

**MINUTES OF THE DECEMBER 20, 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 December 20, 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 5:00 p.m., by **TOMMY BALEZ**, President. Other Commissioners present include **SCOTT DeBOER**, and **DAVID LANGENBERG**. Commissioners **JANUSAITIS** and **RIVAS** were not in attendance. Also present were **AMY RAMON**, Fire Chief, of the Cy-Fair Volunteer Fire Department (the "Department"), **DAVID MANLEY** of Cy-Fair Volunteer Fire Department, chief officers and members of the Department, **RICARDO MARTINEZ** of Martinez Architects, LP, representatives of JE Dunn, **BILL RUSSELL** of Myrtle Cruz, Inc., the District's bookkeeper, **IRA A. COVELER**, of Coveler & Peeler, P.C., the District's Counsel, representation of Tellepsen Builders, 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 though none was offered

The Board next reviewed the minutes of the November 15, 2018 regular meeting. After review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **DEBOER** 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 \$2,865,196.04, and the receipt of tax revenue in the amount of \$489,764.69. The balance sheet presented at this meeting showed assets of \$123,744,722.66 (\$76,571,232.66 cash), liabilities of -0-, and equity of \$123,744,722.66). Mr. **RUSSELL** also noted that the 2018 taxes would soon be received, and the bank was offering 3.1% interest for a 12-month period. Thereupon, after review, a Motion was made by Mr. **LANGENBERG**, seconded by Mr. **DEBOER** 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. **DEBOER** made a motion to pay the District administrative bills, commissioner fees and Commissioner expense reimbursements. Mr. **LANGENBERG** 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. **DEBOER** seconded by Mr. **LANGENBERG** to approve the payment of Department Operations, in the amount of \$2,822,627.00. After discussion, the Motion was approved by a vote of 3 to 0.

In addition, Mr. **LANGENBERG** made a Motion to approve the payment of Department Capital Expenses in the amount of \$11,852.26. Mr. **DEBOER** seconded the Motion. After discussion, the Motion was approved by a vote of 3 to 0.

Next, the Board received reports from Mr. Ricardo Martinez, the District's architect, regarding the District's construction projects. Mr. Martinez also presented a certified pay application submitted by JE Dunn for Station 9 in the amount of \$19,536.

The Board then took action on pay applications submitted by JE Dunn. After review, a Motion was made by Mr. **LANGENBERG** to approve a pay application for Station 9 in the amount of \$19,536. The Motion was seconded by Mr. **DEBOER** to approve the pay application 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 reported on Harris County ESD 9 Administration Complex. He shared that the contract had been reviewed by District counsel and the representative for Tellepsen Builders. The final Guaranteed Maximum Price for the Administration Complex project, including allowances, was submitted for \$23,170,677. There was discussion about the change in the scope of the project compared to the original concept when the property was first acquired from Serta. Following that discussion, a Motion was made by Mr. **LANGENBERG**, seconded by Mr. **DEBOER**, to accept the Guaranteed Maximum Price amendment of \$23,170,677 and to authorize Tellepsen Builders to commence construction as authorized by Mr. Ricardo Martinez. After discussion, the Motion was approved by a vote of 3 to 0.

Mr. **LANGENBERG** then made a Motion to approve the payment of \$5,000 of pre-construction services owed to Tellepsen Builders. The Motion was seconded by Mr. **DEBOER** and 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. No repairs were reported therefore no action taken.

The Board received a report from the District Administrative Staff. Mr. Mike Clements presented the report to the Board. No action taken.

The Board then addressed a second amendment to the 2015 Service Agreement between the District and the Department. After review, a Motion was made by Mr. **LANGENBERG**, seconded by Mr. **DEBOER** to approve a second amendment to the 2015 Service Agreement. This amendment will further modify the term of the agreement to expire on June 30, 2019. After discussion, the Motion was approved by a vote of 3 to 0.

