

**MINUTES OF THE OCTOBER 25, 2018 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 25, 2018, 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 **TOMMY BALEZ**, President. Other Commissioners present include **DAVID LANGENBERG** and **JESSICA RIVAS**. Commissioners **JANUSAITIS** and **DeBOER** were not in attendance. Also present were **AMY RAMON**, Fire Chief, of the Cy-Fair Volunteer Fire Department (the "Department"), **TIM GIBSON**, the District Manager, **DAVID MANLEY** of Cy-Fair Volunteer Fire Department, chief officers and members of the Department, **RICARDO MARTINEZ** of Martinez Architects, LLC, representatives of JE Dunn, **BILL RUSSELL** of Myrtle Cruz, Inc., the District's bookkeeper, **BRAD DILL** of BD Realty, **MARY DUBOIS** of Acclaim Energy, **IRA A. COVELER**, 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.

The Board first opened the floor for public comment. Colleen Vera stated that she did not believe that public funds should go towards the "party" the Department has for its members. Subsequently in the meeting it was noted to Ms. Vera by Commissioners **BALEZ**, **LANGENBERG** and **RIVAS** that the amount spent per volunteer is nominal compared to the service the members provide to the community. It was also noted that the cost of hiring part time or full time firefighters was many multiples the cost of the banquet the Department hosts. Finally, the Boar reminded Ms. Vera that the volunteers are incredibly valuable to the District. Mr. Coveler also stated that the funds used for the party are not tax funds, but instead are a mixture of donated funds and billing from the EMS provided by the Department.

The Board then received an update from Mary Dubois with Acclaim Energy Advisors regarding the electrical provider proposals solicited. Ms. Dubois explained that a final review of the energy options had been conducted based upon the information provided by Ricardo Martinez and the estimated consumption requirements for the District going forward based upon the size of the District's buildings, including 10710 Telge. Ms. Dubois added as part of her discussion that because more electrical production capacity is being removed from circulation,

electrical service costs would rise in the future as less energy would be available when the District's electrical service contracts expire. After review, a Motion was made by Ms. **RIVAS**, seconded by Mr. **LANGENBERG** to approve the energy proposal received from Reliant Energy Retail Services, LLC at a rate not to exceed a 2% variation from the rate provided at the meeting.. After discussion, the Motion was approved by a vote of 3 to 0.

The Board next reviewed the minutes of the September 13, 2018 regular meeting. After review, Motion was made by Mr. **LANGENBERG**, seconded by Ms. **RIVAS** to approve the minutes as presented. After discussion, the Motion was approved by a vote of 3 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 \$1,964,150.79, and the receipt of tax revenue in the amount of \$7,442.29. The balance sheet presented at this meeting showed assets of \$127,048,951.10 (\$79,875,461.10 cash), liabilities of -0-, and equity of \$127,048,951.10. Thereupon, after review, a Motion was made by Mr. **LANGENBERG** seconded by Ms. **RIVAS** to approve the Financial Report. After discussion, the Motion was approved by a vote of 3 to 0. Please see the attached financial report for additional information about the financial status of the District.

The Board then addressed administrative bills and commissioner fees and expense reimbursements as set forth in the Financial Report. Mr. **LANGENBERG** made a motion to pay the District administrative bills, commissioner fees and Commissioner expense reimbursements. Ms. **RIVAS** seconded the motion. After discussion, the Motion was approved by a vote of 3 to 0.

The Board addressed the payment of Department Operations as submitted by the Department. After review, Motion was made by Mr. **LANGENBERG** seconded by Ms. **RIVAS** to approve the payment of Department Operations, in the amount of \$2,390,456.00 After discussion, the Motion was approved by a vote of 3 to 0.

The Board received reports from the District architect regarding construction projects. Ricardo Martinez of Martinez Architects, LP reported on Stations 2, 7, 9 and 13. He provided a status update regarding electrical power at Station 9 and the progress for that station.

Mr. Martinez also reported that he was presenting for approval certified pay application number 20 for Station 9 in the amount of \$279,013 and Station 13 in the amount of \$18,746.00.

