

**MINUTES OF THE FEBRUARY 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 February 19, 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, 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.

Ms. Avery delivered an invocation.

The Board received public comment. Colleen Vera said the meeting notice this month was posted on the District website Wednesday when it usually is posted by Monday the week of the meeting.

The Board addressed the previously tabled Minutes of the December 22, 2014 regular meeting. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve the December 22, 2014 Minutes. After discussion, the Motion was approved by a vote of 4 to 0.

The Board addressed the Minutes of the January 22, 2015 regular meeting. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve the January 22, 2015 Minutes. After discussion, the Motion was approved by a vote of 4 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 \$8,060,871.16, the receipt of tax revenue in the amount of \$5,463,053.01, tax penalty and interest in

the amount of \$2,295.64, sales tax receipts of \$2,676,589.03, interest of \$4,254.16, and ambulance reimbursement for the Department emergency medical services of \$461,984.73. Mr. **RUSSELL** said that dispatching fees of \$1,420.00 were also received. He also noted the balance sheet showed total District assets at \$71,311,865.64 (\$49,171,163.64 cash/cash equivalents) short-term liabilities of \$ -0-, long term liabilities of \$6,868,918.00, and equity of \$64,442,947.64. There was discussion about having the financial report to the Board prior to Wednesday/Thursday of the week of the meeting. Thereupon, after review, Motion was made by Mr. **JANUSAITIS**, 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 no action at this time.

The Board then recognized Bill Moritz and Denny King of Texas Class Investment Pool. They presented an overview of their organization and the investment opportunities for the District. Mr. Moritz and Mr. King said Texas Class investments perform well and have a slightly better Return On Investment (ROI) than TxPool and commercial banks. There was discussion about commercial paper as part of the portfolio and they said that depending on the program 48%-72% of the Texas Class investments were in commercial papers. They said one way that the ROI for Texas Class was a little higher was because the investment team follows the market every day and interest is compounded daily. The Board thanked Mr. Moritz and Mr. King for their presentation.

The Board then addressed administrative bills and commissioner fees as set forth in the Financial Report. Mr. **RUSSELL** said two bills came in late: Paul Engineering: \$700.00 (Station review) and RCC Consultants: \$4,137.08 (Motorola radio system implementation). After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve the payment of District

administrative bills and commissioner fees as presented in the Financial Report plus RCC Consultants: \$4,137.08 (Motorola radio system implementation). During discussion, the Paul Engineering was held for later in the meeting. After discussion, the Motion was approved by a vote of 4 to 0.

Without objection, the Board addressed Agenda Item 38, "To review and take action on the request of the City of Jersey Village/Jersey Village Fire Department regarding the usage of the District's radio system and airwaves". There was discussion and Chief Bitz of Jersey Village appeared on behalf of the city. Chief Bitz spoke about the proposed arrangement benefitting both the District/Cy-Fair VFD and City of Jersey Village/Jersey Village Fire Department in the task of providing emergency services and mutual aid in the contiguous community. Chief Bitz also spoke about improved interoperability. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER**, to approve the contract with the City of Jersey Village/Jersey Village Fire Department regarding the usage of the District's radio system and airwaves. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed amendment of the District credit card policy to include credit card companies that participate in the State Purchasing Co-Op and CITI program, such as VISA or MasterCard. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve the stated amendment of the District credit card policy. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed approval of the District application for membership in the State Purchasing Co-Op and CITI program and participation in the credit card program. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve the District application for membership in the State Purchasing Co-Op and CITI program and participation in the credit card program. 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 \$1,888,604.00. After review, Motion

was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** 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 \$62,611.75 (previously scheduled budgeted capital funding). After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** 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 then addressed Department EMS billing and the current write-off policy. There was discussion about the possibility of increased collections and a more efficient write-off policy. Mr. **MARTINSON** appointed Mr. Janusaitis and Mr. Deboer to a committee to work with the Department.

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 approval of the 2015 service agreement with the Department. There was discussion about the service agreement. Counsel said he received requests for changes and clarifications. Ms. **EVERY** said she believed the service agreement attachments still needed to be reviewed. Ms. **EVERY** said that she would reluctantly approve a motion after receiving the service agreement copy with all the attachments at the meeting. She asked why the other Board members did not ask for the attachments.

Mr. **MARTINSON** and Mr. **DeBOER** said the attachments were not new and concerned documents already reviewed, such as the budget and Department procedures. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve the 2015 service agreement with the Department. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed the KPIs for the District-Department service evaluation. Ms. **AVERY** said the work on the KPIs was underway by she and Ms. Davis.

