

**MINUTES OF THE MARCH 19, 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 March 19, 2015, at the administrative offices of the District, 9630 Telge Drive, Houston, Texas 77095.

The meeting was called to order at 6:20 p.m. by **JEREMY M. MARTINSON**, President. Those Commissioners present were **JEREMY M. MARTINSON, SUZANNE DAVIS, 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 were Ricardo Martinez from Joiner Partnership, the District's architects on various District construction projects and Richard Fletcher of Sales Tax Assurance, the District's sales tax consultant.

Ms. Avery delivered an invocation.

The Board received public comment. None was received

The Board addressed the Minutes of the February 19, 2015 regular meeting. After review, Motion was made by Mr. **DeBOER**, seconded by Ms. **EVERY** to approve the Minutes. After discussion, the Motion was approved by a vote of 3 to 0 (Ms. Davis abstaining, being absent from the prior 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 \$11,958,592.65, the receipt of tax revenue in the amount of \$1,360,322.79, tax penalty and interest in the amount of \$3,639.35, sales tax receipts of \$2,218,506.92, interest of \$4,400.99, and ambulance reimbursement for the Department emergency medical services of \$447,257.91. Mr. **RUSSELL** said that dispatching fees of \$1,460.00 were also received. He also noted the balance sheet showed total District assets at \$73,252,102.38 (\$51,111,400.38 cash/cash equivalents) short-

term liabilities of \$ -0-, long term liabilities of \$6,868,918.00, and equity of \$66,383,184.38. Thereupon, after review, Motion was made by Ms. **AVERY**, seconded by Mr. **DeBOER** to approve the Financial Report. After discussion, the Motion was approved by a vote of 4 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 opening/renewing 3 District money market accounts and 5 District CDs. Thereupon, after review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to approve the proposed District investments. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed the Texas Class Investment Pool. Counsel delivered a written report from Texas Class regarding its investment portfolio. The Board discussed the investment pool. Mr. **MARTINSON** designated himself and Mr. DeBoer to be on a committee to review the Texas Class Investment Pool portfolio and make a recommendation on how much to invest with Texas Class Investment Pool.

The Board addressed letters of credit as excess deposit collateral and received a report from Counsel and Mr. Russell. Counsel said he had reservations on the form agreement regarding letters of credit as excess deposit collateral but he was working on the issue with the banks.

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. **DeBOER** 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 4 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 \$1,809,488.00. After review, Motion

was made by Mr. **DeBOER**, seconded by Ms. **DAVIS** to approve the payment of Department Operations. After discussion, the Motion was approved by a vote of 4 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 \$186,258.34 (previously scheduled budgeted capital funding). After review, Motion was made by Mr. **DeBOER**, seconded by Ms. **DAVIS** to approve the payment of Department Capital. After discussion, the Motion was approved by a vote of 4 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. Richard Fletcher of Sales Tax Assurance, the District's sales tax consultant, delivered a report. He said that quarterly telecommunications sales tax was received, and one company that was not reporting District sales taxes is now reporting correctly. He said that Sales Tax Assurance has recovered \$1.46 million of incorrectly or unreported District sales taxes.

The Board then addressed the KPIs for the District-Department service evaluation. Ms. **DAVIS** said the work on the KPIs was underway and she and Ms. Avery delivered a written performance evaluation sheet for review.

Counsel delivered a legislative update.

The Board then received a report from Karina Martinez, the District Administrative Assistant.

The Board addressed and tabled for April new furniture and furnishings, including a meeting table for the District board room.

The Board addressed and held on the District General Manager vacancy.

The Board then addressed the Motorola radio system implementation. Chief Ramon said the system was performing well, but not quite at 100%, but that goal was hoped to be achieved by the end of April.

The Board addressed and tabled long-range planning.

The Board addressed the land acquisition for a new station in Bridgeland. Counsel said he would need an executive session on this matter.

The Board addressed and held on future station construction matters.

The Board then addressed the Station 7 construction options. Counsel said he would need an executive session on this matter.

The Board then addressed the Station 9 construction options, including the purchase of the site. Counsel said he would need an executive session on this matter.

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 25):

Emergency Requests:

- a. Siddons Martin Steering gear master & slave E11 \$3,733.53

Operations in Budget

- a. Comerica Bank – Payroll taxes 2 weeks end 3/4/15 \$110,000.00
- b. Comerica Bank – Payroll taxes 2 weeks end 3/18/15 \$110,000.00
- c. Schubot Law Firm February 2015 Legal Services \$3,497.00
- d. Advanced Rescue Annual service of TNT combi tools & pumps (8) \$4,400.00
- e. Multiple vendors DT4EMS course (evasive maneuvers for EMS/fire responders) – 2 persons, 5days, airfare, hotel, per diem, registration, rental car, gas, parking, baggage fees \$6,581.00
- f. Multiple vendors Imagetrend (EPCR software QA/QI) conference, 2 persons, 3 days, airfare, hotel, per diem, taxi/shuttle, registration fees \$3,195.00
- g. Multiple vendors Pinnacle conference (EMS Supervisor specific courses - How to be an Effective Leader) 5 persons, 4 days, airfare, hotel, registration, per diem, shuttle, parking \$10,358.00
- h. Command light Repair light tower that was damaged in collision R8, insurance payment covers \$5,515.50 - \$7,701.00
- i. CDW-G Station alerting equipment to bring the rest of the stations to the new standards \$13,245.00
- j. Public Safety Training Consultants Continuing education training – dispatchers (20), communications supervisors, Sr. dispatchers, trainers (15) \$7,000.00