The Board then took action on pay applications submitted by JE Dunn. After review, a Motion was made by Mr. **LANGENBERG** to approve : Station 2 was submitted for \$10,306.00;

Station 7 was submitted for \$19,335.00; Station 9 was submitted for \$821,964.00 and Station 13 was submitted for \$18,746.00. The Motion was seconded by Ms. **RIVAS** to approve the pay applications as presented by Mr. Martinez. After discussion, the Motion was approved by a vote of 3 to 0. Please see the pay application(s) submitted by Ricardo Martinez with Martinez Architects for more detailed information.

Mr. Martinez next presented on Harris County ESD 9 Administration Complex. After review, a Motion was made by Mr. **LANGENBERG**, seconded by Ms. **RIVAS**, to authorize Tellepsen Construction to proceed with their bid. After discussion, the Motion was approved by a vote of 3 to 0.

The Board then addressed any necessary repairs of equipment, apparatus and facilities in service to the District. A door at Station 7 was struck by a truck and a claim has been filed with VFIS the District's insurance provider. No action taken.

The Board received a report from the District Administrative Staff. Mr. Tim Gibson presented his report to the Board.

The Board then addressed the provision of a public information representative to improve dissemination of information to the citizens of the District. This matter is not ready for final presentation to the Board, but the planning committee is addressing this matter.

The Board next addressed attendance at the leadership and team building course offered by "GiANT Worldwide". Brandon Towle with GiANT Worldwide presented information on the course noting it to be a half-day leadership program. Chief Ramon expressed how the program would hopefully bring the District and Department to the "same page". After further discussion, a Motion was made by Mr. **LANGENBERG**, seconded by Ms. **RIVAS**, to approve attendance of five (5) District personnel and fourteen (14) Department personnel to the leadership program offered by GiANT Worldwide. The Motion was approved by a vote of 3 to 0. The cost of the program will not exceed \$3,500.

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

EMERGENCY REQUESTS

- a. Siddons Martin Emergency Group, Maintenance Repairs:
2 SD-34773 Safety Step Slides (Fabricated) for
Unit 252/E-2 \$ 2,995.08

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| b. | Meistad Plumbing Co. Maintenance Repairs:
Supply and replace 100-gallon NG water heater, Model Rheem BN100-200 | \$ 5,815.20 |
| c. | North Point Air & Heat, Maintenance Repairs:
Emergency service call on Zone #8 at business office due to non-cooling, includes labor, R410A freon, and welding supplies | \$ 2,091.00 |

After review, Motion was made by Mr. **LANGENBERG**, seconded by Ms. **RIVAS** to approve the emergency requests presented. After discussion, items (a) through (c) were approved by a vote of 3 to 0.

CAPITAL REQUESTS

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| d. | Northern Tool & Equipment: Replacement air compressor for Shop 176; current compressor is 11 years old and worn out, air storage tank rusty inside; part needed, 1592001 Ingersoll Rand 13HP Air Compressor IR. | \$ 2,699.99 |
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After review, Motion was made by Ms. **RIVAS**, seconded by Mr. **LANGENBERG** to approve the emergency requests presented. After discussion, item (d) was approved by a vote of 3 to 0.

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| e. | CDW Government, Inc. – Hivemanager Classic Online; annual support and license renewal for 18 wi-fi access points; 1 year | \$ 2,412.00 |
| f. | CDW Government, Inc. – Toner restock | \$ 2,710.52 |
| g. | Angel’s Auto Center Repair; Child’s antique truck | \$ 3,695.35 |
| h. | DXC.technology – Microsoft Dynamics GP 2018 Upgrade (accounting software); MICR for payables and annual maintenance | \$15,460.00 |
| i. | F.I.E.R.O. Fire PPE Symposium seminar for two persons from Quartermaster; registration, air fare, accommodations, per diem; March 11–13, 2019, Raleigh, NC | \$ 4,250.00 |
| j. | Fitch and Associates Ambulance Service – Manager Course – Week 1, March 10-15, 2019; Week 2, April 28 – May 3, 2019 | \$ 2,645.00 |
| k. | Main Event - Department party event; 4 hours unlimited play; assorted buffet; 600 guests | \$58,829.60 |
| l. | Ice Express - Snow Under the Stars; 1,250 40-lb bags of ice for snow; small slide with disks | \$ 8,000.00 |

- m. Teex Schubot Law Firm – Professional services, September 2018; 14 hrs, 15 min for public information requests \$ 7,165.31

After review of items (e) through (m), Motion for approval was made by Mr. **LANGENBERG**, seconded by Ms. **RIVAS**. After discussion, Motion was approved by a vote of 3 to 0.

