

**MINUTES OF THE SEPTEMBER 21, 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 September 21, 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 6:01 p.m., by **ROBERT JANUSAITIS**, President. Those Commissioners present were **ROBERT JANUSAITIS**, **DAVID LANGENBERG**, **JEREMY MARTINSON** and **BETTY BOREN AVERY**. Also present was **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, **RICARDO MARTINEZ** of Martinez Architects, LLC, **HIEU HART**, of Weisser Engineering, **BRAD DILL** of BD Realty and **NICOLE E. PIERCE**, of Coveler & Peeler, P.C., the District's Counsel, and members of 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. David Wilson submitted a Public Information Request. He expressed the opinion that the meeting packet information the Board receives and reviews should be placed on the District website for the public to review.

Ms. **AVERY** recognized the following people for their dedication to the community and the Cy-Fair Volunteer Fire Department. Wayne Ford had achieved 30 years of service to the Department. Ms. **AVERY** also thanked numerous agencies (including the North Texas Task Force, the California Task Force, and the National Guard) for their help during Hurricane Harvey. Ms. **AVERY** stated that she went to Station 11 and gave commissioner coins to members of the North Texas Task Force for their service during the hurricane. Ms. **AVERY** also thanked Cy-Fair Volunteer Fire Department for their help in cleaning out her home after the flooding. Ms. **AVERY** discussed that she has met with multiple agencies related to this area and the Addicks Reservoir about the flooding issues. Mr. **LANGENBERG** stated that he met with the Irving Fire Department during the hurricane and that he gave members of the department commissioner coins for their help

and assistance during the hurricane. Mr. **LANGENBERG** thanked all the departments and agencies who assisted and helped during the hurricane.

The Board next reviewed the minutes of the August 24, 2017 regular meeting. After review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **MARTINSON** to approve the minutes as presented. 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 was \$1,454,882.49, and the receipt of tax revenue in the amount of \$25,776.70. The balance sheet presented at this meeting showed assets of \$121,868,748.89 (\$776,730.01 cash), liabilities of -0-, and equity of \$121,868,748.89. Thereupon, after review, a 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 4 to 0. Please see the attached financial report for additional information about the financial status of the District.

The Board then addressed District investments. No action taken.

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. **MARTINSON**, seconded by Mr. **LANGENBERG** to approve the payment of District administrative bills and commissioner. After discussion, the Motion was approved by a vote of 4 to 0.

The Board tabled the agenda item related to matter presented by Sales Tax Assurance.

The Board then addressed the certified 2017 appraisal valuations, effective tax rate calculations and tax rate scenarios. Ms. Pierce presented the Effective Tax Rate calculations as well as the Tax Rate Scenarios to the Board. Ms. Pierce discussed the process for the public hearings and additional newspaper publications if the Board proposed a tax rate higher than the effective tax rate. Ms. Pierce stated that the Notice of Effective Tax Rate publication had already been published.

The Board then addressed the District 2018 budget. After review, Motion was made by Mr. **MARTINSON**, seconded by Mr. **LANGENBERG** to approve the District 2018 budget as presented. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed the adoption of the District 2017 tax rate. After review, Motion was made by Mr. **MARTINSON**, seconded by Ms. **AVERY** to adopt \$0.05271/\$100 as the District's 2017 tax rate. After discussion, the Motion was approved by a vote of 4 to 0.

The Board addressed the payment of Department Operations as set forth in the Financial Report. After review, Motion was made by Mr. **MARTINSON** seconded by Mr. **LANGENBERG** to approve the payment of Department Operations, in the amount of \$2,205,282.00. 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. After review, Motion was made by Mr. **LANGENBERG** seconded by Mr. **MARTINSON** to approve the payment of Department Capital and the expense reimbursement, in the amount of \$17,601.10. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed agenda item 11, regarding a report from the District Office Manager, Karina Martinez. She stated that there were no outstanding matters to present at this time.

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. He reported that they were still working on getting matters resolved with the MUD related to the easement and utility inspection for Station 9. Mr. Martinez reported on a matter related to a tree on District property that was encroaching and damaging the fence of a neighboring owner. After review, Motion was made by Ms. **AVERY**, seconded by Mr. **LANGENBERG** to have the tree removed. After discussion, the Motion was approved by a vote of 4 to 0. Mr. Martinez also discussed the new key system that would be used for all newly constructed stations and that older stations would be phased into the new key system.

The Board then discussed construction matters related to Station No's 3 and 5 and the Operations Building and Administration Building due to the damage and flooding caused by Hurricane Harvey. Mr. **MARTINSON** stated that they were getting the carpet cleaned and the windows and roof checked for any leaks at the Administration Building. He said he was working on matter related to Station No. 3. He said he was still waiting

on a plan for Station No. 5, but that he had met with an insurance adjuster related to Station No. 5.

The Board then discussed taking action on entering into an agreement with Boxx Modular for temporary living quarters for Department personnel displaced due to the damage at Station No. 5. After review, Motion was made by Mr. **MARTINSON**, seconded by Mr. **LANGENBERG** to authorize Ricardo Martinez to set up a temporary trailer at the current Station No. 5 location similar to the one used for Station No. 7. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then discussed any matter related to Hurricane Harvey that needed to be addressed as a result of storm damage. Ms. **EVERY** asked Chief Amy Ramon about the two transponders. Chief Ramon stated that Transponder No. 3 had no damage and Transponder No. 1 was covered under warranty. There was no additional discussion.

