

**MINUTES OF THE DECEMBER 17, 2015 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 December 17, 2015, 2015, at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The Meeting was called to order at 9:01 a.m. by **LYNN LEBOUF**, President. Those Commissioners present were **LYNN LEBOUF, KAREN PLUMMER, FRED GRUNDMEYER, KEVIN BROST** and **ROBERT BERLETH**. Also present were the District legal counsel Howard Katz and John Peeler, of Coveler & Katz, P.C., District book keeper Bill Russell, of Myrtle Cruz, Inc., District Special Counsel Richard Rothfelder, Andrew McKinney, Attorney for CCEMS, Norm Uhl of Cypress Creek EMS ("CCEMS"). Also present were Ricardo Martinez of Joiner Architects, District architects on the Station 513/Coventry project, and members of the public.

The Board reviewed the Minutes of the November 13, 2015 regular meeting. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **GRUNDMEYER** to approve the Minutes. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed Financial Matters. The District received a report from **BILL RUSSELL**, of **MYRTLE CRUZ, INC.**, the District's bookkeeper. He reported that the operating account balance of the District following the prior meeting was \$196,023.87. He also noted the receipt of tax revenue since the prior meeting in the amount of \$730,265.41, tax penalty and interest of \$6,740.44, and interest of \$112.68. He also reported that as of this meeting and prior to the payment of current bills, \$1,183,142.40 was on deposit at the Prosperity Bank operating account, plus additional demand deposits of \$213,103.44 at Prosperity Bank, \$5,213.73 in TexPool, CD/investment accounts plus interest as to all said accounts/CD: \$236,371.86 at Spirit of Texas Bank, \$232,620.74 at Icon Bank, \$225,650.69 at Community Bank (previously Vista Bank), \$1,100,698.33 at Compass Bank, \$890,475.57 at Wells Fargo Bank plus \$240,000.00 at three banks. He also said that all District funds were properly insured and/or secured by pledged securities. Thereupon, after review, Motion was made by Mr. **BROST**,

seconded by Ms. **PLUMMER** to approve the Financial Report as presented. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed payment of District bills. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BROST**, to approve the payment of District bills as follows:

1.	Myrtle Cruz, Inc. (bookkeeping)	\$	2,275.64
2.	Coveler & Katz, P.C. (legal-February):	\$	2,191.50
3.	Joiner Partnership, Inc. (Station 513)	\$	532.00
4.	Leyendecker Consulting (Inv 1770)	\$	395.00
5.	Harris County Appraisal District (2016 1 st Qtr)	\$	30,981.00
6.	McCall Gibson Swedlund Barfoot (2014 final)	\$	3,750.00

After discussion, the Motion was approved by a vote of 5 to 0.

The Board took no action on District investments.

The Board took no action on Depository Pledge Agreements.

The Board took no action on 2015 budget revisions.

The Board then addressed agenda item 8 regarding the District 2016 budget. After review, Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER**, to amend the District 2016 budget to reflect additional funding for the 2015 audit (\$11,000 to \$13,000), election expenses (\$5,000 to \$150,000), and CCEMS expenses (\$12,046,727 requested with proposed CCEMS capital acquisitions moved to the ESD 11 budget). After discussion, the Motion was approved by a vote of 5 to 0. ****

The Board then addressed the engagement of auditor to perform the District 2015 Audit. Debbie Gibson gave a presentation. After review, Motion was made by Mr. **BROST**, seconded by Mr. **BERLETH**, to engage McCall Gibson Swedlund Barfoot to perform the District 2015 Audit. After discussion, the Motion was approved by a vote of 5 to 0.

The Board addressed the payment of operations funding pursuant to current budget and service agreement with Cypress Creek EMS. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BERLETH**, to approve payment in the amount of \$893,805.42 to Cypress Creek EMS. After discussion, the Motion was approved by a vote of 5 to 0.

The Board took no action on the payment of capital funding as there was no capital to report.

The Board then received a report from CCEMS. Brad England, Executive Director of CCEMS, presented the monthly report and provided a verbal summary noting: call volume was up compared to same time last year; in November there were 16 mutual aid responses in District territory and CCEMS provided 17 mutual aid responses provided out of District territory; he reported on the State EMS conference; they currently staff fourteen 24-hour trucks, and are moving to 4 “float trucks” for 2016; AED quotes received and will be presented in January, 2016. Mr. **BROST** asked for clarification on times and runs for some medic units not reflected in the report. Mr. **BERLETH**, also, inquired about “float” units with low call volume, specifically hours in service for several months. Mr. England will provide the information as requested. Mr. **BERLETH** asked about new units for reports. Andrew McKinney stated there were no new ones. Mr. Peeler, also, asked for additional truck information. Mr. England questioned if this should be an “old school” per truck review. Mr. **BERLETH** confirmed this, for cost benefit analysis. Mr. England expressed concern that there was an implication of not applying District funds properly to staff ambulances. Mr. McKinney said the District “moving the goal posts” by asking for new information this month that had not been requested earlier. Mr. England stated that per unit analysis would be misleading when comparing vehicle availability versus calls answered per ambulance. He expressed the belief that negative assumptions were being made rather than contacting him personally for explanations. After review, motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER** to accept the CCEMS monthly report. After discussion, the motion was approved by a vote of 5 to 0.

