

**MINUTES OF THE DECEMBER 18, 2014 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 December 18, 2014, 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 **JEREMY M. MARTINSON**, President. Those Commissioners present were **JEREMY M. MARTINSON, SUZANNE DAVIS, ROBERT JANUSAITIS, BETTY BOREN AVERY, and SCOTT DeBOER**. Also present were **DAVID MANLEY, and AMY RAMON**, President and Fire Chief, respectively, of the **CY-FAIR VOLUNTEER FIRE DEPARTMENT** (the "Department), chief officers and members of the Department, **BILL RUSSELL, of MYRTLE CRUZ, INC.**, the District's bookkeeper, **HOWARD KATZ, of COVELER & KATZ, P.C.**, the District's Counsel, and members of the public. Also present was Ricardo Martinez from Joiner Partnership, the District's architects on various District construction projects.

The Board received public comment. Ms. Avery spoke about the Department Auxiliary toy drive.

The Board addressed the Minutes of the November 20, 2014 regular meeting. After review, Motion was made by Ms. **AVERY**, seconded by Mr. **DeBOER** to approve the Minutes. 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 \$533,039.75, the receipt of tax revenue in the amount of \$1,053,243.27, tax penalty and interest in the amount of \$2,564.09, sales tax receipts of \$1,906,068.05, interest of \$3,963.88, and ambulance reimbursement for the Department emergency medical services of \$408,644.70. Mr. **RUSSELL** said that dispatching fees of \$1,420.00 were also received. He also noted the balance sheet showed total District assets at \$56,310,458.30 (\$34,169,756.30 cash/cash equivalents) short-term liabilities of

\$ -0-, long term liabilities of \$6,868,918.00, and equity of \$49,441,540.30. Mr. **RUSSELL** said that the Dispatch loan (Amegy Bank) and Phase 1 loan (Houston Community Bank) were both paid off. Thereupon, after review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve the Financial Report. 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 in place security pledge agreements for the District's excess deposits.

The Board then addressed District investments. The Board reviewed the investment reports. Mr. **RUSSELL** said he recommended no action at this time.

The Board then addressed administrative bills and commissioner fees as set forth in the Financial Report. The Board reviewed with Mr. Russell the bill for TriTech, for \$421.36 for a bill dated May 2014. Mr. **RUSSELL** said the company called and he has not confirmed the May invoice was received or if it was part of a larger invoice. The Board instructed Mr. Russell to hold the check until he confirmed the payment is due. Ms. **AVERY** said she objected to the Joiner Architects bill (\$11,187.00) for Station 7. After review, Motion was made by Mr. **DeBOER**, seconded by Ms. **AVERY** to approve the payment of District administrative bills and commissioner fees as presented in the Financial Report, holding check no. 6398 to TriTech until confirmation that it is due, and holding the Station 7 portion of check no. 6393 to Joiner Architects for further review and approving the non-Station 7 portion under Phase II. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed and held on the payment of Department Operations pending approval of the proposed Department 2015 budget.

The Board then addressed the payment of Department Capital funding as set forth in the Financial Report. Chief Ramon noted that Capital funding was due at this meeting in the amount of \$313,499.63 (previously scheduled budgeted capital funding). After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve the payment of Department Capital in the amount of \$313,499.63. Ms. **AVERY** asked why some invoices are stamped when received

and others are not. Chief Amy Ramon said regular mail is stamped but e-mail is not stamped. After discussion, the Motion was approved by a vote of 5 to 0.

The Board addressed revisions to the Department 2014 budget. Department board president David Manley said there were none.

The Board addressed revisions to the District 2014 budget. Mr. **RUSSELL** said there were none.

The Board addressed revisions to the District 2015 budget. Mr. **RUSSELL** said there were none.

The Board addressed sales tax matters.

The Board then addressed the proposed Department 2015 operating and capital budget. Mr. Manley said the budget explanations from the prior meeting were sent to the Board members recently. Mr. **MARTINSON** asked if some of the additional payroll was due to hiring recommended by McGrath. Chief Ramon said yes. The Board asked for a copy of the report. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve the proposed Department 2015 operating and capital budget. After discussion, the Motion was approved by a vote of 3 to 1 (Ms. Avery abstaining).

