

**MINUTES OF THE AUGUST 18, 2016 MEETING OF THE
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 11**

A meeting was duly called of the **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 11**, which was held on August 18, 2016, at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The Meeting was called to order at 9:00 AM by **TOMMY RIPLEY**, President. Those Commissioners present were **TOMMY RIPLEY, KAREN PLUMMER, FRED GRUNDMEYER, LYNN LEBOUF** and **ROBERT PINARD**. Also present were the District legal counsel John Peeler, of Coveler & Katz, P.C., District book keeper Bill Russell, of Myrtle Cruz, Inc., Cypress Creek Emergency Medical Services ("CCEMS") staff including Executive Director Brad England and Public Information Officer Norm Uhl. Also present were District consultants Ricardo Martinez of Martinez Architects, Rich Jones of Klein VFD and HC ESD 16 and members of the public.

After a 30 second moment of silence for prayer and reflection, the Board conducted the Pledge of Allegiance to the United States' flag.

The Board then addressed item 4 of the agenda and reviewed the Minutes of the July 14, 2016 regular meeting. After review, Motion was made by Commissioner **PLUMMER**, seconded by Commissioner **GRUNDMEYER** to approve the July 14th Minutes as presented. After discussion, the Motion was approved by a vote of 4 to 0, with Commissioner **LeBOUEF** abstaining since he was not present during that month.

The Board then addressed item 5 of the agenda, financial report from the Treasurer and book keeper and payment of District bills. The District received a report from District bookkeeper **BILL RUSSELL**, of **MYRTLE CRUZ, INC.** Mr. Russell reported the deposit of funds into the Compass Bank operating account property taxes of \$35,706.76, tax penalty and interest of \$5,347.95, interest of \$670.34 and a TML dividend of \$139.06. He also noted other time deposit amounts. Thereupon, after review, Motion was made by Commissioner **LeBOUEF**, seconded by Commissioner **PLUMMER** to approve the Financial Report and payment of District bills as presented. After discussion, the Motion was approved by a vote of 5 to 0.

The Board took no action on item 6, amendments to the District 2016 budget.

The Board then addressed item 7 of the agenda, action on the District 2017 Budget. Mr. Peeler informed the Board that the certified appraisal figures have still not been received from HCAD, but that they are expected prior to the next meeting. Commissioner **RIPLEY** appointed Commissioners **PINARD** and **LeBOUEF** to the budget committee and asked counsel to forward the appraisal information to the Committee when it is available. He asked that a draft budget be prepared for the next meeting.

The Board then addressed item 8 of the agenda, action on the 2016 tax rate. The Board asked counsel to prepare the tax rate calculations as soon as the certified numbers are available from HCAD.

The Board then addressed item 9, report from CCEMS. Brad England, Executive Director of CCEMS, presented the monthly report and provided a verbal summary of same, including noting that CCEMS now dispatches for the City of Pearland.

The Board then addressed agenda item 10, the payment of operations pursuant to current budget and service agreement with Cypress Creek EMS. After review, Motion was made by Commissioner **LeBOUEF**, seconded by Commissioner **PINARD** to approve the monthly CCEMS payment in the amount of \$1,003,835.00. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed item 11, acquisition and payment for capital items. Mr. England reported that the ambulances previously ordered are ready for pickup and payment is due. The Board asked counsel and Mr. England for input and generally discussed potential advantages to having CCEMS purchase and title the ambulances in its name rather than the District's. After review, motion was made by Commissioner **LeBOUEF** and seconded by Commissioner **PLUMMER** to reimburse CCEMS for the cost of the ambulances so that CCEMS could pay the Ford dealer and title the ambulances in the name of CCEMS. After discussion the motion was approved by a vote of 5 to 0.

The Board then addressed item 12 of the agenda, action regarding the District website including presentations by website providers. Two companies presented information to the Board: 1190 Designs and NRG Marketing Group.

1190 Designs' representative said they have experience with other ESD and MUD websites; that they have different rates depending on how many updates are made to the site per month; they would charge an upfront fee to build the site and then a monthly fee to service it. NRG Marketing Group's representative said that web hosting and design are part of their services; they have done websites for Mr. PINARD's companies; they also help clients develop videos for websites; he will forward additional information. CCEMS IT Director Toivo Sari also mentioned that he has received an invoice on behalf of the District from Texas Network for allegedly unpaid webhosting fees from 2014. Mr. Russell will investigate the bill from Texas Network. The Board also asked that Mr. Sari assist in communicating with current provider Webwize regarding tax notices, updating commissioner biographies, and access to ESD11.org and ESD11.com. Commissioner **RIPLEY** said that the Board would continue to review options regarding the District website.

