

**MINUTES OF THE JUNE 26, 2014 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 June 26, 2014, at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The Meeting was called to order at 10:31 a.m. by **LYNN LEBOUF**, President. Those Commissioners present were **LYNN LEBOUF, KAREN PLUMMER, FRED GRUNDMEYER, ROBERT BERLETH, and KEVIN BROST**. Also present were **HOWARD KATZ, of COVELER & KATZ, P.C.**, the District's Counsel, **BRAD ENGLAND**, Executive Director of Cypress Creek EMS ("CCEMS"), **BILL RUSSELL, of MYRTLE CRUZ, INC.**, the District's bookkeeper, and Board officers of CCEMS, and Ricardo Martinez of Joiner Partnership, Inc., the District's architect on the Coventry project, and members of the public. Also present were Bob Schmanski, President of the Board of Harris County ESD No. 7 (Spring FD area), Ruben Gonzales, CCEMS board president, and Fred Windisch, fire chief of Ponderosa VFD. Also present was Steve Dishman and others of Brookstone Construction, the CMAR for the Coventry fire and EMS facility.

Prior to commencement of the meeting, Counsel administered the oaths of office to **LYNN LEBOUF and FRED GRUNDMEYER**, recently re-elected at the District election held on May 10, 2014.

The Board first addressed the election of District Officers.

Mr. **LEBOUF** opened the floor for nominations for President. Mr. **BERLETH** nominated **KEVIN BROST** to be President of the District Board. This was seconded by Mr. **GRUNDMEYER**.

Mr. **LEBOUF** asked for any other nominations. Ms. **PLUMMER** nominated **LYNN LEBOUF** to be President of the District Board. This was seconded by Mr. **GRUNDMEYER**.

No other nominations were made.

The nomination of Kevin Brost to be President of the District Board was not approved by a vote of 1 to 3 (Mr. Brost abstaining).

The nomination of Lynn LeBouef to be President of the District Board was approved by a vote of 3 to 1 (Mr. Brost abstaining).

Mr. **LEBOUEF** opened the floor for nominations for Vice President. Mr. **LEBOUEF** nominated **KAREN PLUMMER** to be Vice President of the District Board. Following review of protocol and proceedings, Counsel suggested withdrawing that action and for Mr. LeBouef to step out of the chair and hand the gavel to Mr. Berleth, current vice president. Mr. **LEBOUEF** withdrew his nomination and stepped out of the chair and handed the gavel to Mr. Berleth.

Mr. **BERLETH** opened the floor for nominations for Vice President. Mr. **LEBOUEF** nominated **KAREN PLUMMER** to be Vice President of the District Board. This was seconded by Mr. **GRUNDMEYER**.

Mr. **BERLETH** asked for any other nominations. Mr. **BROST** nominated **ROBERT BERLETH** to be Vice President of the District Board. This was seconded by Mr. **GRUNDMEYER**.

No other nominations were made.

The nomination of Karen Plummer to be Vice President of the District Board was approved by a vote of 3 to 2.

The nomination of Robert Berleth to be Vice President of the District Board was not approved by a vote of 2 to 3.

Counsel suggested that Mr. LeBouef could resume his position as President and step back into the chair. Mr. **LEBOUEF** stepped back into the chair.

Mr. **LEBOUEF** opened the floor for nominations for Treasurer. Mr. **GRUNDMEYER** nominated **KEVIN BROST** to be Treasurer of the District Board. This was seconded by Ms. **PLUMMER**. No other nominations were made and the nomination was approved by a vote of 5 to 0.

Mr. **LEBOUEF** opened the floor for nominations for Secretary. Ms. **PLUMMER** nominated **FRED GRUNDMEYER** to be Secretary of the District Board. This was seconded by Mr. **LEBOUEF**.

Mr. **LEBOUEF** asked for any other nominations. Mr. **BROST** nominated **ROBERT BERLETH** to be Secretary of the District Board. This was seconded by Mr. **GRUNDMEYER**.

No other nominations were made.

