

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

May 23, 2023

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 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, May 23, 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 Dunlap, 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. Katie Conn, Compliance Manager; Ms. Karisa Wendt, Executive Assistant; Ms. Dan Wang, Financial Controller; Dr. Casey Patrick, Medical Director; Mr. Xavier De La Rosa, Chief Quality Officer ("CQO"); and Messrs. Steven Ray, Jordan Anderson, Kevin Nutt and Ms. Pandora Pekne and Ms. Brandi King. District consultants in attendance were: 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 Adams Barner PLLC ("RAB"), general counsel for the District; Mr. Xander Kannick of 62 Digital, LLC ("62 Digital"), the District's communications coordinator; Mr. Ira Coveler of Coveler and Peeler, P.C., general counsel to the Texas Emergency Communications Center ("TECC"); Ms. Alanna Kessler of the Cody Stephens Foundation; Mr. Fred Grundmeyer; and Mrs. Doris Grundmeyer. 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

The President first recognized Mr. Coveler, who read a statement to the Board explaining that TECC rejected the District's assertion that that it has done anything in violation of the law or in violation of the Data Use Agreement between the District and TECC, as indicated on the District's meeting agenda and in recent correspondence sent to him from Ms. Adams. Mr. Coveler reiterated that TECC only released dispatch information. Mr. Coveler went on to request that the District and TECC continue to work together and possibly discuss the creation of a new Data Sharing Agreement to address any of the District's concerns related to TECC's release of protected health information ("PHI") and/or confidential information.

The President then recognized Ms. Kessler, who stated that the mission of the Cody Stephens Foundation was to partner with schools and other organizations to implement heart screening programs and raise awareness that sudden cardiac arrest was preventable. Ms. Kessler went on to thank the District for the recent heart screenings provided to 263 students and the CPR training provided to over 700 individuals.

There were no additional public comments at this time.

DEDICATION OF THE DISTRICT'S GAZEBO

Commissioner Plummer then recognized former Commissioner, Mr. Grundmeyer, and reported that the District's gazebo would be dedicated in his honor and henceforth be known as the 'Grundmeyer Gazebo'. Mr. Grundmeyer thanked the Board, District staff and members of the community that have supported his efforts throughout the years.

PRESENTATION OF SERVICE AND MERITORIOUS AWARDS

Mr. De La ARosa then recognized Ms. Peckne, a clinical specialist for the District, and presented her with a Meritorious Service Award in recognition of her dedication and outstanding service to the District.

RECOGNITION OF EMERGENCY MEDICAL SERVICES ("EMS") WEEK

Mr. Chebra noted it was Nation EMS Week. Commissioner Plummer then read a Proclamation declaring the District's recognition of May 21 – 27, 2023 as EMS Week, a copy of which is attached hereto.

APPROVAL OF THE MINUTES

The Board considered approval of the April 25, 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 three (3) votes in favor and one (1) abstention, with Commissioner Williams abstaining, to approve the April 25, 2023 regular meetings minutes and certified agenda for same.

APPROVE FISCAL YEAR ENDED ("FYE") DECEMBER 31, 2022 AUDIT REPORT (THE "AUDIT") AND AUTHORIZE NECESSARY FILINGS OF SAME, INCLUDING SUBMISSION TO HARRIS COUNTY COMMISSIONERS COURT

Mr. Chebra reported that the draft Audit is not yet complete and would be presented at the June 27th Board meeting.

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

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

In the absence of Mr. Ricardo Martinez of Martinez Architects ("MA"), Mr. Aviles reported that the only outstanding item for the Phase II Project was installation of the Administration Complex signage, which was scheduled to occur later in the week.

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

Mr. Aviles reported that there were no PAs or COs due for the Phase II Project at the time. Mr. Aviles stated that J.E. Dunn was in the process of compiling all the invoicing in connection with the Phase II Project audit and anticipated presenting the final PA for the Phase II Project at the June 27th Board meeting.

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

Mr. Chebra then reminded the Board that it previously accepted a proposal from South Texas Surveying Associations, Inc. for the surveying of the District's properties at 18334 and 18126 Stuebner Airline Road (the "District Property"). Mr. Chebra reported that the survey was completed the week prior and he would provide a copy of same to the Commissioners.

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 April 2023.

REVIEW COMPLIANCE, COMMUNICATIONS AND OPERATIONS

Mr. Chebra first thanked all the District's employees and consultants for their efforts to make EMS Week a success.

