

**MINUTES OF THE FEBRUARY 27, 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 February 27, 2012, at the administrative offices of the District, 9630 Telge Drive, Houston, Texas 77095.

The meeting was called to order at 7:45 p.m. by **MICHAEL LARRIVEE**, President. Those Commissioners present were **MICHAEL LARRIVEE**, **SUZANNE DAVIS**, **DAVID WIGGINS**, **KEVIN KYLE** and **JACK BODMAN**. 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 Bill St. Clair, a District consultants on long range planning. Also present was Gail Schubot, attorney for the Department.

The Board first addressed the commissioner election for May 12, 2012 for two seats. Counsel discussed the matter and explained the requirements imposed on the District regarding elections under federal and state laws and the past elections called by the District. After review, Motion was made by Mr. **BODMAN**, seconded by Ms. **DAVIS** to order an election for May 12, 2012 for the election of candidates for two seats on the District Board. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then discussed designating an agent for the election. After review, Motion was made by Mr. **WIGGINS**, seconded by Mr. **BODMAN** to name Amy Ramon as the District's agent for the election. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then discussed designating an Early Voting Clerk for the election. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **WIGGINS** to name Joann Linnenkugel as the Early Voting Clerk for the election. Counsel noted that she served last year and did a very good job. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then discussed approving the election precincts for the election. Counsel discussed the proposed precinct designations, which consisted of 10 election day locations. The Board reviewed the District map and voting locations. There was discussion about moving one location from West Houston Church of Christ, 17100 West Road, Houston, Texas 77095 to the College on West Road at Barker-Cypress or to Station 11 on that campus. Ms. **DAVIS** discussed the move as a convenient location. There was discussion about the relatively short distance and the circumstances of the county election precinct lines. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **LARRIVEE** to approve the election precincts for the election to be the same as in the 2010 election, which consisted as 10 election day locations, with the following change: for Precinct 10, replace West Houston Church of Christ, 17100 West Road, Houston, Texas 77095 with Station 11, 18134 West Road, Houston, Texas 77095. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then discussed designating an Early Voting site for the election. After review, Motion was made by Mr. **WIGGINS**, seconded by Ms. **DAVIS** to designate the District administrative office (9630 Telge, Houston, Texas 77095) as the Early Voting site for the election. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then discussed designating early voting hours for the election. After review, Motion was made by Mr. **WIGGINS**, seconded by Ms. **DAVIS** to establish the early voting hours as follows:

Early voting shall be conducted from April 30, 2012 through May 8, 2012.  
The location of the early voting place and hours are designated as follows:

District administrative offices, 9630 Telge Drive, Houston, Texas 77095  
Monday-Friday: 9:00 a.m. – 5:00 p.m.  
Saturday, May 5, 2010: 10:00 a.m. – 3:00 p.m.

After discussion, the Motion was approved by a vote of 5 to 0.

The Board then discussed approving the election notice for the election. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **BODMAN** to

approve the form of the election notice. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed approving to contract with Hart Intercivics for election support and ballot preparation. Counsel addressed the effects of Senate Bill 100 from the recent Legislature which took Harris County out of election support in May even-numbered year elections. Thereupon, after review, Motion was made by Mr. **WIGGINS**, seconded by Ms. **DAVIS** to approve contracting with Hart Intercivics for election support and ballot preparation for the May 12, 2012 District election. After discussion, the Motion was approved by a vote of 5 to 0.

The Board next reviewed the Minutes of the January 19, 2012 regular meeting. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **WIGGINS** to approve the Minutes of the prior meeting. There was discussion regarding the matter on page 4 concerning the approval of the proposed 2012 Department budget and the ability of the Department to make “vertical” versus “horizontal” changes to line and column budget items and whether the Minutes reflected that discussion and resolution. The consensus was that the Minutes were accurate. 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 \$4,470,971.17, the receipt of tax revenue in the amount of \$9,121,708.83, tax penalty and interest in the amount of \$4,205.55, interest of \$5,479.60, and ambulance reimbursement for the Department emergency medical services of \$367,846.03. Mr. **RUSSELL** said that dispatching fees of \$6,560.00 were also received. He also noted the balance sheet showed total District assets at \$53,563,179.30 (\$26,614,622.22 cash/cash equivalents; \$1,000,000.00 T-bills) short-term liabilities of \$ -0-, long term liabilities of \$ -0-, and equity of \$53,563,179.30. Thereupon, after review, Motion was made by Mr. **WIGGINS**, 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. There was discussion about investment instrumentalities. Counsel suggested looking into bank CEDARS programs. Counsel explained that this was a program where one FDIC bank receives a deposit and the funds are then spread out among a number of the participating FDIC banks so that FDIC insurance will cover all the separate accounts. Counsel said that the prior reluctance to approve this vehicle was the receiving banks were refusing to pledge collateral for the time from the initial deposit until all the funds are ultimately placed into accounts at the other banks. He said that Central Bank was now willing to do that pledge. Thereupon, after review, Motion was made by Mr. **WIGGINS**, seconded by Ms. **DAVIS** to approve the investment schedules and recommendations: renew all maturing CDs and transfer on February 19 the T-Bills that come due into the CEDARS program at Central Bank, providing the bank commits in advance to the pledge. 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 Mr. **BODMAN**, seconded by Mr. **WIGGINS** 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 \$1,262,730.00. After review, Motion was made by Mr. **WIGGINS**, seconded by Mr. **BODMAN** to

approve the payment of Department Operations in the amount of \$1,262,730.00. 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 \$195,391.08 (previously scheduled budgeted capital funding). After review, Motion was made by Mr. **WIGGINS**, seconded by Mr. **BODMAN** to approve the payment of Department Capital in the amount of \$195,391.08. After discussion, the Motion was approved by a vote of 5 to 0.

