

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

July 20, 2017

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

The Board of Commissioners (the "Board") of Harris County Emergency Services District No. 11 (the "District") met in regular session, open to the public, at 7111 Five Forks Drive, Spring, Texas 77379, a meeting place inside the boundaries of the District, on Thursday, July 20, 2017, at 9:00 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Tommy Ripley	President
Karen Plummer	Vice President
Fred Grundmeyer	Secretary
Robert Pinard	Treasurer
Lynn LeBouef	Asst. Treasurer

All members of the Board were present, except Commissioner LeBouef, thus constituting a quorum. Also attending the meeting were: Ms. Robin S. Bobbitt, attorney, and Ms. Carla Christensen, paralegal, of Radcliffe Bobbitt Adams Polley PLLC ("RBAP"), attorneys for the District; Mr. Bill Russell of Myrtle Cruz, Inc. ("MCI"), bookkeeper for the District; Mr. Chad Joiner of Joiner Architects, Inc. ("Joiner"), architects for Cypress Creek Emergency Medical Services (the "CCEMS") Station No. 513 ("Station 513") building; Ms. Becky Moriarty of DBR Engineering ("DBR"), a subcontractor to Joiner for the LEED certification work for Station 513; Mr. Steve Dishman of Brookstone Construction Managers ("Brookstone"); Mr. Ricardo Martinez of Martinez Architects ("Martinez"), architects for the CCEMS Station No. 52 ("Station 52") building; and the following representatives of the CCEMS were in attendance at the meeting: Mr. Dave Billings, member of the Board of Directors of CCEMS; Mr. Brad England, Executive Director of CCEMS; and Mr. Norm Uhl, Public Information Officer for CCEMS.

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.

After a 30-second moment of silence for prayer and reflection, the Board conducted the Pledge of Allegiance to the United States' Flag.

APPROVAL OF THE MINUTES

The Board first considered approval of the minutes of the regular meeting of June 15, 2017, previously distributed to the Board. Upon motion by Commissioner Plummer, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the

Board, the Board voted unanimously to approve the minutes of the regular meeting of June 15, 2017, as presented.

REVIEW AND TAKE NECESSARY ACTIONS ON MONTHLY OPERATIONS AND FINANCIAL REPORT FROM CCEMS, INCLUDING CONSIDERATION OF MONTHLY OPERATIONS FUNDING REQUEST AND CAPITAL FUNDING REQUESTS

Commissioner Ripley then recognized Mr. England, who presented to and reviewed with the Board the Executive Director's Report, the monthly CCEMS Operations and Financial Reports, including the operations statistics for the month of June 2017 and the 2017 CCEMS budget comparison, copies of which are attached hereto. Mr. England went on to report that during the month of June there had been 2,124 transports, eight (8) Life Flight transports, and that 30% of the calls during the month were "no transports." Mr. England went on to report that during the month of June, the CCEMS had received 22 mutual aid assists and had provided 19 mutual aid assists outside of the CCEMS's boundaries.

Mr. England then stated that he was saddened to announce that Mr. David King, a CCEMS Director for 40 years, recently passed away on July 10th.

Mr. England next reported that construction on Station 52 is ongoing and should be completed by the end of the month.

Mr. England went on to remind the Board that Cy-Fair Hospital ("Cy-Fair") was recently granted a Level II Trauma designation on a provisional basis. Mr. England explained that the hospital will need to operate under such designation for one (1) year before the designation becomes permanent. Mr. England noted that the Level II Trauma designation will enable CCEMS to take more severe cases directly to Cy-Fair, thereby increasing CCEMS' operational efficiency and further reducing response times.

Mr. England next noted that CCEMS had recently received its revalidation from Medicare. Mr. England explained that the revalidation process occurs every five (5) years and that no issues were found during this recent revalidation process.

Mr. England then reminded the Board that the Paramedic 4 Program (the "Paramedic Program") allows a physician's assistant to respond directly to less urgent patients that do not require an ambulance. Mr. England stated that the Paramedic Program had previously been discontinued by the CCEMS several years ago due to funding issues. Mr. England further explained that the CCEMS is continuing to compile various pieces of information in an effort to determine whether it would be cost effective and beneficial for the CCEMS to reinstitute the program in 2018. Mr. England stated that, if they recommend reinstating the Paramedic Program that CCEMS will likely request funding assistance from the District.

