

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

February 28, 2023

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 the District's Administration Building, 18334 Stuebner Airline Road, Spring, Texas 77379, a meeting place inside the boundaries of the District, on Tuesday, February 28, 2023, at 5:00 p.m.; whereupon, the roll was called of the members of the Board, to-wit:

Karen Plummer	President
Steve Williams	Vice President
Dorothy Dalton	Secretary
Robert Pinard	Treasurer/Asst. Secretary
Zach Dunlap	Asst. Treasurer

All members of the Board were present, except Commissioner Williams, thus constituting a quorum. Also attending the meeting were the following District employees: Mr. Jamie Chebra, Chief Executive Officer ("CEO"); Mr. Tony Farmer, Chief Financial Officer ("CFO"); Ms. Shirley Ware, Executive Assistant; Ms. Katie Conn, Compliance Manager; Ms. Dan Wang, Financial Controller; Dr. Casey Patrick, Medical Director; Mr. Xavier De La Rosa, Chief Clinical Officer; Messrs. Matt Folsom, Steven Ray and Kevin Nutt and Ms. Michelle Prescott. District consultants in attendance were: Mr. Ricardo Martinez of Martinez Architects ("MA"); Mr. Rene Aviles of J.E. Dunn Construction Co. ("J.E. Dunn"); Ms. Regina D. Adams and Ms. Meredith King, attorneys, and Ms. Carla Christensen, paralegal, of Radcliffe Bobbitt Adams Polley PLLC ("RBAP"), general counsel for the District; and Mr. Zach Karrenbrock of 62 Digital, LLC ("62 Digital"), the District's communications coordinator. Numerous members of the public were also in attendance. A copy of the sign-in sheet is attached hereto.

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 moment of silence for prayer and reflection.

PUBLIC COMMENTS

There were no public comments at this time.

PRESENTATION OF SERVICE AND MERITORIOUS AWARDS

There were no awards to be presented at this time.

APPROVAL OF THE MINUTES

The Board considered approval of the January 24, 2023 regular meeting minutes. Upon motion by Commissioner Dalton, seconded by Commissioner Pinard, after full discussion and the question being put to the Board, the Board voted unanimously to approve the January 24, 2023 regular meeting minutes and certified agenda for same.

ADMINISTRATION, DISPATCH AND LOGISTICS FACILITIES CONSTRUCTION/ DEVELOPMENT REPORT, INCLUDING:

STATUS OF CONSTRUCTION OF PHASE I AND PHASE II OF DISTRICT ADMINISTRATION COMPLEX BY J.E. DUNN AND TAKE NECESSARY ACTION ON SAME

Mr. Martinez reported that MA has continued to coordinate with the District's Construction Committee and J.E. Dunn representatives in connection with completion of the Phase I and II Projects. Mr. Martinez reported that the Fire Marshal inspection was conducted a day earlier, and the certificate of occupancy was granted. Mr. Martinez went on to report that the Americans with Disabilities Act inspection was conducted, and MA was coordinating with J.E. Dunn to address the issues identified.

CONSIDER CONSTRUCTION PAY APPLICATIONS ("PA") AND/OR CHANGE ORDERS ("CO")

Mr. Martinez then presented to and reviewed with the Board PA No. 23 from J.E. Dunn in the amount of \$450,269.00 for the Phase II Project, a copy of which is attached hereto. Mr. Martinez noted that the remaining construction contract balance on the Phase I and II Projects was \$2,224,091.00 and he anticipated the District would realize approximately \$500,000-\$600,000 in overall savings. A discussion ensued.

Upon motion by Commissioner Dalton, seconded by Commissioner Dunlap, after full discussion and the question being put to the Board, the Board voted unanimously to accept MA's Report and authorize payment in the amount of \$450,269.00 for PA No. 23.

REVIEW AND ACCEPT PHASE I PROJECT CONSTRUCTION AUDIT AND CONSIDER FINAL PA FOR PHASE 1 EXPENDITURES, AS NECESSARY

The Board postponed this matter until the March Board meeting.

STATUS OF SURVEY OF DISTRICT ADMINISTRATION PROPERTY AND TAKE ANY NECESSARY ACTIONS ON SAME

Mr. Chebra Noted that there was nothing to report on this matter.