The Board then addressed implementation of the contract matters concerning the transition and task force action plan and approval of the new service agreement. Counsel said he had prepared and made revisions to the proposed new service agreement and received comments from some Board members for review.

The Board then received a report from Karina Martinez, the District Administrative Assistant. Ms. Martinez said the commencement of the office work was going well and she was working on a District meeting and events calendar.

The Board addressed the District General Manager vacancy. Ms. **DAVIS** said the committee had met with possible candidates. The matter was held for the scheduled executive session.

The Board then addressed the Motorola radio system implementation. Chief Ramon provided an update. She said the system testing period was conducted and there were some building penetration failures. There was

discussion about the contract required 95% reliability and Chief Ramon said the testing did exceed that. Chief Ramon said with the reliability milestone met 10% of the contract payment was due. After review, Motion was made by Ms. **DAVIS**, seconded by Ms. **EVERY** to approve the 10% progress payment to Motorola. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the Motorola radio system change order. Chief Ramon said the change order was to add additional monitoring equipment for \$2,165.00. After review, Motion was made by Ms. **DAVIS**, seconded by Ms. **EVERY** to approve the change order request for the Motorola contract. After discussion, the Motion was approved by a vote of 5 to 0.

The Board addressed a request for possible tower space lease at the Rodney Ray communications tower. No action was taken and no request for further information was made.

The Board addressed long-range planning Phase 2 and future stations and apparatus requirements.

The Board then addressed signage at 9520 Telge. There was discussion about a missing sign and the building name sign placement.

Counsel said there was no Pay Application on the Phase 2 station renovation.

The Board addressed roof leaks at Stations 4, 12 and 9529 Telge.

The Board addressed the land acquisition for a new station in Bridgeland. Counsel said a proposed Purchase and Sale Agreement was recently received from the developer. The matter was held for the scheduled executive session.

The Board addressed the determination on usage of District facilities particularly 9630 Telge and 9520 Telge. Mr. **MARTINSON** said the matter was completed.

Counsel said Durotech presented a Substantial Completion Certificate for approval regarding the Station 3 component of the Phase 2 project. After review, Motion was made by Ms. **EVERY**, seconded by Mr. **DeBOER** to approve the Substantial Completion Certificate regarding the Station 3 component. After discussion, the Motion was approved by a vote of 5 to 0.

The Board addressed an unsolicited overture from Logix to build a fiber optic campus for the Telge area using District facilities. No action was taken and no request for further information was made.

The Board then addressed the possible enlargement of Station 7 to accommodate a 100' ladder truck and an ambulance. Ms. **AVERY** discussed with the architect Mr. Martinez whether the station was ADA and in compliance with the Texas Department of Licensing and Regulation. Mr. Martinez said he sent a CD to address the concerns and questions from the prior meeting. Ms. **AVERY** said the CD was not for the correct station. Ms. **AVERY** pointed out regulation lapses found by the Texas Department of Licensing and Regulations. Ms. **AVERY** also discussed the cost of the Station 7 work increasing from \$480,000.00 to \$673,63.00. There was discussion about receiving the completion documents for that renovation project and certification that the electrical contractor was appropriate for the task. Ms. **DAVIS** said it was really for the Department to review the facilities and determine what the Department feels should be done now. Mr. **MARTINSON** said he and Ms. Avery will review the issues regarding Department of Licensing and Regulation matters.

The Board then addressed the Station 9 construction options. Counsel said he and Chief Ramon, Mr. Janusaitis and Mr. Manley attended the November WCID meeting. He said the group would be attending a future WCID meeting.

The Board addressed revisions to the Department 2014 budget or quarterly reallocations. Mr. Manley said there were none.

The District then considered Department 30-day requests. Mr. Manley said there were none.

The Board then addressed approval of the following items under Agenda Item 30:

Emergency Requests

- a. J Warren Service Co Turn Key Installation Goodman Condensing Unit – Station No. 9 \$3047.09
- b. Siddons Martin Steering Gears, Power Module, Tie Rod Boot Kits for E-3 \$4,973.61
- c. S&T Auto Body Additional Labor/Materials to repair corrosion TW-10 (Prior Approval in August for \$7,664) \$1,800.00
- d. Pearland Alternator New Alternator and Regulator for TW-10 \$2,581.12

- e. J Warren Service Co Turn Key Installation Lenox Gas Package Unit – Station No. 11 \$14,285.07
- f. Heitman Suspension Work on M-4 \$2,760.15