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

The Board addressed and tabled action on new furniture and furnishings for the District offices and other offices. Ms. **AVERY** said it was expected that pricing will be available for the March meeting.

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

The Board then addressed the Motorola radio system implementation. Chief Ramon and Department Communications Officer Mike Hebert provided an update. They reported that 67 tests were performed on the system involving 2,000 grids and only 6 grids failed. Mr. Hebert said the contract with Motorola called for a 95% reliability at this stage Motorola achieved 97% throughout the testing. Chief Ramon said it has been a good process with RCC Consultants and Mr. Janusaitis participating. She reported since the January 9 go live date the system has run well. She said some early concerns regarding tone and voice issues have been addressed and other issues were solved with a Motorola patch when required.

The Board then addressed approval of the Motorola interface, including Motorola "One-Way" interface with CAD system, auto tone, CAD system, radios GPS, universal processing server and hand held units. Mr. **JANUSAITIS** and Department Communications Officer Hebert spoke to the item. They said a transition from the Zetron/Tritech CAD system to the Motorola "One-Way" interface with CAD system was best to work with the Motorola radio system. Ms. **AVERY** asked how the weather might affect the system. Department Communications Officer Hebert said the Motorola radio system is designed to acquire satellite connection within 30 seconds with weather factored in. Mr. **DeBOER** asked how long to implement and Mr. **JANUSAITIS** said 3-6 months. Mr. **MARTINSON** asked about the range. Department Communications Officer Hebert said more than just the coverage area. Department Communications

Officer Hebert said the cost for all the equipment and system connections was \$131,200.00. Counsel asked about bidding and Mr. **JANUSAITIS** said the equipment was all proprietary and required for compatibility with the Motorola system. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve the equipment and installation cost of the Motorola interface, including Motorola "One-Way" interface with CAD system, auto tone, CAD system, radios GPS, universal processing server and hand held units. After discussion, the Motion was approved by a vote of 4 to 0.

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.

Counsel said there was no Durotech Pay Application on the Phase 2 station renovation and the agenda item is no longer needed.

The Board tabled addressing future station construction matters.

The Board then received a report on District and Department facilities regarding Texas Department of Licensing and Regulations. Ms. **AVERY** reported on Station 98 (Yearling Drive-Department auxiliary). She said the structural report came back good and the facility is compliant with regs of Texas Department of Licensing and Regulations. There was discussion about the initiation of the work and the cost of the Paul Engineering: \$700.00 fee for the Station review. Ms. **AVERY** said she engaged Paul Engineering to review the facility as part of a due diligence review on structural integrity. The Board addressed the invoice. After review, Motion was made by Ms. **AVERY**, seconded by Mr. **JANUSAITIS** to approve the Paul Engineering \$700.00 fee for the Station review. After discussion, the Motion was approved by a vote of 3 to 1.

The Board addressed Station 7 Ricardo Martinez from Joiner Partnership delivered a report. Mr. Martinez said he reviewed the plans used for Station 7 regarding the foundation and that the original 4.5 inches of concrete was probably not enough for the facility.

Mr. Martinez said he has a proposal from Texas Electrical Solutions to correct the electrical issues at Station 9 cited at the prior meeting. He said the

cost was \$125/hr, with a maximum of \$5,000.00. It was recommended that Texas Electrical Solutions communicate with the Department regarding the electrical power shut off before the work.

Mr. Martinez also reported that at Station 7 everything but the generator was addressed. Chief Ramon said the generator passed the load test.

The Board addressed a bid for the new fence at Dispatch. During discussion it was noted the bid specs were for the wrong amount of fence. Mr. Martinez was requested to have the property walked off and to re-bid the job for the proper amount of fencing to follow the property lines for a primary front fence and the back fence.

The Board addressed approval for new sink and cabinets at Dispatch in the kitchen area and break room. The Board noted the estimated cost would not trigger competitive bidding at about \$13,000.00. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve new sink and cabinets at Dispatch. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed the Station 7 construction options. Mr. Martinez said the preliminaries to the project were proceeding.