CEO REPORT

Mr. Chebra then reported on various service matters, including the status of the District's operations, ambulance fleet, communications, District staffing and hospital wall times during January 2023.

REVIEW COMPLIANCE, COMMUNICATIONS, CLINICAL MATTERS AND OPERATIONS

Mr. Chebra next presented to and reviewed with the Board the monthly Operations and Compliance Reports, copies of which are attached hereto.

Mr. Chebra then reviewed with the Board: 1) critical failures; 2) fleet updates; 3) human resources reports; and 4) the 24 hour unit consumption time, copies of which are attached hereto. Mr. Chebra also reported that, during the month of January 2023, the District's ambulance fleet had driven a total of 82,588.

Mr. Chebra reported that in the previous month, the District: 1) operated its ambulances with approximately 21.08 lost unit hours; 2) received 4,844 calls, of which 3,018 resulted in transports to hospitals; 3) provided mutual aid 11 times and received mutual aid two (2) times; and 4) maintained an overall response time compliance of 86.00% for January.

STATUS OF ACCREDITED CENTER OF EXCELLENCE ("ACE") ACCREDITATION APPLICATION SUBMISSION

Mr. Chebra next reported that the District's ACE Accreditation Application had been submitted and he anticipated hearing back from ACE within 30 to 60 days.

DISPATCH AND BILLING LICENSING UPDATES TO SUBSCRIPTION AGREEMENT WITH VLI TECH

Mr. Chebra then reminded the Board that District staff had previously obtained an updated Software Subscription Agreement (the "Software Agreement") with VLI Tech/LOGIS and the Board previously voted to rescind its motion of December 20, 2022 to authorize the CEO to execute the updated Software Subscription Agreement with VLI Tech/LOGIS. Mr. Chebra stated that, subsequent to obtaining such updated Software Agreement, he, Mr. Farmer and District staff determined to further explore and evaluate all available billing software options and related costs.

REVIEW AND APPROVE PROPOSAL FOR RESCUENET LICENSE FROM ZOLL DATA SYSTEMS ("ZOLL")

Mr. Farmer then presented to and reviewed with the Board a memorandum regarding the evaluation of various billing software systems (VLI Tech/ESO, Zoll Online, and Image Trend) for the District, a copy of which is attached hereto.

Mr. Farmer then presented to and reviewed with the Board a proposal from Zoll for the purchase of the District's billing software license with RescueNet, a copy of which is attached hereto. Mr. Farmer stated that the current license with VLI Tech/ESO cost \$381,776 for a 3-year

term. Mr. Farmer stated that he and District staff recommended termination of the current billing software license and purchase a new license with Zoll/RescueNet (hosted by VLI Tech) for a cost of \$288,836 for a 3-year term. A discussion ensued.

Upon motion by Commissioner Dunlap, seconded by Commissioner Dalton, after full discussion and the question being put to the Board, the Board voted unanimously to: 1) terminate the District's current billing software license with VLI Tech/ESO at the appropriate time; and 2) accept the proposal from Zoll/RescueNet for the purchase of a billing software license for \$288,836 and authorize execution of same by the District's CEO.

REVIEW AND APPROVE HEALTH SCHOLARS CUSTOMER DEMO AGREEMENT

Mr. Chebra then presented to and reviewed with the Board the proposed Customer Demo Agreement with Health Scholars for the demonstration use of two (2) Oculus headsets and controllers. Ms. Adams stated that RBAP has reviewed and commented on same.

Upon motion by Commissioner Dalton, seconded by Commissioner Dunlap, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Customer Demo Agreement with Health Scholars, a copy of which is attached hereto, and authorize execution of same by the District's CEO.

REVIEW AND APPROVE SECOND ADDENDUM TO CONTRACT FOR SERVICES WITH BC SERVICES, INC. ("BC SERVICES")

Mr. Farmer next reviewed with the Board recommended changes to the District's Contract for Debt Collection Services with BC Services (the "BC Services Contract"). Mr. Farmer then presented to and reviewed with the Board the proposed Second Addendum to the BC Services Contract and noted that the addendum modified BC Services' billing structure. Ms. Adams stated that RBAP would review and provide comments on the Second Addendum to the BC Services Contract.

Upon motion by Commissioner Dunlap, seconded by Commissioner Dalton, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Second Addendum to the BC Services Contract, a copy of which is attached hereto, and authorize execution of same by the District's CEO, subject to legal review.

