

**MINUTES OF THE MAY 18, 2017 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 May 18, 2017, at the administrative offices of the District which are located at 9630 Telge Drive, Houston, Texas 77095.

The meeting was called to order at 2:00 p.m., by **ROBERT JANUSAITIS**, President. Those Commissioners present were **ROBERT JANUSAITIS**, **SCOTT DeBOER**, **DAVID LANGENBERG**, **JEREMY 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, **RICHARD FLETCHER** of Sales Tax Assurance, **RICARDO MARTINEZ** of Martinez Architects, LLC, **TIM APPLEWHITE** of McCall Gibson Swedlund Barfoot PLLC, the District's Auditor, **BRAD DILL** of BD Realty and **IRA COVELER**, of Coveler & Peeler, P.C., the District's Counsel, and members of the public. Also present at the meeting 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. Ms. **AVERY** extended her compliments to the Department for their public relations efforts with respect to promotion of Tower 10 and of Cy-Fair VFD.

Mr. Dave Wilson thanked the Board for the inclusion of financial information on the District website. Mr. Wilson then requested the fire and EMS reports, also be made available on the District website as well as any other pertinent information. Mr. Wilson also stated that he would like for the KPI, ISO rating and call volume information be made available on the District website.

The Board next received a presentation from Mr. Tim Applewhite of McCall Gibson Swedlund Barfoot PLLC, the District's auditor. Mr. Applewhite presented an overview of the District 2016 Audit. The Board asked questions and there was a general discussion regarding the audit and the notes set forth therein. Thereupon, after review, a Motion was made by Mr. **LANGENBERG**, seconded by Ms. **AVERY** to approve the Financial Report. After discussion, the Motion was approved by a vote of 5 to 0.

The Board also received a presentation from Richard Fletcher of Sales Tax Assurance. Mr. Fletcher reported on the progress that had been made in developing the District's sales tax base. He stated that it was his belief that the information in possession of the Texas Comptroller regarding the taxpayers of the District was becoming more refined and accurate. He also shared that the District would receive a one-time recovery of \$2 million due to the efforts of Sales Tax Assurance. He reminded the Board that this would cause a distortion in the report looking back twelve (12) months and looking forward twelve (12) months as the annual month to month comparison will be distorted. No action was required. The Board thanked Mr. Fletcher for attending the meeting.

The Board tabled the review of the April 27, 2017 regular meeting minutes as District counsel did not send the draft meeting minutes to all of the commissioners prior to the 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 was \$10,261,472.95, the receipt of tax revenue in the amount of \$181,207.39, tax, sales tax interest of \$3,403.95, and ambulance reimbursement for the Department emergency medical services of \$534,045.60. The balance sheet presented at this meeting showed assets of \$128,774,930.58 (\$81,601,440.58 cash), liabilities of -0-, and equity of \$128,774,930.58. Thereupon, after review, Motion was made by Mr. **MARTINSON**, 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 administrative bills and commissioner fees and expense reimbursements as set forth in the Financial Report. After review, Motion was made by Mr. **DeBOER**, seconded by Ms. **AVERY** 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 addressed the payment of Department Operations as set forth in the Financial Report. After review, Motion was made by Mr. **LANGENBERG** seconded by Mr. **MARTINSON** to approve the payment (\$2,206,749.00) 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. After review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **MARTINSON** to approve the payment (\$27,676.00) of Department Capital and the expense reimbursement. After discussion, the Motion was approved by a vote of 5 to 0.

District Administrative Assistant, Karina Martinez did not have any additional information to report for the meeting.

The Board then addressed the granting of exemptions for 2017. After review, Motion was made by Ms. **AVERY** seconded by Mr. **MARTINSON** to approve the following exemptions: 5% for Homestead; \$160,000 for Over 65; and \$160,000 for Disability. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then received reports from the District architect regarding construction projects. Ricardo Martinez of Martinez Architects, LLC reported on Station No's 2, 7, 9 and 13. Of important note, Mr. Martinez informed the Board that Station 7 was getting ready to begin vertical construction as the major underground work at the site had been completed. Station 2 and Station 13 are still at the underground and foundation stages. Mr. Martinez also reported that civil work was being performed related to Station 9 and that preparations for going forward were awaiting finalization of the land transfers from the Trailside homeowners. After review, Motion was made by Mr. **MARTINSON** seconded by Mr. **DeBOER** to approve the architect report as presented by Ricardo Martinez. After discussion, the Motion was approved by a vote of 5 to 0.