Mr. Chebra next presented to and reviewed with the Board the monthly Operations, Information Technology ("IT"), Human Resources and Compliance Reports, copies of which are attached hereto.

Mr. Chebra then reviewed with the Board: 1) critical failures; 2) fleet updates; 3) the IT Report; and 4) the 24-hour unit consumption time, copies of which are attached hereto. Mr. Chebra also reported that, during the month of April 2023, the District's ambulance fleet had driven a total of 107,370 miles.

Mr. Chebra reported that in the previous month, the District: 1) operated its ambulances with approximately 198 lost unit hours; 2) received 4,710 calls, of which 2,999 resulted in transports to hospitals; 3) provided mutual aid 7 times and requested mutual aid 4 times; and 4) maintained an overall response time compliance of 87.12%.

REVIEW AND APPROVE AGREEMENT WITH AUTOMOTIVE LIFT INSTITUTE, INC. ("ALI") IN CONNECTION WITH ONLINE TRAINING FOR FLEET DEPARTMENT

Mr. Chebra then presented to and reviewed with the Board a proposed Subscription Agreement with ALI in connection with online training for the Fleet Department. Ms. Adams noted that RAB reviewed and commented on the ALI Subscription Agreement. Mr. Chebra stated that the proposed annual cost for the ALI subscription was \$175 and included up to ten (10) users. Upon motion by Commissioner Dalton, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted unanimously to approve the ALI Subscription Agreement and authorize the CEO to execute same, a copy of which is attached hereto.

APPROVE AMENDMENT TO IMPLEMENT SECURE ACT AND OTHER LAW CHANGES (THE "AMENDMENT") TO DISTRICT 457B PLAN

Mr. Chebra then presented to and reviewed with the Board an Amendment to Implement SECURE Act and Other Law Changes to the District's 457B Plan. Ms. Adams noted that RAB reviewed and commented on the Amendment. Upon motion by Commissioner Williams, seconded by Commissioner Dalton, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Amendment to the District's 457B Plan and authorized the CEO to execute same, a copy of which is attached hereto.

REVIEW AND APPROVE PROPOSAL FROM HANDTEVY/PEDIATRIC EMERGENCY STANDARDS, INC. ("PES") AND APPROVE RELATED AGREEMENT AND TERMS AND CONDITIONS

Mr. Chebra next presented to and reviewed with the Board a proposal from Handtevy/PES and the related Terms and Conditions and Addendum to same in connection with the District's annual set-up and access to the Handtevy/PES software. Ms. Adams noted that RAB reviewed and commented on the proposal and Terms and Conditions. Mr. Chebra stated that the proposed annual cost for the Handtevy/PES access and technical support was \$5,136.20 with a setup cost of \$797.50.

Upon motion by Commissioner Dalton, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted unanimously to accept the proposal from Handtevy/PES, approve the related Terms and Conditions and Addendum to same, and authorize the CEO to execute same, copies of which are attached hereto.

REVIEW PROPOSALS FOR LANDSCAPING MAINTENANCE SERVICES AND TAKE ANY NECESSARY ACTIONS ON SAME

Ms. Adams next reviewed with the Board current Conflict of Interest statutes and procedures. A discussion ensued.

Mr. Chebra then reported that the District recently received two (2) proposals from landscape maintenance vendors. Mr. Chebra presented to and reviewed with the Board a summary of the proposals submitted by JINCO, Inc. ("JINCO") and Growth Services, Inc., a copy of which is attached hereto.

Commissioner Plummer stated that she had a conflict of interest in connection with the landscape proposal from JINCO and with awarding the Landscape Maintenance Services Contract ("Service Contract") for same and, therefore, would be abstaining from any discussion or action on such matter.

Mr. Chebra stated that, after the District staff's review of the proposals and related pricing, he recommended that the Board accept the proposal from JINCO and approve the Service Contract and Addendum to same, copies of which are attached hereto. Ms. Adams noted that RAB had reviewed and commented on the Service Contract and prepared the necessary Addendum to same. A discussion ensued regarding same.

Upon motion by Commissioner Dalton, seconded by Commissioner Pinard, 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 accept the proposal from JINCO and approve and authorize the CEO to execute the Service Contract and related Addendum.