The nomination of Fred Grundmeyer to be Secretary of the District Board was approved by a vote of 3 to 0 (Mr. Berleth and Mr. Brost abstaining).

The nomination of Robert Berleth to be Secretary of the District Board was not approved by a vote of 2 to 3.

Without objection, the Board then addressed Agenda Item 15, the Coventry development project. All on the Board and Brad England, Executive Director of CCEMS, expressed concern on the project cost of \$1.850 million. Mr. Martinez said that HCESD No. 7 had approved the GMP for the fire station, although they were also concerned about the cost. There was discussion about the curb cut for the EMS station and that the cut and median cut did not line up exactly. Mr. Martinez said it was not a big concern but some allowance would be needed for ambulances exiting the property. There was discussion about the cost of the EMS project. Steve Dishman, of Brookstone Construction, the CMAR for the Coventry fire and EMS facility said there was some savings, but he said he was concerned that sub-contractor prices were locked in only to June 30. There was discussion about reducing the bays from 2 to 1, since the bays were double stack. After review there was still only a drop in cost to about \$1.6 million. Mr. **BROST** said the cost was just too much and was still much higher than originally planned. Mr. England said he thought the EMS project was too much. He said also that there is a current EMS station that is only a few minutes away from this site, unlike fire which needs this facility. Mr. **BROST** said that a square foot price of \$384/sq.ft was too much. He said plumbing alone was \$250,000.00. Mr. England said there was maybe a 5 minutes response time to this area from the current EMS facility, which could be made even less with a float truck for the general vicinity. After review, Motion was made by Mr. **BROST**, seconded by Mr. **BERLETH** to approve for the building committee of Ms. Plummer and Mr. Brost to meet with the architect and CMAR over the next two weeks to try to reduce the cost of the EMS facility. After discussion, the Motion was approved by a vote of 5 to 0.

The Board reviewed the Minutes of the May 15 canvass/special meeting and May 19, 2014 regular meeting. After review, Motion was made by Mr. **GRUNDMEYER**, seconded by Mr. **BERLETH** to approve the Minutes. Mr. **BROST** asked if his comments concerning the Stryker purchase were in the

Minutes and Counsel said they were. After discussion, the Motion was approved by a vote of 5 to 0.

Without objection, the Board then addressed Agenda Item 5, the payment of District bills. After review, Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER**, to approve the payment of District bills as follows:

1.	Myrtle Cruz, Inc. (bookkeeping)	\$	1,806.80
2.	Coveler & Katz, P.C. (legal-May): Admin:	\$	6,369.05
	Election:	\$	12,662.50
3.	Joiner Architects (Coventry project)	\$	1,800.00
4.	Klein VFD (E-View maint.)	\$	400.00
5.	HCAD (Qrtly assessment)	\$	30,358.00

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

Without objection, the Board then addressed Agenda Item 12, 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 \$820,000.00. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BROST** to approve the contract payment of CCEMS Operations in the amount of \$820,000.00. During discussion, Mr. **BERLETH** asked if the three new 12 hour trucks were deployed and in the field. Mr. England said all were deployed and making runs. 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 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 \$6,220,253.70. He also noted the receipt of tax revenue since the prior meeting in the amount of \$129,754.82, tax penalty and interest of \$2,755.87, and interest of \$1,821.15, and E-View reimbursement of \$ -0-. Mr. **RUSSELL** reported that as of this meeting and prior to the payment of current bills, \$6,226,693.35 was on deposit at the Prosperity Bank operating account, plus demand deposits of \$212,464.55 (Prosperity Bank), plus \$5,209.53 at TexPool, plus CD/investment accounts plus interest as to all said accounts/CD:

\$234,777.39 at Spirit of Texas Bank, \$231,771.74 at Icon Bank, \$224,274.56 at Community Bank (previously Vista Bank), plus \$1,608,767.49 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 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.

As part of the Financial Report, the Board then addressed District investments. Mr. Russell suggested the following action: none at this time.

The Board then addressed the District's 2013 audit and noted that it was approved at the prior meeting.

