

**MINUTES OF THE NOVEMBER 21, 2013 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 November 21, 2013, at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The Meeting was called to order at 9:02 a.m. by **LYNN LEBOUF**, President. Those Commissioners present were **LYNN LEBOUF**, **FRED GRUNDMEYER**, **KAREN PLUMMER**, **ROBERT BERLETH**, and **KEVIN BROST**. Also present were **HOWARD KATZ**, of **COVELER & KATZ, P.C.**, the District's Counsel, and **BRAD ENGLAND**, Executive Director of Cypress Creek EMS ("CCEMS"), and **BILL RUSSELL**, of **MYRTLE CRUZ, INC.**, the District's bookkeeper, and Board officers of CCEMS, and members of the public. Also present was architect Ricardo Martinez of Joiner Partnership, Inc., the District's architect on the Coventry project. Also presented was Debbie Gibson, CPA, of McCall Gibson Swedlund and Barfoot, CPAs, the District's auditors.

The Board reviewed the Minutes of the October 17, 2013 regular meeting. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **GRUNDMEYER** to approve the Minutes (adding the CCEMS Medical Director runs). After discussion, the Motion to approve the Minutes was approved by a vote of 5 to 0.

The Board then received a Financial Report from **BILL RUSSELL**, of **MYRTLE CRUZ, INC.**, the District's bookkeeper. Mr. Russell delivered the report. He reported that the operating account balance of the District following the prior meeting was \$26,803.16. He also noted the receipt of tax revenue since the prior meeting in the amount of \$10,108.85, tax penalty and interest of \$2,589.77 and interest of \$315.75, and E-View reimbursement of \$ -0-. He also reported that as of this meeting and prior to the payment of current bills, \$539,204.38 was on deposit at the Prosperity Bank operating account, plus demand deposits of \$12,377.23 (Prosperity Bank), plus \$5,208.85 at TexPool, plus CD/investment accounts plus interest as to all said accounts/CD: \$34,550.01 at Spirit of Texas Bank, \$81,465.56 at Icon Bank, \$24,084.82 at Vista Bank Texas, plus

\$707,606.83 at Compass Bank. He also said that all District funds were properly insured and/or secured by pledged securities. Thereupon, after review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BERLETH** to approve the Financial Report as presented. After discussion, the Motion was approved by a vote of 5 to 0.

As part of the Financial Report, the Board then addressed District investments. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BERLETH** to approve and authorize the investment schedule as outlined in the Financial Report: none at this time. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the 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) | \$ | 1,863.52 |
| 2. | Coveler & Katz, P.C. (legal-October) | \$ | 2,798.82 |
| 3. | HCAD (Q'trly Assessment) | \$ | _____ |

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

The Board then addressed the engagement of the auditing firm of McCall Gibson Swedlund & Barfoot as District auditor for the 2013 District audit. Debbie Gibson of that firm was present to address the proposal. She discussed the services and said the fee proposed was an estimated fee of \$10,000.00-\$11,000.00. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BERLETH** to approve the engagement of the auditing firm of McCall Gibson Swedlund & Barfoot as District auditor for the 2013 District audit. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the ratification of a continuing contract with Linebarger Goggan Blair and Sampson for the collection of delinquent District ad valorem property taxes and providing for the penalty rate of 20%. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **BROST** to approve the ratifying the continuing contract with the law firm of Linebarger Goggan Blair and Sampson to collect 2013 and prior delinquent taxes at the penalty rate of 20%. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed imposition pursuant to Section 33.07, Texas Tax Code, of a 20% penalty for delinquent 2013 property taxes. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **BROST** to approve the imposition pursuant to Section 33.07, Texas Tax Code, of a 20% penalty for delinquent 2013 property taxes. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed imposition pursuant to Section 33.08, Texas Tax Code, of a 20% penalty for delinquent 2013 property taxes. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **BROST** to approve the imposition pursuant to Section 33.08, Texas Tax Code, of a 20% penalty for delinquent 2013 property taxes. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed imposition pursuant to Section 33.11, Texas Tax Code, of a 20% penalty for delinquent 2013 business personal property taxes. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **BROST** to approve the imposition pursuant to Section 33.11, Texas Tax Code, of a 20% penalty for delinquent 2013 business personal property taxes. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the payment of CCEMS Operations and Capital funding as set forth in the Financial Report. Brad England, Executive Director of CCEMS, noted that Operations funding was due at this meeting in the amount of \$462,328.00. After review, Motion was made by Mr. **BERLETH**, seconded by Ms. **PLUMMER** to approve the contract payment of CCEMS Operations in the amount \$462,328.00. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the payment of CCEMS Capital funding. Mr. England noted that no Capital funding was due at this meeting.

