

**MINUTES OF THE OCTOBER 20, 2016 MEETING OF THE  
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9**

A meeting was duly called of **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9**, which was held on October 20, 2016, at the administrative offices of the District which are located at 9630 Telge Drive, Houston, Texas 77095.

The meeting was called to order at 6:00 p.m., by **ROBERT JANUSAITIS**, President. Those Commissioners present were **ROBERT JANUSAITIS**, **SCOTT DeBOER**, **DAVID LANGENBERG**, **JEREMY M. MARTINSON** and **BETTY BOREN AVERY**. Also present were **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, **IRA COVELER**, of Coveler & Katz, P.C., the District's Counsel, and members of the public. Also present were **RICARDO MARTINEZ**, District architect, **BRAD DILL** of BD Realty, **JOSEPH JONES** of Kilgore, and member(s) of the department and the public.

The commissioners and other persons present at the meeting joined together in reciting the Pledge of Allegiance of the United States and the Pledge of Allegiance to the Texas state flag. Ms. Avery delivered an invocation.

The Board received public comment. David Wilson made a request for the financial package to be posted online ahead of District meetings for the public to review.

The Board next addressed the Minutes of the September 22, 2016 regular meeting. After review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **DeBOER** 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 was \$5,390,102.35, the receipt of tax revenue in the amount of \$8,542.16, tax penalty and interest in the amount of \$4,822.68, sales tax receipts of \$2,103,465.73, interest of \$3,886.70, and ambulance reimbursement for the Department emergency medical services of \$533,558.06. The balance sheet presented at this meeting showed assets of \$110,916,615.85 (\$63,743,125.85 cash), liabilities of -0-, and equity of \$110,916,615.85. Mr. Russell also reported that Certificate of Deposit ("CD") Rates were holding steady therefore nothing unusual to report. Thereupon, after review,

Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to approve the Financial Report. After discussion, the Motion was approved by a vote of 5 to 0.

The Board next addressed agenda item 4, the District 2017 budget. Mr. **JANUSAITIS** presented the District Budget for the commissioners to review. He also stated that for 2017 the District needed to establish certain goals for making improvements in various financial systems of the District processes. He stated that the 2018 Budget process must change. He stated the bulk of the budgeting process needs to be completed by July of each year so all of the commissioners will have an opportunity to review the budget and participate in its creation. He also suggested that the District consider developing a report that would periodically provide cash flow projections to help guide the Board in making decisions about future projects. Mr. **JANUSAITIS** stated that the District should develop a better process for making capital purchases and that reserve funds should be established as part of the long term budgeting and planning process. Specifically, it was suggested that the District formalize a construction reserve for future District projects. Following the discussion led by Mr. **JANUSAITIS** and Ms. **AVERY**, the Board determined that the agenda needed to be taken out of order to allow the Board to address other matters in the agenda prior to adopting a budget. A Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to move agenda items number 4 and 5 as items to be addressed after agenda items 15 – 24 had been considered and the abandonment of Cherry Park property has been addressed.

Thereupon after review, Motion was made by Mr. **MARTINSON**, seconded by Mr. **DeBOER** to adopt the 2017 budget as presented. After discussion, the Motion was approved by a vote of 4 to 0, with one commissioner abstaining due to the change of 1 million dollars the day of the meeting.

The Board then addressed the adoption of the District's 2016 tax rate. Thereupon after review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **MARTINSON** to adopt the proposed rate of \$0.053/\$100. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed District investments. Mr. **RUSSELL** stated that there were no CDs needing review or renewal at this time. No action was required at this time.

The Board then addressed if action was necessary with respect to the District depository pledge agreements. Mr. **RUSSELL** stated that no action was required at this time.

The Board then addressed administrative bills and commissioner fees as set forth in the Financial Report. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to approve the payment of District administrative bills and commissioner fees. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the issue of attendance at conferences and related expense reimbursement procedures and adoption of uniform reporting form. No requests placed at this time.

The Board 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 \$1,855,991.00. After review, Motion was made by Mr. **DeBOER**, seconded by Ms. **AVERY** 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 \$105,018.40. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to approve the payment of Department Capital and the expense reimbursement. After discussion, the Motion was approved by a vote of 5 to 0.

