

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

January 23, 2024

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, January 23, 2024, 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 Pinard, thus constituting a quorum. Also attending the meeting were the following District employees: Mr. Jamie Chebra, Chief Executive Officer ("CEO"); Mr. Kevin Nutt, Chief Operating Officer ("COO"); Mr. Tony Farmer, Chief Financial Officer ("CFO"); Ms. Dan Wang, Financial Controller; Ms. Katie Conn, Director of Regulatory Affairs and Operations Support; Ms. Karisa Wendt, Executive Assistant; Ms. Brandi King, Human Resources Manager; Dr. Sarah McClure, Medical Director for the District; Mr. Jordan Anderson, Chief Quality Officer ("CQO"); and Messrs. Matt Folsom, Jarret Kennig, Brian Piatkowski, Dustin Yates and Mark Price, Ms. Brandi Richardson, Ms. Brenna Jaszowski and Ms. Dana Hogue. Also 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; and Mr. Zach Karrenbrock of 62 Digital, LLC ("62 Digital"), the District's communications coordinator. 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 then recognized Mr. Kevin Brost, a resident of the District, who read a letter from Mr. Larry Lipton, another District resident, to Commissioner Dunlap that expressed his feelings about Commissioner Dunlap's conduct as a Commissioner. Mr. Brost then read a statement regarding his concerns about Commissioner Dunlap's actions. Both statements are attached hereto.

There were no additional public comments at the time.

APPROVAL OF THE MINUTES

The Board considered approval of the December 19, 2023 regular meeting minutes. Commissioner Plummer noted a typographical error on page 3 of the 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 December 19, 2023 regular meeting minutes, as revised, and certified agenda for same.

ELECTION AGENDA:

UPDATE ON MAY 4, 2024 COMMISSIONERS ELECTION (THE "ELECTION") MATTERS, AND TAKE ANY NECESSARY ACTIONS ON SAME

Ms. Adams reminded the Commissioners that the Election would be held on Saturday, May 4, 2024, and noted that the terms of office of Commissioners Plummer, Williams and Pinard were expiring at such time. Ms. Adams added that the first day which candidate applications may be accepted was January 17, 2024, and that the application filing deadline was 5:00 p.m. on Friday, February 16, 2024.

Ms. Adams reported that the Harris County (the "County") Clerk's office was not willing to conduct joint elections for local governmental entities on the May 4, 2024 uniform election date. Ms. Adams further reported that the County would, however, be conducting the Harris Central Appraisal District ("HCAD") and the Senate District No. 15, May 4, 2024 elections. Ms. Adams noted that, as a result of the substantial election costs for its election, HCAD planned to increase its budget by approximately 17% which would be funded by taxing jurisdictions within the County.

Ms. Adams reported that it cost the District approximately \$238,000.00 to conduct the 2018 election and approximately \$414,000.00 to conduct the 2022 election, copies of the 2018 and 2022 budgets are attached hereto. Mr. Chebra noted that the District budgeted \$450,000.00 for the Election. A discussion ensued regarding anticipated Election expenses after which Ms. Adams stated that an item will be included on the February 27th agenda to amend the District's budget for Fiscal Year Ending December 31, 2024, increasing the Election expenditure line item to \$550,000.00 due to the expected increase in applications for ballot by mail.

REVIEW AND DISCUSS LOCATING POTENTIAL POLLING PLACES AND OBTAINING ELECTION JUDGES AND CLERKS FOR THE ELECTION

Ms. Adams went on to briefly explain the Election process. A discussion ensued regarding possible polling locations and potential election officials should the Election be contested. Ms. Adams then reviewed voter turnout results from the 2022 election for early voting in person, early voting by mail and Election Day. Ms. Adams stated that, based on such voter turnout results and in an effort to save on Election costs, she was recommending that the District utilize one (1) early voting polling location at the District's administration building and the same five (5) Election Day polling locations utilized in the 2022 election. A discussion ensued after which the Board concurred that one (1) early voting polling location was sufficient for the Election.

Ms. Adams stated that the Board would need to consider whether the District would like to offer Early Voting on Saturday, April 27, 2024, during early voting. After a brief discussion, it was the consensus of the Board to offer four (4) hours of early voting on Saturday, April 27, 2024, as the District had historically done.

Ms. Adams went on to explain that RAB was in the process of confirming polling locations and would continue to reach out to prospective election officials.