Mr. England next reported that Harris County Emergency Services District No. 29 ("ESD 29") and the Champions Fire Department (the "Champions FD") have requested that the District pay it's pro rata share of costs to replace the Emergency Medical Service ("EMS") garage doors at Station No. 55 ("Station 55"). Mr. England reminded the Board that the District does own a portion of the Station 55 building and ESD 29 also owns a portion of the Station 55 building. Mr. England added that Champions FD has indicated that the EMS door replacement will cost

less than \$10,000. Ms. Bobbitt stated that her office will review the Construction, Financing and Cost Sharing Agreement between the District and ESD 29 ("the Cost Sharing Agreement"), to determine the District's share of the costs for the door replacement and include an item on the August meeting agenda to authorize such payment. Commissioner Pinard stated that he will also review the Cost Sharing Agreement and contact the Chief of the Champions FD regarding replacement of the EMS doors at Station 55.

Mr. England next noted that there are no requests for capital funding from CCEMS being presented at today's meeting.

Upon motion by Commissioner Pinard, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to approve the CCEMS Operations and Financial Report and to approve the monthly CCEMS Operations payment in the amount of \$1,162,925 for the month of July.

REVIEW AND TAKE NECESSARY ACTIONS ON FINANCIAL MATTERS, INCLUDING FINANCIAL REPORT FROM DISTRICT TREASURER AND BOOKKEEPER

Mr. Russell then presented to and reviewed with the Board the Bookkeeper's Report, including the revenues and expenses of the District, the budget comparison, the investment report and the checks being presented for payment at today's meeting, copies of which are attached hereto.

Mr. Russell went on to report that the District's certificate of deposit ("CD") at Allegiance Bank matured on July 17th and was not renewed. Mr. Russell further explained that his office was able to purchase a \$500,000 six (6) – month CD at BBVA Compass Bank with an interest rate of 1.15%.

Mr. Russell next reported that during the prior month, the District had received \$119,707.92 in property tax revenue, \$2,594.01 in penalties and interest, \$1,384.31 in investment interest and \$151.90 TML dividend payment. Mr. Russell further reported that all such revenue was deposited into the District's Compass Bank Operating Account.

Mr. Russell further reported that the District had recently received invoices from: 1) Joiner in the amount of \$12,940.26 in connection with obtaining the LEED Certification for Station 513; 2) VFIS of Texas in the amount of \$544 in connection with insuring the District's election equipment; and 3) Community Impact Newspaper in the amount of \$2,010 in connection with District and publications.

An extensive discussion then ensued regarding the District's budget for the fiscal year ending ("FYE") December 31, 2017 and the possible amendment of same to revise certain expense line items, including legal fees. Ms. Bobbitt noted that the District had budgeted \$65,000 for legal fees for the FYE December 31, 2017, which, in her opinion, is not adequate enough for the size and complexity of the District. Ms. Bobbitt and Mr. Russell recommended that the Board consider amending the budget to include more specific legal expense line items in an effort to more accurately categorize legal fees and related expenditures (i.e., general, legislative, contract negotiations, public information act responses, election, etc.). Ms. Bobbitt

stated that she will coordinate with Mr. Russell regarding preparation of an amended budget for FYE December 31, 2017 and the proposed budget for FYE December 31, 2018 for the Board's review and consideration at the August meeting.

Upon motion by Commissioner Plummer, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Bookkeeper's Report and to authorize payment of the checks reflected therein.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Bobbitt then reviewed with the Board the monthly Tax Assessor/Collector's Reports for the months of May and June, copies of which are attached hereto. Ms. Bobbitt reported that 98.56% of the District 2016 tax levy has been collected as of June 30, 2017. Upon motion by Commissioner Plummer, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Tax Assessor/Collector's Report, as presented.

COMMISSIONER'S MONTHLY FACILITIES INSPECTION/TOUR REPORT

Commissioner Ripley then stated that no monthly facilities inspection/tour would be conducted after the Board meeting today.

STATUS OF DISTRICT CONSTRUCTION, IMPROVEMENTS, REPAIRS AND RENOVATIONS TO DISTRICT REAL PROPERTY, STATIONS AND BUILDINGS, INCLUDING LEED CERTIFICATION, CONSTRUCTION PAYMENTS, CHANGE ORDERS AND ENGAGEMENT OF PROFESSIONAL SERVICES AND CONTRACTORS

In connection with the LEED status for Station 513 and on behalf of DBR and Brookstone, Mr. Joiner presented to the Board the LEED Silver Certificate for Station 513 which was recently granted by the Green Council, a copy of such Certificate is attached hereto.

UPDATE ON EMERGENCY VEHICLE PREEMPTION ("E-VIEW") SYSTEM, INCLUDING PURCHASE AND INSTALLATION OF DEVICES ALONG FM 1960 CORRIDOR NEAR WILLOWBROOK MALL AND TAKE ANY NECESSARY ACTIONS ON SAME

Ms. Bobbitt then reminded the Board that they had previously authorized the purchase of four (4) E-View intersection controller devices for installation along the FM 1960 Corridor near Willowbrook Mall at a total cost of \$14,976, which amount does not include installation and antenna costs. Ms. Bobbitt reported that Chief Rich Jones confirmed that the Klein Volunteer Fire Department received the equipment in mid-June and confirmed installation of same on July 13th. Ms. Bobbitt added that her office had submitted the District's purchase check to E-Views Safety Systems upon confirmation of the equipment delivery.