REVIEW AND APPROVE MODIFICATIONS TO SERVICES AGREEMENT WITH GRANT MERCANTILE AGENCY, INC. ("GMA")

Mr. Farmer next reviewed with the Board recommended changes to the District's Service Agreement for Debt Collection Services with GMA and noted that the billing structure changes were the same as that of BC Services. Ms. Adams stated that RBAP would review and provide comments on the proposed Amended Service Agreement with GMA.

Upon motion by Commissioner Dalton, seconded by Commissioner Dunlap, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Amended Service Agreement with GMA, a copy of which is attached hereto, and authorize execution of same by the District's CEO, subject to legal review.

REVIEW AND APPROVE CLINICAL ROTATION AGREEMENT WITH RC HEALTH SERVICES EMERGENCY MEDICAL SERVICES TRAINING ("RC SERVICES")

Mr. Chebra then presented to and reviewed with the Board the proposed Clinical Rotation Agreement with RC Services in connection with the use of the District's facilities by RC Services students. A discussion ensued. Ms. Adams stated that RBAP would review and provide comments on the proposed Agreement.

Upon motion by Commissioner Dunlap, seconded by Commissioner Pinard, after full discussion and the question being put to the Board, the Board voted unanimously to approve and authorize execution of the Clinical Rotation Agreement with RC Services, a copy of which is attached hereto, subject to legal review.

REVIEW AND AMEND AS NECESSARY THE DISTRICT'S RELOCATION POLICY

Mr. Chebra then presented to and reviewed with the Commissioners the proposed amended Relocation Policy and Relocation Expenses Agreement for their consideration. An extensive discussion ensued and Ms. Adams noted her questions and comments on the draft of same. The CEO agreed to review other local emergency services districts' relocation policies. It was the consensus of the Board to table such matter, pending receipt of additional information.

AUTHORIZE PROCUREMENT OF PROPOSALS FOR LANDSCAPING MAINTENANCE SERVICES

Mr. Chebra next reported that the District's current landscaping service contract with JINCO Landscaping ("JINCO") expires in May. Commissioner Plummer stated that she had a conflict of interest in connection with JINCO and would be abstaining from any discussion or action on such matter.

A discussion ensued regarding potentially procuring proposals for these services.

Upon motion by Commissioner Dalton, seconded by Commissioner Dunlap, after full discussion and the question being put to the Board, the Board voted three (3) votes in favor with one (1) abstention by Commissioner Plummer, to authorize District staff to procure proposals for landscaping maintenance services.

Upon motion by Commissioner Dalton, seconded by Commissioner Dunlap, after full discussion and the question being put to the Board, the Board voted unanimously to accept the CEO's Report.

CFO REPORT

APPROVE PAYMENT OF BILLS AND ISSUANCE OF CHECKS, AND REVIEW INVESTMENT REPORT

AUTHORIZE LOAN PAYMENTS TO TRUSTMARK BANK, REGIONS CAPITAL ADVANTAGE ("REGIONS"), ZMFU, II/ZIONS BANCORPORATION ("ZMFU") AND SIGNATURE PUBLIC FUNDING CORP. ("SIGNATURE")

The President then recognized Mr. Farmer, who presented to and reviewed with the Board the summary of activity, profit and loss statement, a budget comparison, statement of cash flows, the debt service payment schedule, a list of checks and related invoices being presented for payment and the Investment Report, copies of which are attached hereto. A discussion ensued.

Upon motion by Commissioner Dalton, seconded by Commissioner Dunlap, after full discussion and the question being put to the Board, the Board voted unanimously to: 1) approve payment of the bills as submitted, with the exception of the JINCO invoices, which would be considered separately; 2) approve the Investment Report; and 3) authorize the required loan payments to Trustmark Bank, Regions, ZMFU and Signature.

Commissioner Plummer stated that she had a conflict of interest in connection with the JINCO invoice(s) and payment of same and would be abstaining from any discussion or action on such matter.

Upon motion by Commissioner Dalton, seconded by Commissioner Dunlap, after full discussion and the question being put to the Board, the Board voted three (3) votes in favor with one (1) abstention by Commissioner Plummer, to authorize payment of the JINCO invoices.

