

Harris County Emergency Services District No.16

Suite 250, 8681 Louetta Road, Klein, Texas 77379-6682

MINUTES OF THE NOVEMBER 12, 2018 MEETING

1 At 7:00 PM on November 12, 2018, Harris County Emergency Services District No. 16 (ESD or District) President William Jones called the regular meeting to order at the Klein Volunteer Fire Department (KVFD) Headquarters. Present were ESD members Robert Carson, Mike Pate, Steven Falkner, and Lance Wilson. Present as guests were KVFD Deputy Fire Chief Eric Reinkemeyer, KVFD District Chief Daniel Rathe, KVFD Second Vice President Evan Schroeder, KVFD Treasurer Daniel Erikson, KVFD Secretary Makayla Loeschen, KVFD Firefighter William Manning, KVFD Executive Administrator Michael Gosselin, Brad Dill of BD Realty, Ira Coveler of Coveler & Peeler P.C., Ray Holiday and Marcus Gibbon of BRW Architects, Tony Spitzenberger of Spitz Construction and Consulting LLC, and Simon VanDyk of Touchstone District Services.

2 A motion made by Lance Wilson and seconded by Mike Pate passed unanimously to approve as presented the October 8, 2018 meeting's minutes.

3 A motion made by Robert Carson and seconded by Mike Pate passed unanimously to:

- approve as presented the bills to be paid for the period ending November 12, 2018;
- approve as presented the financial report for the period ending November 12, 2018; and
- roll over one certificate of cash time deposit per the recommendation of Bill Russell of Myrtle Cruz.

4 No action was taken on the revised District Investment Policy.

5 Brad Dill distributed a status report on real estate projects on which he is working. Key points detailed in same along with discussion points follow.

6721 Spring Cypress	Brad Dill is endeavoring to obtain a recorded mortgage lien release from one of the other owners in the plat we are trying to record.
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Station No. 3 Complex	Weather permitting, the new fences should be installed next week. Efforts are underway to obtaining permanent power to the Complex's buildings.
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5 (Cont'd) **Retired Station No. 5** Efforts continue on addressing the property's two deed restrictions.

Station No. 8 Efforts are underway to correct the water bill and address issues associated the \$2,000 construction deposit with the Municipal Water District's operator.

6 A motion made by Mike Pate and seconded by Lance Wilson passed unanimously to:

- ratify a continuing Contract with a private law firm pursuant to §6.30 of the Property Tax Code for the collection of delinquent District *ad valorem* property taxes and, providing for the payment of up to 20% of the delinquent taxes, penalties, and interest which are collected by the attorney under said Contract;
 - impose an additional penalty on delinquent taxes accruing prior to June 1, 2018 pursuant to §33.07 of the Property Tax Code and adoption of a Resolution regarding same for taxes;
 - impose an additional penalty on delinquent taxes accruing after June 1, 2018 to defray costs of collection by the District's delinquent tax attorney, pursuant to §33.08 of the Property Tax Code and adoption of a Resolution regarding same; and
 - impose an early additional penalty for collection costs for taxes imposed on personal property on delinquent taxes pursuant to §33.11 of the Property Tax Code and adoption of a Resolution regarding same.
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7 A motion made by Robert Carson and seconded by Mike Pate passed unanimously to engage Breedlove & Co. for performing the District's 2018 audit.

8 Reviewing, discussing, and taking action on the District's stewardship of spending was tabled until the Closed Session.

9 A motion made by Steven Falkner and seconded by Mike Pate passed unanimously to authorize William Jones to sign a Memorandum of Agreement that extends the contract between the ESD and KVFD until January 31, 2020.

10 Given below are KVFD's reports and their discussion points about same.

Submitted records Prior to the meeting, KVFD personnel presented the Commissioners with documents that contained summaries of tactical, administration, accounting, human resources, and public relations activities

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(Cont'd)

Submitted records (Cont'd)

Prior to the meeting, KVFD personnel presented the Commissioners with documents that contained summaries of tactical, administration, accounting, human resources, and public relations activities during October 2018; minutes of the KVFD Board of Directors' meetings in September and October 2018; and KVFD's end of year spending forecast. Key issues provided in this material included:

- KVFD ran 204 calls in October 2018 in which six were and in-district building fire incidents (Type 111);
- year to date calls increased four per cent over the previous year;
- pursuant to the new participation policy, 19 KVFD members were removed from tactical to general member status;
- cancer screenings should be complete by November 9, 2018;
- extension of the Maintenance Shop is nearly complete;
- Station No. 7's pancake breakfast with the community held on October 13, 2018 was a success;
- KVFD participated in 67 public relations events during October 2018;
- mixing career and volunteer firefighters on responses to incidents is going well;
- construction of the two new pumpers has been delayed;
- the participation policy was changed to lowering the sum of the four categories 40 points and changing the minimum requirements to only training and staffing; and
- changing the participation policy resulted in 14 members being reinstated.

Group discussion

Eric Reinkemeyer went over the Tactical Report.