Mr. Martinez stated that he had reviewed the fourth set of payment applications presented by J.E. Dunn as CMAR. After review, a Motion was made by Mr. **MARTINSON** seconded by Mr. **DeBOER** to approve the payment applications for Stations 2, 7, 9 and 13. After discussion, the Motion was approved by a vote of 5 to 0.

Action was requested by Mr. Martinez that the Board execute the change order for the Station 7 project to compensate J.E. Dunn for additional pre-construction services related to changes to Station 7. The Station 7 project was originally anticipated as a remodel project. The District previously took Board action to modify the scope of the project from a remodel to a new construction project, and this change order memorializes the change in the scope of the pre-construction services performed by J. E. Dunn for the project. After review, a Motion was made by Mr. **MARTINSON** seconded by Mr.

**LANGENBERG** to execute the change order for Station 7. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed a new Motorola Fire System Alerting System for the District's stations. Mr. Brent Scalise presented a report regarding the station alerting system needs of the District. Mr. **JANUSAITIS** also presented his comments and explanation of the process related to the recommendation for the Motorola Fire System Alerting System. It was explained that this system is attended to fill gaps in the District's current system and add some enhancements to the system. There are additional speakers needed to enhance the current station alerting system or that do not alert the stations of calls. Additionally, NFPA 1224 requires for the stations to be able to verify that they have received the calls and this new system will bring the District into compliance with that standard. After review and discussion, a Motion was made by Mr. **DeBOER** seconded by Mr. **LANGENBERG** to acquire and implement the Motorola Fire System Alerting System District-wide for a total cost of \$1,824,865 and of this amount \$410,694 is related to installation of the system at Station 2, 7, 9 and 13.

There was additional discussion on this matter regarding needed modifications to implement the installation of the system. It was identified that Stations 3, 5, 8 and 10 would require some modifications to install the Motorola Fire System Alerting System. After review, a Motion was made by Mr. **MARTINSON** seconded by Ms. **AVERY** to authorize Mr. Martinez to design the necessary modifications to Stations 3, 5, 8 and 10 to accommodate the Motorola Fire System Alerting System installation. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then discussed the construction of a new facility to house apparatus. Mr. **MARTINSON** stated that there was a need for additional parking and storage of apparatus. Furthermore, to maximize the usefulness of the building, it was the building committee's recommendation that the facility have a small dorm and kitchenette to allow for an expanded use of the facility during a disaster situation. Mr. Martinez provided the commissioners with plans for such a facility. Mr. **DeBOER** stated that the land area behind 9520 Telge was the ideal location for this facility due to its proximity to the maintenance building. As part of this project, the contractor selected to construct the facility will also be responsible to resolve the drainage issues at 9520 Telge. Mr. **MARTINSON** anticipates authorizing a contractor solicitation at the June meeting.

Mr. Martinez stated that he anticipated that this type of project was well suited to a competitive sealed proposal bid offering. No action was taken.

The Board then addressed approvals of Department requested purchases (Agenda Item 15):

**EMERGENCY REQUESTS**

- a. Purchase Order 15585 for repair of light tower, rebuild mast with new coil, seals, bumpers and wear rings, replace bent yoke assembly; Includes all parts and labor; by Will-Burt Company at a cost of \$5,782.
- b. Purchase Order 15664 for Major a/c work, evaporator, condenser, compressor and fan clutch, also a 4-wheel alignment. Includes all parts and labor by Chastang Ford at a cost of \$3,232.62

After review, Motion was made by Mr. **MARTINSON**, seconded by Mr. **DeBOER** to approve the emergency requests presented. After discussion, items (a.) and (b.) were approved by a vote of 5 to 0.

