

**MINUTES OF THE APRIL 16, 2015 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 April 16, 2015, at the administrative offices of the District, 9630 Telge Drive, Houston, Texas 77095.

The meeting was called to order at 6:05 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.

Ms. Avery delivered an invocation.

The Board received public comment. Colleen Vera said the District and Cy-Fair VFD should have more separation in their operations and she questioned whether the District should consent to performing dispatch services for other agencies. Ms. Avery recognized Johnnie Hawkins and Paula Lee for 25 years of service to the Cy-Fair VFD auxiliary.

The Board addressed the Minutes of the March 19, 2015 regular meeting. After review, Motion was made by Ms. **AVERY**, seconded by Ms. **DAVIS** to approve the Minutes. After discussion, the Motion 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 \$11,719,181.85, the receipt of tax revenue in the amount of \$193,060.83, tax penalty and interest in the amount of \$2,199.50, sales tax receipts of \$1,820,748.94, interest of \$5,149.18, and ambulance reimbursement for the Department emergency

medical services of \$540,675.14. Mr. **RUSSELL** said that dispatching fees of \$1,340.00 were also received. He also noted the balance sheet showed total District assets at \$74,197,082.26 (\$52,056,380.26 cash/cash equivalents) short-term liabilities of \$ -0-, long term liabilities of \$6,868,918.00, and equity of \$67,328,164.26. Thereupon, after review, Motion was made by Mr. **JANUSAITIS**, seconded by Ms. **DAVIS** 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 meeting.

The Board then addressed and tabled enrollment in the Texas Class Investment Pool pending a report from the District investment committee.

The Board then addressed administrative bills and commissioner fees as set forth in the Financial Report. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Ms. **DAVIS** 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 as set forth in the Financial Report. Chief Amy Ramon noted that Operations funding was due at this meeting in the amount of \$1,767,836.00. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to approve the payment of Department Operations. 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. Chief Ramon noted that Capital funding was due at this meeting in the amount of \$84,660.49 (previously scheduled budgeted capital funding). After review, Motion was made by Ms. **DAVIS**, seconded by Mr.

JANUSAITIS to approve the payment of Department Capital. After discussion, the Motion was approved by a vote of 5 to 0.

The Board addressed revisions to the Department 2015 budget. Mr. Manley 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.

Without objection, the Board took up Agenda Items 32-34, and entered executive session at 6:18 p.m. pursuant to Section 551.074 Government Code, to discuss District personnel matters, including the vacancy of District Managing Director position; and pursuant to Section 551.072 Government Code, to discuss real estate matters with attorney; and pursuant to Section 551.071 Government Code, litigation matters with attorney (Liversridge v. Cy-Fair VFD, HCESD No. 9, et al).

The Board re-entered open session at 8:10 p.m.

The Board then addressed the KPIs for the District-Department service evaluation. Ms. **AVERY** said the District committee of herself and Ms. Davis met to revise the KPI metrics which has presented to the District Board with copies to Mr. Manley and Chief Ramon. Mr. Manley said some of the items on the KPI list were overly specific and unrelated to a KPI schedule, such as document retention. Ms. **AVERY** said how KPIs can be reviewed if documents are not preserved. Mr. Manley said he agreed but that was not a KPI item. A joint meeting was scheduled with Commissioner's Avery and Davis, Mr. Manley and Chief Ramon. Mr. Manley stated that the Department would work on it some more for a future meeting.

Counsel delivered a legislative update.

The Board then received a report from Karina Martinez, the District Administrative Assistant. There was discussion about placing a link on the District website for Harris County alerts.

The Board addressed new furniture and furnishings for the District offices and board room. There was discussion about the number and size of the tables

and chairs and the board room set-up. Ms. **DAVIS** suggested doing 2 table sections instead of 3 in the board room and remove the modesty side panels and replace with table legs. Mr. **DeBOER** said the plan seemed to cost too much money for meeting room furniture. After review, Motion was made by Ms. **DAVIS**, seconded by Ms. **EVERY** to approve up to \$11,000.00 to purchase 30 chairs and 10 tables for the Training/Meeting District offices and board room and held on the board room table until another bid can be rendered. After discussion, the Motion was approved by a vote of 4 to 1.

The Board addressed furniture for the District Managing Director's office. After review, Motion was made by Ms. **EVERY**, seconded by Ms. **DAVIS** to approve up to \$5,000.00 to purchase furniture for the District Managing Director's office. After discussion, the Motion was approved by a vote of 5 to 0.

The Board held on the District Managing Director's vacancy.

The Board then addressed the Motorola radio system implementation. Chief Ramon said the system was performing well, with no operational issues for three months. Chief Ramon presented update from Department Officer Michael Hebert was delivered indicating that Motorola was working on issues involving encryption keys, audio, and workstation items.