Ms. Adams went on to recommend that the Board consider whether to increase the previously established hourly rates of payment for the Election officials. Ms. Adams stated that the District paid the 2022 election officials: 1) Presiding Judges - \$25.00 per hour plus \$125.00 one-time flat fee for transporting election equipment and materials; 2) Alternate Presiding Judges - \$21.25 per hour plus \$31.25 one-time flat fee for transporting election equipment and materials; 3) Early Voting Clerk – \$30.00 per hour; and 4) Clerks - \$21.25 per hour. A discussion ensued regarding the pay rates for District Election officials and the Board determined to increase the payrate for all classifications by five percent (5%).

ADOPT ORDER CALLING COMMISSIONERS ELECTION SCHEDULED FOR SATURDAY, MAY 4, 2024 ("ORDER CALLING ELECTION")

Ms. Adams then presented a draft Order Calling Election. 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: 1) adopt the Order Calling Election, a copy of which is attached hereto, whereby the District conducts its own election; and 2) to increase the election officials hourly rates by five percent (5%).

REVIEW POTENTIAL LEASE OF DISTRICT ELECTION EQUIPMENT TO OTHER LOCAL GOVERNMENTAL ENTITIES FOR MAY 4, 2024 ELECTION AND TAKE ANY NECESSARY ACTIONS ON SAME

In an effort to offset a portion of the District's anticipated Election costs, Ms. Adams recommended that the Board consider leasing one (1) Hart InterCivic ("Hart") controller, one (1) Hart duo and one (1) poll pad each to two (2) special purpose districts that anticipate holding May 4, 2024 elections. A discussion ensued after which the Board concurred that it would be beneficial to the District to lease such election equipment. 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 authorize leasing the equipment and approve the agreement, subject to finalization.

DETERMINE CANVASSING DATE FOR THE ELECTION

Ms. Adams next asked the Board to select a date for canvassing the Election, should the Election be held, explaining that such date must be no earlier than three (3) days following Election Day (May 7, 2024) and no later than 11 days following Election Day (May 14, 2024). Ms. Adams reminded the Board that only two (2) members of the Board need to be present for the canvassing of the Election results. The Commissioners agreed to hold the canvassing meeting, if necessary, on Monday, May 13, 2024 at 5:00 p.m.

ADMINISTRATION, DISPATCH AND LOGISTICS FACILITIES CONSTRUCTION/ DEVELOPMENT REPORT, INCLUDING CONSIDER RELEASE OF FINAL PAY APPLICATION ("PA") RETAINAGE AND APPROVE CERTIFICATE OF ACCEPTANCE AND COMPLETION

Mr. Aviles reported that Phase II of the District Administration Complex Project (the "Phase II Project") was substantially complete and J.E. Dunn was still coordinating with Martinez Architects ("MA") to address the few outstanding warranty items (i.e. faulty light fixtures, building surface and flooring cracks, etc.).

Mr. Aviles then presented to and reviewed with the Board Change Order ("CO") Nos. 21 and 22 and Final from J.E. Dunn in the deductive amounts of \$3,940.00 and \$9,110.00, respectively, for the Phase II Project. Copies of the COs are attached hereto. Mr. Aviles confirmed that MA had reviewed and approved CO Nos. 21 and 22 and Final.

Mr. Aviles then reminded the Commissioners that they previously reviewed and approved payment of PA Nos. 27 and 28 and Final from J.E. Dunn in the amounts of \$54,812.00 and \$569,228.00, respectively, for the Phase II Project, subject to \$15,000.00 being withheld from PA No. 28 and Final. Mr. Aviles then requested release of retainage. 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) accept CO Nos. 21 and 22 and Final from J.E. Dunn in the deductive amounts of \$3,940.00 and \$9,110.00, respectively; and 2) authorize the release of the \$15,000.00 in retainage from PA No. 28 and Final to J.E. Dunn in connection with the Phase II Project.

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 December 2023.

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

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

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 December 2023, the District's ambulance fleet drove a total of 110,553 miles.

Mr. Chebra reported that, in December, the District: 1) operated its ambulances with approximately 164 lost unit hours; 2) received 5,628 calls, of which 3,288 resulted in transports to hospitals; 3) provided mutual aid 14 times and requested mutual aid seven (7) times; 4) maintained an overall response time compliance of 88%; and 5) experienced six (6) critical failures.

