

**MINUTES OF THE AUGUST 24, 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 August 24, 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 1:00 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, **CHARLIE HOLLIDAY** of J.E. Dunn Construction 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. Dave Wilson submitted a Public Information Request stating that he would continue to submit Public Information Request since the District did not have the reports posted on the District's website. Mr. Wilson also expressed his opinion that the District tax rate should remain low. Karina Martinez informed the Board that numerous items were being posted on the District website to keep the public informed.

Ms. **AVERY** recognized the following people for their dedication to the community and the Cy- Fair Volunteer Fire Department. Brian Gibson had achieved 25 years of service to the Department, Roger Fleming had achieved 30 years of service to the Department and Roger Ramon had achieved 30 years of service to the Department

The Board next reviewed the minutes of the July 20, 2017 regular meeting. After review, Motion was made by Ms. **AVERY**, seconded by Mr. **MARTINSON** to approve the minutes as presented. 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 \$3,040,434.40, the receipt of tax revenue in the amount of \$32,886.56 and interest on the sales tax account of \$752.56, and ambulance reimbursement for the Department emergency medical services of \$609,399.17. The balance sheet presented at this meeting showed assets of \$125,929,406.67 (\$76,631,962.11 cash), liabilities of -0-, and equity of \$128,805,442.11. Thereupon, after review, a Motion was made by Mr. **MARTINSON**, seconded by Ms. **AVERY** to approve the Financial Report. After discussion, the Motion was approved by a vote of 5 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 5 to 0.

The Board then received a presentation from Richard Fletcher of Sales Tax Assurance. Mr. Fletcher explained that \$185,000 had incorrectly been allocated to the District from two (2) businesses located in a limited purpose annexation area. . Mr. Fletcher explained that Sales Tax Assurance reported the two (2) referenced businesses to the Texas Comptroller and that the corrections were being processed. After review, a Motion was made by Ms. **AVERY**, seconded by Mr. **MARTINSON** to approve the report. After discussion, the Motion was approved by a vote of 5 to 0. Commissioner Avery requested information with respect to the MUD district to which the referenced businesses were assigned. Mr. Fletcher stated that he would forward the requested information to Mr. Coveler.

The Board then addressed the certified 2017 appraisal valuations, effective tax rate calculations and tax rate scenarios. Mr. Coveler presented the Effective Tax Rate calculations as well the Tax Rate Scenarios for the District Budget. There was discussion about the information gathered to prepare the Tax Rate scenario as well as discussion

regarding the different rates modeled. Mr. Coveler explained that at this time there was no need for action as the Effective Tax Rate Notice had not yet been published.

Mr. **JANUSAITIS** stated that he was finalizing a budget to propose, but that at this point in time it was not ready yet. The 2018 proposed budget would be presented at the next regular district meeting. No action was taken.

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. **DeBOER** to approve the payment of Department Operations, in the amount of \$3,138,849.00. 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. **DeBOER** to approve the payment of Department Capital and the expense reimbursement, in the amount of \$151,003.47. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed agenda item 11, regarding a report from the District Administrative Assistant, 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. Ms. **AVERY** asked if there was anything on the critical path, especially considering the impact the rain resulting from Hurricane Harvey was going to have on the District, which might be holding up the projects. Mr. Charlie Holliday of J.E. Dunn reported that there were no major impediments to the projects proceeding forward. He did however report that we will have to see what happens after the storms, but assured the Board that there would be ponding at Station No. 9. No action was taken by the Board regarding this matter.

Mr. Martinez stated that he had reviewed the seventh set of payment applications presented by J.E. Dunn as construction manager at risk. After review, a Motion was made by Ms. **AVERY** 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.

The Board then discussed the selection of a contractor to construct a new facility to house apparatus adjacent to the District maintenance building. No action taken as the

District is considering alternative real estate sites for this project which will be discussed during Closed Session.

The Board next considered agenda item 15, regarding acquiring real estate at 10710 Telge Road. Mr. Coveler requested that this item be discussed during Closed Session. Mr. **JANUSAITIS** announced that the item would be discussed in Closed Session.

The Board next addressed the HVAC repairs at the stations within the District. Ricardo Martinez provided information on three mechanical contractors: Mr. Martinez reported that repairs to the Station 3 HVAC system were nearing completion. He also stated that the repairs to the Station 12 HVAC will be mobilized next week and are expected to be completed by September 1st. Station 1 will be mobilized after Station 12, on or around September 5th. It is anticipated that Station 1 will take two (2) weeks to complete. No action was required to be taken on this issue.