The Board addressed revisions to the District and Department 2016 budgets. Mr. Russell and Chief Ramon stated that there were none requested.

The Board took no action regarding sales tax reports. This item will be removed from future agendas.

The Board then addressed the KPI's for the District-Department service evaluation. No action taken. This item will be removed from future agendas.

The Board next addressed modifications to the Siddons Martin purchase order to allow the District to trade-in a different pumper as part of the purchase previously authorized for the acquisition of 2017 – 2018 Pierce Truck Order consisting of six (6) engines, (2) towers trucks and two (2) ladders. The fire department requested that the District trade-in to Pierce Manufacturing the “College Pumper” and to instead retain Engine 10. Engine 10 is in better condition than the college pumper. After review, Motion

was made by Ms. **AVERY**, seconded by Mr. **DeBOER** to approve the change order as presented. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed E-View traffic preemption and to install traffic preemption equipment on traffic signals in the District. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to approve installation of equipment along the Highway 6 Corridor, which contains approximately there are 458 traffic lights in Harris County ESD No. 9 territory. This first phase will provide equipment for 27 Intersections at a cost of approximately \$300,000 for Phase I. After discussion, the Motion was approved by a vote of 5 to 0.

The Board took no action regarding agenda item 16 addressing a proposed Interlocal Agreement with Harris County to allow for the District to install E-View traffic preemption equipment at selected traffic signals on the county roads in the District. Mr. Coveler stated that there were no prohibitions with respect to moving forward with the vendor, but that there were still contractual details regarding the E-View traffic preemption equipment to be resolved with the County.

The Board then received a report from Karina Martinez, the District Administrative Assistant. Ms. Martinez reported among other things that Weisser Engineering needed to be involved in determining a solution to remedy the flooding problem at 9520 Telge Rd. The work performed by Gant Industries was acceptable, but the problem still exists in that the foundation for the building is too low and the drains in place at the property are not able to get the water away from the building fast enough which results in flooding. The Board asked Ms. Martinez to pursue the matter with Weisser Engineering and to bring the Board a proposal for resolution of the problem.

The Board next received a report from District architect, Ricardo Martinez, and an update on 2016 construction projects, including revisions to drawings for new fire stations. Mr. Martinez reported the following: Station 7 received first permit and Stations 2, 9, and 13 are awaiting permits. With respect to Station 13, the ACC for Bridgelands rejected a perimeter fence for the rear of the station. Additionally, the ACC for Bridgelands only approved a six foot (6') fence for the area enclosing a portion of the parking lot. Thereupon after review, Motion was made by Ms. **AVERY**, seconded by Mr. **DeBOER** to seek a new landsite if there was no other means of obtaining a compromise with the

Bridgelands ACC with respect to the fencing and visibility issues. After discussion, the Motion was approved by a vote of 5 to 0.

No action was taken on agenda item 19, revisions on drawings for new fire stations.

The Board then addressed matters relating to JE Dunn as CMAR for District station projects (Station No's 2, 7, 9, 13). After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to approve JE Dunn proceeding to obtain bid submittals for Stations 2, 7 and 9. Station 13 was also authorized, but only in the event that the Bridgelands ACC would satisfy the variances needed for the construction of Station No. 13. After discussion, the Motion was approved by a vote of 5 to 0. Bids will be received on November 17, 2016.

The Board then addressed the funding for anticipated 2016 construction projects (Station No's 2, 7, 9, 13). After review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **DeBOER** to pay cash from the District's reserve funds for the Station 2, 7, 9 and 13 construction projects. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed agenda item 22, to engage BD Realty and receive a report from Brad Dill. Thereupon after review, Motion was made by Mr. **DeBOER**, seconded by Ms. **AVERY** to engage the services of BD Realty. After discussion, the Motion was approved by a vote of 5 to 0. The report from Brad Dill would be addressed during Executive Session.

The Board then addressed new land sites in the territory for new future fire station projects. A discussion was had regarding an alternate location if a resolution cannot be made with Bridgelands regarding the site plan for Station 13. The Board discussed alternate sites and stated that the District would seek an alternate location as reasonably close to the original Bridgelands site as possible, outside of the Bridgelands jurisdiction to service that area the District. as close to existing property as possible. After review, Motion was made by Mr. **MARTINSON**, seconded by Mr. **LANGENBERG** to table action on new land sites. After discussion, the Motion was approved by a vote of 5 to 0

The District then addressed the Cherry Park property development and road abandonment. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to engage Brad Dill to assist with development of the Cherry Park site. After discussion, the Motion was approved by a vote of 5 to 0.

