

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

April 29, 2021

THE STATE OF TEXAS
COUNTY OF HARRIS
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 11

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The Board of Commissioners (the "Board") of Harris County Emergency Services District No. 11 (the "District") met in special session, open to the public, at the District's Administration Building, 18334 Stuebner Airline Road, Spring, Texas 77379, a meeting place inside the boundaries of the District, on Thursday, April 29, 2021, at 9:00 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Karen Plummer	President
Steve Williams	Vice President
Fred Grundmeyer	Secretary
Robert Pinard	Treasurer/Asst. Secretary
Kevin Brost	Asst. Treasurer

All members of the Board were present, except Commissioner Grundmeyer, thus constituting a quorum. Also attending the meeting were: the following District employees: Mr. Douglas Hooten, Executive Director; Mr. James Chebra, Chief Operations Officer; Mr. Rob Farmer, Chief Administrative Officer; Mr. Dave Snavely, Chief Financial Officer; Ms. Shirley Ware, Executive Assistant; and Mr. Xavier Delarosa, Chief Clinical Officer. District consultants in attendance were: Mr. Ricardo Martinez of Martinez Architects ("Martinez"); Ms. Regina D. Adams, Ms. Monica Garza and Ms. Sholeh Abedinzadeh (via teleconference), attorneys, and Ms. Carla Christensen, paralegal, of Radcliffe Bobbitt Adams Polley PLLC ("RBAP"), attorneys for the District; Mr. Brian Trachtenberg and Ms. Anna Phillips of Greathouse Holloway McFadden Trachtenberg, special counsel to the District; and Mr. Zach Karrenbrock of 62 Digital, LLC ("62 Digital"), the District's website service provider and communications coordinator. Also in attendance were: Mr. Wren Nealy, Cypress Creek Emergency Medical Services ("CCEMS") Chief Executive Officer; Mr. Dave Billings, member of the CCEMS Board of Directors; Mr. George Vie of Feldman & Feldman, P.C., attorney for CCEMS; and members of the public and CCEMS employees. A copy of the sign-in sheets are attached hereto.

There were other members of the public in attendance via conference call but were unable to be identified other than by telephone number.

WHEREUPON, the meeting was called to order by the President and evidence was presented that public notice of the meeting had been given in compliance with the law. The posted notices of the meeting are attached hereto.

This meeting was video recorded by 62 Digital for use by the District. The meeting was also streamed live by 62 Digital on the District's website.

The Board held a 30-second moment of silence for prayer and reflection.

PUBLIC COMMENTS

The President first recognized Mr. George Ebert with Motorola Solutions ("Motorola") and District resident. Mr. Ebert presented to and reviewed with the Board Motorola's proposal for the District's purchase of radio and communications infrastructure, a copy of which is attached hereto.

There were no additional public comments at this time.

STATUS OF RECEIPT OF PROPOSALS FOR FINANCING OF AMBULANCE AND APPURTENANCES PURCHASE(S) ("AMBULANCE PROJECT") AND TAKE NECESSARY ACTIONS ON SAME

Ms. Adams then reported that the District's financial advisor anticipates receiving loan financing proposals for the Ambulance Project by May 5th. Ms. Adams recommended that a special Board meeting be tentatively scheduled for Thursday, May 6th to review and accept the Ambulance Project financing proposals.

ADMINISTRATION, DISPATCH AND LOGISTICS FACILITIES REPORT, INCLUDING STATUS OF CONSTRUCTION OF PHASE I REDEVELOPMENT OF DISTRICT ADMINISTRATION PROPERTY ("PHASE I PROJECT") AND TAKE NECESSARY ACTION ON SAME

Mr. Martinez then presented to and reviewed with the Board a summary of the design and construction status of the Phase I Project, a copy of which is attached hereto.

Ms. Adams then reminded the Board that it previously awarded the Construction Manager at Risk ("CMAR") Service Contract for the Phase I Project to J.E. Dunn Construction Co. ("J.E. Dunn") and approved Amendment Nos. 1 and 2 to same, subject to final review by RBAP. Ms. Adams noted that the CMAR Service Contract and Amendment No. 1 have been executed and Amendment No. 2 is ready for execution by the Board.

EXECUTIVE DIRECTOR'S AND DISTRICT ADMINISTRATION REPORT, INCLUDING STATUS OF HIRING FOR VARIOUS OPEN EMPLOYMENT POSITIONS

Mr. Hooten then reported that he and the District's executive staff continue to conduct interviews for the middle-management and other various staff positions. Mr. Hooten went on to report that the District received more than 1,000 applications for 12 open employment positions since the ADP portal went live. Mr. Hooten stated that the District will be conducting a virtual Job Fair starting that day.