The Board then addressed approvals of Department requested purchases (Agenda Item 13):

CAPITAL REQUESTS

- a. Key Warder - Keywatcher Touch System – 16/Keywatcher Touch System with glass door, 8 key credit card mod; ½ locker mod and 2 blanks; estimated cost (installed) includes office system, system accessories, and electrical data; \$13,444.00

Steve Witt discussed that a key logging system was recommended to improve accountability for keys to the District's assets. After review, Motion was made by Mr. **LANGENBERG**, seconded by Mr. **DEBOER** to approve the capital request presented. After discussion, item (a) was approved by a vote of 3 to 0.

OPERATION REQUESTS

- b. REV Group – 4-Day trip to North Carolina for 2 persons; inspection trip for wrecked Medic Unit 525; estimate includes airfare, hotel, per diem, car rental; \$3,200.00
- c. The Schubot Law Firm – Professional services, November 2018; total 20 hours 45 minutes; includes 7 hours 45 minutes of Public Information Requests and out-of-pocket expenses (postage); \$5,214.93

After review of items (b) and (c), a Motion for approval was made by Mr. **LANGENBERG**, seconded by Mrs. **DEBOER**. After discussion, Motion was approved by a vote of 3 to 0.

BID APPROVALS

d. Generator maintenance

A bid was received from Loftin for generator maintenance. The promised service level from Loftin was to have the generator operational in approximately four (4) hours or that a rental generator would be provided within four (4) hour timeframe after Loftin receives notice that the unit is down. After review of item (d), Motion for approval was made by Mr. **LANGENBERG**, seconded by Mr. **DEBOER** to engage the services of Loftin to maintain the station generators. After discussion, Motion was approved by a vote of 3 to 0.

NEW BUSINESS

e. 2019 Medic Unit Re-chassis Plan as set forth on Page 111 of the CFVFD Board Packet.

f. Gear washer and dryer proposal as set forth on Page 113 of the CFVFD Board Packet.

After review of items (e) and (f), Motion for approval was made by Mr. **LANGENBERG**, seconded by Mr. **DEBOER** to (e) approve a re-chassis of ambulances with total driven vehicle miles of between 120,000 and 140,000 miles for ambulance and (f) to approve acquiring four (4) Queen Unimac gear washer and dryer units. Chief Ramon noted that additional electrical work may be required related to the installation of the units and that cost was not included in this proposal. After discussion, Motion was approved by a vote of 3 to 0. Please reference the Department monthly report for additional information about new business.

The Board then reviewed emergency requests, capital requests or operational requests received by the Department. No requests received.

The Board next addressed entering into a subscription agreement with PowerDMS for online document management software. Mike Clements presented information on the software and answered questions posed by the board and District counsel. After review, a Motion was made by Mr. **DEBOER**, seconded by Mr. **LANGENBERG**, to approve the subscription agreement with PowerDMS for a cost of approximately \$15,000. After discussion, the Motion was approved by a vote of 3 to 0.

The Board opted to pass on discussion of the New Tower and Dispatch facility.

The Board took no action on 30-day advance requests as none were submitted by the Department.

The Board received a report from Brad Dill of BD Realty. Mr. Dill presented a requested extension authorization. A Motion was made by Mr. **LANGENBERG**, seconded by Mr. **DEBOER** to approve a 30-day extension including a status update on the easement. After discussion, the Motion was approved by a vote of 3 to 0.

The Board took no action on the sale or disposal of surplus and/or salvage property.

The Board next addressed the January 2019 meeting agenda. The District's next meeting will be held the third Thursday of the month, January 17, 2019.

The Board then entered Closed Session at 5:58 p.m. to discuss 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 7:04 p.m.

The Board then addressed real estate matters following Closed Session. After review, Motion was made by Mr. **DEBOER**, seconded by Mr. **LANGENBERG**, to proceed with the purchase of the parcel of real estate discussed 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 7:05 p.m.



DAVID LANGENBERG
District Secretary