

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

August 17, 2017

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 7111 Five Forks Drive, Spring, Texas 77379, a meeting place inside the boundaries of the District, on Thursday, August 17, 2017, at 9:00 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Tommy Ripley	President
Karen Plummer	Vice President
Fred Grundmeyer	Secretary
Robert Pinard	Treasurer
Lynn LeBouef	Asst. Treasurer

All members of the Board were present, thus constituting a quorum. Also attending the meeting were: Ms. Robin S. Bobbitt, attorney, of Radcliffe Bobbitt Adams Polley PLLC ("RBAP"), attorneys for the District; Mr. Bill Russell of Myrtle Cruz, Inc. ("MCI"), bookkeeper for the District; Mr. Ricardo Martinez of Martinez Architects ("Martinez"), architects for the Cypress Creek Emergency Medical Services (the "CCEMS") Station No. 52 ("Station 52") building; Messrs. Kevin Brost and Josh Fetner, residents of the District; Messrs. Wayne Dolcefino and Larry Kirk of Dolcefino Consulting; Ms. Cara Moreau, a student at the University of Houston; and the following representatives of the CCEMS were in attendance at the meeting: Messrs. Dave Billings and Ruben Gonzales, members of the Board of Directors of CCEMS; Mr. Brad England, Executive Director of CCEMS; Mr. Norm Uhl, Public Information Officer for CCEMS; and Mr. Kerry Johnson of NRG Marketing Group ("NRG"), the District's website service provider.

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 Mr. Dolcefino.

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

APPROVAL OF THE MINUTES

The Board first considered approval of the minutes of the regular meeting of July 20, 2017 and the certified agenda for the regular meeting of July 20, 2017, previously distributed to the Board. Ms. Bobbitt then reminded the Board that while the Board had been previously provided copies of the certified agenda for their review and approval, such certified agenda is considered confidential information under the Texas Open Meetings Act (the "Act") and, therefore, should not be shared with anyone. Ms. Bobbitt noted, however, that the Act provides for court-ordered access of certified agendas under specific circumstances. Upon motion by Commissioner LeBouef, seconded by Commissioner Plummer, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the regular meeting of July 20, 2017 and the certified agenda for the regular meeting of July 20, 2017, as presented.

REVIEW AND TAKE ANY NECESSARY ACTIONS ON MONTHLY OPERATIONS AND FINANCIAL REPORT FROM CCEMS, INCLUDING CONSIDERATION OF MONTHLY OPERATIONS FUNDING REQUEST AND CAPITAL FUNDING REQUESTS

Commissioner Ripley then recognized Mr. England, who presented to and reviewed with the Board the Executive Director's Report, the monthly CCEMS Operations and Financial Reports, including the operations statistics for the month of July 2017 and the 2017 CCEMS budget comparison, copies of which are attached hereto. Mr. England went on to report that during the month of July there had been 2,176 transports, two (2) Life Flight transports, and that 30% of the calls made during the month were "no transports." Mr. England went on to report that during the month of July, the CCEMS had received 25 mutual aid assists and had provided 13 mutual aid assists outside of the CCEMS's boundaries.

Mr. England then stated that the CCEMS Board has appointed four (4) new directors.

Mr. England next reported that construction on Station 52 is ongoing and should be completed by August 21st.

Mr. England then presented a Notice of Levy that CCEMS recently received from the Internal Revenue Service (the "IRS") related to E-Views Safety Systems, Inc. ("E-Views"), a copy of which is attached to the Executive Director's Report. Mr. England explained that such notice is regarding an unpaid balance of assessment in the amount of \$173,745.97 that E-Views apparently owes to the IRS. A brief discussion ensued. The Board requested that Mr. England obtain additional information regarding such Notice of Levy.