The Board then addressed item 13, to review and take action on purchase of new AEDs for use in District community. Brad England will forward the quotes information to the Board for review. Mr. **BERLETH** asked if there might be a ballpark figure in mind. Mr. England said approximately \$150,000.00. Mr. **BERLETH** inquired if funding was available to which Bill Russell explained the funds would rollover to reserve anyway. No action was taken on this item.

The Board then addressed item 14, action regarding construction, improvements, repairs and renovations to District stations. Ricardo Martinez provided a report on the Station 513/Coventry project: he addressed the work progress stating CenterPoint ceased work on the electrical installation on

December 10th but completed it on December 15th; he anticipates a timely completion on the project noting a punch list meeting was scheduled for December 23, 2015 at 10:00 a.m. with Chad Joiner. Mr. England added that furniture, fixtures and equipment (FFE) have been ordered though delivery is not yet scheduled pending move-in scheduling. Mr. Martinez said December 28th was the expected move-in date with early January, 2016 substantial completion. Mr. Martinez said that application number 14 to the contractor Brookstone in the amount of \$91,380.39 is certified due by the architect. After review, Motion was made by Mr. **BROST**, seconded by Mr. **BERLETH**, to approve pay application number 14 as presented. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed item 15 pertaining to real property. Mr. **BROST** inquired as to the status of the Treaschwig property. Brad England informed the Board that he is expecting an offer late this month. Mr. **BROST** then asked about the availability of the fire station on Dowdell which is believed to no longer be needed by the Klein Volunteer Fire Department. An ESD 16 Commissioner who was in attendance indicated that ESD 11 would need to discuss this with Klein VFD, as the station is owned by Klein VFD, not by ESD 16. No action was taken on this item.

The Board took no action on items 16 and 17 of the agenda.

The Board then addressed agenda item 18, the CCEMS budget and service agreement for 2016. Brad England related to the full Board the details of the Budget Committee process and communications with Mr. **BROST** and Ms. **PLUMMER**. The Board asked Mr. England to revise his budget to reflect that capital acquisitions would be made by the District rather than by CCEMS which were reflected on the amended District budget approved earlier in the meeting. Howard Katz also asked for clarification on dispatch funding to show the amount funded by fees to area VFDs versus District funding. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **BROST** to provisionally approve funding the CCEMS for 2016 in amount of \$12,046,727.00 pending a revised budget being presented in January which will reflect the changes made today which reduced the amount initially requested. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed item 19, traffic preemption. Ponderosa Fire Department Chief Windisch and Klein Fire Department Executive Administrator Rich Jones reported the following: meeting with TXDOT later that day regarding FM 1960 and other FM's; FM 1960 has had some improvements for traffic control and access; HGAC has some additional funds available for new equipment but they may not be compatible with E-Views resulting in a possible need of \$15,000.00 to adjust our systems; TXDOT needs to finish their part on some intersections; overloaded roads making E-Views have trouble moving grid-locked traffic.

Mr. **GRUNDMEYER** expressed his concern that there is no way to really fix the traffic. Chief Windisch stated that the busses tying up traffic had been discussed with TXDOT and working together in an effort to make improvements to the flow of traffic, especially where buses are concerned.

Rich Jones reported that a new purchasing agreement was available for review by legal counsel as well as a summary of maintenance. Rich Jones explained that Klein VFD bought some items for TC Jester on their own, not using the purchase agreement, adding there was no concern regarding the E-Views court dispute. Mr. Peeler and Mr. Katz said that they would review proposed contracts for additional equipment, including concerns about the company's legal status.

Rich Jones further reported: that he is working on maintenance and dividing up fees/costs for same; they have some extra equipment that will not be charged to the District until installed; there are no problems with county roads; the seventy-plus TXDOT intersections are trouble; City of Tomball installed some but their costs are not involved with ESD 11. Mr. **BROST** inquired as to ESD 9's participation. Mr. Katz said that ESD 9 had encountered trouble with new contracts and he would not be comfortable adding ESD 9 or Harris County Emergency Corps to the ESD 11 contract.

Chief Windisch gave a summary of E-Views' issues with old, former investors stating that they are still solid and responsive to their needs. Rich Jones requested the available budget for 2016. Mr. **BROST** provided the amount to be \$150,000.00. Rich Jones said it was necessary to get information from VFD's as

to be able to look at the number of intersections in question. Chief Windisch relayed his search for coordination of City involvement.

Mr. **BROST** then asked about Springwood Village Development. Mr. Katz that expanding the developer's involvement and funding could be pursued but only if a common understanding between the two evolved as they currently had a different understanding of the situation. Spring Fire Department Assistant Chief Logan said that the developers have indicated that they would cost share some sections but not others. He has sent emails to Howard Katz with additional information. He reported that the developers said they would not participate if they were not the owner of the equipment. Mr. Katz stated that the District could get the two intersections and would pursue the matter, though expanding it further was unlikely. He and Mr. Peeler will follow up with a status report on same.

No action was taken on personnel matters.

The Board entered executive session at 10:34 AM pursuant to Government Code section 551.071 to consult with legal counsel and section 551.072 to discuss real estate. The Board re-entered open session at 11:20 AM.

No public comment was offered.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned 11:31 a.m.

Secretary of the Board