A discussion ensued regarding the potential for arbitrage on the District's loan funds.

Upon motion by Commissioner Dalton, seconded by Commissioner Dunlap, after full discussion and the question being put to the Board, the Board voted unanimously to approve the CFO's Report.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Adams then reviewed with the Board the Tax Assessor/Collector's Report for January 2023, a copy of which is attached hereto.

RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION FOR 2023 TAX YEAR

Ms. Adams then explained that pursuant to the Texas Tax Code, as amended, the District was authorized to grant exemptions relative to the District's property tax levy. The Board next considered approval of tax exemptions for the 2023 tax year, including general homestead exemptions and exemptions for property owners who are 65 years of age and older or disabled. Ms. Adams explained that in 2022, the Board did not grant a general residential homestead tax exemption but granted a homestead exemption of \$50,000 for those property owners who are 65 years of age and older or disabled.

In the absence of Mr. John Howell of GMS Group, LLC, the District's financial advisor, Ms. Adams presented to and reviewed with the Board a tax exemption analysis based on 2022 appraised values, a copy of which is attached hereto. Ms. Adams noted that 35,742 of the District's tax accounts qualify for the District's authorized tax exemption for persons 65 years of age or older or disabled persons. A discussion ensued.

The Board decided to grant the same exemptions for the 2023 tax year as were granted for the 2022 tax year. Upon motion by Commissioner Dunlap, seconded by Commissioner Dalton, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Resolution Concerning Exemptions from Taxation for the 2023 Tax Year reflecting a homestead exemption of \$50,000 for property owners who are 65 years of age and older or disabled, a copy of which is attached hereto.

ADOPT RESOLUTION APPOINTING THE HARRIS COUNTY (THE "COUNTY") TAX ASSESSOR-COLLECTOR AS THE DESIGNATED OFFICER TO CALCULATE TAX RATES FOR THE DISTRICT

Ms. Adams then presented to and reviewed with the Board the proposed Resolution Appointing the County Tax Assessor-Collector as the Designated Officer to Calculate Tax Rates for the District. Upon motion by Commissioner Dunlap, seconded by Commissioner Dalton, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Resolution Appointing the County Tax Assessor-Collector as the Designated Officer to Calculate Tax Rates for the District, a copy of which is attached hereto.

ATTORNEY'S REPORT, INCLUDING:

REVIEW RECENT PUBLIC INFORMATION ACT ("PIA") REQUESTS AND RESPONSES TO SAME

Ms. Adams reported on recent and outstanding PIA requests received in the prior month.

REVIEW MATTERS PERTAINING TO TEXAS SECRETARY OF STATE'S ("SOS") RANDOMIZED AUDIT OF MAY 7, 2022 ELECTION

Ms. Adams then reminded the Board that, in 2021, due to changes in Texas law, the SOS established the Forensic Audit Division to comply with Section 127.351, Texas Election Code, which required the SOS to conduct an audit of the elections held in four (4) randomly selected counties with populations over 300,000 during the previous two (2) years. Ms. Adams noted that the SOS Forensic Audit Division randomly selected Harris County, including elections independently held within Harris County, such as the District's May 2022 Election. Ms. Adams went on to report that RBAP had received and responded to the SOS Forensic Audit Division's first (1st) request for documents related to the District's May 2022 Election and was in the process of preparing a response to the second (2nd) request, which was due by Friday, March 3rd. A discussion ensued.

REVIEW DISTRICT PERSONNEL MATTERS, INCLUDING REVIEW AND AMEND DISTRICT ORGANIZATIONAL CHART

Mr. Chebra stated that he had some personnel matters to discuss with the Board in Executive Session.

Commissioner Plummer then stated that the Board would be going into Executive Session to deliberate personnel matters pursuant to Section 551.074, Texas Government Code.

All members of the Board present and Mr. Chebra convened into Executive Session at 5:58 p.m.

All other meeting attendees still present re-entered the meeting at 6:09 p.m.

RECONVENE IN OPEN SESSION

Commissioner Plummer reconvened the meeting in open session at approximately 6:09 p.m. at which time no action was taken by the Board.

There being no further business to come before the Board, the meeting was adjourned at 6:10 p.m.

PASSED, APPROVED AND ADOPTED this 4th day of April, 2023.



Anthony Patton
Secretary, Board of Commissioners