

**MINUTES OF THE DECEMBER 15, 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 December 15, 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 **HIEU HART** of Weisser Engineering Company, Inc., **BRAD DILL** of BD Realty, **RICARDO MARTINEZ** of Martinez Architects, LLC 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 opened the floor to receive public comment though none was offered.

The Board next addressed the Minutes of the November 17, 2016 regular meeting. After review, Motion was made by Ms. **AVERY**, 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 \$1,735,165.92, the receipt of tax revenue in the amount of \$569,141.87, tax, sales tax receipts of \$2,166,324.47, interest of \$4,406.77, and ambulance reimbursement for the Department emergency medical services of \$506,429.38. The balance sheet presented at this meeting showed assets of \$112,317,915.17 (\$65,144,425.17 cash), liabilities of -0-, and equity of \$112,317,915.17. 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 then addressed District investments. No action was required at this time.

The Board then addressed the engagement of the District auditor for 2016 audit. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to approve the engagement of McCall Gibson Swedlund Barfoot PLLC to perform the District 2016 audit. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed agenda items 6 – 9 pertaining to the collection of delinquent District ad valorem property taxes. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **MARTINSON**, to approve the following: ratifying the contract with the private law firm of Linebarger Goggan Blair and Sampson for collection of District delinquent taxes; imposing an additional penalty for delinquent property taxes pursuant to Tax Code §33.07; imposing an additional penalty for delinquent property taxes pursuant to Tax Code §33.08; and imposing an additional penalty for delinquent taxes on personal property pursuant to Tax Code §33.11. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed administrative bills and commissioner fees as set forth in the Financial Report. Ms. **EVERY** reported on a credit applied to American Express for a transaction with Sage Software. 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 \$1,951.799.00. Ms. **EVERY** stated that the Department needs to provide contractual roster and annual financial data to all District Board members. After review, Motion was made by Mr. **MARTINSON**, seconded by Mr. **DeBOER** 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 \$97,543.98. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **MARTINSON** 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 received the report from Karina Martinez, the District Administrative Assistant.

The Board then received reports from the District architect regarding 2016 construction projects. Ricardo Martinez of Martinez Architects, LLC reported that the architecture plans had been submitted to the County for approval. He further stated that the architectural permits and approvals had been received from Harris County for Station 2 and 13. He stated that Station 7 and 9 were awaiting civil approvals from Harris County. Station 7 approvals from City of Houston must be obtained prior to Harris County approvals. Mr. Martinez also stated that with respect to Cherry Park we are still awaiting completion of the abandonment.

The Board took no action on agenda item 16, revisions to drawings for new fire stations.

The Board then addressed matters relating to JE Dunn as CMAR for District station projects (Stations 2, 7, 9 and 13). The Board received a presentation from Michael Blakemore of JE Dunn. Mr. Blakemore reported the Guaranteed Maximum Price to be \$23.9 million. He shared the sequence of work to be performed noting Station 7 to be the first project at hand, initiating labor on February 1<sup>st</sup>. Station 2 is, also, scheduled to begin on February 1<sup>st</sup>, Station 13 on March 1<sup>st</sup> and Station 9 to commence on March 31<sup>st</sup>. After review, Motion was made by Mr. **LANGENBERG**, seconded by Ms. **AVERY** to approve the JE DUNN Guaranteed Maximum Price. 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 issues. No action taken.

The Board addressed revisions to the District and/or Department budgets 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. 24.

The Department notified the Board they had provided the HVAC systems report previously received from Joseph Jones of Kilgore Industries to the current HVAC representative for the Department. They further stated that they were awaiting information regarding needed modifications to the HVAC systems at the various fire stations. No action taken.

The Board took no action regarding agenda item 23 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 continues to work on the Agreement.

The Board then addressed approvals of Department requested purchases (Agenda Item 24):

**EMERGENCY REQUESTS**

- a. Siddons Martin, New radiator – E11, \$2,992.10
- b. Houston Freightliner, New water pump and hydraulic pump (leaking repair E-6), \$3,498.55
- c. Chastang Ford, Diesel particulate filter removed/replace nitrogen sensor – M510, \$2,047.70

A Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to approve emergency requests a through c. After discussion, the Motion was approved by a vote of 5 to 0.

