

**MINUTES OF THE MAY 23, 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 May 23, 2013, 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 **RODNEY JANCZAK**, President and Interim Fire Chief, respectively, of the **CY-FAIR VOLUNTEER FIRE DEPARTMENT** (the "Department), chief officers and members of the Department, **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.

The Board addressed public comment. None was offered.

The Board then addressed the Minutes of the April 18, 2013 regular meeting. Mr. **KYLE** said that on page 8, during discussion about the fire chief position and the initial task force power point, the Minutes should reflect that Brian Dyer, a Department board member, said he did see page 14 of the power point addressing the fire chief position. After review, Motion was made by Mr. **BODMAN**, seconded by Mr. **KYLE** to approve the Minutes of the prior meeting as corrected. After discussion, the Motion to approve the Minutes as corrected 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 \$9,974,020.83, the receipt of tax revenue in the amount of \$182,603.88, tax penalty and interest in the amount of \$2,992.26, interest of \$2,404.95 and ambulance reimbursement for the Department emergency medical services of \$489,727.84. Mr. **RUSSELL** said that dispatching fees of \$1,740.00 were also received. He also noted the balance sheet showed total District assets at \$54,194,735.22 (\$25,820,314.08

cash/cash equivalents; \$2,999,241.67 T-bills) short-term liabilities of \$ -0-, long term liabilities of \$4,221,136.00, and equity of \$49,973,599.22. 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. There was discussion about investment instrumentalities. There was discussion about further hiring an investment consultant. There was also discussion about hiring a sales tax consultant. The Board noted that Sales Tax Assurance helped with the initial sales tax review that led up to the election. Mr. **KYLE** said that his review of the District Investment Policy with an outside advisor indicates that the Policy is more restrictive than required under the State law. Counsel said that was true because in order to invest beyond FDIC and collateralized bank accounts, TexPool-type accounts, and state and local bonds and T-Bills and federal paper, the District investment officer and treasurer must take the required training which this District has not implemented in the past. 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 Ms. **DAVIS** to approve the District investment schedules and recommendations. After discussion, the Motion was approved by a vote of 5 to 0.

After review, Motion was also made by Mr. **KYLE**, seconded by Ms. **DAVIS** to approve hiring an investment consultant to assist with the District investment schedules and recommendations. Also regarding a sales tax consultant, Mr. **LARRIVEE** said he would coordinate with a possible consultant. 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 administrative bills and commissioner fees as set forth in the Financial Report. After review, Motion was made by Mr. **BODMAN**, seconded by Mr. **JANUSAITIS** 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 granting exemptions for 2013, which item was tabled from the April meeting. Counsel presented an exemption re-cap and value and tax review reductions at different levels of exemption. He noted that the District has not granted exemptions for as long as he remembers going back to late 1980's. The Board reviewed its financial position, the upcoming capital costs and new station costs and the property valuation trends. The Board recognized the new sales tax money that will be coming in over the years. After review, Motion was made by Mr. **BODMAN**, seconded by Mr. **JANUSAITIS** to approve granting -0- general homestead exemption, -0- disabled exemption and \$156,240.00 for the over 65 exemption. There was discussion about the proposed exemptions. Ms. **DAVIS** suggested an amendment that for the first year of the exemption that the amount be lower (\$50,000.00) because it can always be increased. Mr. **BODMAN** accepted the amendment. After discussion, the Motion as amended 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. Mr. **BODMAN** noted that Operations funding was due at this meeting in the amount of \$1,364,835.00. After review, Motion was made by Mr. **BODMAN**, seconded by Ms. **DAVIS** to approve the payment of Department Operations in the amount of \$1,364,835.00. 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. Mr. **BODMAN** noted that Capital funding was due at this meeting in the amount of \$112,136.21 (previously scheduled budgeted capital funding). After review, Motion was made by Mr. **BODMAN**, seconded by Ms. **DAVIS** to approve the payment of Department Capital in the

amount of \$112,136.21. After discussion, the Motion was approved by a vote of 5 to 0.

The Board reviewed amendments to the Department budget. The Board took no action.

In the absence of Amy Ramon, the General Manager, who was on vacation, the Board tabled a report from the Assistant General Manager.

The Board then addressed the Long Range Planning. The Board discussed when to have the workshop. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **JANUSAITIS** to have the workshop June 22 at 9:00 a.m. at the admin building. After discussion, the Motion was approved by a vote of 5 to 0. Ambulance-Assistant 501)

The Board then addressed the Long Range Planning purchasing. The Department presented a report on the radios and communications systems and towers. The Board discussed the Motorola live presentation earlier in the month. There was discussion about the height of a recommended antenna for the project. It was noted that the FCC regulations controlled the height of the recommended antenna near the Rolling Forks subdivision. There was concern about a 300' tower at that site.

The Board then received a report on Long Range Planning from Ricardo Martinez of Joiner Architects concerning the CCTV at the stations and a requested change order. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to approve the CCTV requested change order up to \$47,984.00 along with an increase in the contract amount. Mr. **LARRIVEE** asked if the Department had a CCTV SOG or policy. Department IT coordinator Daniel Corgiat said there was a policy. After discussion, the Motion was approved by a vote of 5 to 0.

Mr. **KYLE** asked to re-open Agenda Item 13, Long Range Planning task force and facilitator. Without objection Mr. **KYLE** reported that the final report from the facilitator was up on the drop box for review. Mr. **KYLE** also reported that with this action the contract with Steve Ferguson was completed.

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 there was no action at present. Counsel said that with the sales tax election completed he asked for authority to meet with the Bridgeland group. Mr. **LARRIVEE** said that was okay and Assistant Chief-Facilities Mullins agreed.