Budgeted Capital Expenditures

- a. Austin Ribbon and Computer Replacement MDC Docks and Universal Adapter (5) \$3,485.00
- b. Tessco Grounding for Station No. 12/Dispatch GSA Pricing \$4,841.00
- c. Schaeffer Labor for Grounding at Station No. 12/Dispatch \$10,350.00

Operations Within Budget

- a. Comerica Bank – Payroll Taxes 2 weeks ending 12/10/14 \$105,000.00
- b. Comerica Bank – Payroll Taxes 2 weeks ending 12/24/14 \$110,000.00
- c. SFFMA (State Firemens and Fire Marshalls Association of Texas) Membership Dues for 2015 \$12,665.00
- d. Cy-Fair Med Center Workers Comp Self PAY DOS 08/11/14 \$4,459.00
- e. The Schubot Law Firm September 2014 Legal Services \$5,208.00
- f. The Schubot Law Firm November 2014 Legal Services \$2,833.00
- g. Aladtec Fire/EMS/ZManager Scheduling Software Annual Renewal \$18,000.00
- h. Metro Yearly Holmatro Rescue Service of Holmatro Rescue Tools – Sole Source \$11,795.00
- i. Firehouse Software Renewal of Software Updates and Support Annual \$5,355.00
- j. Mitel Renewal of Phone Systems License, Services and Support for 2015 – Annual \$27,506.00
- k. Mes Fire Fighter Badges Class A Uniform \$5,930.00
- l. Emergency Ministries Counseling, Classes, Services for everyone in Department \$26,000.00
- m. Physio Control Code Station No. 10 Data Review Software for Lifepack 15 3 year Maintenance Agreement \$4,000.00

Bid Approvals

- a. Fleet and Asset Management Software
- b. Garage Doors – Maintenance and Repair

Bid Request

- a. Preventative Maintenance for Roofs

There was discussion concerning item (e), Lennox gas package unit and that there was only a one year warranty; there was discussion about capital item (c), labor for electrical grounding at Station 12 and Dispatch; there was discussion about Operations item (i), Firehouse software.

(Ms. Avery exited the meeting at 9:40 p.m.)

Ms. **DAVIS** asked about Operations item (l) and Emergency Ministries. Chief Ramon they help with counseling and the group was very helpful at Station 12.

After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve all the items under Agenda Item 30. After discussion, the Motion was approved by a vote of 4 to 0.

(Ms. Avery re-entered the meeting at 9:42 p.m.)

The Board addressed the Department's prior request for IT assessment services. Chief Ramon said it seemed to make sense for this to be a District project.

The Board addressed approval of requests to solicit bids and proposals and to approve awards following bids and proposals. Mr. Manley said there was a request to solicit bids for preventative maintenance for roofs. 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 Board discussed website management and social media issues.

The Board addressed approving a request for District website management and IT services. Counsel said he requested this item due to the nature of the District business and the apparent need for a stand alone District system. Mr. **JANUSAITIS** said he has the task and he is working on it.

The Board addressed development of a Department EMS patient satisfaction program. Chief Ramon said the first group of evaluations was just now coming in.

The Board then addressed the Department's request to allow the Jersey Village FD to use the Department's radio frequency and airwaves. There was discussion about the request. The pricing discussed was on a basis of \$12.50 per radio usage per month. Mr. **DeBOER** asked if there was benefit to the District's residents. Chief Ramon said that Jersey Village FD was a huge mutual aid provider and the District residents would benefit by the improved communications. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to approve the request. After discussion, the Motion was approved by a vote of 5 to 0.

The Board entered executive session at 10:07 p.m. pursuant to Sections 551.072, .074 Government Code, to discuss and consider real estate matters and employee matters. The Board re-entered open session at 10:50 p.m.

(Ms. Davis and Mr. DeBoer departed from the meeting.)

The Board then addressed previously held Agenda Item 6, the payment of Department Operations as set forth in the Financial Report. After review, Motion was made by Ms. **EVERY**, seconded by Mr. **JANUSAITIS** to approve the payment of Department Operations the amount of \$1,783,440.00 and extend the current service agreement to February 1, 2015. After discussion, the Motion was approved by a vote of 3 to 0.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 11:00 p.m.

Secretary of the Board