The Board then addressed 2014 property tax exemptions. Counsel said as requested he prepared an evaluation of over-65 and disabled exemptions at various levels and for a general homestead exemption at 5%. There was discussion about the financial demands of the District and the costs, including the possibility of the Coventry station. Thereupon, after review, Motion was made by Mr. **BROST**, seconded by Mr. **BERLETH** to approve Exemptions of \$50,000.00 for the over-65 and disability property account categories. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the 2014 tax rate setting process and appraisal reports. Counsel said the preliminary report was prepared, being in the general range of \$32,000,000.00-\$37,000,000.00, and the expected date for the certified tax roll was mid-August. After review, Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER** to approve for Counsel to prepare and publish the District's Effective Tax Rate calculations. After discussion, the Motion was approved by a vote of 5 to 0.

Mr. **BROST** asked about the review by Counsel concerning the Stryker purchase and competitive bidding. Counsel said he did review this and presented his findings at the May 15, canvass/special meeting. Mr. **BROST** and Mr. **BERLETH** said they were not at the meeting. Counsel said he summarized his findings in the Minutes of that meeting. Counsel said that his findings were that the amount involved (\$392,745.00) would trigger competitive bidding unless subject to an exception. He said he received a communication via Mr. England from the Stryker representative, Gary Montana, Stryker Account Manager, who

said, in part, that the Stryker stretchers and parts that were in this PO can only be obtained from Stryker directly. He also said that there are no other vendors authorized to sell the Stryker units and parts in the CCEMS territory, making Stryker as the sole source for the equipment. Counsel said he also checked on other jurisdictions that ordered the same type of the Stryker stretchers and parts that were in this PO and they were categorized by those jurisdictions as sole source items. Counsel said that with the limitation of vendors authorized to sell the Stryker stretchers and parts that were in this PO, that the sale was an exception to competitive bidding as a sole source. Mr. **BERLETH** thanked Counsel for the review.

Mr. **BROST** requested re-opening the approval of the Minutes for the May 15, 2014 canvass/special meeting. He said he did not realize those Minutes were part of the approval and that he did not attend the meeting. Mr. **LEBOUEF** said he asked if both sets of Minutes were reviewed by the Board prior to the vote. Without objection, the Board reviewed the Minutes of the May 15, 2014 canvass/special meeting. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **LEBOUEF** to approve the Minutes of the May 15, 2014 canvass/special meeting. After discussion, the Motion was approved by a vote of 3 to 0 (Mr. Berleth and Mr. Brost abstaining).

(Mr. **GRUNDMEYER** departed the meeting at 11:20 a.m.)

The Board then addressed developing a five-year plan with CCEMS. Mr. **BERLETH** said there was no update.

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

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 that in May there were 10 mutual aid responses in District territory and CCEMS provided 19 mutual aid responses to out of District territory. He reported that CCEMS has responded to a chronologic total of 447 STEMI calls, with a 98% correct call rate. Mr. England said that 7 minutes 44 seconds was the average total response time, with 6 minutes 34 seconds the

average travel time and average scene time was 23 minutes 58 seconds, and the average transport was 16 minutes 22 seconds. Mr. England said that the average dispatch time at 42 seconds was well under the 90 seconds national average. He also reported that for the prior month end, CCEMS responded to 2,846 calls, with the prior month's ALS being 1,256 and BLS being 543. Mr. England said there were also 7 life flights.

Mr. England reported the CCEMS was subpoenaed to provide information in a lawsuit between ZOLL and Physio Control, but that CCEMS was in no way a party or involved in the lawsuit.

Mr. England said CCEMS was responding to a PIA request.

Mr. England said there were unflattering and scurrilous postings on Twitter and maybe Facebook about certain CCEMS people and District Board members. Mr. England said he wished people would grow up and behave better.

After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BROST** to receive the CCEMS monthly report. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed E-Views. Fred Windisch, fire chief of Ponderosa VFD said there was no report.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 11:50 a.m.

Secretary of the Board