**CAPITAL EXPENDITURES**

No requests submitted.

**OPERATIONS REQUESTS**

- d. BB&T Bank, Payroll Taxes 2 Weeks End 12/07/16, \$135,000
- e. BB&T Bank, Payroll Taxes 2 Weeks End 12/21/16, \$135,000
- f. Life Assist, Fasplint vacuum splint kit with economy pump (22), \$2,981
- g. Life Assist, Combicarrier (25), \$17,063
- h. Boundtree, Child Transport Pedi-Mate Plus (22), \$6,215
- i. Coastline Electric, Weatherproof electrical outlets on exterior walls at business office for pool vehicles (3-20 amp circuits, 12 plugs), \$2,796
- j. Aladtec Firemanager, Employee Scheduling Renewal, 01/01/17 – 01/01/18, \$25,200
- k. Multiple Tricon 2017 (2 persons, 3 days), \$4,867
- l. SFFMA, 2017 Dues invoice, \$11,795
- m. AirVac 9111, Filters for the engine exhaust removal systems at Station #4 and #12, \$2,760.00

After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **MARTINSON** to approve the operation requests presented. After discussion, items d through m were approved by a vote of 5 to 0.

#### **CAPEX**

n. Metro Fire, New cameras to test thermal imager, \$25,095

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

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

No requests submitted

The Board then addressed ISO matters. Chief Ramon reported that she had reviewed all of the records regarding businesses in the District boundaries that had water sprinklers in the commercial buildings. She also stated that she had sent request for information letters to all of the MUD Districts within the District, but that a response had not yet been received.

The Board next received a report from the Awards Boot Committee. Mr. **LANGENBERG** reported that only Cy-Fair cadets would be eligible for this award. He also stated that this would be awarded to the top cadet in the class. The award is called the "Boots on the Ground Award". The award will allow the top cadet to buy boots and socks. Commissioner Avery explained that the "Boot" award stands for **B**uilding **O**ur **O**wn **T**ogether. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **MARTINSON** to approve the Boots on the Ground Award for boots and socks, not to exceed \$200.00. After discussion, Motion was approved by a vote of 5 to 0. The first award will be presented to the 2017 Cadet Class.

The Board addressed a District level Challenge coin. The coin would be commissioner-issued. A discussion was had regarding the selection of the coin and design options and pricing were discussed. There was also a discussion about how nominations for recipients of the coin would be made. There was discussions about who would have the authority to issues and how a nomination for someone to receive a coin would be decided. It was decided that a policy needed to be created, but that the

acquisition of the coin is something that should be moved forward absent the policy, but that the policy would be developed in the future. After review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **DeBOER** to approve the purchase of 300 coins not to exceed \$5.70 per coin. After discussion, Motion was approved by a vote of 5 to 0.

The Board then addressed the Motorola Software and Hardware services agreement. Michael Hebert with the Department presented a report. He stated that the existing Motorola Agreement has a schedule for replacement of various components and software on a schedule that is spread out over 3 , 4 and 5 year periods. With the modifications being requested, the system would instead receive system upgrades (software and hardware) every two (2) years. Failing a modification of the agreement, the District would not receive its first upgrade until 2019 at a cost of \$1.1 million. This program would upgrade the software and hardware more frequently at a lowered cost. The Department stated that some of the hardware had already become obsolete and this new program would allow the system to remain current and at the same time save the District money on maintenance and upgrade costs. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **MARTINSON** to approve the new Motorola Software and Hardware Services Agreement. After additional discussion, Motion was approved by a vote of 5 to 0.

The Board entered closed session at 7:05 p.m. and return to open session at 7:43 p.m.

Following Executive Session the Board then addressed agenda item 18 to receive a report from Brad Dill of BD Realty. After review, Motion was made by Mr. **DeBOER**, seconded by Ms. **AVERY** to approve making offers to the adjacent homeowners to Trailside Drive as discussed in Executive Session. After discussion, the Motion was approved by a vote of 5 to 0.

There being no further business brought before the Board nor any further public comment, upon Motion made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG**, the meeting adjourned at 7:44 p.m.

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Secretary of the Board