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

The District then considered Department 30-day requests or requests for the sale of surplus vehicles and depleted equipment. Chief Ramon said there were none other than set forth in Agenda item no. 28.

The Board then received a report from Joseph Jones of Kilgore Industries regarding HVAC systems at various fire stations within the District. No action taken.

The Board then addressed approvals of Department requested purchases (Agenda Item 28):

**EMERGENCY REQUESTS**

- a. Ferrara, Sacrificial Screens and Anodes - Pump Test Replacements, \$3,749.20
- b. Siddons Martin, Steering Gears - E-8, \$4,099.97
- c. Houston Freightliner, Repair Hydraulic Pump & New Water Pump - E-6, \$2,992.02
- d. Pearland Alternator, New Alternator & Regulator - L-7, \$3,265.23

A Motion was made by Mr. **LANGENBERG**, seconded by Mr. **MARTINSON** to approve emergency requests a through d. Ms. **AVERY** requested clarification on the out of service for E8, E6 and L-7 prior to the vote regarding emergency repairs.

After discussion, the Motion was approved by a vote of 5 to 0 to approve items a. through d.

**CAPITAL EXPENDITURES**

- e. Delegard Tool, Heavy Duty A/C Management/Recovery Machine, \$3,382
- f. 24 Hour Safety, MultiRAE Wireless Monitor, Controller, Regulator, \$9,337

A Motion was made by Mr. **LANGENBERG**, seconded by Mr. **MARTINSON** to approve the capital expenditures e and f and presented. After discussion, the Motion was approved by a vote of 5 to 0.

**OPERATIONS REQUESTS**

- g. BB&T Bank, Payroll Taxes 2 Weeks End 10/12/16, \$135,000
- h. BB&T Bank, Payroll Taxes 2 Weeks End 10/26/16, \$135,000
- i. Blue Card, Blue Card Incident Command Training (11), \$3,812
- j. CDW Open, Option Card Access Software Renewal, \$7,400
- k. Katy Extrication, Katy Area Extrication Class 2 Day, 6 Members, \$3,825
- l. Brock Archer, Train the Trainer Class on Big Rigs - 6 Members, \$2,100
- m. Imagetrend, Analytics Software For Ems Run Record System, \$2,400
- n. Solarwinds, Increase Solarwinds Renewal Netflow Traffic Analyzer, \$19,769

After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to approve the operation requests presented. Ms. **AVERY** inquired whether the training be offered under item k of the Operational Requests was for volunteers. Chief Ramon replied that the training was for volunteers. After discussion, the Motion was approved by a vote of 5 to 0.

**CAPEX**

No requests submitted

**DISPOSALS - HEALTH AND SAFETY CODE §775.251**

Bunker gear, hose, appliances, tools and equipment

After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to approve the disposals presented. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed other requests for bids and proposals and purchases. No action taken.

The Board took no action on the 2017 Budget Submission from the Department.

The Board then addressed vehicle purchases for the department Chief vehicles. Comparisons of the Tahoe vs. Expedition were discussed. After review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **MARTINSON** to purchase four Tahoes for \$294,285.04. After discussion, Motion was approved by a vote of 5 to 0. Mr. **DeBOER** added that delivery date would be approximately ninety days out.

The Board then addressed ISO matters. The address of the building was discussed though no action taken.

The Board addressed the Department EMS patient satisfaction program. This item will be removed from future agendas.

The Board then received a report from District committees. Ms. **AVERY** reported on the District newsletter and informed everyone that Ms. Martinez was beginning to use the "Flipping Book" tool.

The Board addressed setting of the monthly meeting date for future District meetings. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to set the District meeting date as the third Thursday of each month. After discussion, Motion was approved by a vote of 5 to 0.

The Board entered closed session at 7:23 p.m. and returned to open session at 7:53 p.m.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 7:56 p.m.

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Secretary of the Board