The Board then addressed item 13 of the agenda, action regarding construction, improvements, repairs and renovations to District stations. Counsel reported that he has received information from Joiner Architects, Inc. ("Joiner") regarding the completion of Station 513's LEED certification: it will be handled by a contractor working with Joiner, and that Ricardo Martinez has provided all documentation of the work done on the building for their use in securing LEED status. Counsel also reported that he asked Joiner to send a representative to the meeting to fully brief the Board but that they so far have declined this request. The Board asked counsel to relay to Joiner that the Board does not intend to pay any additional fees to Joiner until a representative of Joiner attends a District meeting to fully brief the Board on the project's status.

The Board then addressed item 14, real property. No action was taken on this item.

The Board took no action on item 15, Capital Lease Agreement(s) with CCEMS for possession and operation of District owned real or personal property. District Counsel will provide the Agreement to the Board for review prior to the next meeting, as he noted no objections to the changes requested by CCEMS's counsel.

The Board then addressed agenda item 16, current District contracts with vendors. Counsel reported that in response to the Board's direction last month, current vendor contracts were forwarded to the Board for review and action at this meeting. The Board then generally discussed several items. Regarding the book keeping contract with Myrtle Cruz, Inc.: the Board noted the need to update the expired annual contract; the monthly fees structure was discussed; Commissioner **LeBOUEF** noted that Myrtle Cruz was selected based upon their experience with other ESDs as well as reasonable prices compared to other book keeping companies; Commissioner **RIPLEY** noted his appreciation for Mr. Russell's knowledge in explaining the current contractual payments to CCEMS, making sure that the new commissioners understood the structure before voting to approve the payments at prior meetings; Commissioner **PINARD** said that he may take Mr. Russell up on his offer to come visit the Myrtle Cruz offices. Regarding the legal services engagement with Coveler & Katz, PC: the Board requested that the detail billing include details of administrative staff as well as attorney time, which Mr. Peeler agreed is a perfectly reasonable request which will be accommodated starting with the next invoice.

The Board took no action on item 17, administrative responsibilities, as the Board still needs to review options for minutes and other routine functions. Mr. Peeler said that he would forward the contact information for the minute taker recently engaged by ESD 7.

The Board then addressed item 18, traffic preemption. Rich Jones with Klein VFD and ESD 16 reported on current activities to install preemption devices within ESD 11 and the overlapping fire ESDs: he presented a list of intersections, some of which have already been installed by Klein for which he is requesting ESD 11's 50% reimbursement in the amount of \$159,867; they are approaching the 300 intersection goal; FM 1960 is a TXDOT road, not County, so TXDOT handled the installation of preemption devices on FM 1960 and they turned out to be non-compatible equipment with the Harris County approved system used by all area fire and EMS providers, so the ESD project had to come behind TXDOT and install compatible equipment. Motion by Commissioner **LeBOUEF** and second by Commissioner **GRUNDMEYER** to approve the payment of the requested \$159,867 to ESD 16. Motion was approved by a vote of 5 to 0.

The Board then addressed item 19 of the agenda, action regarding records management procedures, including (1) appointment of records officer, (2) adoption of records retention schedules, and (3) authorization from the State Library and Archives Commission to allow electronic storage of documents. After review, motion by Commissioner **LeBOUEF** and second by Commissioner **GRUNDMEYER** to name the District Secretary as the records officer and update filings with the Archives Commission as necessary, to acknowledge the most current Archives Commission records retention schedules by the District and (3) to request authorization from the Archives Commission to store documents in electronic format rather than paper/hard copy when appropriate. After discussion the motion was approved by a vote of 5 to 0.

The Board took no action on item 20, discussion of 2016 goals and time frames for same. Commissioner **RIPLEY** noted that until the certified values from HCAD are received the District could not reasonable act on longer term goal setting.

The Board then addressed agenda item 21, public comment.

The Board then addressed item 22, meeting in closed session. Commissioner RIPLEY called the Board into closed session to confer with legal counsel under Government Code section 551.071 at 10:04. The Board reconvened in open session at 10:11.

The Board then addressed agenda item 23, the date of the next regular meeting, and agreed upon the third Thursday of the month, September 15, 2016 at 9:00 AM, per usual District practice.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned 10:12 AM.

Secretary of the Board