

**MINUTES OF THE JANUARY 21, 2016 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 January 21, 2016, at the administrative offices of the District, 9630 Telge Drive, Houston, Texas 77095.

The meeting was called to order at 6:09 p.m. by **BETTY BOREN AVERY**, Vice President. Those Commissioners present were **SUZANNE DAVIS**, **ROBERT JANUSAITIS**, **BETTY BOREN AVERY**, and **SCOTT DeBOER**. Also present were **KYLE WILLIAMS**, District Managing Director, **AMY RAMON**, Fire Chief 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, District architect.

Ms. Avery delivered an invocation.

The Board received public comment. Dave Wilson discussed transparency and that he was pleased with his conversation with Department Fire Chief Amy Ramon and District Managing Director Kyle Williams. Alan Vera and Colleen Vera spoke about efficient elections and that the District election and all elections in Texas are under scrutiny by the federal and state governments and those who may wish to have the federal government back in the business of supervising Texas elections. They said they testified before a Texas legislative bodies about elections and the District election process was discussed. Mr. Vera said new laws can be hard to adjust to, especially mail ballots under new guidelines.

The Board addressed the commissioner election for May 7, 2016 for two seats. Counsel discussed the matter and explained the requirements imposed on the District regarding elections under federal and state laws and the past elections called by the District. Ms. **AVERY** read the Election order. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to order an election for May 7, 2016 for the election of candidates for two seats on the District Board. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then discussed designating an agent for the election. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Mr. **DeBOER** to name Kyle Williams as the District's agent for the election. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then discussed designating an Early Voting Clerk for the election. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to name District employee Karina Martinez as the Early Voting Clerk for the election. There was discussion that during the election period she would be working the election and not splitting her time with her District admin work. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then discussed approving the election precincts for the election. Counsel said the County was re-designating the precincts and the numeric system from 2014 was revamped. The Board discussed maintaining five election days sites.

After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to approve the election precincts consolidation which consists of 5 election day locations. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed approving to contract with Hart Intercivics for election technical support and ballot preparation. Thereupon, after review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to approve contracting with Hart Intercivics for election technical support and ballot preparation for the May 7, 2016 District election. After discussion, the Motion was approved by a vote of 4 to 0.

Counsel discussed with Alan Vera for election assistance given Mr. Vera's experience with Harris County elections officials. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to approve for Alan Vera for election assistance. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then discussed designating early voting hours for the election. The Board discussed lengthening early voting for Saturday to 5:00 p.m. from

3:00 p.m.. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to establish the early voting hours as follows:

Early voting shall be conducted from April 25, 2016 through May 3, 2016.

The location of the early voting place and hours are designated as follows:

Harris County ESD No. 9 Administrative Building  
9630 Telge Road, Houston, Texas 77095  
Days/Hours: Monday-Friday, 9:00 a.m. – 5:00 p.m.  
Saturday, April 30, 2016: 10:00 a.m. – 5:00 p.m.

There shall be no early voting on any Saturday or Sunday or on any official national or state holiday, except as follows: NONE.

After discussion, the Motion was approved by a vote of 4 to 0.

The Board tabled the election notice from pending finalization of the final County precinct alignment.

The Board addressed the Minutes of the December 17, 2015 regular meeting. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve the 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:

12/31: Mr. **RUSSELL** noted the operating account balance following the prior meeting of \$1,125,097.74, the receipt of tax revenue in the amount of \$1,167,058.16, tax penalty and interest in the amount of \$1,036.83, interest of \$6,385.87, and ambulance reimbursement for the Department emergency medical services of \$ -0-. Mr. **RUSSELL** said that dispatching fees of \$ -0-, sales tax revenue of \$ -0- were also received. He also noted the balance sheet showed total District assets at \$71,777,190.88 (\$49,636,488.88 cash/cash equivalent) short-term liabilities of \$ -0-, long term liabilities of \$ -0-, and equity of \$71,777,190.88.

1/21: Mr. **RUSSELL** noted the operating account balance following the year-end of \$1,959,027.08, the receipt of tax revenue in the amount of

\$7,651,838.20, tax penalty and interest in the amount of \$1,353.52, sales tax receipts of \$1,978,846.46, interest of \$55.14, and ambulance reimbursement for the Department emergency medical services of \$445,140.51. Mr. **RUSSELL** said that dispatching fees of \$1,480.00 and Jersey Village radio contract fees of \$1,112.50 were also received.

Thereupon, after review, Motion was made by Ms. **DAVIS**, seconded by Mr. **JANUSAITIS** to approve the 12/31 and 1/21 Financial Reports. 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/LOC for the District's excess deposits.

The Board then addressed District investments. Mr. **RUSSELL** said no action was required at present

The Board then addressed action on District depository pledge agreements. Mr. **RUSSELL** said there was no new report.