The Board then addressed approvals of Department requested purchases (Agenda Item 17):

EMERGENCY REQUESTS

- a. Chastang's Bayou City Ford, Replace engine oil cooler, all parts and labor included, Unit 853/M-527, \$2,205.59
- b. Siddons-Martin Apparatus, Upper TAK4 ball joint, lower TAK4 ball joint, shipping costs, Unit 327/R-3, \$3,017.02

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

CAPEX REQUESTS

- c. CDW-G, Laptops, desktops, monitors, and supporting equipment for open positions and for stock, \$18,635.73
- d. Fire Station Outfitters, Replace Station 6 seating, leather double reclining sofa and rocking recliner, plus shipping, \$3,970.00
- e. Coolers, Inc., Manitowoc Model ID-0452A ice machine installation and removal – Station 6, \$3,215.61

Ms. **AVERY** inquired as to how many of the laptops referenced in item (c) would be purchased. Chief Ramon explained that enough laptops were being purchased to either replace an existing old laptop with a new one or to provide a new laptop to additional staff. Additionally, the monitors purchased will provide two (2) additional monitors for

each person. With respect to the item (d), the couches will not have a patch on them. After review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **DeBOER** to approve the capex requests presented. After discussion, items (c.) through (e.) were approved by a vote of 5 to 0.

OPERATIONS REQUESTS

- f. BB&T Bank, Payroll Taxes 2 Weeks End 08/02/17, \$145,000.00
- g. BB&T Bank, Payroll Taxes 2 Weeks End 08/16/17, \$145,000.00
- h. BB&T Bank, Payroll Taxes 2 Weeks End 08/30/17, \$145,000.00
- i. The Schubot Law Firm, August legal services, \$3,577.50
- j. Structural Technology, Inc., Unit 332/TW-10 annual inspections to be scheduled for November, 2017; Annual NFPA 1911 Aerial Platform inspection and testing, waterway pressure test, NFPA spectrum oil sample analysis, annual automotive lift testing and inspection of 12 mobile 18,000# columns, 1-10,000# 2POST, 15,000# 2POST, 30,000# 4POST truck lifts, inspection and testing of JLG scissor lift, \$3,120.00
- k. Priority Dispatch, Annual maintenance/extended service plan for two disciplines - PROQA, \$14,400.00
- l. SFFMA, Certifications and dues for State Firefighters & Fire Marshalls Association, Certifications billed from 2/17 - 6/17, \$2,810.00
- m. Solarwinds, Network Performance Monitor, Annual licensing renewal for NPM, Madmin, and Toolsets, \$4,649.00
- n. Safety Vision, Safety Vision Cameras maintenance and updates (50 vehicles), \$4,250.00

After review, Motion was made by Mr. **DeBOER**, seconded by Ms. **EVERY** to approve the emergency requests presented. After discussion, items (f.) through (n.) were approved by a vote of 5 to 0.

The Board then addressed agenda item 18, requests received from the Department. This item was tabled as there were no requests presented by the Department.

The Board next addressed District committees. Mr. **DeBOER** stated that keys were needed for the new facility. Mr. Martinez explained that presently there are two (2) different systems with Saylor Safe & Lock and that the systems were different and not compatible with one another. The key system manufacturer recommends that the District own the key system so that for future expansions the District will be able to create a consistent and unified key system. Mr. **DeBOER** stated that the issue would be reviewed at the committee level and that a recommendation would be made to the Board. There was no action taken.

The Board took no action on agenda item number 21, Department 30-day advance requests.

The Board then discussed approval for personnel to attend training on the DCR Engineering system. Rusty Caufield and Eric Burrer would be the designated personnel to attend. The cost of the trip to attend the training is approximately \$2,430. Mr. **JANUSAITIS** explained that training is necessary for these types of systems. After review, Motion was made by Mr. **MARTINSON**, seconded by Mr. **LANGENBERG** to approve the training, and payment, for the DCR Engineering system. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed Department 30-day advance requests or solicitation of bids, proposals and purchases. Chief Ramon made a presentation regarding the changes to the Department insurance policies for medical, dental, vision as well as short term and long term disability. After review, Motion was made by Mr. **LANGENBERG**, seconded by Ms. **EVERY** to approve the bid. After discussion, the Motion was approved by a vote of 5 to 0.

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

The next agenda item had to do with the job description for the District Manager. Mr. Coveler requested that this item be discussed during Closed Session. Mr. **JANUSAITIS** announced that the item would be discussed in Closed Session.

The Board then addressed the sale or disposal of surplus and/or salvage property. The District would like to donate boots, coats, pants, helmets, gloves, Wildland and Hoods. After review, Motion was made by Ms. **EVERY**, seconded by Mr. **DeBOER** to donate the listed items to the Texas Forestry Service. After discussion, the Motion was approved by a vote of 5 to 0.

In addition, the District would like to place IT equipment for auction. After review, a Motion was made by Ms. **EVERY**, seconded by Mr. **DeBOER** to approve the IT equipment to be disposed of as public surplus at auction. After discussion, the Motion was approved by a vote of 5 to 0.

The Board entered Closed Session at 1:36 p.m. and returned to Open Session at 2:11 p.m.

The Board took no action on the acquisition and installation of additional EVIEWS equipment.

Following Closed Session, the Board re-opened agenda item 25 regarding the a job description for the District Manager. After review, Motion was made by Mr. **MARTINSON**, seconded by Ms. **AVERY** to approve the description and allow Mr. **JANUSAITIS** and Mr. **MARTINSON** to interview the candidates for the position. 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 2:16 p.m.

DAVID LANGENBERG
District Secretary