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 roofing repairs. Mr. Martinez said two bids were received to the initial solicitation following a direct solicitation. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve Pyramid Waterproofing, Inc. with a price of \$46,500.00 for Station 12 and the District admin. building, subject to the architect sending to District Counsel documentation that three or more bidders were solicited. After discussion, the Motion was approved by a vote of 4 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. The Board discussed a submittal by Department of 30-day advance request(s) for purchase of capital items, including Active Directory and Exchange Server upgrades for IT. The Board received a report from the Department and Mr. Janusaitis. There was discussion about having a back-up for record-keeping and sensitive data. There was expressed concern about cloud technology. Ms. **AVERY** said that this technology is not mature enough and seems tied to just one vendor, Microsoft. The Board discussed a hybrid storage program, such as creating mirror images of the servers, so that the same equipment is used but maintained by separate hosts. Mr. **JANUSAITIS** said this type of program would not involve a third party host. Ms. **AVERY** asked if the District has access to all the required licensing and if the Department knows where the prior licenses are. Ms. **AVERY** also requested that District have some oversight as a point of contact for the contract for any question in regards to the government contract. Mr. **JANUSAITIS** said that would be able to be addressed and he did not anticipate a problem with a hybrid Microsoft licensing program. The Board discussed the cost and Mr. **JANUSAITIS** said the cost was \$205,162.10 under the State of Texas - Texas Direct Program. Counsel said that purchases under the State contract satisfies the competitive bidding requirements. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve the purchase and participation in the Active Directory and Exchange Server upgrades for IT with the purchase made under the State of Texas - Texas Direct Program. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed approvals (Agenda Item 30):

Emergency Requests:

- a. Siddons Martin TAK4 Ball Joint kits and calipers bolts for E9
\$2460.18
- b. Siddons Martin Repair Wabco Brake ECU / Fabricate heat shield
for E11 \$4434.00

After review, Motion was made by Mr. **JANUSAITIS**, seconded by Ms. **AVERY** to approve the request. After discussion, the Motion was approved by a vote of 4 to 0.

Budgeted Capex:

a. Dell Replacement Workstation for Network Administrator w/ monitors \$4003.00

After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve the request. After discussion, the Motion was approved by a vote of 4 to 0.

Operations:

- a. Comerica Bank – Payroll 2 weeks end 2/4/15 \$105,000.00
- b. Comerica Bank – Payroll 2 weeks end 2/15/15 \$110,000.00
- c. Advantage Annual fire alarm, sprinkler, backflow inspection (Dispatch, Maint., Stat 5, 7, 11) \$2,750.00
- d. Joe Serio Enterprises Leadership Training & Development Courses (5) \$5,000.00
- e. Active 911 Active 911 App Subscription renewal fee (330) \$3,383.00
- f. Scott Equipment Repair of gear washer – sole distributor \$2,692.00
- g. Grace Industries T-Pass 3 & 4 repairs (22 units) \$4,162.00
- h. Safety Vision Cameras w/ panic buttons (17) \$6,885.00
- i. Schubot Law Firm January 2015 Legal Services \$7,430.00
- j. GSA Inc Seats for annual ACLS, PALS, BTLS Card classes (70)**related person \$11,550.00
- k. Saylor Safe DEA Compliant safe for controlled substance storage \$4,560.00
- l. IWCE Conference 3/18-3/19 (2 persons) Travel and conference costs \$3,644.00
- m. ABIP Annual 401K audit \$9,500.00
- n. ABIP Annual Financial audit \$28,500.00

After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve the request. After discussion, the Motion was approved by a vote of 4 to 0.

Bid Approval:

- a. Approval to purchase Michelin tires off the TXMAS Contract 15-23V02 runs through 3/31/15.

After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to approve the request. After discussion, the Motion was approved by a vote of 4 to 0.

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.

The Board addressed approving a request for District website management. Mr. **JANUSAITIS** said there is no action required and that the item can be deleted.

The Board addressed development of a Department EMS patient satisfaction program. Chief Ramon said there is no current update.

The Board discussed website management and social media issues. There was discussion about social media and how the District wants to engage social media (Twitter, Facebook, etc.) and the District website – Mr. **JANUSAITIS** said that he had the Twitter password for the District account and would work with the District Administrative Assistant to clarify the issues with the link between the District website and Twitter. The Board also noted that there is an issue with the District Facebook page being combined with Station 9's webpage.

The Board entered executive session at 8:54 p.m. pursuant to Section 551.074 Government Code, to discuss District personnel matters, including vacancy of District General Manager position; pursuant to Section 551.072 Government Code, to discuss real estate matters with attorney.

The Board re-entered open session at 9:24.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 9:25 p.m.

Secretary of the Board