

MINUTES OF MEETING OF THE  
BOARD OF COMMISSIONERS

September 26, 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, September 26, 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, 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; Mr. Jordan Anderson, Chief Quality Officer ("CQO"); Ms. Brandi King, Human Resources Manager; and Messrs. Matt Folsom, Brian Piatkowski, Steven Ray, Mike Phillips, Kevin Nutt. District consultants in attendance were: Mr. John Howell of The GMS Group, L.L.C., the District's financial advisor; Mr. Rene Aviles of J.E. Dunn Construction Co. ("J.E. Dunn"); Ms. Regina D. Adams, attorney, 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 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 the time.

## **PRESENTATION OF SERVICE AND MERITORIOUS AWARDS**

There were none at the time.

## **APPROVAL OF THE MINUTES**

The Board considered approval of the August 17, 2023 special and August 22, 2023 regular meetings minutes. 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 August 17, 2023 special and August 22, 2023 regular meetings minutes and certified agenda for same.

## **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, a copy of which is attached hereto. A discussion ensued.

Upon motion by Commissioner Plummer, seconded by Commissioner Dalton, after full discussion and the question being put to the Board, the Board voted unanimously to replace Commissioner Plummer with Commissioner Pinard on the Litigation Committee.

## **DISCUSS PROPOSED 2023 TAX RATE, HEAR FINANCIAL ADVISOR'S RECOMMENDATION, SET PUBLIC HEARING DATE AND AUTHORIZE PUBLICATION OF APPLICABLE NOTICE OF PUBLIC HEARING REGARDING SAME**

Mr. Howell distributed for Board review and discussion the financial advisor's tax rate analysis and recommendation for the proposed 2023 tax rate, a copy of which is attached hereto. Mr. Howell reminded the Board that the District's 2022 tax rate was \$0.029336 per \$100 assessed valuation. Mr. Howell reported that the average taxable value of a home in the District increased from \$266,726.00 in 2022 to \$295,949.00 in 2023. Mr. Howell then reported that the District's 2022 certified taxable value was \$66 billion in 2022 and the District's 2023 certified taxable value was then-currently \$72.8 billion with approximately \$4.4 billion in value still uncertified by the Harris Central Appraisal District. Mr. Howell went on to state that: 1) a \$0.026440 total tax rate would result in the average homeowner paying approximately the same amount in District taxes in 2023 as in 2022 and would generate approximately \$18.86 million in tax revenues; 2) a \$0.029435 total tax rate would result in the average homeowner paying approximately \$8.86 more in 2023 than in 2022 and would generate approximately \$21 million in tax revenues; and 3) a \$0.030175 total tax rate would result in the average homeowner paying approximately \$11.05 more in 2023 than in 2022 and would generate approximately \$21.5 million in tax revenues.

Mr. Howell then explained that \$0.030175 per \$100 of assessed valuation was the maximum tax rate that could be set without requiring an automatic tax election (the voter approval rate). Mr. Howell recommended that the Board publish a proposed 2023 tax rate of \$0.030175 and consider levying such tax rate after the public hearing.

A discussion ensued regarding the options presented by Mr. Howell in connection with the District setting its 2023 tax rate. The Board thanked Mr. Howell for his recommendation.

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 propose a total tax rate for 2023 in the amount of \$0.030175 per \$100 assessed valuation, authorize the publication of the appropriate Notice regarding a proposed 2023 tax rate of \$0.030175 per \$100 assessed valuation in the *Houston Chronicle* by the Harris County Tax Assessor-Collector and schedule the public tax hearing on same to be held at the October 24, 2023 at 5:00 p.m. at the District's Administration Building.

Mr. Howell exited the meeting at this time.

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

**STATUS OF CONSTRUCTION OF PHASE II OF DISTRICT ADMINISTRATION COMPLEX ("PHASE II PROJECT"), INCLUDING CONSTRUCTION/INSTALLATION CORRECTIONS, AND TAKE NECESSARY ACTION ON SAME**

In the absence of Mr. Ricardo Martinez of Martinez Architects ("MA"), Mr. Aviles reported that the only outstanding issue in connection with the Phase II Project was related to the function of the HVAC units, which were under warranty. Ms. Conn reported that one (1) of the HVAC units was replaced and two (2) HVAC units were repaired.