**OPERATIONS REQUESTS**

- c. BB&T Bank, Payroll Taxes 2 Weeks End 04/12/17, \$138,547.31
- d. BB&T Bank, Payroll Taxes 2 Weeks End 04/26/17, \$142,926.26
- e. BB&T Bank, Payroll Taxes 2 Weeks End 05/10/17, \$145,000.00
- f. BB&T Bank, Payroll Taxes 2 Weeks End 05/24/17, \$145,000.00
- g. Bound Tree Medical, Non-bid items: King LTS-D Pediatric Airway Kits, \$6,886.80
- h. S&T AutoBody, Body repairs, Unit 862, repairs from accident Claim #TXCM2170010392, Date of loss 01/03/17, \$4,776.53
- i. Schubot Law Firm, Legal professional services rendered, \$2,812.50
- j. Bob Page, Trainer Bob Page, Berry Center Facility, Audio Visual, Food/Beverage, Speaker, Reimbursement from Semtrac, up to \$10,000 (12 lead class, Capnography), \$11,336.00
- k. GSTV Gas Station TV, 15 Second recruitment spot run every 8 minutes at 20 locations, \$2,825.00

Commissioner **EVERY** inquired about agenda item h wanting to know if these repairs were related to the accident involving Medic 4. CFVFD replied that these repairs were not related to Medic 4. There was also discussion about item k. CFVFD intends to produce and purchase advertising at 20 different gas stations located throughout the District on GSTV (the video kiosks at the gas station pumps). These advertisements are intended to attract volunteers to the Department. After review, Motion was made by Mr. **DeBOER**, seconded by Mr. **LANGENBERG** to approve the operations requests presented. After discussion, items (c.) through (k.) were approved by a vote of 5 to 0.

The Board next addressed the Kilgore HVAC report. Steve Witt presented information regarding the HVAC units at Stations 3, 4, 5 and 12. He suggested the Board (1) develop a set of specifications, (2) determine the scope of the problem and (3) solicit bids proposals to correct the HVAC problems. Ms. **AVERY** questioned why Stations 4 and 12 differed in terms of the nature and magnitude of the problem since the stations are similar. No one was able to explain this difference. After review, a Motion was made by Mr. **DeBOER** seconded by Mr. **LANGENBERG** to solicit bids to fix all of the HVAC systems at Stations 3, 4, 5, 12 and dispatch. After discussion, the Motion was approved by a vote of 5 to 0.

The Board took no action regarding electrical service proposals as Acclaim Energy Advisors was not present at the meeting.

The District committees did not have any reports to make and no action was taken.

No revisions were necessary to the District and/or Department operating and capital budgets.

The District took no action on agenda item 20 related to the sale or disposal of surplus and/or salvage property.

Mr. Coveler presented the Board with the final drafts of the contracts received from Harris County for the implementation of the EVIEWS system. The Board discussed the proposed Interlocal Agreement with Harris County to allow for the District to install the EVIEWS traffic preemption equipment at selected traffic signals on the county roads in the District. Mr. Coveler explained that this was the agreement that would allow the District to begin the process of installing and activating intersections within the District, but that this Agreement was with Harris County and not a purchase with EVIEWS. After review, a Motion was made by Mr. **MARTINSON** seconded by Mr. **LANGENBERG** to enter into the Interlocal Agreement with Harris County. After discussion, the Motion was approved by a vote of 5 to 0.

The Board received no requests for purchase and/or sale of capital items.

The Board took no action regarding the solicitation of bids, proposals and purchases.


The Board then received a report from Mr. Brad Dill of BD Realty. Mr. Dill stated that three (3) out of the five (5) property owners had returned the deeds and received their checks. He stated that he was awaiting the other two (2) to make their decision.

Mr. Dill also reported that he anticipated the remaining two (2) property owners to sign the deeds soon.

The Board next entered closed session at 3:06 p.m. and return to open session at 3:20 p.m.

Following executive session, the Board re-opened agenda item number 12. A motion was made by Mr. **MARTINSON** and seconded by Ms. **AVERY** to authorize Commissioner Avery to meet with the Army Corps of Engineers to discuss flood control matters related to the District Stations. 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 the meeting adjourned at 3:26 p.m.



---

**DAVID LANGENBERG**  
Secretary of the Board