The Board then reviewed emergency requests, capital requests or operational requests received by the Department. Chief Ramon presented bid solicitations obtained by the Department. Chief Ramon presented the bid proposals received from ISI Commercial Refrigeration and Coolers Inc., for the new ice machine (please refer to Page 83 of the Department meeting packet). After review, a Motion was made by Ms. **RIVAS**, seconded by Mr. **LANGENBERG**, to select the bid proposal received from ISI Commercial Refrigeration in the amount of \$10,331 per year. After discussion, the Motion was approved by a vote of 3 to 0.

Chief Ramon then presented the proposal received in reply to the bid solicitation for pharmaceutical and supplies for EMS from various suppliers as referenced in Page 73 of the Department meeting packet. Mr. **LANGENBERG** made a Motion, seconded by Ms. **RIVAS**, to approve the bids as presented. After discussion, the Motion was approved by a vote of 3 to 0.

The Board next reviewed 30-day advance requests submitted by the Department. There was discussion that the Department would make a presentation regarding the acquisition of new cascade units. No other 30-day advance requests submitted by the Department.

The Board then received reports from District committees. The building committee provided its update previously along with Mr. Martinez. In the near future Ms. **RIVAS** and Mr. **DeBOER** from the contract committee are going to meet separate from the rest of the committee. Mr. **JANUSAITIS** and Mike Clements met to discuss IT matters. No action taken.

The Board then addressed the Interlocal Agreement with Harris County MUD 500 related to the construction of an underpass at Greenhouse Road and US 290 and the acquisition of real property at Towne Lake. Mr. Coveler stated that this matter would be discussed further during Closed Session pursuant to Government Code §551.072.

The Board next received a report from Brad Dill of BD Realty. Mr. Dill shared that the easement for Station 9 had been finalized and was complete.

The Board then discussed proposals for vendors to provide services to the District related to the investigation of potential real estate purchases, such as environmental engineers, surveyors and civil engineers. The matter was visited during Closed Session.

The Board next addressed the sale or disposal of surplus and/or salvage property pursuant to Texas Health and Safety Code §775.251. After review, a Motion was made by Mr. **LANGENBERG**, seconded by Ms. **RIVAS**, to approve the sale or disposal of bunker gear to the Texas Forestry Service Helping Hands Program as noted on Page 92 of the Department meeting packet. After discussion, Motion was approved by a vote of 3 to 0.

The Board next addressed the November 2018 meeting agenda. The District's next meeting will be held the third Thursday of the month, November 15, 2018.

The Board then entered Closed Session at 6:39 p.m., to discuss personnel matters pursuant to Government Code §551.074, real estate matters pursuant to Government Code §551.072 with Mr. Dill and for legal consultation pursuant to Government Code §551.071 with Mr. Coveler. The Board returned to Open Session at 7:34 p.m.

Following Closed Session the Board then addressed personnel matters. A motion was made by Mr. **LANGENBERG** and seconded by Ms. **RIVAS** to close on the French Road Property that the District has under contract and to authorize President Tommy Balez to executed all documents necessary to effectuate the closing of the transaction. After discussion, Motion was approved by a vote of 3 to 0.

The Board also addressed real estate matters following Closed Session. Mr. **LANGENBERG** made a Motion, seconded by Ms. **RIVAS** to seek to acquire the tracts of land discussed in Closed session and at the amounts set forth in closed session. After discussion, the Motion was approved by a vote of 3 to 0.

There being no further business brought before the Board nor any further public comment, the meeting adjourned at 7:37 p.m.


DAVID LANGENBERG
District Secretary