REVIEW, DISCUSS AND TAKE ACTION ON MISCELLANEOUS MEDIA MATTERS, INCLUDING UPDATE BY NRG MARKETING GROUP ("NRG") ON STATUS OF DISTRICT'S WEBSITE AND CREATION OF A DISTRICT LOGO

Mr. Kerry Johnson of NRG, the District's website service provider, was not in attendance at the meeting and, therefore, no report was given regarding the status of the District's website

and related matters. Mr. Uhl then informed the Board that the District's meeting minutes have not been posted on the website since February and the meeting notice for today's meeting was not posted. Commissioner Pinard stated that he will contact Mr. Johnson to discuss the status of the website and the timely posting of meeting minutes and notices.

Commissioner Pinard then reported that he had previously submitted applications on behalf of the District for the design of a District logo. Commissioner Pinard explained that several online designers continue to submit proposed versions/concepts of a District logo, but that he has not been satisfied with any of the proposals received thus far. Commissioner Pinard stated that he continues to explore alternative options to have a District logo created.

DISCUSS PROPOSED ESTABLISHMENT AND IMPLEMENTATION OF DISTRICT/BOARD GOALS FOR 2017 AND TAKE ANY NECESSARY ACTIONS ON SAME

Commissioner Ripley next reminded the Board that they had previously discussed the proposed establishment of goals for the District and Board for 2017, including: 1) engage in regular continuing education (i.e., attendance at the Safe-D Conference and/or online seminars); 2) increase Board representation/attendance at the monthly CCEMS meetings; and 3) regularly tour the District's EMS stations and other EMS facilities. Commissioner Ripley stated that he was still in the process of drafting a comprehensive "District Goals" document and that he would present same to the full Board once it was completed.

ATTORNEY'S REPORT

Ms. Bobbitt next reported that the 85th Texas Legislative Session has officially ended, but added that the Governor has called a Special Session, during which the legislature will consider several topics potentially affecting emergency services districts, including ad valorem taxation and municipal annexation. Ms. Bobbitt then presented to and reviewed with the Board a comprehensive Legislative Update memo prepared by her office, a copy of which is attached hereto.

Regarding the proposed revisions to the Contract for Providing Emergency Medical Services by and between the District and CCEMS, dated June 30, 2013 (the "Service Contract"), Ms. Bobbitt stated that she and Mr. Ellery have identified several areas of concern and ambiguity in the current Service Contract and that Mr. Andrew McKinney, the CCEMS attorney, has proposed and requested that the Service Contract be reviewed and updated in connection with the budgeting and budget approval process. Ms. Bobbitt added that she and Mr. Joshua Ellery from her office have had several conference calls with Mr. McKinney and continue the negotiating process, including drafting proposed revisions to the Service Contract.

PUBLIC COMMENTS AND MISCELLANEOUS MATTERS

There were no comments from the public at this time.

Mr. England then reminded the Board that there will be a Houston Northwest Chamber of Commerce event on August 12th and that the Board members are invited to attend such event.

All meeting attendees, with the exception of all members of the Board present, Ms. Bobbitt and Ms. Christensen exited the meeting at this time.

CONVENE IN EXECUTIVE SESSION

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.071(2), Commissioner Ripley convened the Board in Executive Session at 10:05 a.m., to consult with the District's attorney and discuss and deliberate on certain matters concerning attorney-client privilege. The persons present in the executive session were Commissioners Ripley, Pinard, Plummer and Grundmeyer, Ms. Bobbitt and Ms. Christensen.

RECONVENE IN OPEN SESSION

Commissioner Ripley then reconvened the meeting in open session at approximately 10:15 a.m.

No action was taken by the Board at this time.

Mr. England re-entered the meeting at this time.

CONFIRM NEXT REGULAR MEETING DATE AND MEETING ADJOURNMENT

Ms. Bobbitt then reminded the Board that the next regular meeting is scheduled for Thursday, August 17, 2017, at 9:00 a.m.

There being no further business to come before the Board, the meeting was adjourned at approximately 10:15 a.m.

COMMISSIONER'S MONTHLY DISTRICT FACILITIES TOUR

The monthly district facilities tour was postponed until next month.

PASSED, APPROVED AND ADOPTED this 17th day of August, 2017.




Secretary, Board of Commissioners