

**MINUTES OF THE AUGUST 22, 2013 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 22, 2013, at the administrative offices of the District, 9630 Telge Drive, Houston, Texas 77095.

The meeting was called to order at 7:35 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 **RODNEY JANCZAK**, President and Interim Fire 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, **JOE DAVIS**, the District's emergency services consultant, **IRA A. COVELER**, of **COVELER & KATZ, P.C.**, the District's Counsel, **BILL RUSSELL**, of **MYRTLE CRUZ, INC.**, the District's bookkeeper and members of the public.

The Board addressed public comment. There were questions about giving publicity to the over-65 tax exemption for 2013. The discussion involved the optimal method for disseminating this information to the public and if it should be bundled with other information about other issues evolving within the District.

The Board then addressed the Minutes of the Revised June 2013, regular meeting minutes. After review, Motion was made by Mr. **BODMAN**, seconded by Mr. **JANUSAITIS** to approve the Minutes as presented. After discussion, the Motion to approve the Minutes was approved by a vote of 5 to 0.

The Board then entertained a motion to take the agenda out of order. Such motion was made by Mr. **JANUSAITIS** and seconded by Mr. **KYLE** and was approved by a vote of 5 to 0. The Board next took up agenda item No. 15 to review the radio/communications and radio tower project for RFP No. 29-12-01 Trunked Radio System. The Board reviewed the Motorola agreement. Mr. Coveler informed the Board that with the assistance of Ms. Ramon, Motorola had agreed to modify the waiver of subrogation language as requested in the RFQ. The Board also discussed that the pricing for the system had been

competitively bid and that the current bid was HGAC certified for Motorola. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **BODMAN** to approve the Motorola agreement as presented. After additional discussion, the Motion to approve the Motorola agreement was approved by a vote of 5 to 0. Ms. Davis asked if the District was going to go out and solicit funds or pay cash. Mr. Kyle said that he did not recommend using the reserve fund and he suggested the Board seek financing. Mr. Larrivee stated that he believed the cost of the funding to be too high compared to the return investment. The Board discussed spending reserve funds to keep on task and looking into loan solicitation proposals. The Board authorized District Counsel to have loan solicitation information available by the next Board meeting. Such Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **BODMAN** and approved by a vote of 5-0.

The Chairman of the Board resumed the normal order of the agenda with agenda item No. 3.

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 \$7,261,568.27, the receipt of tax revenue in the amount of \$27,867.09, tax penalty and interest in the amount of \$5,742.19, interest of \$650.00 and ambulance reimbursement for the Department emergency medical services of \$284,244.99. Mr. Russell said that dispatching fees of \$1,420.00 were also received. He also noted the balance sheet showed total District assets at \$50,507,183.62 (\$23,558,626.54 cash/cash equivalents; \$25,820,314.08 property/equipment; and \$1,128,243.00 other assets) short-term liabilities of \$-0-, long term liabilities of \$4,221,136.00, and equity of \$46,286,047.62. Thereupon, after review, Motion was made by Mr. **KYLE**, 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. Mr. **KYLE** recommended that all maturing CDs not be renewed and instead be

placed into appropriate money market accounts to allow for later re-investment. Thereupon, after review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve that all maturing CDs not be renewed and be placed into appropriate money market accounts to allow for later re-investment. After discussion, the Motion was approved by a vote of 5 to 0.

The compliance certification was delivered 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 again entertained a motion to take the agenda out of order. Such motion was made by Ms. **DAVIS** and seconded by Mr. **KYLE** and was approved by a vote of 5 to 0.

The Board next took up agenda item No. 13 regarding the request from Cy-Fair Chamber of Commerce to lease space at the Operation Office. It was discussed that Dynamo Flooring had provided a bid proposal to repair the flooring in one office. The expected cost for the flooring repair was \$1,125.00. There was also discussion that it is necessary to remove some of the trees from the building site due to issues with birds in the area and that this cost would also be approximately \$900.00. After some discussion a motion was made to proceed with the tree removal and the floor repair so long as the cost did not exceed \$2,100, wherein such motion was made by Mr. **KYLE** and seconded by Ms. **DAVIS** and was approved by a vote of 5 to 0.

The Board also discussed the need to paint the front entrance of the operation office building, a cost estimate was not provided and the Board asked for a cost estimate to be obtained. Finally, it was discussed that a greeting desk needed to be purchased for the front area of the operation office and that this cost would also be approximately \$2,000.