STATUS OF REQUEST FOR PROPOSALS ("RFP") FOR CLEANING AND JANITORIAL SERVICES FOR DISTRICT FACILITIES

Mr. Chebra reminded the Board that it previously authorized him to explore internal District personnel options for cleaning the District's facilities and obtain proposals from cleaning service companies for the Board's review. Mr. Chebra reported that his office coordinated with RAB to finalize the RFP for cleaning/janitorial services for District facilities.

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 authorize District staff to disseminate the RFP to cleaning service companies.

REVIEW AND APPROVE CONTRACT WITH SUN COAST RESOURCES, LLC ("SUN COAST") FOR GAS SUPPLY DURING NATURAL DISASTERS

Mr. Chebra then presented to and reviewed with the Board the Hurricane Season Tank Reservation and Rental Agreement ("Sun Coast Agreement") and related pricing with Sun Coast, copies of which are attached hereto. Ms. Adams noted that RAB reviewed and commented on the Sun Coast Agreement. A discussion ensued.

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 and authorize the CEO to execute the Sun Coast Agreement, a copy of which is attached hereto.

REVIEW AND APPROVE SCHOOL OF EMS CONTRACT AND BASIC TO PARAMEDIC EMPLOYEE AGREEMENT

Mr. Chebra next presented to and reviewed with the Board a draft of the School of EMS Contract/Paramedic Training Program Student Agreement (the "Paramedic Training Student Agreement") in connection with paramedic training for 2023-2024, copies of which are attached hereto. Ms. Adams noted that RAB had reviewed and commented on the Paramedic Training Student Agreement. A discussion ensued regarding same.

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 and authorize the CEO to execute the Paramedic Training Student Agreement.

Mr. Chebra went on to request the Board's approval for the District to join the "Aim High" Program, which allows EMS and related workers to access, track and share medical information and experiences. Mr. Chebra stated that the annual cost to subscribe to the "Aim High" Program was \$4,000. Upon motion by Commissioner Williams, seconded by Commissioner Dalton, after full discussion and the question being put to the Board, the Board voted unanimously to authorize a one (1) – year subscription to the "Aim High" Program and authorize payment of \$4,000 for same.

DISCUSS DATA USE AGREEMENT WITH TECC AND TECC'S PUBLIC CONVEYANCE OF 3RD PARTY PROPRIETARY INFORMATION AND TAKE NECESSARY ACTION IN CONNECTION WITH SAME

Ms. Adams stated that this matter would be discussed in Executive Session.

Commissioner Plummer then stated that the Board would convene in Executive Session to deliberate the item listed above as a matter of attorney-client privilege pursuant to Section 551.071, Texas Government Code.

All members of the Board present, Mr. Chebra, Ms. Adams, Ms. King and Ms. Christensen convened into Executive Session at 5:53 p.m.

All other meeting attendees still present re-entered the meeting at 6:49 p.m.

RECONVENE IN OPEN SESSION

Commissioner Plummer reconvened the meeting in open session at approximately 6:49 p.m.

Mr. Chebra reported that he recently became aware of a Public Information Act ("PIA") request to TECC by Commissioner Zach Dunlap, individually, of which the response by TECC included confidential information and/or PHI. In light of such action(s), Mr. Chebra recommended

that the Board authorize a coordinated suspension of the Computer Aided Dispatch ("CAD") to CAD data exchange between the District and TECC in an effort to protect District patients' confidential information and/or PHI until the matter could be fully rectified.

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 authorize the coordinated suspension of the District's CAD to CAD data exchange with TECC.

CQO REPORT, INCLUDING:

Mr. De La Rosa then presented to and reviewed with the Board the Clinical Report for April 2023, a copy of which is attached hereto. A discussion ensued. Mr. De La Rosa then answered questions from the Board.

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

Mr. De La Rosa reported that the District's ACE Accreditation Application had been submitted and the last step prior to receiving ACE approval was a site inspection, which was scheduled for June 1st.

CONTROL EMD-Q SILENT HERO AWARD AND NAVIGATOR TRIP

Mr. De La Rosa next reported that on April 5, 2023, a District EMD-Q employee was recognized at the recent Public Safety Conference.

Mr. De La Rosa went on to report that several District employees attended the Navigator Conference in National Harbor, Maryland on April 16-18, 2023.

CLINICAL CARE BUNDLES COMPLIANCE

Mr. De La Rosa then reported on clinical care and compliance.

EMS TO OPERATING ROOM ("OR") PROGRAM

Mr. De La Rosa next reported that the District was participating in the EMS to OR Program.