Steven Falkner asked whether a sufficient number of members were volunteering to staff trucks. Chief Reinkemeyer responded that they were. Steven Falkner then commented that he understood that as of the end of October 2018, over 70 slots remained open during the upcoming two weeks. Chief Reinkemeyer expressed confidence the trucks would be fully staffed.

Lance Wilson and Chief Reinkemeyer discussed operations of the third truck on weekends and weeknights.

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- 10 (Cont'd) **Group discussion (Cont'd)**
- William Jones said two proposed changes to KVFD's by-laws – transfer of leadership from the President to the Fire Chief and making the Fire Chief a paid position – did not pass. However, KVFD personnel have been conducting themselves as though they had passed. This left Mr. Jones uncertain as to who is in charge and with whom he should discuss the budget. Daniel Erikson said the Fire Chief handles tactical matters and the President handles non-tactical matters.
- William Jones then asked whether the upcoming change in Houston firefighters' schedules would affect KVFD's staffing capabilities. Michael Gosselin said it could result in KVFD's pool of paid firefighters being reduced by 27 percent and they are discussing how best to address the situation.
- William Jones asked whether steps were being taken to recover equipment from those whose status changed due to the change in the participation policy. Evan Schroeder said there were doing so.
- Lance Wilson asked whether steps were being taken to address Station No. 4 personnel not responding. Eric Reinkemeyer said they were.
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- William Jones said the date for the first committee meeting about moving administrative duties from KVFD to the ESD would be at 7:00 PM on a date to be determined. Candidate dates include November 28 and 29, 2018 and December 5 and 6, 2018.
- Evan Schroeder said they were examining changes to their by-laws dealing with their role and responsibilities for administrative duties. Also; Josh Wenzel, Wendy Rocha, and Daniel Erickson were KVFD's representatives on the committee.
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- Lance Wilson reminded the Commissioners that their pictures can be taken at KVFD's November General Business Meeting.
- Simon VanDyk said Touchstone created an interactive map of the Harris County ESD No. 16 and they are going to start introducing the District to Municipal Utility Districts.
- William Jones asked how best to separate the fire department and ESD in the public's mind. Simon VanDyk responded that the ESD and KVFD should make presentations jointly so they can explain each's role and responsibility.
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- Erik Reinkemeyer said that at the ESD's November meeting, they will request funds for purchasing air masks that will be dedicated to active firefighters. Mike Pate requested they develop protocols for meshing existing masks with the new ones.

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13 (Cont'd)	William Jones requested they develop protocols for recovering masks when a firefighter leaves the department.
14	Erik Reinkemeyer said that at the ESD's November meeting, they will request funds for replacing two Tahoe vehicles. Lance Wilson suggested they consider vehicles other than Tahoes.
15	Reviewing, discussing, and taking action for the sale or disposal of surplus and/or salvage property pursuant to Texas Local Government Code, Subchapter D §263.151 <i>et. seq.</i> was tabled until the December 2018 meeting.
19	A motion made by Mike Pate and seconded by Lance Wilson passed unanimously to pay LDF Construction's \$300,326.35 Application No. 6 that BRW Architects certified for work at the Station No. 3 Complex.
20	Tony Spitzenberger reported on construction activities at Station No. 3 Complex, namely: <ul style="list-style-type: none">• twenty days of rain has slowed work;• the Training Building should be completed by Friday (November 14, 2018);• installing CenterPoint Energy's connections should be complete by the end of 2018 or early in 2019;• the water well line is in the way and they are considering options for addressing the problem;• they found and removed the filled-in swimming pool; and• they should demolish the old training center shortly.
21	Ray Holiday and Marcus Gibbon made a presentation on delivery methods for construction projects. Attachment 1 provides a condensed version of same.
22	Mike Pate advised that the contract with BRW Architects for designing the Station No. 1 Complex should be finalized shortly.
24	A motion made by Mike Pate and seconded by Lance Wilson passed unanimously to accept Emergency Services Consulting International's scope of work about analyzing the ESD's performance. The not-to-exceed fee is \$35,000.
25	The next regular meeting was set and confirmed for Wednesday, December 12, 2018 at the Headquarters building.

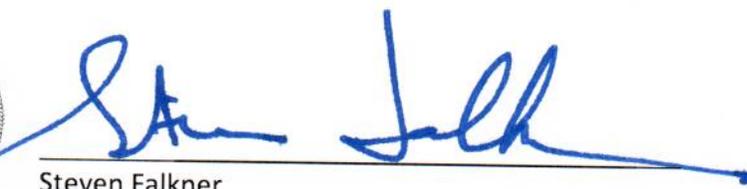
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- 26 New items needing to be on the agenda for the December 2018 regular District meeting include:
- matters tabled at the November 2018 meeting;
 - determining the delivery method to be used for construction at Station No. 1 Complex;
 - purchasing trucks;
 - purchasing air masks; and
 - authorizing Commissioners to attend the February 7 to 9, 2019 SAFE-D conference in Frisco, Texas.
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- 27 No action was taken on strategies for selling the property on Spring Cypress Road.
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- 28 During the public comment portion of the meeting, Daniel Rathe said he seconded Lance Wilson's comment that consideration should be given to purchasing vehicles other than Tahoes. He also reminded everyone that KVFD's mechanics had extensive experience working with Ford vehicles.
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- 29 The Commissioners conducted a Closed Session pursuant to Chapter 551 of the Texas Government Code from 8:52 PM to 9:56 PM.
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- 30 At 9:56 PM, a motion to adjourn made by Mike Pate and seconded by Lance Wilson passed unanimously.