The Board asked for a list of all needed repairs to get the building and offices available for lease to the Cy-Fair Chamber of Commerce. The Chamber has its own furniture and is not expecting any furniture from the District. The Chamber agreed to provide a receptionist at the front entrance of the operation

office building to greet persons coming to the District or to visit the Chamber. The Chamber expressed a willingness to share in the repair expenses with the District. The Board agreed that the receptionist being provided by the Chamber along with the resulting exposure from the Chamber traffic would both be benefits to the District. After discussion, a Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to move forward with a lease agreement with the Cy-Fair Chamber of Commerce. The Motion was approved by a vote of 5 to 0.

The Board then addressed 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 for the month of October was due at this meeting in the amount of \$1,391,061.00. After review, Motion was made by Mr. **BODMAN**, seconded by Mr. **KYLE** to approve the payment of Department Operations for the month of October in the amount of \$1,391,061.00. 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 \$80,135.51. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **KYLE** to approve the payment of Department Capital in the amount of \$80,135.51. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then reviewed the Department's 2013 operating and capital budget revisions. After review, Motion was made by Mr. **BODMAN**, seconded by Mr. **KYLE** to approve the reallocation of funds in the Department's 2013 operating and capital budget revisions. After discussion, the Motion was approved by a vote of 5 to 0.

The Board tabled agenda items no. 9 through 11 for their special meeting to be held on September 4, 2013 at 6:30 p.m.

The Board then received a report from Amy Ramon, the District General Manager. She reported that she was working with the Fire Department on the Radio proposal, the EMS billing vendor change and assisting the Fire Department with budget reallocations

The Board then addressed the Long Range Planning. Mr. **LARRIVEE** said this item will be addressed in more detail in the upcoming workshop.

The Board then addressed the revived Long Range Planning task force and facilitator. There was discussion about improving the relationship with Cy-Fair and working together to develop a final proposal. No additional action was taken by the Board.

The Board then addressed the implementation of and planning for Phase 2 of the Long Range plan. Mr. **LARRIVEE** said this item will be addressed in more detail in the upcoming workshop.

The Board then addressed the Bridgeland development and the prospect of building facilities there for the fire and EMS service. No additional action was taken by the Board.

The Board then reviewed any revisions to the District and/or Department's operating and capital budgets pursuant to quarterly re-allocations and/or other matters. No action was taken by the Board.

The District then considered Department 30-day requests. Steve Witt, Assistant Chief, gave thirty (30) day notice for approval of an office cascade system, a gear washer and dryer and hose and ladder testing. ESD waived the thirty (30) day notice on the gear washer and dryer and the hose and ladder testing. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to approve the Department 30-day request. After discussion, the Motion was approved by a vote of 5 to 0.

Approval of Sale of surplus or depleted equipment – Assistant Chief Mark Braswell requested permission to donate old VHF Minitor pagers to Rolling Hills VFD. Assistant Chief Steve Witt requested permission to place 5 center

consoles and a 3<sup>rd</sup> row seat and fluorescent lights from the shop on public surplus. After review, Motion was made Mr. **KYLE**, seconded by Mr. **JANUSAITIS**. 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.

Ms. Walls said that the Department employee count was 250 (116 full-time, 134 part-time), and the active volunteer membership was 350, with 6 new members.

The Board reviewed page 21, emergency requests. After review, Motion was made by Mr. **BODMAN**, seconded by Mr. **KYLE** to approve page 21. 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 22 of the report. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **BODMAN** to approve page 22. After discussion, the Motion was approved by a vote of 5 to 0.

The Board next reviewed the Within Budget purchase requests (\$326,029.00) as set forth on page 23 of the report. Mr. Janusaitis said do not pay maintenance on switches. Mr. Bodman disagreed and said that we are not going to risk operations. There was a discussion about the IT equipment, and it was decided that until Mr. **JANUSAITIS** completes his IT audit and gets with the Fire Department on those results that the District was not going to modify the IT operations. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve the Within Budget purchase requests (\$187,466.00). After discussion, the Motion was approved by a vote of 5 to 0.

The Board next reviewed the list of purchases over \$500 as set forth in CFVFD report.