The Board then took action on pay applications submitted by JE Dunn. Ricardo Martinez presented four (4) pay applications which had been approved by Martinez Architects. The four (4) pay applications presented were as follows: \$380,840.00 for Station No.2; \$292,182.00 for Station No. 7; \$655,643.000 for Station No. 9; and \$525,731.00 for Station No. 13. After review, Motion was made by Mr. **MARTINSON**, seconded by Ms. **EVERY** to approve the payment of the four (4) pay applications presented related to Station No's 2, 7, 9, and 13. After discussion, the Motion was approved by a vote of 4 to 0.

The Board next addressed the HVAC repairs at the stations within the District. Mr. Martinez reported that Station No. 13 was approximately 85% completed. He reported that it was anticipated that Station No. 12 would be completed tomorrow and that Station No. 1 would be started next week. Mr. Martinez reported that he was going to have the HVAC contractor revisit Station No. 12 to check on the system. No action was taken by the Board.

The Board then addressed approvals of Department requested purchases (Agenda Item 18):

EMERGENCY REQUESTS

- a. Chastang's Bayou City Ford, Replace evaporator assembly on Unit 853/M-526, \$3,234.14

- b. Siddons-Martin Apparatus, Remove and replace both rear outrigger cylinders (going to see if they can be repaired first, before replacement decision) P.O. pricing based on total replacement, all parts and labor included, Unit 331/TW-9, \$7,021.05
- c. Siddons-Martin Apparatus, Cab lift cylinder kit for TW-10, plus shipping, \$2,259.05

After review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **MARTINSON** to approve the emergency requests presented. After discussion, items (a) and (c) were approved by a vote of 4 to 0.

CAPEX REQUESTS

- d. Delta Industries, Honeywell Salvage Master, Item 97022 (Squeegee adapter included), carpet adaptor, Item 90052, \$6,618.08

After review, Motion was made by Mr. **MARTINSON**, seconded by Mr. **LANGENBERG** to approve the capex requests presented. After discussion, item (d) was approved by a vote of 4 to 0.

OPERATIONS REQUESTS

- e. BB&T Bank, Payroll Taxes 2 Weeks End 09/13/17, \$145,000.00
- f. BB&T Bank, Payroll Taxes 2 Weeks End 09/27/17, \$145,000.00
- g. Alert-All Corp., PR Supplies (black custom fire helmets and Cappy Fire Dog school kits), \$8,525.00
- h. Trittech Software, 2017-2018 support renewal for CAD and Mobile, \$153,508.46
- i. Colonial Surety Company, Bond renewal for 401k plan, \$2,906.12
- j. McNeil & Co., Group life insurance annual renewal, effective 10/01/2017, \$76,278.99
- k. Penflex, 2017 Annual Length of Service Award Program (LOSAP), \$295,592.00
- l. Sharp Testing, Annual hose testing (per foot), annual ground ladder testing (per foot), heat sensors (per sensor), footage quantities are estimates at this time and CFVFD will be invoiced for actual footage, \$12,325.00

After review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **MARTINSON** to approve the emergency requests presented. After discussion, items (e) through (l) were approved by a vote of 4 to 0.

The Board then addressed agenda item 19, unscheduled requests received from the Department. This item was tabled as there were no requests presented by the Department.

The Board then addressed agenda item 20. After review, Motion was made by Mr. **MARTINSON**, seconded by Mr. **LANGENBERG** to approve the purchase from DiscountCell, Inc. for new antenna kits and related cabling in the approximate amount of \$9,863.00. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed agenda item 21. After review, Motion was made by Mr. **MARTINSON**, seconded by Mr. **LANGENBERG** to approve the purchase from Insight Public Sector for 35 Wireless Airlink High Performance Multi-Network Vehicle Routers and related support services in the approximate amount of \$111,604.83. After discussion, the Motion was approved by a vote of 4 to 0.

The Board next addressed agenda item 22. After review, Motion was made by Mr. **LANGENBERG**, seconded by Ms. **EVERY** to become a participating member of the U.S. Communities Government Purchasing Alliance pending review and approval of the agreement by legal counsel. After discussion, the Motion was approved by a vote of 4 to 0.

The Board held on agenda item no. 23 until after the Board met in Executive Session.

The Board then addressed the new commissioner fee structure pursuant to Texas Health & Safety Committee Section 775.038 (a-1). Ms. **EVERY** discussed the new fee structure with the Board. Ms. Pierce said she would send the Board the new statute language so each commissioner could make a review of the new law. The Board tabled taking any action on this agenda item until next month.

There were no reports from District committees.

There were no 30-day advance requests submitted by the Department.

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

There was no action required to be taken on the sale or disposal of any surplus and/or salvage property.

The Board then entered into Closed Session at 6:58 p.m. and returned to Open Session at 7:20 p.m.

Following Closed Session, the Board re-opened agenda item no. 13 related to matters to stations due to the damage caused by Hurricane Harvey. After review, Motion was made by Mr. **MARTINSON**, seconded by Mr. **LANGENBERG** to authorize Brad Dill to look for possible new property for Station No. 5. After discussion, the Motion was approved by a vote of 4 to 0.

Following Closed Session, the Board re-opened agenda item no. 23 related to hiring a District manager. After review, Motion was made by Ms. **EVERY**, seconded by

Mr. **MARTINSON** to hire Tim Gibson as the District manager. After discussion, the Motion was approved by a vote of 4 to 0.

No action was required at this time related to acquiring real estate at 10710 Telge Road.

There being no further business brought before the Board nor any further public comment the meeting adjourned at 7:25 p.m.



DAVID LANGENBERG
District Secretary