

**MINUTES OF THE AUGUST 23, 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 August 23, 2012, at the administrative offices of the District, 9630 Telge Drive, Houston, Texas 77095.

The meeting was called to order at 7:40 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 **BILL RUSSELL**, of **MYRTLE CRUZ, INC.**, the District's bookkeeper and members of the public.

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

The Board reviewed the Minutes of the July 19, 2012 regular meeting. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Ms. **DAVIS** 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.

The Board then received a Financial Report from **BILL RUSSELL**, of **MYRTLE CRUZ, INC.**, the District's bookkeeper. Mr. **RUSSELL** noted the operating account balance following the prior meeting of \$8,866,429.04, the receipt of tax revenue in the amount of \$24,674.65, tax penalty and interest in the amount of \$5,259.72, interest of \$4,192.27, and ambulance reimbursement for the Department emergency medical services of \$331,277.26. Mr. **RUSSELL** said that dispatching fees of \$ -0- were also received. He also noted the balance sheet showed total District assets at \$48,650,846.87 (\$21,702,289.79 cash/cash equivalents) short-term liabilities of \$ -0-, long term liabilities of \$ -0-, and equity of \$48,650,846.87. During discussion, Mr. **KYLE** asked about the District being over-budget by \$500,000.00. Mr. **RUSSELL** said that this was true for this time of the budget year, but over-all the actual budget was in line. Mr. **RUSSELL** also

suggested that the budget be amended prior to year's end to reflect the capital expenditures the District has approved for this year under the Long Range Plan. Thereupon, after review, Motion was made by Ms. **DAVIS**, seconded by Mr. **BODMAN** 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. Mr. **RUSSELL** said that he was aware of the need to diversify and said he was looking to move money out of Compass Bank for investments. He proposed with Mr. Bodman, investment officer, the following: move \$3 million from Compass Bank to TxStar Investment pool; move 3 million into T-Bills; transfer \$240,000.00 to a new bank that accepts public funds. Thereupon, after review, Motion was made by Mr. **KYLE**, seconded by Ms. **DAVIS** to approve the investment schedules and recommendations as presented. After discussion, the Motion was approved by a vote of 5 to 0.

Mr. **RUSSELL** 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.

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 Ms. **DAVIS**, seconded by Mr. **BODMAN** 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 \$1,331,857.00. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **BODMAN** to approve the payment of Department Operations in the amount of \$1,331,857.00. After discussion, the Motion was approved by a vote of 5 to 0.

Motion was then made by Mr. **KYLE**, seconded by Ms. **DAVIS** to take up Agenda Item 23, Executive Session. The Board entered executive session at

8:10 p.m. pursuant to Section 551.074 Government Code, to discuss and consider District personnel matters. The Board re-entered open session at 9:30 p.m.

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 \$319,470.50 (previously scheduled budgeted capital funding). After review, Motion was made by Mr. **BODMAN**, seconded by Mr. **JANUSAITIS** to approve the payment of Department Capital in the amount of \$319,470.50. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the 2012 property valuations and tax rate setting process. Counsel said that the best estimate now was for the certified tax rolls to be available August 24. Without objection, the Board confirmed September 13 as a tentative meeting date when the certified tax rolls would be available and the proposed tax rate could be proposed and public hearings could be set if required to maintain a \$0.06000/\$100 tax rate. Counsel said he would so advise the Board president.

Without objection, The Board tabled Agenda items 10 and 11 concerning the 2012 tax rate and the 2013 District budget.

The Board then addressed the Long Range Planning. The Department reported that the communications and radio and tower project which is currently pegged at \$6.5 million was probably more in line with \$10 million. The Board expressed some concern over the increase and why it is first coming to light now after the Long Range Plan has been review for almost a year was set out as the \$6.5 million.

The Board then addressed approval to fund at a later date under the Long Range Plan the acquisition by the District and/or the Department of various FCC licenses for District/Department communications and approve the payment of all associated costs. Counsel said the RCC consultant requested this item. Counsel said this approval is to imitate the licensing and administrative process and is not a financial commitment of the communications program just discussed. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to

approve to fund at a later date under the Long Range Plan the acquisition by the District and/or the Department of various FCC licenses. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed appointment of a District committee to meet with the Department reps and Bridgeland Development regarding identification of land for future fire stations and long-range planning communications matters. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **KYLE** to approve the appointments. After discussion, the Motion was approved by a vote of 5 to 0.

The Chief reported that the MUDs which own the Station 7 land rejected the proposal to sell or release the Station 7 property to the Department or District.

The Board then addressed budget revisions under the quarterly reallocation. The Chief said there were few revisions. He said some reflect anticipation of the Long Range Plan expenses. Ms. Walls said the Operations budget was reduced by \$7,800.00 which the Department would like to restore. After review, Motion was made by Mr. **BODMAN**, seconded by Mr. **KYLE** to approve the request. Mr. **BODMAN** said that these types of items and requests are better presented in advance for Commissioners' review, otherwise the request will either be denied or deferred to the next meeting. After discussion, the Motion was approved by a vote of 5 to 0.

The Department next addressed the Department goals and objectives. Mr. **LARRIVEE** said this report was more applicable to a workshop and without objection the item was tabled.

The Department said there were no 30-day requests for this meeting.