IN-HOUSE CONTINUING EDUCATION AND PEDIATRIC ADVANCED LIFE SUPPORT ("PALS") COURSES

Mr. De La Rosa then reported that the District was offering its first PALS training class.

CFO REPORT

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

The President then recognized Mr. Farmer, who presented to and reviewed with the Board the summary of activity, profit and loss statement, budget comparison, statement of cash flows,

debt service payment schedule, 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 Williams, seconded by Commissioner Dalton, after full discussion and the question being put to the Board, the Board voted unanimously to approve payment of the bills as submitted, with the exception of the JINCO invoices, which would be considered separately.

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 Williams, seconded by Commissioner Dalton, 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.

Upon motion by Commissioner Pinard, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Investment Report.

ANNUAL REVIEW OF DISTRICT INVESTMENT POLICY, INCLUDING AMENDING INVESTMENT POLICY AND UPDATING LIST OF AUTHORIZED BROKERS ("INVESTMENT POLICY")

Ms. Adams reported that the District was required to review its Investment Policy annually. Ms. Adams stated that the CFO recommended certain revisions to the Investment Policy and the authorized broker list. Mr. Farmer went on to review the proposed changes to the District's Investment Policy.

Ms. Adams then reviewed with the Board the Order Regarding Annual Review of Rules, Policies, and Code of Ethics for the Investment of District Funds and Review of Investments (the "Investment Policy Order"). A discussion ensued regarding the proposed revisions.

Upon motion by Commissioner Pinard, seconded by Commissioner Dalton, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Investment Policy Order and approve the amendments to the Investment Policy and authorized broker list, as discussed and subject to finalization, copies of which are attached hereto.

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

Mr. Farmer also stated that the District was in the process of setting up the Zoll/Rescue Net System and that the training would start the following week.

TAX ASSESSOR/COLLECTOR'S REPORT

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

ATTORNEY'S REPORT, INCLUDING:

REVIEW RECENT PIA REQUESTS AND RESPONSES TO SAME

Ms. Adams reported that there had not been any PIA requests received since the April 25th Board meeting.

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

Regarding the SOS randomized audit of the Election, Ms. Adams reported that RAB had not received any additional communications from the SOS.

REVIEW ARBITRAGE REBATE YIELD RESTRICTION COMPLIANCE SERVICE PROGRAM REPORT ("ARBITRAGE REBATE REPORT")

Ms. Adams then briefly reviewed with the Board the Arbitrage Rebate Report prepared by Arbitrage Compliance Specialists, Inc. ("ACS") concerning the District's active financings as of April 20, 2023, a copy of which is attached hereto. Ms. Adams noted that no action was required.

REVIEW BOARD COMMITTEE APPOINTMENTS AND TAKE NECESSARY ACTION ON SAME

Ms. Adams next reviewed with the Board the then-current Board committees and appointments to same. It was the consensus of the Board to discuss such matter at a meeting in which all Commissioners were in attendance.

APPROVE PROPERTY DAMAGE RELEASE WITH SOPHIA AYALA AND GISELLE YSAURA RAMIREZ

REVIEW DISTRICT PERSONNEL MATTERS

Mr. Chebra and Ms. Adams stated that they had attorney-client privilege and personnel matters to discuss with the Board in Executive Session.

Commissioner Plummer then stated that the Board would convene in Executive Session to deliberate the items listed above as matters of attorney-client privilege pursuant to Section 551.071, Texas Government Code and personnel matters pursuant to Section 551.074, Texas Government Code.

All members of the Board present, Mr. Chebra, Ms. Adams, Ms. King and Ms. Christensen convened into Executive Session at 7:17 p.m.

Mr. Chebra exited the Executive Session at 7:52 p.m. and re-entered the Executive Session at 8:01 p.m.

All other meeting attendees still present re-entered the meeting at 8:12 p.m.

RECONVENE IN OPEN SESSION

Commissioner Plummer reconvened the meeting in open session at approximately 8:15 p.m. at which time the following action was taken by the Board:

APPROVE PROPERTY DAMAGE RELEASE WITH SOPHIA AYALA AND GISELLE YSAURA RAMIREZ

Upon motion by Commissioner Williams, seconded by Commissioner Dalton, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Property Damage Release with Sophia Ayala and Giselle Ysaura Ramirez, as revised.

There being no further business to come before the Board, the meeting was adjourned at 8:16 p.m.

PASSED, APPROVED AND ADOPTED this 27th day of June, 2023.


Secretary, Board of Commissioners

