

**MINUTES OF THE JULY 18, 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 July 18, 2013, 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, 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, **HOWARD KATZ, of COVELER & KATZ, P.C.**, the District's Counsel, and members of the public.

The Board then addressed the Minutes of the June 20, 2013 regular meeting. 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 4 to 0 (Mr. Bodman abstaining due to his absence at the meeting).

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 \$8,659,385.06, the receipt of tax revenue in the amount of \$54,634.82, tax penalty and interest in the amount of \$1,776.45, interest of \$2,343.37 and ambulance reimbursement for the Department emergency medical services of \$448,380.73. Mr. **RUSSELL** said that dispatching fees of \$3,340.00 were also received. He also noted the balance sheet showed total District assets at \$51,834,373.91 (\$24,885,816.83 cash/cash equivalents; short-term liabilities of \$ -0-, long term liabilities of \$4,221,136.00, and equity of \$47,613,237.91. 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 the four 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 Board also considered investing in T-bills. Thereupon, after review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to place three million dollars in T-bills. 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 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 was due at this meeting in the amount of \$1,458,384.00. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **BODMAN** to approve the payment of Department Operations the amount of \$1,458,384.00. 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 \$321,900.10 (previously scheduled budgeted capital funding). After review, Motion was made by Ms. **DAVIS**, seconded by Mr.

BODMAN to approve the payment of Department Capital in the amount of \$321,900.10. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed and determined no action was required on revisions to the District 2013 budget.

The Board then addressed the 2013 tax rate setting process and appraisal reports. Counsel said the expected date for the certified tax roll was mid-August.

The Board received a report from Amy Ramon, the District General Manager. Ms. Ramon reported that she worked on sales tax matters, employee self evaluations activity, and the Radio communications proposal.

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 received a report from Joe Davis, the District's emergency services consultant regarding Station 7 and the request from Walgreens for access assistance that encroaches on the west boundary of Station 7 site. The developer provided information and noted that the information center was to be demolished. Mr. Davis said the request was to accommodate the new Walgreens going in. Mr. **KYLE** asked if the Department approved the request and Ms. Walls said the Department did approve it. After review, Motion was made by Mr. **KYLE**, seconded by Ms. **DAVIS** to approve the request from Walgreens for access assistance that encroaches on the west boundary of Station 7 site. After discussion, the Motion was approved by a vote of 5 to 0.

As part of the discussion was the ownership issue of the Station 7 site. Mr. **LARRIVEE** asked Counsel to work with Mr. Davis and the MUDs regarding the transfer of ownership of the site to the District.

The Board then received a report from Joe Davis regarding the request from the Cy Fair Houston Chamber of Commerce regarding providing space at the Operation Office. He said there was additional space available that was not being used by either the District or the Department. Ms. Leslie Martone, president of the chamber spoke about the matter and said the chamber has 600 members and would like to relocate by December. She said the chamber can bring a lot of benefit to the Department by being in the building. Counsel said he

could not offer a view on the issue because it was only just brought up. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve for Counsel, Ms. Davis and Mr. Larrivee to work on the issue with the chamber. After discussion, the Motion was approved by a vote of 5 to 0.

The Department presented a report on the radios and communications systems and towers. Assistant Chief-Support Services Mark Braswell reported that the contract comment period was completed and the Department was requesting to enter into a sole vendor discussions with Motorola. Assistant Chief-Support Services Braswell said the contract scope of work price came in at \$7.5 million. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **JANUSAITIS** to approve entering into sole vendor discussions with Motorola. After discussion, the Motion was approved by a vote of 5 to 0.

Without objection, the Board held on Agenda Item 14 on long range planning and project evaluations.

The Board also reviewed the Motorola scope of work price at \$7.5 million. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **JANUSAITIS** to approve \$7.5 million as a target price for the project, all subject to obtaining the required frequencies and tower sites. After discussion, the Motion was approved by a vote of 5 to 0.

The Board also reviewed the future of the communications systems. There was discussion about the life expectancy of the new system and the possibility of having other agencies joining with the Department. Assistant Chief-Support Services Braswell discussed Phase III and the final contracting with Motorola and implementation of the project. He requested approval to allow RCC to move into Phase III of its contract with the District and Department. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **JANUSAITIS** to approve for RCC to move into Phase III of its contract with the District and Department. After discussion, the Motion was approved by a vote of 5 to 0.

Without objection, the Board tabled Agenda Item 16 on District-Department long range planning for the upcoming workshop.

The Board then reviewed Phase 2 of the Joiner long range plan report. Mr. **LARRIVEE** said this may be too early because the Board needs to be sure that all items under the phase 1 renovation program are moving along well. The Board expressed general reservations about moving into phase 2 at this time.

The Board then returned to Agenda Item 14 on long range planning and project evaluations. The Board reviewed the change order approved in may for security cameras at the various stations. Mr. **LARRIVEE** said that a CO may not be needed and the project contingency funding can cover the cost. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **KYLE** to approve rescinding the CO for security cameras and use the project contingency funding for the cost. After discussion, the Motion was approved by a vote of 5 to 0.

The Board also addressed the Durotech pay app no. 6 for \$216,354.06. Counsel noted that pay app was approved by the project architect, Carl Joiner. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **BODMAN** to approve Durotech pay app no. 6 for \$216,354.06. After discussion, the Motion was approved by a vote of 5 to 0.

The Board also addressed a request for funding for new hard-wood flooring at Station 7 which was not part of the original scope of work at that station. Joe Davis, the District's emergency services consultant, said the area was 1,000 sq. feet and the total cost was about \$8,000.00. After review, Motion was made by Mr. **KYLE**, seconded by Ms. **DAVIS** to approve new hard-wood flooring at Station 7 for up to \$8,000.00. 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. Counsel said that with the sales tax election completed he would meet with the Bridgeland group.

The District then considered quarterly re-allocations. Ms. Ramon said there were none.

The District then considered Department 30-day requests. Ms. Walls said there were none this month.

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

The Board received written reports from the Department.

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 244 (116 full-time, 128 part-time), and the active volunteer membership was 378, with 3 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 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 (\$226,226.00) as set forth on pages 3-4 of the report. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** 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 Department delivered an IT report.

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 the remainder of the year until the new task force program is implemented to address hiring a permanent fire chief. 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. Ms. **DAVIS** said things were slow during the summer recess.

The Board then addressed District employee matters. Mr. **LARRIVEE** said that the employee manual required review to address conflict of interest matters.

Mr. **LARRIVEE** said that the next long range planning task force workshop was scheduled for September 7, 2013 at 2:00 p.m.

The Board received committee reports, including the District website.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 10:45 p.m.

Secretary of the Board