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

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 said that the Department employee count was 234 (110 full-time, 124 part-time), and the active volunteer membership was 381, with 2 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 Ms. **DAVIS**, seconded by Mr. **KYLE** 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: Ms. Walls said the one item over \$50,000.00 was under the State contract. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **KYLE** to approve page 2. 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. Ms. Ramon reported that Titus Medical Services was a related party and was the low bidder at \$209,085.00. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve the Within Budget purchase requests, as set forth on the top part of the report on page 3. After discussion, the Motion was approved by a vote of 5 to 0.

Ms. Walls noted the LOSAP report.

Ms. Walls requested approval for the Department to award contracts for bunker gear. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **KYLE** to approve the request to award contracts. Ms. Walls confirmed that the awards were all to low bidders. After discussion, the Motion was approved by a vote of 5 to 0.

Ms. Walls requested approval for the Department to award contracts for pharmaceuticals. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **KYLE** to approve the request to award contracts. Ms. Walls confirmed that

the awards were all to low bidders. After discussion, the Motion was approved by a vote of 5 to 0.

Ms. Walls requested approval for the Department to award contracts for EMS Supplies. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **KYLE** to approve the request to award contracts. Ms. Walls confirmed that the awards were all to low bidders. After discussion, the Motion was approved by a vote of 5 to 0.

Ms. Walls requested approval for the Department to award a contract for Kenwood sales and repairs. She said one response from Advanced Communications was received. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to approve the request to award a contract. After discussion, the Motion was approved by a vote of 5 to 0.

Ms. Walls requested approval for the Department to award a contract for Zetron sales and repairs. She said no responses was received and the item would be re-bid.

Ms. Walls requested approval for the Department to award a contract for HVAC services. She said the request was to award a contract to AJ Warren for a 1 year contract with four 1 year renewals. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve the request. During discussion, Mr. **LARRIVEE** inquired about bringing the service in-house, especially if a member has the skill sets to do the service. After discussion, the Motion was approved by a vote of 5 to 0.

The Department reported on IT. IT coordinator Danny Corgiat, reported on exchange network upgrades. He also reported on the new telephone equipment being installed. He reported that the website committee had not met recently but was planning a meeting for next week.

Ms. Walls requested approval to award new health insurance and dental and vision insurance plans for the Department. The Chief reported that breakdown was to go with BC/BS for health insurance and United Healthcare for dental and vision insurance. He said the health insurance also had a gap protection coverage provision. 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 requested approval to sign an agreement with Ponderosa VFA to jointly purchase a fire scene ventilation fan. The Chief said a formal request has come over from PVFA. He said the cost to the Department was \$3,626.00 as a one-time payment. The Chief said the idea was to create an interagency consortium to make the purchase under Ponderosa VFA with 10 other agencies included. The Chief said this was in the budget and the Department had budgeted \$8,000.00.00 for the fan. 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 reported on its MDA Fill the Boot campaign. The Chief said the Department had already reached its goal amount of \$30,000.00.

Ms. Walls requested approval for 10 people to attend the Wildfire Conference, at \$290.00/attendee. 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 noted that the Department received information and a visit from the Texas Fire Commission. The Chief relayed that the Commission was looking to adopt a regulation that would place volunteer fire departments that have employees under the Commission.

The Chief reported that the City of Houston was planning to move HFD's UHF lines to 800 and to move to the 700 system in December.

The Department requested approval under the TriTech dispatch/communications contract to expend \$41,596.08. 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 requested approval to show the new AEV ambulance at the upcoming EMS conference. 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 was working with North Cypress Hospital on emergency airway management.

Quartermaster, Steve Witt, requested approval to list for sale on the Public Property website three Expeditions (149, 159, Safety 1). After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **BODMAN** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

Quartermaster Witt requested approval to expend \$3,800.00 for re-labeling of apparatus. After review, Motion was made by Mr. **BODMAN**, seconded by Mr. **KYLE** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Department presented a proposed SOG revision to the Chief of Department position. There was discussion about what is an “emergency communication”. There was discussion if that meant dispatch and emergency calls or communications within the Department that were of an emergency nature. After review, Motion was made by Mr. **BODMAN**, seconded by Ms. **DAVIS** to approve the proposed SOG revisions to the Chief of Department position. After discussion, the Motion was approved by a vote of 5 to 0.

Ms. Ramon requested approval to award new health insurance and dental insurance plans for the District employees. She reported the breakdown was to go with BC/BS for health insurance (2,303.70/employee) and Humana for dental insurance (\$191.07/employee). After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **BODMAN** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed College matters. The Chief reported that there was discussion about the College constructing an apparatus building at the College to house the College’s booster in Station 11..

The Board addressed the District website. Ms. **DAVIS** said she not happy with not being able to get on the website and to be able to manage it herself to update District activities, like the Minutes, calendar, meeting notices and other things. Mr. **KYLE** asked what is the purpose of the website. Ms. **DAVIS** said it was to lead and inform the public of District activities and to communicate with

the public. She said if she can't do it she can't manage the site and it takes too long to get things on and updated now.

The Board then received a report from the General Manager. Ms. Ramon said she was scheduled to be out next week on vacation. She gave an update on her review of Department compliance with contractual purchasing rules and Department guidelines. She said she did find irregularities in the approval and ordering process in purchasing. Mr. **LARRIVEE** asked her to go to the Department and show them for the Department to fix the problems. Mr. **KYLE** said this all seemed to be tied in with having to improve communications between the Department and District and developing a broader perspective in the Department and District operating model.

There being no further business brought before neither the Board nor any further public comment, upon Motion made the meeting adjourned at 11:50 p.m.

Secretary of the Board