

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

June 27, 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, June 27, 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 Plummer, 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; Mr. Jordan Anderson, acting Chief Quality Officer ("CQO"); and Messrs. Brian Piatkowski, Kevin Nutt and Ms. Brenna Jazzkowiak and Ms. Brandi King. District consultants in attendance were: Mr. Rene Aviles of J.E. Dunn Construction Co. ("J.E. Dunn"); Mr. Joseph Ellis of McCall Gibson Swedlund Barfoot PLLC ("McCall Gibson"), auditor for the District; 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; and Mr. Xander Kannick 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 Vice 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 none at this time.

APPROVAL OF THE MINUTES

The Board considered approval of the May 23, 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 May 23, 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 (THE "COUNTY") COMMISSIONERS COURT

Mr. Ellis next reviewed with the Board the draft Audit and management letter in detail, copies of which are attached hereto. Mr. Ellis noted that McCall Gibson has given the District an unqualified audit opinion. Mr. Ellis then briefly reviewed other information reflected in the Audit and responded to various questions from the Board. A discussion ensued.

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 approve the Audit and authorize the filing of same with all required governmental entities/agencies, including the Clerk of the County Commissioner's Court, subject to finalization of same.

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 had been installed and was operational. An extensive discussion ensued regarding the ongoing issues with the HVAC units. Mr. Aviles stated that he was coordinating with J.E. Dunn's subcontractor and the HVAC manufacturer to resolve such issues.

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

Mr. Aviles then presented to and reviewed with the Board PA No. 26 from J.E. Dunn in the amount of \$446,191.00 for the Phase II Project, a copy of which is attached hereto. Mr. Aviles noted that the remaining construction contract balance on the Phase II Project was only for the remaining retainage. A discussion ensued.

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 next Board meeting.

Mr. Aviles next presented to and reviewed with the Board CO No. 20 in the deductive amount of \$677,076.00, all of which was attributable to the Phase II Project, a copy of which is attached hereto.

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 payment to J.E. Dunn in the amount of \$446,191.00 for PA No. 26 and approve CO No. 20 in the deductive amount of \$677,076.00 in connection with the Phase II Project.

Mr. Ellis exited the meeting at this time.

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 May 2023.

REVIEW COMPLIANCE, COMMUNICATIONS, HUMAN RESOURCES ("HR"), CLINICAL MATTERS AND OPERATIONS

Mr. Chebra next presented to and reviewed with the Board the monthly Operations, Information Technology ("IT"), HR and Clinical 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 May 2023, the District's ambulance fleet had driven a total of 112,854 miles.

Mr. Chebra reported that in the previous month, the District: 1) operated its ambulances with approximately 178 lost unit hours; 2) received 4,764 calls, of which 69.6% resulted in transports to hospitals; 3) provided mutual aid 7 times and requested mutual aid 2 times; and 4) maintained an overall response time compliance of 87%.

In response to a question, Mr. Chebra reported on the status of Accredited Center of Excellence and Commission on Accreditation of Ambulance Services accreditation process for the District. A discussion ensued regarding the timeline for receiving same.

REVIEW PROPOSALS FOR CLEANING AND JANITORIAL SERVICES FOR DISTRICT FACILITIES AND TAKE NECESSARY ACTION IN CONNECTION WITH SAME

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 request for proposals ("RFP") for cleaning and janitorial services for District

facilities. Mr. Chebra stated that the RFP was then disseminated and five (5) proposals had been received to-date. Ms. Conn then reviewed with the Board a summary of the proposals received, a copy of which is attached hereto. A brief discussion ensued after which Mr. Chebra reported that staff was reviewing the proposals and checking references and would provide a recommendation at the next Board meeting.

REVIEW AND APPROVE CONTRACT WITH SUN COAST RESOURCES, LLC ("SUN COAST") AND RESCIND PRIOR APPROVALS REGARDING SAME

Mr. Chebra then reminded the Commissioners that, at the May 23rd Board meeting, the Board approved and authorized the CEO to execute the Sun Coast Agreement for rental of a Sun Coast tank for gas supply during natural disasters. Mr. Chebra went on to report that his office had since determined that it would be more cost effective for the District to have a tank on-site during hurricane season versus renting a tank on an as-needed basis. A discussion ensued.

Mr. Chebra next presented to and reviewed with the Board the new Terms and Conditions and proposal from Sun Coast, copies of which are attached hereto. Ms. Adams noted that RAB reviewed and commented on both the Sun Coast proposal and Terms and Conditions and prepared the required Addendum. 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) rescind the May 23rd motion approving and authorizing the CEO to execute the Hurricane Season Tank Reservation and Rental Agreement with Sun Coast, including the Terms and Conditions for same; and 2) to approve and authorize the CEO to execute the new Sun Coast proposal and related Terms and Conditions.

REVIEW AND APPROVE LEASE AGREEMENT WITH HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 ("ESD 13")

Ms. Adams then reported that RAB reviewed and provided comments on the proposed Lease Agreement with ESD 13 to lease a portion of ESD 13's Station No. 21. Mr. Chebra stated that he provided such comments to the ESD 13's Fire Chief and was awaiting a response regarding same.