Mr. England went on to remind the Board that Cy-Fair Hospital ("Cy-Fair") was recently granted a Level II Trauma designation on a provisional basis. Mr. England explained that the hospital will need to operate under such designation for a one (1) year period before the designation becomes permanent. Mr. England noted that the Level II Trauma designation will enable CCEMS to take more severe cases directly to Cy-Fair, thereby increasing CCEMS' operational efficiency and further reducing response times.

Mr. England next reviewed with the Board the "CCEMS" Blood Products Administration, First Year Report, a copy of which is attached to the Executive Directors Report.

Mr. England next noted that there are no requests for capital funding from CCEMS being presented at today's meeting.

Upon motion by Commissioner Plummer, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to approve the CCEMS Operations and Financial Report and to approve the monthly CCEMS Operations payment in the amount of \$1,162,925 for the month of August.

A brief discussion then ensued regarding CCEMS' annual budget and the District's budgeting process. It was the consensus of the Board to appoint Commissioners Ripley and Pinard to the District's Budget Review Committee with such Committee to meet with two (2) CCEMS Directors, Mr. England, Ms. Bobbitt and Mr. Russell to review and discuss CCEMS' budget for the fiscal year ending ("FYE") December 31, 2018, once the CCEMS' draft budget for 2018 is received from Mr. England.

REVIEW AND TAKE ANY NECESSARY ACTIONS ON FINANCIAL MATTERS, INCLUDING FINANCIAL REPORT FROM DISTRICT TREASURER AND BOOKKEEPER

Mr. Russell then presented to and reviewed with the Board the Bookkeeper's Report, including the revenues and expenses of the District, the budget comparison, a proposed amended budget for the FYE December 31, 2017, the investment report and the checks being presented for payment at today's meeting, copies of which are attached hereto.

Mr. Russell next reported that during the prior month, the District had received \$23,549.49 in property tax revenue, \$4,896.22 in penalties and interest and \$1,308.65 in investment interest. Mr. Russell further reported that all such revenue had been deposited into the District's Compass Bank Operating Account.

An extensive discussion then ensued regarding the proposed amendment of District's budget for the FYE December 31, 2017, which was revised to increase expense line items for legal fees and reduce certain expense line items. Ms. Bobbitt reminded the Board that the District had originally budgeted \$65,000 for legal fees for the FYE December 31, 2017 budget, which, in her opinion, is not adequate for the size and complexity of the District. Ms. Bobbitt and Mr. Russell explained that the expense line items for legal fees now includes sub-categories in an effort to more accurately categorize legal fees and related expenditures (i.e., general, contract negotiations, public information act responses, election, etc.). Ms. Bobbitt then presented to and reviewed with the Board a summary of the legal fee expense line items from December 1, 2016 through August 14, 2017, a copy of which is attached hereto. Further discussion ensued.

Mr. Russell went on to report that the District had recently received invoices from: 1) Community Impact Newspaper in the amount of \$1,005 in connection with District publications; and 2) Halo Doors in the amount of \$6,831 for the installation of the replacement Emergency Medical Service ("EMS") garage door at Station No. 55 ("Station 55"). Copies of such invoices are attached to the Bookkeeper's Report. Ms. Bobbitt then explained that her office had reviewed the Construction, Financing and Cost Sharing Agreement between the District and Harris County Emergency Services District No. 29 ("ESD 29") ("the Cost Sharing

Agreement") to determine whether the District is responsible for the door replacement costs. Ms. Bobbitt went on to explain that based on RBAP's review of the Cost Sharing Agreement, she recommended that the District authorize payment for the replacement EMS door at Station 55. Commissioner Pinard added that he had also reviewed the Cost Sharing Agreement and communicated with the Chief of the Champions Fire Department regarding such matter.

Upon motion by Commissioner LeBouef, seconded by Commissioner Plummer, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Bookkeeper's Report, to authorize payment of the checks reflected therein and to adopt the amended budget for FYE December 31, 2017, and to authorize payment for the replacement EMS door at Station 55.