Commissioner Dunlap inquired about the status of the inclusion of holding calls in the Operations Report. Mr. Chebra reminded Commissioner Dunlap that he would have to manually extrapolate such data from its raw form which was time consuming. Commissioner Dunlap stated that the Commissioners were provided a report on calls held in December 2022. After extensive discussion among the Board and Mr. Chebra, Mr. Chebra stated he would personally extrapolate such data for Commissioner Dunlap.

In response to a question from Commissioner Dunlap, Mr. Chebra then explained the criteria for each of the District's four (4) tiers of priority calls.

Commissioner Dunlap went on to read numerous alleged call reports from December 2023. Commissioner Dalton recommended that Commissioner Dunlap meet with Mr. Chebra, who had previously offered to meet with him several times, to further discuss the District's priority assignments to certain calls. Mr. Chebra stated that he would review any of the District's call responses with Commissioner Dunlap as long as he would provide the date and time of such calls to Mr. Chebra. Further discussion ensued.

Commissioner Dunlap went on to state that Mr. Chebra's recent presentation at a safety forum included factually incorrect information in connection with the cost for potential use of whole blood products. Mr. Chebra responded to Commissioner Dunlap's questions regarding the costs for use of whole blood. A discussion ensued amongst the Commissioners regarding Commissioner Dunlap's line of questioning after which the President requested that the CEO continue with his report.

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

Mr. Chebra stated that there were no District station repairs or maintenance matters for the Board to consider at the time.

REVIEW AND APPROVE MEDICAL DIRECTOR EMPLOYMENT AGREEMENT

Mr. Chebra then reminded the Board that District staff previously recommended that the Board approve and authorize execution of a Medical Director Agreement with Dr. McClure. Mr. Chebra stated that RAB reviewed the proposed Medical Director Agreement, but the District was awaiting receipt of Dr. McClure's attorney's comments.

Mr. Chebra introduced Dr. McClure to the Board and noted that she commenced work at the District on November 6, 2023.

REVIEW AND APPROVE AGREEMENT FOR AUTOMATIC ASSISTANCE WITH THE CITY OF HOUSTON (THE "CITY") (THE "CITY AUTOMATIC ASSISTANCE AGREEMENT")

Mr. Chebra then presented to and reviewed with the Board the proposed City Automatic Assistance Agreement in connection with the District's mutual aid assistance for the Willowbrook area. Ms. Adams stated that RAB was awaiting the corrected draft version of such agreement for review. A discussion ensued.

REVIEW AND APPROVE BUILDING TECHNOLOGY SOLUTIONS ("BTS") PROPOSAL WITH DATAVOX FOR VERTIV UPS PREVENTATIVE MAINTENANCE SERVICES (THE "BTS/DATAVOX PROPOSAL")

Mr. Chebra then presented to and reviewed with the Board the BTS/Datavox Proposal for preventive maintenance services on the Vertiv UPS and Vertiv internal batteries. Mr. Chebra stated that the cost for BTS to perform the preventive maintenance was \$15,329.51 per year. Ms. Adams stated that RAB was in the process of reviewing the BTS/DataVox Proposal. A discussion ensued.

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 69 Kenwood NX-360 Portable 2-way radios. Ms. Adams noted that the adoption of the Surplus Property Order granted District staff the authority to properly determine fair market value and dispose of the surplus property by sale. A discussion ensued.

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: 1) approve the City Automatic Assistance Agreement, a draft copy of which is attached hereto, pending legal review and finalization of same; 2) approve the BTS/DataVox Proposal, a copy of which is attached hereto, pending legal review; and 3) adopt the Surplus Property Order, a copy of which is attached hereto, thereby authorizing the sale of the Surplus Property and authorizing District staff as designated by the CEO, to handle same in accordance with the applicable terms of Section 775.0735, Texas Health and Safety Code.

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")

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 authorize the required loan payments to Trustmark Bank, Regions, ZMFU and Signature.

Mr. Farmer next requested that the Board consider Commissioner Dunlap's 2023 fees of office and expense reimbursement request totaling \$2,883.40. A discussion ensued regarding the District's policy regarding fees of office and expense reimbursements. 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 payment to Commissioner Dunlap in the amount of \$2,883.40 for his 2023 fees of office and expenses.