Upon motion by Commissioner Dunlap, seconded by Commissioner Dalton, after full discussion and the question being put to the Board, the Board voted three (3) votes in favor and one (1) vote in opposition, with Commissioner Pinard voting in opposition, to approve and authorize execution of the Lease Agreement with ESD 13, subject to finalization.

REVIEW AND APPROVE SERVICE AGREEMENT WITH ASSUREHIRE, INC. ("ASSUREHIRE")

Mr. Chebra then presented to and reviewed with the Board a proposed Service Agreement with AssureHire in connection with the District's access to a background check database, a copy of which is attached hereto. Ms. Adams noted that RAB was in the process of reviewing and commenting on the AssureHire Service Agreement and preparing the necessary Addendum. 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 approve the AssureHire Service Agreement and related Addendum and authorize the CEO to execute same, subject to final legal review.

ADOPT ORDER DECLARING PROPERTY AS SURPLUS OR SALVAGE AND AUTHORIZING SALE OR DISPOSAL OF SAME ("SURPLUS PROPERTY ORDER")

Ms. Adams and Mr. Chebra next presented to and reviewed with the Board the Surplus Property Order. Mr. Chebra reported that the Surplus Property consisted of two (2) blood coolers, one (1) blood cooler generator, 11 file cabinets and 42 AEDs. Ms. Adams noted that once the Surplus Property Order is adopted, the Board could authorize District staff to properly dispose of the salvage property, if any, and sell the surplus property.

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 adopt the Surplus Property Order, thereby approving and authorizing the sale or disposal of the surplus and salvage property and authorizing District staff as appointed by the CEO, to sell or dispose of such surplus and salvage property in accordance with the applicable terms of Section 775.0735, Texas Health and Safety Code.

A discussion ensued regarding whether the District could declare excess dirt from a construction project as Surplus Property. Ms. Adams stated that RAB would research such matter.

REVIEW AND APPROVE BROKER OF RECORD LETTER FOR HEALTH INSURANCE BENEFITS

Mr. Farmer then presented to and reviewed with the Board a letter notifying the District's Health Insurance Benefits company that the District's insurance broker of record was Arthur J. Gallagher & Co., a copy of which is attached hereto. 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 such letter and authorize submittal of same to the District's health insurance benefits company.

STATUS OF I.E. SMART SYSTEMS ("SMART SYSTEMS")

Mr. Chebra went on to report that Smart Systems was J.E. Dunn's subcontractor and was responsible for installing the audio/visual ("A/V") and security systems for the Administration Building. Mr. Chebra stated that J.E. Dunn and District staff were spending a substantial amount of time addressing issues with the A/V and security systems. Mr. Aviles reported that J.E. Dunn withheld payment to Smart Systems until the A/V and security system issues are resolved.

CFO REPORT

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

The Vice 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 Dalton, seconded by Commissioner Pinard, after full discussion and the question being put to the Board, the Board voted unanimously to approve payment of the bills, as submitted.

In response to a question, Mr. Farmer reported that the new payroll system with Paycor, Inc. went live at the beginning of June.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Adams then reviewed with the Board the Tax Assessor/Collector's Report for May 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 May 23rd 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.

STATUS OF CYPRESS CREEK EMERGENCY MEDICAL SERVICES ("CCEMS") VS. THE DISTRICT, ET AL (THE "CCEMS LITIGATION"), AND RELATED LEGAL MATTERS AND TAKE NECESSARY ACTION ON SAME

Ms. Adams stated that there were no updates on this matter at this time.

REVIEW RELEASE OF DISTRICT PATIENT PROTECTED HEALTH INFORMATION ("PHI") AND TAKE NECESSARY ACTIONS IN CONNECTION WITH SAME

Ms. Adams stated that she had nothing to report on this matter at this time.

RESCHEDULE JULY 25, 2023 BOARD MEETING, AS NECESSARY

Mr. Chebra reported that the majority of District administration staff would be out the week of July 25th attending a conference. A discussion ensued.

It was the consensus of the Board to reschedule the next meeting for Tuesday, August 1, 2023 at 5:00 p.m.

REVIEW DISTRICT PERSONNEL MATTERS

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

Commissioner Williams then stated that the Board would convene in Executive Session to deliberate personnel matters pursuant to Section 551.074, Texas Government Code.

All members of the Board present, Mr. Chebra and Ms. Conn convened into Executive Session at 6:18 p.m.

Mr. Anderson entered Executive Session at 6:35 p.m.

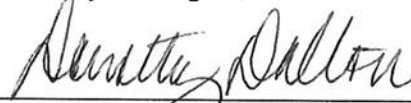
All other meeting attendees still present re-entered the meeting at 7:00 p.m.

RECONVENE IN OPEN SESSION

Commissioner Williams reconvened the meeting in open session at approximately 7:00 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 7:01 p.m.

PASSED, APPROVED AND ADOPTED this 1st day of August, 2023.



Secretary, Board of Commissioners