Upon motion by Commissioner Plummer, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to approve additional checks in the amounts of \$1,005 to Community Impact Newspapers and \$6,831 to ESD 29.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Bobbitt then reviewed with the Board the monthly Tax Assessor/Collector's Reports for the month of July, a copy of which is attached hereto. Ms. Bobbitt reported that 98% of the District 2016 tax levy has been collected as of July 31, 2017 with \$216,194.41 remaining in outstanding 2016 taxes as of July 31, 2017. Upon motion by Commissioner LeBouef, seconded by Commissioner Plummer, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Tax Assessor/Collector's Report, as presented.

COMMISSIONER'S MONTHLY FACILITIES INSPECTION/TOUR REPORT

Commissioner Ripley then stated that he plans to conduct two (2) monthly facility inspections/tours after today's Board meeting.

STATUS OF DISTRICT CONSTRUCTION, REPAIR IMPROVEMENT, OR RENOVATION PROJECTS, AND TAKE ANY NECESSARY ACTIONS ON SAME

There was nothing additional to report at this time.

UPDATE ON E-VIEW SYSTEM, INCLUDING PURCHASE AND INSTALLATION OF DEVICES ALONG FM 1960 CORRIDOR NEAR WILLOWBROOK MALL AND TAKE ANY NECESSARY ACTIONS ON SAME

Ms. Bobbitt then reminded the Board that they had previously authorized the purchase of four (4) E-View intersection controller devices for installation along the FM 1960 Corridor near Willowbrook Mall at a total cost of \$14,976, which amount does not include installation and antenna costs. Ms. Bobbitt reported that Chief Rich Jones had confirmed that the Klein Volunteer Fire Department received the equipment in mid-June and confirmed installation of same on July 13th. Ms. Bobbitt added that her office had transmitted the District's purchase check to E-Views Safety Systems upon confirmation of the equipment delivery.

REVIEW AND APPROVE PROPOSED INTERLOCAL AGREEMENT FOR THE DEVELOPMENT AND DEPLOYMENT OF A CAD TO CAD INTEROPERABILITY DISPATCH LINKING PLATFORM (THE "INTERLOCAL AGREEMENT") AND TAKE ANY NECESSARY ACTIONS ON SAME

Ms. Bobbitt next reported that she had recently received the proposed Interlocal Agreement in connection with the City of Tomball's plans to implement a CAD to CAD interoperability dispatch linking platform. It was the consensus of the Board to defer action on this item until the September Board meeting and until additional information about this item can be obtained.

REVIEW, DISCUSS AND TAKE ACTION ON MISCELLANEOUS MEDIA MATTERS, INCLUDING UPDATE BY NRG MARKETING GROUP ("NRG") ON STATUS OF DISTRICT'S WEBSITE AND CREATION OF A DISTRICT LOGO

Mr. Johnson next reported on the status of the District's website, <http://www.esd11.com>. Mr. Johnson recommended that additional security be added to the District's website. Mr. Johnson went on to present and review with the Board an invoice from Word Fence Pro in the total amount of \$119.25 (\$74.25 for purchase of the Wordfence Pro program and \$45 for installation of the Wordfence Pro program). Mr. Johnson explained how Word Fence Pro will provide additional security for the District's website for a time period of three (3) years. Ms. Bobbitt requested that, in the future, Mr. Johnson provide RBAP with any Board action items in advance of the Board meetings.

Mr. Johnson then requested new photographs for posting on the District's website. Mr. Dolcefino stated that he will provide Mr. Johnson with still photographs from the video taken at today's Board meeting.

Upon motion by Commissioner Plummer, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to approve and authorize payment of the invoice to Word Fence Pro in the amount of \$119.25 for the purchase of Wordfence Pro.

Commissioner Pinard then reported that he had previously submitted applications on behalf of the District for the design of a District logo. Commissioner Pinard explained that several online designers continue to submit proposed versions/concepts of a District logo, but that he has not been satisfied with any of the proposals received thus far. Commissioner Pinard stated that he continues to explore alternative options to have a District logo created. Commissioner Pinard added that he will also coordinate with Mr. Johnson regarding creation of the District's new logo.