The Board then addressed engagement of a law firm to collect 2015 and prior and subsequent years delinquent taxes. The Board noted that the firm of Linebarger Goggan Blair and Sampson collected the Harris County delinquent taxes and the District taxes were part of the consolidated county tax bill. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Ms. **DAVIS** to approve the engagement of the law firm of Linebarger Goggan Blair and Sampson to collect 2015 and prior and subsequent years delinquent taxes at the penalty rate of 20%. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed imposition pursuant to Section 33.07, Texas Tax Code, of a 20% penalty for delinquent 2015 and prior and subsequent years delinquent property taxes. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to approve the imposition pursuant to Section 33.07, Texas Tax Code, of a 20% penalty for delinquent 2015 and prior and subsequent

years delinquent taxes. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed imposition pursuant to Section 33.08, Texas Tax Code, of a 20% penalty for delinquent 2015 and prior and subsequent years delinquent property taxes. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to approve the imposition pursuant to Section 33.08, Texas Tax Code, of a 20% penalty for delinquent 2015 and prior and subsequent years delinquent property taxes. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed imposition pursuant to Section 33.11, Texas Tax Code, of a 20% penalty for delinquent 2015 and prior and subsequent years delinquent property taxes. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to approve the imposition pursuant to Section 33.11, Texas Tax Code, of a 20% penalty for delinquent 2015 and prior and subsequent years delinquent property taxes. After discussion, the Motion was approved by a vote of 4 to 0.

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. **JANUSAITIS** to approve the payment of District administrative bills and commissioner fees. 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 \$1,836,888.00. 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 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 \$214,882.73 (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 4 to 0.

The Board addressed revisions to the District 2016 budget. Mr. **RUSSELL** said there were none.

The Board addressed revisions to the Department 2016 budget. Chief Ramon said there were none.

The Board addressed sales tax matters.

The Board then addressed the KPI's for the District-Department service evaluation. This item was tabled for a future meeting.

The Board then addressed a proposed Interlocal Agreement with Harris County to allow for the District to install traffic preemption equipment on traffic signals on the county roads in the District. Counsel said the matter was still with the County.

The Board then received a report from Kyle Williams, the District Managing Director.

Mr. Williams reported on Station 9 matters; new generator at Station 11; plan to determine the status of telephone lines at the facilities. There was also discussion about the First Watch program. Counsel was asked to place the item on the next agenda.

The Board addressed the current web-based drop box system currently for the full District board. There was discussion that Mr. **JANUSAITIS** was the administrator and the fee for the service was \$150.00 per device (with Office 365). There was discussion about the need for the drop box service. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Ms. **DAVIS** to approve discontinuation of drop-box for the full board and limit the service to one device and migrate to Office 365. After discussion, the Motion was approved by a vote of 4 to 0.

The Board addressed the land acquisition for a new station on Wortham. Counsel said the transaction will close shortly.

The Board tabled discussion on planning 2016 construction projects.

The Board addressed revisions to the Department 2016 budget or quarterly reallocations. Chief Ramon said there were none.

The District then considered Department 30-day requests. Chief Ramon said there were none.

The Board then addressed approvals (Agenda Item 26):

#### Emergency Requests

1. Pearland Alternator, Alternator and Regulator for E12 \$2,659.28
2. Chastang Ford, Rebuild motor on EMS pool car \$3,662.71
3. Siddons Martin, Replace failed command zone display pump panel Tower 10 \$3,033.62

After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to approve the items listed. After discussion, the Motion was approved by a vote of 4 to 0.

#### Operations Requests

1. Comerica Bank Payroll taxes 01/06/16 \$110,000
2. Comerica Bank Payroll taxes 01/20/16 \$110,000
3. Advantage Interests, Annual extinguisher inspection and testing \$4,975
4. Waukesha Pearce, Generac factory gas engine technology class \$2,700
5. IAED, EMD/EFD recertification \$2,350
6. Trittech, Inform Me Installation/Training & Support \$20,840
7. Multiple, Navigator 2016 conference 3 persons \$5,741
8. Multiple, Navigator EFDQ course = Supervisor \$1,373
9. Emergencystuff.com, PEPP, PHTLS textbooks \$2,247.62
10. Emergency Chaplain Group, Annual service fee \$26,000

After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to approve the items listed. After discussion, the Motion was approved by a vote of 4 to 0.

#### Bid Solicitation/Return Approvals

1. Fire Suppression Equipment
2. Protective gear
3. Annual SCBA Cascade system/compressor maintenance
4. Garage door installation, repairs and maintenance
5. EMS Billing Collection Services

After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **JANUSAITIS** to approve the items listed. 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. The Board reviewed (1) Station 12 and the light pole relocation in the parking lot; (2) Motorola Warranty contract. After review, Motion was made by Mr. **JANUSAITIS**, seconded by Ms. **DAVIS** to approve the items: Station 12 matter, up to \$5,000.00 and Counsel's review of the paperwork; and the Motorola warranty contract. Mr. **JANUSAITIS** and Department IT assistant Chief Mike Hebert said the warranty program was very good and necessary at this time. After discussion, the Motion was approved by a vote of 4 to 0.

The Board reviewed the request for final approval of the Saylor safe and re-keying program for District and Department facilities. Mr. Williams said the bid received for the program is \$20,216.25,. After review, Motion was made by Ms. **DAVIS**, seconded by Mr. **DeBOER** to approve the items listed. After discussion, the Motion was approved by a vote of 4 to 0.

The Board received an update on the Department EMS patient satisfaction program. The Department reported a 90% satisfaction rating.

The Board received committee reports. Ms. **DAVIS** said the Board may want to review creating an orientation program for newly elected District commissioners. She said she was not running for re-election, so at least one person will be new.

Counsel reported that all the paperwork to enroll the District in the TCDRS pension program has been submitted.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 8:06 p.m.

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Secretary of the Board