Mr. Hooten then reported that the District will release its third (3rd) podcast regarding the District's emergency medical services ("EMS") self-operating model. Mr. Hooten noted that the podcasts are available on the District's website. Mr. Hooten also reported that he continues to meet with a number of residents regarding the District's current and future plans and transition from CCEMS to the District becoming self-operational.

STATUS OF ENROLLMENT AS A MEDICARE PROVIDER, AS NECESSARY

Mr. Hooten then stated that the District has received its Medicare provider number and will soon be submitting an application to enroll as a Medicaid provider.

STATUS OF FIRST RESPONDER ORGANIZATION ("FRO") AND PROVIDER AGREEMENT FOR USE WITH OVERLAPPING FROS

Mr. Hooten reported that the draft form FRO and Provider Agreement has been provided to the FROs for review and he continues to meet with FRO representatives.

REVIEW AND APPROVE PURCHASE ORDERS AND VENDOR ACCOUNT AGREEMENTS FOR VEHICLES, SERVICES, SUPPLIES, FURNITURE, FIXTURES AND EQUIPMENT FOR THE DISTRICT, AS NECESSARY, INCLUDING:

REVIEW AND APPROVE PROPOSAL(S) FOR RADIO TOWER AND COMMUNICATIONS SYSTEM

Mr. Hooten then presented to and reviewed with the Board a purchase order and proposal in connection with the purchase of six (6) laptop computers and accessories from CDW Government, LLC ("CDW-G") for a cost of \$18,148.16, copies of which are attached hereto. A discussion ensued.

Upon motion by Commissioner Williams, seconded by Commissioner Brost, after full discussion and the question being put to the Board, the Board voted unanimously to approve the purchase order and proposal from CDW-G and authorize payment in the amount of \$18,148.16 to CDW-G for such purchase.

Mr. Hooten then presented to and reviewed with the Board a purchase order and proposal from Chastang Ford, obtained through BuyBoard, in connection with the purchase and outfitting of two (2) transit vans for an estimated cost not to exceed \$138,164.00, copies of which are attached hereto. A discussion ensued.

Upon motion by Commissioner Brost, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted unanimously to approve the purchase order and proposal from Chastang Ford and authorize payment in an amount not to exceed \$138,164.00 to same in connection with the purchase and outfitting of two (2) transit vans.

STATUS OF PROCUREMENT OF PROPOSALS FOR COMPREHENSIVE RECORDS MANAGEMENT SYSTEM/SOFTWARE AND RELATED SERVICES

Mr. Hooten then reminded the Commissioners that they previously authorized the advertisement for bids from qualified vendors for comprehensive records management system/software and related services for the purpose of the District's incident reporting. Mr. Hooten presented to and reviewed with the Board a summary of the four (4) bids received, a copy of which is attached hereto. An extensive discussion after which Mr. Hooten recommended that the Board accept the proposal from ImageTrend in the amount of \$146,900.00.

Upon motion by Commissioner Brost, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted unanimously to accept the ImageTrend bid in the amount of \$146,900.00 and award the service contract for the District's Comprehensive Records Management System/Software and related services to ImageTrend, subject to receipt and final review of such service contract by RBAP.

Mr. Hooten then presented to and reviewed with the Board a purchase order and proposal from Dailey & Wells Communications, Inc. ("Dailey & Wells") in connection with the purchase of mobile radio and communications system infrastructure for a cost of \$1,718,132.71, copies of which are attached hereto. A discussion ensued and it was noted that the method of procurement was via the Texas Department of Information Resources cooperative contracts program..

Upon motion by Commissioner Williams, seconded by Commissioner Pinard, after full discussion and the question being put to the Board, the Board voted unanimously to approve the purchase order and proposal from Dailey & Wells and authorize payment in the amount of \$1,718,132.71 to Dailey & Wells for such purchase subject to receipt, review and approval of a contract for same and the Interlocal Agreements related to same.

REVIEW AND APPROVE LONE STAR COLLEGE ("LONE STAR") AFFILIATION AGREEMENTS

Mr. Hooten then presented to and reviewed with the Board the Lone Star Affiliation Agreement, a copy of which is attached hereto. Mr. Hooten stated that this Affiliation Agreement would allow Lone Star and the District to coordinate and provide various clinical training classes on three (3) Lone Star campuses. A discussion ensued.