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

Mr. Aviles went on to report that the final two (2) PAs in connection with the Phase II Project were provided to Mr. Chebra for review.

**STATUS OF PREPARATION OF PHASE II PROJECT CONSTRUCTION AUDIT ("PHASE II PROJECT AUDIT") AND CONSIDER FINAL PA AND CO FOR PHASE II PROJECT EXPENDITURES, AS NECESSARY**

It was noted that J.E. Dunn was in the process of compiling all of the invoices in connection with the Phase II Project Audit and anticipated presenting the final PA(s) and any COs for the Phase II Project at the October 24, 2023 Board meeting.

**CEO REPORT**

Mr. Chebra then reported on various service matters, including the status of the District's operations, ambulance fleet, communications and District staffing in August 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"), Safety, HR and Clinical Reports, copies of which are attached hereto.

Mr. Folsom reported on a cyber-attack on the District's IT system that occurred earlier in the month.

Mr. Chebra then reviewed with the Board: 1) critical failures; 2) fleet updates; and 3) the 24-hour unit consumption time, copies of which are attached hereto. Mr. Chebra also reported that, in August 2023, the District's ambulance fleet drove a total of 111,747 miles.

Mr. Chebra reported that, in August, the District: 1) operated its ambulances with approximately 226 lost unit hours; 2) received 5,036 calls, of which 68.6% of which resulted in transports to hospitals; 3) provided mutual aid six (6) times and requested mutual aid four (4) times; and 4) maintained an overall response time compliance of 88%.

REVIEW AND AUTHORIZE REPAIRS AND MAINTENANCE TO DISTRICT STATIONS, AS NECESSARY

Ms. Conn reminded the Board that it previously accepted a proposal from Champion Nash HVAC in the amount of \$30,172.94 to replace two (2) HVAC units at Station No. 402. Ms. Conn reported that the new HVAC units had been installed.

REVIEW AND APPROVE MEDICAL DIRECTOR PROFESSIONAL SERVICES EMPLOYMENT AGREEMENT ("MEDICAL DIRECTOR AGREEMENT")

Mr. Anderson then reported that the interviews for the Medical Director position had concluded, and he and Mr. Chebra recommended that the Board approve and authorize execution of a Medical Director Agreement with Dr. Sarah Francis McClure for the Medical Director position. Ms. Adams reported that RAB had provided revisions to the proposed Medical Director Agreement. Mr. Anderson noted that Dr. McClure's anticipated start date was November 6, 2023.

REVIEW PROPOSALS FOR JANITORIAL SERVICES FOR DISTRICT FACILITIES AND TAKE NECESSARY ACTION ON SAME

Ms. Conn reminded the Board that it previously authorized the dissemination of an updated request for proposals ("RFP") for cleaning and janitorial services for District facilities, which included emergency on-call janitorial services. Ms. Conn stated that the RFP was then disseminated and three (3) 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. An extensive discussion ensued regarding the bids received and procurement requirements.

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 accept the proposal from SparkClean for cleaning and janitorial services for District facilities subject to the District staff meeting with the low bidder, City Wide Facility Solutions.

AUTHORIZE APPLICATION TO TEXAS COMPTROLLER ("COMPTROLLER") FOR TRANSPARENCY STARS PROGRAM

Mr. Chebra then reported that the Comptroller's Transparency Stars Program recognized local governments for going above and beyond in transparency efforts in the following categories: 1) traditional finances; 2) contract and procurements; 3) economic development; 4) public pensions; and 5) debt obligations. Mr. Chebra then requested Board authorization to prepare and submit an application to the Comptroller for the Transparency Stars Program.

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 District staff to complete and submit an application to the Comptroller for the Transparency Stars Program.

**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 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, 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 Dalton, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted four (4) votes in favor, with one (1) abstention by Commissioner Plummer, to authorize payment of the JINCO invoices.

REVIEW PROPOSED BUDGET FOR FISCAL YEAR ENDING ("FYE") DECEMBER 31, 2024 (THE "2024 BUDGET")

Mr. Farmer next reported that District staff was preparing the department budgets. Mr. Farmer recommended deferring this item until the October 24, 2023 Board meeting.