- k. Motorola APX Bank chargers for go kits and mcv (4) \$4,320.00
- l. Motorola new modem to test for bignet and vzw \$1,643.00
- m. Multiple vendors Open options training (approved 10/14) lodging and per diem, 2 persons, 3 days \$1,085.00
- n. City of Tomball Tactics and Strategy class by Chief Salka and Chief Lasky June 27 and 28 (20 persons) \$2,500.00
- o. HCFFA HCFFA A&M Field Day May 1 – 3, (16 persons) \$5,400.00

The Board reviewed the items. There was discussion on items (h) and (i). Mr. Manley said item (h) was for the cost difference for what was covered by insurance for the repairs. He said the Department paid that differential and is requesting reimbursement. On item (i), Mr. Manley said the cost was for materials to upgrade the station alerting system. There was a question by Ms. Avery in regards to the travel per diem amounts for the Department. The Department representatives said the amount was based on the distance traveled. A request was for the Department members traveling and the city to which they are traveling for the per diem. After review, Motion was made by Mr. **DeBOER**, seconded by Ms. **AVERY** to approve the items. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed Department payroll matters:

- (i) Review and take action request for annual COLA raise 1.7% for Department employees.
- (ii) Review and take action to increase 401K match by 1% for Department employees.

The Board addressed the requested 1.7% COLA raise. Ms. **AVERY** asked if the increase was in the 2015 budget. Chief Ramon said yes. Chief Ramon said the 1% increase in 401K item was in the financials on GL 2172. There was discussion about calculating how much the COLA cost would be. There was discussion about whether the COLA should be merit-based. Ms. **DAVIS** asked about a written policy on handling a COLA increase. Chief Ramon said there was not a written policy on COLA, but said the Department is working on a performance evaluation process. Mr. **DeBOER** asked if the COLA results in any increase in performance. Chief Ramon said the goal with the COLA is to increase retention and provide incentives. Mr. **DeBOER** asked if there was any salary

survey performed. Chief Ramon said that is being looked at now. Ms. **AVERY** said it was hard to make decisions if the financial data is not presented, especially with the 401K item. Mr. Manley said they would try to retrieve the information for later in the meeting.

The Board addressed approval of requests to solicit bids and proposals and to approve awards following bids and proposals. Mr. Manley said there were none other than under Agenda Item 25.

The Board discussed website management and social media issues. There was discussion about password security and under whose management the Twitter and Facebook passwords would fall. The Department also reported that the District Facebook page being combined with Station 9's webpage last month was a Facebook error.

The Board addressed and tabled Records Management and sustainability and assessing elements of critical infrastructure for next month for Commissioners Janusaitis and DeBoer to address.

The Board addressed development of a Department EMS patient satisfaction program. Chief Ramon said responses are under review.

The Board received committee reports. The Board tabled establishing a committee to study projected growth in the District and future demands on District and Department services.

The Board then addressed posting on the District website of certain District documents. Ms. **AVERY** suggested the service agreement with the Department and the District budget or monthly financial report be posted. After review, Motion was made by Mr. **DeBOER**, seconded by Ms. **AVERY** to approve posting on the District website the service agreement with the Department and budget and monthly financial report. During discussion, Mr. Russell said the budget is part of the monthly report. He also said he would have to make sure account numbers were removed before posting. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed authorizing Department dispatching service for outside agencies. Chief Ramon said she was approached by the Fire Chief of the

City of Katy. There was discussion. Chief Ramon said unlike Stafford, Katy FD is a local mutual aid provider. There was discussion about revenue and cost. After review, Motion was made by Ms. **AVERY**, seconded by Mr. **DeBOER** to approve entering into discussions with Katy FD for a one-year contract for the Department to provide dispatching for Katy FD (fire and EMS). After discussion, the Motion was approved by a vote of 4 to 0.

Without objection, the Board returned to Agenda Item 21 regarding Station 7. Ricardo Martinez from Joiner Partnership, the District's architects on various District construction projects reported on drainage at the site. Mr. **DeBOER** said there was a deed restriction complaint regarding a dead tree at a District facility.

The Board then returned to the requested 1.7% COLA raise and 1% increase in 401K funding. Mr. Manley said the Department checked and determined that the requested 1.7% COLA raise would have a maximum impact on the annual budget of \$179,540.00. Ms. **DAVIS** said this still amounts to a raise and she said the Department has not justified it. After review, Motion was made by Ms. **AVERY**, seconded by Mr. **DeBOER** to approve the requested 1.7% COLA raise for Department personnel. Mr. Manley was asked about the fire chief and he said that position was not covered by the COLA because the chief has a two-year employment contract. After discussion, the Motion was approved by a vote of 3 to 1.

The Board then addressed the requested 1% increase in the Department 401K funding, increasing the contribution rate from 5% to 6%. Mr. Manley said this annual budget impact was \$2,844.00/yr. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to approve the requested 1% increase in the Department 401K funding. After discussion, the Motion was approved by a vote of 4 to 0.

The Board entered executive session at 8:13 p.m. pursuant to Section 551.074 Government Code, to discuss District personnel matters, including vacancy of District General Manager position; and pursuant to Section 551.072 Government Code, to discuss real estate matters with attorney.

The Board re-entered open session at 9:01 p.m.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 9:04 p.m.

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Secretary of the Board