

**MINUTES OF THE DECEMBER 20, 2012 MEETING OF THE  
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9**

A meeting was duly called of the **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9**, which was held on December 20, 2012, at the administrative offices of the District, 9630 Telge Drive, Houston, Texas 77095.

The meeting was called to order at 7:36 p.m. by **MICHAEL LARRIVEE**, President. Those Commissioners present were **MICHAEL LARRIVEE**, **SUZANNE DAVIS**, **KEVIN KYLE**, **JACK BODMAN** and **ROBERT JANUSAITIS**. Also present were **JENNIFER WALLS** and **JOE DAVIS**, President and Chief, respectively, of the **CY-FAIR VOLUNTEER FIRE DEPARTMENT** (the "Department), chief officers and members of the Department, **AMY RAMON**, the District's General Manager, **HOWARD KATZ**, of **COVELER & KATZ, P.C.**, the District's Counsel, and **TERRY HOLLAND**, of **MYRTLE CRUZ, INC.**, the District's bookkeeper. Also present was Dr. Ronald Welch, of Municipal Information Services, a District consultant on District growth, projected valuation and population trends.

Mr. **LARRIVEE** first invited public comment. None was offered.

The Board reviewed the Minutes of the November 15, 2012 regular meeting. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve the Minutes of the prior meeting. After discussion, the Motion to approve the Minutes was approved by a vote of 5 to 0.

Without objection the Board then addressed Agenda 5 and received a report from Dr. Ronald Welch, of Municipal Information Services, a District consultant on District growth, projected valuation and population trends. He discussed his update and District growth, projected valuation and population trends. Dr. Welch also discussed the possibility of sales tax revenue in the District from areas not covered by a City of Houston sales tax SPA.

The Board then received a Financial Report from **TERRY HOLLAND**, of **MYRTLE CRUZ, INC.**, the District's bookkeeper. Mr. **HOLLAND** noted the operating account balance following the prior meeting of \$1,031,077.66, the receipt of tax revenue in the amount of \$815,388.79, tax penalty and interest in

the amount of \$2,810.34, interest of \$3,043.82, and ambulance reimbursement for the Department emergency medical services of \$459,654.86. Mr. **HOLLAND** said that dispatching fees of \$7,400.00 were also received. He also noted the balance sheet showed total District assets at \$44,426,900.93 (\$17,478,343.85 cash/cash equivalents) short-term liabilities of \$ -0-, long term liabilities of \$749,302.00, and equity of \$43,677,598.93. Thereupon, after review, Motion was made by Mr. **KYLE**, seconded by Ms. **DAVIS** to approve the Financial Report as presented. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed District investments. The Board reviewed the investment reports. Thereupon, after review, Motion was made by Mr. **KYLE**, seconded by Ms. **DAVIS** to approve renewing all maturing CDs for like terms. After discussion, the Motion was approved by a vote of 5 to 0.

Mr. **HOLLAND** delivered the compliance certification for the District investments showing compliance with the District's investment strategy/policy, and that all banks had returned security pledge agreements for the District's excess deposits.

Mr. **LARRIVEE** noted that the Department had previously presented its 2013 budget. The Board reviewed and discussed the budget. Mr. **LARRIVEE** asked if the Department made any changes to its budget at the Department board meeting Monday night. Ms. Walls said no.

Mr. **KYLE** asked if the budget reflected only the essential strategic Department requirements with the long range goals reserved for later development with the District. The Chief and Ms. Walls said that was the case.

Mr. **KYLE** also asked why it appeared the Department IT budget had grown so much. Amy Ramon, the General Manager, said that one reason was the additional listing of the Mitel contract payment carryovered from 2012. She said it was budgeted but not spent in 2012 so it appears in the 2013 budget along with the expected IT 2013 budget items. Mr. **KYLE** said that explained some of the growth but not all of it. He added that IT was a complicated process with long range planning and additional objectives and goals. Thereupon, after review, Motion was made by Mr. **BODMAN**, seconded by Ms. **DAVIS** to approve

the proposed 2013 Department budget. Mr. **JANUSAITIS** asked if the budget should be tabled. Mr. **KYLE** said no. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then received a report from Amy Ramon, the General Manager. She reported that it had been a busy month. She noted the Radio RFP was due soon and she was assisting with vendor inquiries. Ms. Ramon said that there was a recent meeting with the EMS billing company over collections and a recent security breach. Ms. Ramon said there were still some problems with the Department POs and invoices. Mr. **LARRIVEE** said it was better for the Department to stay on top of this rather than Ms. Ramon because her review was usually after the fact. She reported the incidents to the Department and the Department officers were trying to resolve the problems. Mr. **BODMAN** said he would like to work with Ms. Ramon and the Department to assist resolving this continuing issue. Mr. **LARRIVEE** concurred, with the area being in Mr. Bodman's committee assignment.