The Board addressed and tabled long-range planning and future station matters.

The Board addressed the land acquisition for a new station in Bridgeland. The Board discussed the matter. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve moving ahead on the Bridgeland land acquisition. After discussion, the Motion was approved by a vote of 5 to 0.

Counsel said that the Bridgeland acquisition would involve a feasibility review and preliminary land formatting. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve engaging Ricardo Martinez to consult on the Bridgeland land acquisition feasibility review. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed and held on the Station 7 construction options.

The Board then addressed the Station 9 construction options, including the purchase of the site. The Board addressed the land acquisition for a re-build of the Station 9 facility. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve moving ahead on the Station 9 land acquisition. After discussion, the Motion was approved by a vote of 5 to 0.

The Board addressed revisions to the Department 2015 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 approvals (Agenda Item 24):

Emergency Requests:

The Board reviewed 7 emergency request items. Ms. **AVERY** asked about Item 4: fire sprinkler/suppression line update and maintenance for Stations 4, 11 and 12. She asked why only these and why the systems were out of compliance. Chief Ramon said only these stations had the systems and the prior Department administration did not have the inspections performed. Chief Ramon said after this work the systems would be good for 5 years before the next inspection was required. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve the emergency requests items. After discussion, the Motion was approved by a vote of 5 to 0.

Operations in Budget:

The Board reviewed 14 items. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve the items. After discussion, the Motion was approved by a vote of 5 to 0.

Budgeted Capex:

The Board reviewed 2 items. Ms. **AVERY** asked about item 1, shower re-build at Station 1. She asked why the low bidder did not get the award. Also, she requested information why there was building maintenance after over \$3,000,000 of Station renovations had recently been completed. Chief Ramon said the

vendor did not provide proof of insurance and the contact information for a telephone and email address were no good. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve the items. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed authorizing Department dispatching service for the City of Katy. Chief Ramon said there was no update.

The Board addressed approval of requests to solicit bids and proposals and to approve awards following bids and proposals. Mr. Manley said the Department completed its bid solicitation and review of proposals for Department EMS billing services. He said the Department recommended Intermedix. After review, Motion was made by Mr. **DeBOER**, seconded by Ms. **EVERY** to approve Intermedix for Department EMS billing services. Counsel asked if this was the same company the Department contracted with some years ago. Chief Ramon said yes, but the company was under new control. After discussion, the Motion was approved by a vote of 5 to 0.

The Board addressed Records Management and sustainability and assessing elements of critical infrastructure. Mr. **JANUSAITIS** said this was his item. He gave an overview. Ms. **EVERY** said she wanted greater detail. Mr. **JANUSAITIS** said what is involved is preparing an inventory of records. He said the most manageable process was to set a target date to go back to for the records inventory and to develop a program He said he thought the state model was good. Mr. **MARTINSON** named Mr. Janusaitis and Ms. Avery to a committee to study this issue.

The Board addressed development of a Department EMS patient satisfaction program. Mr. Manley said 93 responses were received and that 95% were positive.

The Board received committee reports. The Board tabled establishing a committee to study projected growth in the District. On financial matters, Mr. **DeBOER** said he and Mr. **MARTINSON** were still reviewing Texas Class Investment Pool and would get with Mr. Russell and Counsel about the review and the Texas Class portfolio analysis.

The Board then addressed posting on the District website the District budget or monthly financial report. Ms. **EVERY** said the Board approved last month posting on the District website the District budget and monthly financial report. She asked Mr. Russell to get with Ms. Martinez to work this out.

The Board addressed who is authorized to make public communications regarding the District. Ms. **EVERY** said there was a news article and on-line posting of District information presented by the Department. She said that kind of information should come from or be authorized by the District. Mr. Manley said the Department gets questions and requests for information all the time and the Department will try to answer the questions. He said usually the Department's response would be based on public information already available. Chief Ramon said the news article Ms. Avery was referring to involved the Chief stating what the Chief considered was in the public record and talking about history and the sales tax and how it could be used. Ms. **EVERY** said she understood that but wanted to be sure the District's message is clear and that the District is able to speak for itself, such as where and when new stations might be built. Mr. Manley said he understood that but the Department also has to be able to speak and has a First Amendment right to communicate and answer questions, but he understood that policy matters should come from the District. After continued discussion, Mr. **MARTINSON** stated that as president he serves as the spokesman for the District.

The Board addressed the revised employee manual. Ms. **EVERY** said it has been distributed and should be reviewed for next month.

Mr. Manley announced that the Department was named the Child Protective EMS agency of the year.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 9:46 p.m.

Secretary of the Board