Upon motion by Commissioner Williams, seconded by Commissioner Pinard, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Lone Star Affiliation Agreement(s), subject to final review and approval by RBAP.

REVIEW AND APPROVE SERVICE CONTRACT WITH JINCO, INC. FOR LANDSCAPING SERVICES AND MAINTENANCE

Mr. Hooten requested that the Board defer action on this item until the next Board meeting.

FINANCIAL REPORT FROM DISTRICT BOOKKEEPER AND TREASURER, INCLUDING APPROVE PAYMENT OF BILLS AND ISSUANCE OF CHECKS

Ms. Adams stated that there is no Bookkeeper's Report at this time, but there is one (1) outstanding District invoice that she recommended be discussed in Executive Session.

STATUS OF SECOND PHASE OF SPECIAL DISTRICT EXAMINATION BY PANELL KERR FORSTER OF TEXAS, P.C. ("PKF"), RELATED TO: A) RECONCILIATION OF DISTRICT FUNDING VS. CCEMS EXPENDITURES; B) PHYSICAL INVENTORY OF DISTRICT AND CCEMS ASSETS; AND C) CONCLUSIONS FROM HSSK, LLC REPORT (THE "PKF REPORT")

Ms. Adams then reminded the Board that it previously received the draft findings of the first (1st) phase of the PKF Report and subsequently authorized PKF to proceed with conducting

the second (2nd) phase of the special forensic examination.

Mr. Trachtenberg next reported that the second (2nd) phase of the PKF Report will entail a more in-depth review of additional CCEMS financial documents and Koronis billing records to further identify discrepancies and quantify the related amounts of over and/or under payments by the District to CCEMS. Mr. Trachtenberg went on to state that PKF has made various requests to CCEMS, through correspondence to Mr. Vie, for access to additional financial records. Mr. Trachtenberg reported that CCEMS previously uploaded some responsive information, but PKF is awaiting receipt of the significant balance of requested information as well as clarification of some of the responsive information.

ATTORNEY'S REPORT, INCLUDING REVIEW STATUS OF PUBLIC INFORMATION ACT ("PIA") REQUESTS AND RESPONSES TO SAME

Ms. Adams reported that one (1) PIA request was received since the April 15th Board meeting, which is duplicative of a previous PIA request received from Mr. Andy Li of *Community Impact* on January 12, 2021 (the "Li PIA Request"). Ms. Adams then reported on the status of the Texas Attorney General ("AG") ruling on the Li PIA Request and the related appeal filed in conjunction with such ruling. Ms. Adams recommended further discussion regarding this matter in Executive Session.

FINANCIAL REPORT FROM DISTRICT BOOKKEEPER AND TREASURER, INCLUDING APPROVE PAYMENT OF BILLS AND ISSUANCE OF CHECKS

STATUS OF SECOND PHASE OF SPECIAL DISTRICT EXAMINATION BY PKF RELATED TO THE PKF REPORT

REVIEW MATTERS RELATED TO THE SERVICE AGREEMENT WITH CCEMS, INCLUDING STATUS OF CCEMS V. THE DISTRICT, ET AL, (THE "CCEMS LITIGATION") AND TAKE ANY NECESSARY ACTION ON SAME

ATTORNEY'S REPORT, INCLUDING REVIEW STATUS OF PIA REQUESTS AND RESPONSES TO SAME

Commissioner Plummer then stated that the Board would be going into Executive Session to discuss matters of attorney-client privilege and pending or contemplated litigation pursuant to Section 551.071, Texas Government Code regarding the above agenda items.

All meeting attendees, with the exception of all members of the Board present, Ms. Adams, Ms. Garza, Ms. Abedinzadeh (via teleconference), Ms. Christensen, Mr. Trachtenberg, Ms. Phillips and Mr. Hooten exited the meeting at 10:13 a.m.

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.071 regarding matters of attorney-client privilege and pending or contemplated litigation, Commissioner Plummer convened the Board in Executive Session at 10:18 a.m. The persons present in the Executive Session at various times were Commissioners Plummer, Williams, Pinard and Brost, Ms. Adams, Ms. Garza, Ms. Abedinzadeh (via teleconference), Ms. Christensen, Mr. Trachtenberg, Ms. Phillips and Mr. Hooten.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 11:44 a.m.

Commissioner Plummer then reconvened the meeting in open session at approximately 11:45 a.m.

There being no further business to come before the Board, the meeting was adjourned at 11:46 a.m.

PASSED, APPROVED AND ADOPTED this 20th day of May 2021.


Secretary, Board of Commissioners