The Board then addressed the payment of District administrative bills and commissioner fees as set forth in the Financial Report. After review, Motion was made by Mr. **KYLE**, seconded by Ms. **DAVIS** to approve the payment of District administrative bills and commissioner fees as presented in the Financial Report. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the payment of Department Operations and Capital funding as set forth in the Financial Report. Ms. Ramon noted that Operations funding was due at this meeting in the amount of \$1,451,786.00. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve the payment of Department Operations in the amount of \$1,451,786.00. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the payment of Department Capital funding as set forth in the Financial Report. Ms. Ramon noted that Capital funding was due at this meeting in the amount of \$120,198.31 (previously scheduled budgeted capital funding). After review, Motion was made by Mr. **KYLE**, seconded by Mr.

**BODMAN** to approve the payment of Department Capital in the amount of \$120,198.31. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the Long Range Planning. Assistant Chief-Support Services Mark Braswell and communications coordinator Michael Hebert presented a Report on the radios and communications systems and towers. They said the proposals were due January 25. Assistant Chief-Support Services Braswell also said that the Department had appealed the Region 51 tabling of the Department's request for frequencies. He said that it seemed a political ploy according to the consultant, RCC Consultants. Counsel asked Assistant Chief-Support Services Braswell what happens if the Department does not get these requested frequencies. Assistant Chief-Support Services Braswell said that the Sprint 800Mhz frequencies were still available, but they were not as good as the 700Mhz frequencies as far as building penetration and coverage.

Mr. **LARRIVEE** asked if the Long Range task force had a report. Mr. **JANUSAITIS** said the task force and the facilitator were proceeding. He said he thinks the facilitator has identified some red flags and concerns. Mr. **KYLE** restated the terms of the proposed contract phases with the facilitator. He said that Phase 1 was at the cost of \$8,000.00 and was continuing; that Phase 2 was next at \$9,000.00; with the final Phase 3 also at \$9,000.00. Mr. **LARRIVEE** said this was an important process and the District should proceed to the next phase. Commissioners Kyle and Bodman, who are on the task force, said there was good progress. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve the payment of \$8,000.00 for Phase 1, and to authorize the facilitator to proceed to Phases 2 and 3, at the fee of \$9,000.00 each phase. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the Bridgeland development and the prospect of building facilities there for the fire and EMS service. Assistant Chief-Facilities Mullins said the next meeting was after January 1.

The District then considered Department 30-day requests. The Department requested approval to sell old hose that failed recent testing. Ms. **DAVIS** asked who buys used fire hose. The Chief said usually not the fire

service, but a swimming pool company or individual who could use extra hose, possibly commercial gardeners. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **KYLE** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then received the monthly report from the Cy-Fair Volunteer Fire Department.

The Department requested approval to amend the Department 2012 budget to move funding for computers from Operations to IT. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Department requested approval to purchase equipment for an upgrade to the Dispatch Internet connection. IT coordinator, Danny Corgiat, said the requested purchase was to upgrade and improve the internet connection at Dispatch for the MDCs, with a cost of \$6,000.00. Mr. **JANUSAITIS** asked why the request was coming now rather than when the equipment for Dispatch was first purchased. IT coordinator Corgiat said he was not able to do it at that time. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Board received written reports from the Department.

The Board received the report on apparatus movement.

The Department presented the EMS billing report.

Ms. Walls delivered the status change report.

Ms. Walls said that the monthly TexFir reports were filed with the State Fire Marshall's office.

Ms. Walls delivered the over-time report and the accident/injury log.

Ms. Walls noted the LOSAP report.

Ms. Walls said that the Department employee count was 234 (111 full-time, 123 part-time), and the active volunteer membership was 365, with 5 new members.

The Board then reviewed the Department's Purchase Requisition Report.

