FEE CONTRACT WITH LINEBARGER GOGGAN BLAIR &
SAMPSON, LLP FOR DELINQUENT TAX COLLECTION SERVICES**

WHEREAS, on the 13th day of May, 2025, the Board of Commissioners of the Bexar County Emergency Services District No. 3 has met in a regularly scheduled meeting; and

WHEREAS, notice of this meeting was provided as required by Section 551.041 of the Texas Government Code; and

WHEREAS, at the time of giving the written notice required by Section 551.041, notice was also provided as required by Sec. 2254.1036 of the Texas Government Code, and

WHEREAS, Bexar County Emergency Services District No. 3 wishes to enter into a contingent fee contract for legal services with Linebarger Goggan Blair & Sampson, LLP (hereinafter "Linebarger") being the Agreement to Revive and Extend Contract for the Collection of Delinquent Taxes attached hereto; and

WHEREAS, pursuant to Section 2254.1036 of the Texas Government Code, the Bexar County Emergency Services District No. 3 Board of Commissioners finds as follows:

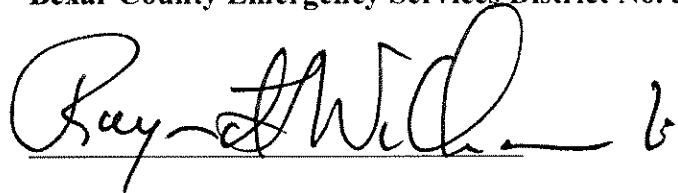
1. There is a substantial need for the legal services to be provided pursuant to the Agreement to Extend Contract for the Collection of Delinquent Taxes;
2. These legal services cannot be adequately performed by the attorneys and supporting personnel of the District at a reasonable cost;
3. These legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of delinquent tax penalties provided by Texas Tax Code Sections 6.30, 33.07, 33.08, 33.11, and 33.48 and because the District does not have the funds to pay the estimated amounts required under a contract only for the payment of hourly fees;
4. Linebarger Goggan Blair & Sampson, LLP, is well qualified and competent to perform the legal services required to comply with the terms of this contract;
5. Linebarger Goggan Blair & Sampson, LLP has been providing these specialized legal services to the District since 2005.
6. The contract with Linebarger Goggan Blair & Sampson, LLP is the result of an arm's length transaction between the Bexar County Emergency Services District No. 3 and Linebarger Goggan Blair & Sampson, LLP and is fair and reasonable.

NOW THEREFOR BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 3:

1. The findings and recitations set out in the preamble to this Resolution are found to be true and correct and that they are hereby adopted by the Bexar County Emergency Services District No. 3 Board of Commissioners and made a part hereof for all purposes.
2. The Board of Commissioners of the Bexar County Emergency Services District No. 3 approves the Agreement to Revive and Extend Contract for the Collection of Delinquent Taxes and authorizes the President of the Board to execute this Agreement.

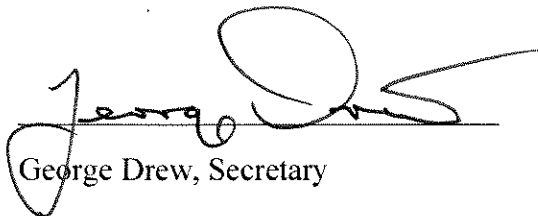
PASSED, APPROVED AND ADOPTED this 13th day of May, 2025.

Bexar County Emergency Services District No. 3

A handwritten signature in black ink, appearing to read "Raymond Wilkinson", written over a horizontal line.

By: Raymond Wilkinson, President

ATTEST:

A handwritten signature in black ink, appearing to read "George Drew", written over a horizontal line.

George Drew, Secretary