Mr. Farmer then 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, copies of which are attached hereto.

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 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 three (3) votes in favor, with one (1) abstention by Commissioner Plummer, to authorize payment of the JINCO invoices.

Mr. Farmer then presented to and reviewed with the Board the Investment Report, a copy of which is attached hereto.

ANNUAL REVIEW OF BOARD FEE OF OFFICE AND EXPENSE REIMBURSEMENT POLICY (THE "REIMBURSEMENT POLICY")

The Board then reviewed the District's then-current Reimbursement Policy, which was amended on August 1, 2023, a copy of which is attached hereto. Ms. Adams stated that RAB was not recommending any changes to the District's Reimbursement Policy at the time but wanted to make sure the Commissioners had an opportunity to discuss the Reimbursement Policy before the SAFE-D Conference in February. No action was taken by the Board.

REVIEW AND APPROVE ADDENDUM TO FUEL CARD SERVICES AGREEMENT BETWEEN WEX BANK ("WEX") AND SOURCEWELL PURCHASING COOPERATIVE ("SOURCEWELL")

Ms. Adams and Mr. Farmer then presented to and reviewed with the Board the proposed Addendum to the Fuel Card Services Agreement between WEX and Sourcewell, a copy of which is attached hereto. Ms. Adams stated that RAB was in the process of reviewing such Addendum. Ms. Adams noted that the District was not yet a member of Sourcewell and would need to authorize membership simultaneously with approval of the Addendum.

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 and authorize execution of the Addendum to the Fuel Card Services Agreement between WEX and Sourcewell, subject to: 1) the District joining Sourcewell; and 2) legal review and finalization of the Addendum to the Fuel Card Services Agreement between WEX and Sourcewell.

TAX ASSESSOR/COLLECTOR'S REPORT, INCLUDING ADOPT RESOLUTION AUTHORIZING IMPOSITION OF A 20% PENALTY FOR COLLECTION COSTS ON DELINQUENT TAXES FOR TAX YEAR 2023 AND SUBSEQUENT YEARS

Commissioner Plummer then reviewed with the Board the Tax Assessor/Collector's Report for December 2023, a copy of which is attached hereto.

Ms. Adams then explained that the District may levy an additional 20% penalty on 2023 property taxes after various delinquency dates to help defray the costs of collection, if the Board has entered into an agreement with an attorney for the collection of delinquent taxes and if adequate notice of such penalty is provided to property owners.

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 Resolution Authorizing the 20% Penalty for Collection Costs on Delinquent 2023 Taxes, 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 that RAB recently responded to one (1) outstanding PIA request.

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

Ms. Adams reported that the District received \$183,479.00 of the Federal Emergency Management Agency ("FEMA") receivables in connection with CCEMS' claim to FEMA for reimbursement of same.

REVIEW RELEASE OF DISTRICT PROTECTED HEALTH INFORMATION ("PHI") AND RELATED DEPOSITIONS, AND TAKE ANY NECESSARY ACTIONS ON SAME

Ms. Adams stated that there was no update on the release of PHI at the time.

Commissioner Dunlap then inquired about the District's Work For Hire Agreement ("Cleaning Services Agreement") with Spark Clean ("Spark") and possible conflicts of interest between Commissioner Pinard and Spark. A discussion ensued. Ms. Adams requested that Commissioner Dunlap provide her with the information he referred to that indicated a potential conflict to review and make a determination. Ms. Adams reminded Commissioner Dunlap that there were varying levels and types of conflicts of interest in Texas and that he could always contact her with legal questions as they arise instead of waiting until a Board meeting.

DISTRICT PERSONNEL MATTERS,

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

Commissioner Plummer 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, Ms. B. King, Ms. Adams, Ms. M. King and Ms. Christensen convened into Executive Session at 6:36 p.m.

All other meeting attendees still present re-entered the meeting at 6:33 p.m.

RECONVENE IN OPEN SESSION

Commissioner Plummer reconvened the meeting in open session at approximately 6:43 p.m. at which time no action was taken by the Board.

Ms. Adams reminded the Commissioners that the 'State of the District' would be presented by Mr. Chebra at 4:00 p.m. on February 27th.

There being no further business to come before the Board, the meeting was adjourned at 6:44 p.m.

PASSED, APPROVED AND ADOPTED this 27th day of February, 2024.


Secretary, Board of Commissioners