Respectfully submitted:

HARRIS COUNTY EMERGENCY SERVICES DISTRICT No. 16




Steven Falkner
Commissioner

THE DISTRICT'S NOVEMBER 12, 2018 MEETING MINUTES

Attachment 1

BRW's Presentation on Delivery Methods (Condensed)

<div style="display: flex; justify-content: space-around;"> <div style="width: 45%;"> <p>Design - Bid - Build Competitive Sealed Proposals</p> <pre> graph TD Owner[Owner] --- Architect[Architect] Owner --- Contractor[Contractor] Architect --- E1[Engineer] Architect --- E2[Engineer] Architect --- E3[Engineer] Contractor --- SC1[Subcontractor] Contractor --- SC2[Subcontractor] Contractor --- SC3[Subcontractor] </pre> </div> <div style="width: 45%;"> <p>Construction Manager at Risk (CM@R)</p> <pre> graph TD Owner[Owner] --- Architect[Architect] Owner --- CM[CM as Contractor] Architect --- E1[Engineer] Architect --- E2[Engineer] Architect --- E3[Engineer] CM --- SC1[Subcontractor] CM --- SC2[Subcontractor] CM --- SC3[Subcontractor] </pre> </div> </div>	<h3 style="text-align: center;">Project Delivery Methods</h3> <p style="text-align: right;">Newest Type</p> <p>Construction Manager at Risk (CM@R)</p> <ul style="list-style-type: none"> Owner selects Contractor during design development phase of the project. Contracts are between owner and construction Manager (contractor) <pre> graph TD Owner[Owner] --- Architect[Architect] Owner --- Contractor[Contractor] Architect --- E1[Engineer] Architect --- E2[Engineer] Architect --- E3[Engineer] Contractor --- SC1[Subcontractor] Contractor --- SC2[Subcontractor] Contractor --- SC3[Subcontractor] </pre>
<h3 style="text-align: center;">Project Delivery Methods</h3> <p>Construction Manager at Risk</p> <ul style="list-style-type: none"> + GMP established before construction + CM selected based on experience + CM has high level of responsibility + Fast track/phasing available + Contractor costing + Owner will know the price before going out to bid 	<h3 style="text-align: center;">Project Delivery Methods</h3> <p>Benefits of Construction Manager at Risk (CMAR) is:</p> <p>Contractor involved from the very beginning to assist in:</p> <ul style="list-style-type: none"> • Building methods and assemblies • Reviewing Schedules • Providing costs estimates costs • Sets the cost • There is no going over budget

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Attachment 1 (Cont'd)

BRW's Presentation on Delivery Methods (Condensed)

<p style="text-align: center;">Project Delivery Methods</p> <hr/> <p>Benefits of Construction Manager at Risk (CMAR) is:</p> <p>The Construction Manager at Risk (CMAR) is a delivery method which entails a commitment by the Construction Manager (CM) to deliver the project within a Guaranteed Maximum Price (GMP) which is based on the construction documents and specifications at the time of the GMP plus any reasonably added items or tasks</p> <p style="text-align: right;"></p>	<p style="text-align: center;">Project Delivery Methods</p> <hr/> <p>Benefits of Construction Manager at Risk (CMAR) is:</p> <ul style="list-style-type: none">the CMAR must manage and control construction costs to not exceed the GMP because contractually any costs exceeding the GMP that are not change orders are the financial liability of the CMAR. <p style="text-align: right;"></p>
<p style="text-align: center;">Project Delivery Methods</p> <hr/> <p>Benefits of Construction Manager at Risk (CMAR) is:</p> <p>By giving the Owner the GMP prior to bids, the CMAR assumes the risk of bids coming in higher as he is contractually bound to deliver the project per the plans and specifications and any additional allowances as defined in his GMP.</p> <p>What distinguishes CMAR, is that it entails a commitment by the construction manager (CM) to deliver the project within a Guaranteed Maximum Price (GMP).</p> <p style="text-align: right;"></p>	<p style="text-align: center;">Project Delivery Methods</p> <hr/> <p>Benefits of Construction Manager at Risk (CMAR) is:</p> <p>There is a higher level of cost control from the start.</p> <p>During the design process, the Construction Manager provides cost estimates thus allowing the owner to maintain budget control.</p> <p>The Guaranteed Maximum Price (GMP) provides the owner with the assurance that their budget will be maintained.</p> <p style="text-align: right;"></p>

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Attachment 1 (Cont'd)

BRW's Presentation on Delivery Methods (Condensed)