Mr. **LARRIVEE** said there was no quarterly reallocation report for this meeting.

The Board then addressed the Long Range Planning. There was then discussion about the long range plan and the recent workshops. The Board discussed the workshop format. There was discussion about making the workshop a quarterly event. Mr. **LARRIVEE** said that may be an idea for later after the long range plan is finalized but for now meeting more often with all commissioners able to attend was the better format. One item from the prior workshop that was addressed was the A/C at Dispatch. The Department said that this item was critical and could not wait for the full blown financing of the long range plan. The Chief noted that Dispatch is a stand alone facility and could be handled as a separate matter. Mr. **LARRIVEE** said that at the next workshop the Department should have this among the goals and objectives to address. The Chief said that by mid-March that could be done.

The Department said there were 30-day requests for this meeting. The Department requested approval to purchase the new Stryker stretcher load system. Assistant Chief-EMS Kenny Grayson said that FDA has approved the system and it works very well with heavy patients. The Chief said the request was for 10 stretchers at \$27,000.00 each for \$270,000.00. Ms. **DAVIS** asked if there was grant money available for this. The Chief said no, but the cost was included in the long range plan. The Chief also said the Department EMS was one million over in revenue last year. Ms. **DAVIS** said that may be true but that does not mean to spend it. There was discussion about whether to pursue a

grant or do a 5 year term loan for the purchase. Counsel said that the long range plan will never come together if it continually gets changed piecemeal. Assistant Chief-EMS Grayson said that there could be an order placed that could be withdrawn without penalty if the financing did not come together. After review, Motion was made by Mr. **WIGGINS**, seconded by Mr. **BODMAN** to approve the order as long as the PO can be canceled without penalty, and waive the 30-days. During discussion, the Department confirmed that this was a sole source purchase based on it being the only such system with FDA approval. 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 Board received written reports from the Department.

The Board received the report on apparatus movement.

The Department presented the EMS billing report.

Assistant Chief-EMS Grayson also brought up a request for approval for a change in ambulance billing rates and approval to use a collection agency for delinquent personal pay EMS bills. He said there has not been an increase in Department EMS billing rates for many years. Counsel was asked to put the item on the March agenda.

Ms. Walls delivered the status change report.

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

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

Ms. Walls said that the Department employee count was 228 (112 full-time, 116 part-time), and the active volunteer membership was 383, with 9 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. **WIGGINS**, seconded by Mr. **BODMAN** 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. **WIGGINS**, seconded by Mr. **BODMAN** 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. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **WIGGINS** 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.

The Chief noted a nice letter received by the Department for an EMS response.

Ms. Walls reported that the Department decided not to engage Bill St. Clair for his company to perform a review/systems evaluation of the Department.

Ms. Walls requested approval for members to attend a Hazmat Training conference for the cost of up to \$5,583.00. After review, Motion was made by Mr. **WIGGINS**, seconded by Ms. **DAVIS** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Chief reported that the Tri-Tech kick-off meeting was scheduled for March.

Ms. Walls said the spring recruiting drive was set for Saturday, April 21.

Ms. Walls requested approval to for Department employee Martha Hannah to attend the annual Fred Pryor Office Administration seminar for the cost of \$299.00. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **WIGGINS** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Department then presented an update on the matter of Station 6 and the conveyance of the property to the Department and cancelation of the ground lease agreement. Assistant Chief-Facilities Scott Mullins said that all the prep and remediation work by the Seller was not yet completed.

The Board then addressed College matters. The Chief said matters were okay and quiet.

The Board then received a report from the General Manager. Ms. Ramon said the Intermedix collections were better and the company was trying hard to please the Department. She said she and Assistant Chief-EMS Grayson were reviewing the accounts. She brought up issues involving the janitorial service company. She said the work was not acceptable and the carpet cleaning was especially deficient. There was discussion about a new contract with a janitorial service company. Mr. **LARRIVEE** also said that the janitorial service for Admin 2 had to be worked on. After review, Motion was made by Mr. **BODMAN**, seconded by Ms. **DAVIS** to approve for Mr. Larrivee to work on the janitorial service issue and the contract to include Admin 2. During discussion, it was noted that there were currently two janitorial contracts, with the Admin 2 contract with the Department and the Admin building with the District. After discussion, the Motion was approved by a vote of 5 to 0.

Counsel said he received comments from the Department and some commissioners on the 2012 service agreement with the Department and would have the contract available in March.

There being no further business brought before neither the Board nor any further public comment, upon Motion made the meeting adjourned at 10:45 a.m.

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Secretary of the Board