The Department requested approval to reschedule the August CFVFD Board Meeting to Tuesday, August 20<sup>th</sup> (time and place to remain the same). 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 Department requested an amount not to exceed \$4,500 for a construction trailer for Station 5 renovation. 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 Department requested approval to award contracts for EMS Supplies, EMS Pharmaceuticals and Uniforms. All bids were awarded to lowest qualified vendors by line item. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

Cy-Fair VFD is staying with Blue Cross Blue Shield. The annual increase is \$235,316. There were a great number of claims in the prior year. In 2012 when the provider switched to Blue Cross Blue Shield great savings were achieved. At this point in time the department is back at the 2012 funding level for health insurance. Mr. **LARIVEE** asked why the insurance companies were not asked to submit competitive proposals. It was stated that the claims for the prior year exceeded the premium amount which is why no bids were solicited. Mr. **KYLE** made a Motion to approve the insurance proposal and Ms. **DAVIS** seconded the Motion. The Motion carried 4-0 with Mr. **LARIVEE** abstaining from the vote.

The Department requested approval to award basic Life and AD&D insurance to ESIP. The Department also requested approval to stay with BCBS and to include Dental and Vision insurance with UHC and GAP insurance with Transamerica. There would be no increase in dental, vision or GAP insurance costs. Next, the Department requested approval to renew Short Term Disability through Principal Financial instead of UHC and offer Long Term Disability at employee's expense. Finally, The Department requested approval to renew Worker's Compensation insurance at a cost of \$232,000 with Texas Mutual. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Ms. **DAVIS** to

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

The Department requested the Board to approve \$3,565.36 to Loftin to repair Station 5's generation. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **BODMAN** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Department requested the Board to approve \$3,750.77 to Simplex/Grinnell to upgrade/repair the alarm panel at dispatch. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Department requested the Board to approve \$798 for two individuals (one is a full-time employee) to attend a Fred Pryor seminar in regards to facilities maintenance/management. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Department requested the Board to approve an amount not to exceed \$1,750.00 to send the Champlain to the "Federation of Fire Chaplains Conference" in Seattle, Washington during the dates October 27-31. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Department requested the Board to approve \$1,388.75 to purchase accounts for 25 IFSTA e-books for instructors to use for Cy-Fair VFD classes. 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 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. Mr. **KYLE** asked about the Department's LOSAP and the fact that there are donated funds involved. Mr. **LARRIVEE** said that is a historic funding number of funds accumulated over time.

Assistant Chief-Facilities Scott Mullins, reported on the construction project and stated that it was proceeding acceptably at this point in time.

Assistant Chief mark Braswell requested changing the Communications Chief position from part time to full time. This would change the position from hourly to salary and include benefits. Requested a salary of \$62,940. Motion was made by Mr. **KYLE**, seconded by Mr. **JANUSAITIS** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

Assistant Chief Steve Witt requested approval for an upgrade to the Vehicle Maintenance burglar alarm system. This system is a five (5) year contract, with a one (1) time fee of \$1,899.00 for installation and \$1,927.00 per year to be paid quarterly for monitoring and service. Mr. **LARRIVEE** wanted the department to look into doing something like this internally. Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to approve the request. After discussion, the Motion was approved by a vote of 4 to 1, with Mr. **LARRIVEE** opposing the action.

Assistant Chief Steve Witt requested 3 containers from Mobile Mini for 4 months while construction is occurring in the warehouse. Cost not to exceed \$4,000.00 and approval to sign contract. 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.

Vehicle maintenance requested a change in lights on the new ambulances. The Department is having some issues with the current lights. The requested modification is to change to an LED style light. The cost difference is a total of \$2,136.00 per ambulance for a total cost difference After review, a Motion was made by Mr. **BODMAN**, seconded by Mr. **JANUSAITIS** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then received a report from the Department regarding the naming of an interim Fire Chief. Ms. Walls said Rodney Janczak remained the Interim Fire Chief. She requested approval to extend Chief Janczak's interim fire chief status for 60 days while the District is waiting on the outcome of the Go Forward Task Force. 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 received committee reports, including the District website.

Mr. **LARRIVEE** addressed District and Department promotion. He stated that the Public Relations Committee needs to develop a policy to promote good works and recognize that with the sales tax election over and the results good, the two boards need to develop a quick strategy to promote the District and the Department.

The Board received a report from the committee on the fire/college project.

The Board reviewed the interim Fire Chief position and permanent Fire Chief position, including the Department's recruitment plan to hire a permanent Fire Chief. No additional action was taken by the Board.

The Board received District committee reports.

The Board discussed a promotional banner for the Toy Food Drive and also placing an advertisement in the Community Impact Newspaper in September. The approved Public Relations Committee to make the necessary expenditures for the Banner and the Advertisement. After review, Motion was made by Mr. **BODMAN**, seconded by Ms. **DAVIS** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

No executive session was taken.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 10:35 p.m.

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Secretary of the Board