DISCUSS PROPERTY, LIABILITY, WORKERS' COMPENSATION AND CYBER LIABILITY INSURANCE THROUGH ARTHUR J. GALLAGHER & CO. ("GALLAGHER") (EXPIRES DECEMBER 31, 2023)

Mr. Farmer next reminded the Board that the District's Property, General Liability, Workers' Compensation and Cyber Liability insurance coverages through the District's insurance broker, Gallagher, would expire December 31, 2023. Mr. Farmer reported that he was scheduled to meet with Gallagher on September 28, 2023 regarding renewal of the District's insurance.

Upon motion by Commissioner Williams, 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 August 2023, 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 the status of one (1) outstanding PIA related matter since the August 22, 2023 Board meeting.

**STATUS OF *CYPRESS CREEK EMERGENCY MEDICAL SERVICES VS. THE DISTRICT, ET AL*, AND RELATED LEGAL MATTERS AND TAKE NECESSARY ACTION ON SAME**

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

**REVIEW RELEASE OF DISTRICT PATIENT PROTECTED HEALTH INFORMATION, AND TAKE NECESSARY ACTIONS IN CONNECTION WITH SAME**

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

**REVIEW MEMORANDUM REGARDING SENATE BILL 232**

Ms. Adams next reviewed the memorandum regarding Senate Bill 232.

**DISTRICT PERSONNEL MATTERS**

Mr. Chebra reported that one (1) previous complaint filed with the Equal Employment Opportunity Commission was dismissed without merit.

Mr. Chebra stated that he had no other personnel matters to discuss with the Board.



**DISTRICT REAL ESTATE MATTERS, INCLUDING REVIEW STATEMENT(S) OF QUALIFICATIONS ("SOQ") IN CONNECTION WITH THE DISTRICT'S ADMINISTRATION PROPERTY FOR LAND PLANNING SERVICES AND APPRAISAL SERVICES**

Commissioner Pinard stated that he had a potential conflict of interest in connection with the potential future sale of District owned property located at 18126 and 18334 Stuebner Airline Road (the "District Property") and would be abstaining from any discussion or action on such matter.

Ms. Conn reminded the Board that it previously authorized staff to: 1) request SOQs for land planning in connection with preparation and submittal of a plat application for District Property to the City of Houston Planning Commission; and 2) SOQs for preparation of a real estate appraisal of the District's Property. Ms. Conn stated that one (1) SOQ had been received for land planning services and three (3) SOQs had been received for appraisal services. Ms. Conn then reviewed with the Board the SOQs received, 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 four (4) votes in favor with one (1) abstention by Commissioner Pinard, to accept the SOQ from Meta Planning + Design ("Meta") and authorize District staff to negotiate a contract with Meta for land planning services.

Upon motion by Commissioner Dalton, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted four (4) votes in favor with one (1) abstention by Commissioner Pinard, to accept the SOQ from Integra Realty Resources ("Integra") and authorize District staff to negotiate a contract with Integra for appraisal services.

**REVIEW DISTRICT'S STRATEGIC AND OPERATIONAL PROGRESS OVER TWO (2) YEARS OF OPERATION**

Commissioner Dunlap then stated that he intended to make a presentation regarding the status of the District's strategic and operational progress over the last two (2) years of its operation. Commissioners Williams and Dalton stated that they were not aware of such presentation, or the information contained in it. Mr. Chebra also noted that he gave a 'State of the District' presentation in February 2023. An extensive discussion ensued regarding strategic planning for the District and most Commissioners noted that they did not know the contents of Commissioner Dunlap's presentation and that he did not speak on behalf of the Board.

**REVIEW BOARD COMMITTEE APPOINTMENTS AND TAKE NECESSARY ACTION ON SAME**

Further discussion ensued regarding the Board Committee appointments.

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 appoint Commissioners Dunlap and Plummer to the Strategic Planning Committee.

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 replace Commissioner Dunlap with Commissioner Dalton on the Budget Committee.

There being no further business to come before the Board, the meeting was adjourned at 6:59 p.m.

PASSED, APPROVED AND ADOPTED this 24<sup>th</sup> day of October, 2023.

  
Secretary, Board of Commissioners