The Board then received a report from CCEMS. Brad England, Executive Director of CCEMS, presented the report.

Mr. England requested approval of the January 2014 operations payment of \$820,000.00 for use in January but prior to the January District meeting. After review, Motion was made by Mr. **BERLETH**, seconded by Ms. **PLUMMER** to approve the payment to CCEMS for January 2014 Operations in the amount

\$820,000.00 for use in January. After discussion, the Motion was approved by a vote of 5 to 0.

Mr. England, referring to the CCEMS report, noted the line graphs showing responses, response times, dispatch times, fire/ems breakdown in dispatched calls and hospital times as well as for EMS billing collections information.

Mr. England said the state inspection of the new CCEMS Academy was completed. He said he expected accreditation would be received by January–February. He also reported on TDH spot inspections that went well.

Mr. England said that Station 511 (at Klein VFD station property on Eldridge) had some A/C and sprinkler issues that were being reviewed by the architect.

Mr. England said there was some discussion about the District annexing an area in HCESD No. 7 that is not within an EMS district. Mr. England said this might be a good time because District elections may come up in May 2014 which would avoid the need for a special election.

Mr. England said that in October there were 9 mutual aid responses in District territory and CCEMS provided 15 mutual aid responses to out of District territory. He reported that CCEMS has responded to 416 STEMI calls YTD, with a 98% correct call rate. Mr. England said that 8:02 minutes was the average total response time, with 6:57 the average travel time and average scene time was 24:04 minutes and the average transport at 16:50 minutes. Mr. England said that the average dispatch time at 48 seconds was well under the 90 seconds national average. He also reported that through October 31, CCEMS responded to 29,626 calls, with the prior month's ALS being 1,315 and BLS being 516. Mr. England said there were also 5 life flights in the prior month.

Mr. England said that the CCEMS Medical Director responded to _____ calls during the prior month.

Mr. England said the proposed 2014 CCEMS budget was delivered for review in October.

After review, Motion was made by Mr. **GRUNDMEYER**, seconded by Ms. **PLUMMER** to receive the CCEMS monthly report. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the Coventry development project. Counsel and architect Ricardo Martinez of Joiner Partnership, Inc., the District's architect on the project, reported. Counsel reported that the signed Purchase Agreement was received back from the Seller and escrowed with the title company. He also reported that HCESD No. 7 deposited its earnest money with the title company. Mr. Martinez reported that the land feasibility review was under way and the soils study and Phase 1 environmental review were commissioned. Mr. Martinez also said that the civil engineer on the project, Jones & Carter, would assist with the platting, surveying and topographical study. Mr. Martinez said the cost for the platting was \$21,000.00. Mr. Martinez said proposals for CMAR for the project (combined for the fire station and EMS station) were received and reviewed by the joint ESD7/ESD11 building committee. He said that the committee recommended Brookstone to receive the CMAR award. Mr. Martinez said HCESD No. 7 approved that award. Ms. Plummer said she attended the RFP review and supported the award to Brookstone. Mr. **GRUNDMEYER** asked if a cost estimate was available. Mr. Martinez said the EMS component was about \$1.35 million. Counsel asked Mr. England to report on some overtures from Exxon about a facility. Mr. England said the same overture had been made some time ago and the facility in question would not be a true EMS facility but rather an office out of which CCEMS could operate. He said the only benefit was that the cost would be absorbed by Exxon. The consensus was that having the joint fire-EMS project with HCESD No 7 and the location under contract with Springwood Village/Coventry was preferable. After review, Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER** to approve the award of the CMAR contract for the project (combined for the fire station and EMS station) to Brookstone Construction. After discussion, the Motion was approved by a vote of 5 to 0.

Counsel presented the final version of the Interlocal Agreement between HCESD No. 7 and the District for Cost Sharing for the fire station and EMS facility. Counsel said the item listed as a "Preliminary Cost" for reimbursement to HCESD No. 7 of the cost for the fire station site acquisition was removed and agreed by HCESD No. 7. Counsel said the Interlocal Agreement between HCESD No. 7 and the District for Cost Sharing for the fire station and EMS facility and the ratio of costs common to the two ESDs was refined at HCESD

No. 7: 74%; and HCESD No. 11: 26%. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **GRUNDMEYER** to approve the Interlocal Agreement between HCESD No. 7 and the District for Cost Sharing for the fire station and EMS facility as presented. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed E-Views. Mr. **BROST** said there was a recent meeting to address prioritizing the future intersections. He said the Coventry project was under review.

The Board then addressed developing a five-year plan with CCEMS. Ms. **PLUMMER** said the item was still on hold.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 10:00 a.m.

Secretary of the Board