DISCUSS PROPOSED ESTABLISHMENT AND IMPLEMENTATION OF DISTRICT/BOARD GOALS FOR 2017 AND TAKE ANY NECESSARY ACTIONS ON SAME

Commissioner Ripley next reminded the Board that they had previously discussed the proposed establishment of goals for the District and Board for 2017, including:

1) engage in regular continuing education (i.e., attendance at the Safe-D Conference and/or online seminars); 2) increase Board representation/attendance at the monthly CCEMS meetings; and 3) regularly tour the District's EMS stations and other EMS facilities. Commissioner Ripley reported on his recent attendance at the Houston Northwest Chamber of Commerce meeting. Commissioner Ripley stated that he was still in the process of drafting a comprehensive "District Goals" document and that he would present same to the full Board once a draft is completed.

ATTORNEY'S REPORT

Ms. Bobbitt next recommended that the Board consider engaging the services of a professional financial advisor for purposes of advising and assisting the Board in setting the District's 2017 tax rate. It was the consensus of the Board to include such item on the September meeting agenda.

Regarding the proposed revisions to the Contract for Providing Emergency Medical Services by and between the District and CCEMS, dated June 30, 2013 (the "Service Contract"), Ms. Bobbitt reminded the Board that she and Mr. Joshua Ellery from her office have identified several areas of concern and ambiguity in the current Service Contract and that Mr. Andrew McKinney, the CCEMS attorney, has proposed and requested that the Service Contract be reviewed and updated in connection with the budgeting and budget approval process. Ms. Bobbitt added that she and Mr. Ellery have had several conference calls with Mr. McKinney and continue the negotiating process, including drafting proposed revisions to the Service Contract.

ACCEPT RESIGNATION OF COMMISSIONER LYNN LEBOUF

At this time, Commissioner LeBouef tendered his resignation from the Board effective today. Commissioner LeBouef stated that he has enjoyed his time serving the community, but that he has become very busy and involved with other activities and positions. Commissioner Ripley then presented Commissioner LeBouef with a plaque honoring him for his many years of dedicated service to the Board and the District. Upon motion by Commissioner Pinard, seconded by Commissioner Plummer, after full discussion and the question being put to the Board, the Board voted unanimously to accept the resignation of Commissioner LeBouef. A copy of Commissioner LeBouef's letter of resignation is attached hereto.

DISCUSS AND TAKE NECESSARY ACTION IN CONNECTION WITH APPOINTMENT OF NEW COMMISSIONER

Upon motion by Commissioner Plummer, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to appoint Mr. Fetner to the Board, and to accept Mr. Fetner's executed Bribery Statement and Oath of Office, which will be filed with the Secretary of State's office pursuant to Article XVI, Section I of the Texas Constitution. Commissioner Fetner then executed his Oath of Office and Bribery Statement.

PUBLIC COMMENTS AND MISCELLANEOUS MATTERS

There were no comments from the public at this time.

CONFIRM NEXT REGULAR MEETING DATE AND MEETING ADJOURNMENT

Ms. Bobbitt then reminded the Board that the next regular meeting is scheduled for Thursday, September 21, 2017, at 9:00 a.m.

There being no further business to come before the Board, the meeting was adjourned at approximately 10:00 a.m.

COMMISSIONER'S MONTHLY DISTRICT FACILITIES TOUR

Upon adjournment of the regular Board meeting, Commissioner Ripley met with Mr. England to tour the District's emergency medical services facilities at Station No. 52 (3308 Treaschwig Road, Humble, Texas 77338) and CCEMS Station No. 56 (20923 Holzwarth Rd. Spring, Texas 77338).

PASSED, APPROVED AND ADOPTED this 21st day of September, 2017.



Fred Greenburg

Secretary, Board of Commissioners