The Department presented its quarterly reallocation and first quarter budget revisions to review. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **BODMAN** to approve the Department's quarterly reallocation and first quarter budget revisions. Counsel asked about the amount and if it would cover the ambulance purchase approved at the prior meeting. Ms. Walls said yes the allocation amount and cash returned by the Department would cover that cost. After discussion, the Motion was approved by a vote of 5 to 0.

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 248 (117 full-time, 131 part-time), and the active volunteer membership was 371, with 40 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 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. **KYLE**, 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 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. She noted the annual payment this year was \$322,329.00.

The Board then addressed IT, with IT coordinator, Danny Corgiat. IT coordinator Corgiat introduced his staff. There was discussion about network connectivity with the two admin. buildings. He said there may be the time coming for fiber optics to link the two admin. buildings.

Mr. **JANUSAITIS** asked about the accounting program and the accounting program delay. Department IT coordinator Corgiat said it was getting close to terminate the contract with the vendor following the instruction received at the prior meeting. Department IT coordinator Corgiat said he made that warning to the vendor. He said he thought the vendor was working on the problems. Mr. **JANUSAITIS** asked what period the program would cover for the audit. Department IT coordinator Corgiat said the program and information would be effective January 1, 2012 for the audit work. He also said that the new accounting program is to go live June 1 and POs can be inputted.

Department IT coordinator Corgiat and his staff gave an IT report and discussed the integration of cloud technology. Mr. **JANUSAITIS** asked how many individual devices for the system are in place. Department IT coordinator Corgiat said there were 93 virtual environment boxes. Mr. **JANUSAITIS** said that seemed like way more than necessary and asked for a list of the device allocations.

Ms. Walls and Department IT coordinator Corgiat requested approval for a three-year cabling contract to support the CCTV system. Counsel suggested a non-appropriation clause for the multi-year contract, especially if the contract was

an obligation of the District. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to approve the proposed three-year cabling contract to support the CCTV system, subject to a non-appropriation cause. 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 introduced **RODNEY JANCZAK**, Interim Fire Chief. Mr. **LARRIVEE** asked if Mr. Janczak was a full-time fire chief or part-time and what was his pay. Ms. Walls said he was part-time and his salary was the same as being paid to the prior fire chief, prorated for the time of service.

Chief Janczak requested approval of expending up to \$10,000.00 for Department members and staff to attend FRI in Chicago, August 14-17. 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.

Chief Janczak reported that the Department search dog was staged for response to Oklahoma for the recent tornados.

Assistant Chief-EMS Kenny Grayson requested approval to sell a surplus ambulance (Ambulance-Assistant 501) which has a blown motor. The request was to sell the unit at auction with Chief-EMS Grayson setting the reserve price.

The Department reported the EMS billing collections solicitation was under way.

Chief-EMS Grayson requested approval to purchase a third ambulance for \$234,133.00 using the reallocated funds from the Department. 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.

Chief-EMS Grayson reported that Ambulance 9 was in for repairs for a new motor. He said the cost was \$100.00 due to warranty coverage.

Chief-EMS Grayson said Ambulance 5 was expected back in service by June 7 after repairs.

Chief-EMS Grayson requested approval for 10 EMS personnel to attend the annual National EMS Expo Conference for a cost of up to \$12,500.00. 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.

Chief-EMS Grayson noted that a union election for full-time Department EMS would be starting soon.

Ms. Walls requested approval to engage a consultant to assist the Department with HR/personnel matters and employee discipline, at a contract cost of up to \$2,800.00. 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.

(Mr. Kyle exited the meeting at 10:35 p.m.)

(Mr. Kyle re-entered the meeting at 10:39 p.m.)

The Department requested an extension for submitting its 2012 audit. Mr. **JANUSAITIS** said it was not realistic to have it done by the June deadline due to the problems with the new Department accounting system. Ms. Walls said 2012 was not on the new accounting system.

The Department addressed a proposed SOG for the Department fire chief. Ms. Walls said it was revised to reflect compensation and hours for an interim appointment made pursuant to the service agreement. Mr. **KYLE** said the District needed to be involved in the fire chief process. Mr. **LARRIVEE** said that this was important, especially in regards to salary, job performance and review, especially to avoid the recent problem on the fire chief review and evaluation. Ms. Walls said there is a second SOG on the fire chief job performance and review process. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **JANUSAITIS** to the matter for further review. After discussion, the Motion to table was approved by a vote of 5 to 0.

The Board reviewed College matters. Ms. **DAVIS** said a meeting was scheduled for the College committee for June 12, 2013.

The Board then addressed the proposed contract with the emergency services coordinator, Joe Davis. Counsel said he prepared and reviewed the proposed contract. Mr. **LARRIVEE** said administrative matters, such as office space, id and communications equipment were noted as discussion points to be ironed out. After review, Motion was made by Mr. **KYLE**, seconded by Ms. **DAVIS** to approve the proposed contract with the emergency services coordinator, Joe Davis. After discussion, the Motion was approved by a vote of 4 to 0 (Mr. Bodman abstaining).

The Board tabled traffic preemption and the E-View program to January 2014.

There were committee reports. Mr. **LARRIVEE** spoke about a computerized maintenance management program. He said that the true cost of the system was \$15,000.00, but the price was reduced to \$4,000.00 for the emergency service agency. Mr. **KYLE** said he supports the idea, but he said there are still questions of who maintains the computer system and equipment and who enters the data. After review, Motion was made by Mr. **KYLE**, seconded by Mr. **JANUSAITIS** to approve the purchase of a computerized maintenance management program for the price of up to \$5,000.00. After discussion, the Motion was approved by a vote of 5 to 0.

The Board deleted a report on the District website.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 11:30 p.m.

Secretary of the Board