The Board reviewed page 1, emergency requests. After review, Motion was made by Mr. **KYLE**, seconded by Ms. **DAVIS** to approve page 1. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then reviewed budgeted capital expenditures and non-budgeted capital expenditures on page 2 of the report. After review, Motion was made by Mr. **KYLE**, seconded by Ms. **DAVIS** to approve page 2. There was discussion about the items. The Department confirmed all items were within budget. After discussion, the Motion was approved by a vote of 5 to 0.

The Board next reviewed the Within Budget purchase requests as set forth on pages 3-4 of the report. After review, Motion was made by Mr **KYLE**, seconded by Ms. **DAVIS** to approve the Within Budget purchase requests, as set forth on the top part of the report on page 3. Ms. Ramon said that for Item 9, this purchase was with a related person (Troy Wilkie). After discussion, the Motion was approved by a vote of 5 to 0.

The Department reported on a phone vote to sell old ambulances. The Department said it tied in with the prior purchase of the new units.

The Department delivered an IT report. IT coordinator, Danny Corgiat, delivered the report. Mr. **JANUSAITIS** asked why it seemed to take a long time for Department networking programs to be installed. IT coordinator Corgiat said it was due to timing, that only he can do it and there was a lot of other activity to get done. Mr. **JANUSAITIS** also asked about recovery and security about critical infrastructure if the systems go down in a catastrophe. IT coordinator Corgiat said that there is back-up in place and all critical infrastructure will work. IT coordinator Corgiat also said that all switches are secure. Mr. **JANUSAITIS** said he appreciated Mr. Corgiat's work but there still might be a vulnerability. Mr. **LARRIVEE** asked what was needed to resolve the gap in the activity completion level. IT coordinator Corgiat said he needed more staff, that he was constantly working these projects and when a maintenance or repair issue comes up it causes delay. Mr. **JANUSAITIS** said he agreed that was a concern.

There was general discussion by the District and Department members about the communications and infrastructure concerns. Mr. **KYLE** addressed his

concern about keeping up with growth and if the radios coming in will be sufficient for the task for a long period considering the cost.

Ms. **DAVIS** said she still cannot get into the website. IT coordinator Corgiat said they are trying to resolve the problem. IT coordinator Corgiat said that his department required a network engineer position. He said he would like the position created so that he could try to have someone in place in January. Mr. **KYLE** said that in his experience IT is never properly funded whatever the business. Mr. **JANUSAITIS** said that the Board needs to know if this needs to be a full or part-time job. IT coordinator Corgiat said anything will help as a start. After review, Motion was made by Mr **KYLE**, seconded by Mr. **JANUSAITIS** to approve creation and funding of a Department part-time network engineer position, subject to approval of the Fire Chief. After discussion, the Motion was approved by a vote of 5 to 0.

The Chief requested approval for a recruiting ad to run in the Chamber newsletter for the cost of \$499.00. After review, Motion was made by Ms **DAVIS**, seconded by Mr. **JANUSAITIS** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Chief reported that the Department Board was reviewing a possible 3% personnel increase.

The Chief reported on an upcoming meeting with Cy-Fair ISD regarding security issues and gaming out a scenario for a possible active shooter incident.

The Chief requested approval to make a temporary maintenance employee position into a permanent position. After review, Motion was made by Ms **DAVIS**, seconded by Mr. **JANUSAITIS** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

Assistant Chief-EMS Kenny Grayson reported on continuing meetings with EMS billing vendors. He thanks Mr. Janusaitis for assisting with those meetings. Assistant Chief-EMS Grayson reported that no Medicare claims have been processed since December 12.

Assistant Chief-EMS Grayson also reported on developing a PO for a new ambulance.

Ms. Walls requested approval to advance from 2013 to 2012 the amount of \$40,000.00 for repairs for Ladder 12 which was damaged and for which \$38,690.26 was paid by the insurance company to cover the damage. After review, Motion was made by MR **KYLE**, seconded by Ms **DAVIS** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Board reviewed College matters. The Chief said there was little activity at present.

The Board then addressed the District website. Ms. **DAVIS** said the website was being upgraded..

The Board then addressed traffic preemption and the E-View program. Mr. **LARRIVEE** said he and Ms. Davis will serve as committee to me with the Spring fire and EMS personnel to review the project.

The Board entered executive session at 10:35 p.m. pursuant to Section 551.074 Government Code, to discuss and consider District personnel matters. The Board re-entered open session at 11:10 p.m.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 11:12 p.m.

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Secretary of the Board