

**MINUTES OF THE JUNE 18, 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 June 18, 2015, at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The Meeting was called to order at 9:00 a.m. by **LYNN LEBOUF**, President. Those Commissioners present were **LYNN LEBOUF, FRED GRUNDMEYER, KAREN PLUMMER, and KEVIN BROST**. Also present were **HOWARD KATZ, of COVELER & KATZ, P.C.**, the District's Counsel, **MARISSA NORRIS, of MYRTLE CRUZ, INC.**, the District's bookkeeper, and Board officers of Cypress Creek EMS ("CCEMS"), and members of the public. Also present were Ricardo Martinez of Joiner Partnership, Inc., District architects on the Station 513/Coventry project, and Andrew McKinney, attorney for CCEMS.

The Board addressed approval of the Minutes of the May 21, 2015 regular meeting. During review, the following correction was noted: on page 6, first full paragraph, the comment should read: "Mr. **BERLETH** said we do not need to worry about this for another six months." After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BROST** to approve the Minutes as amended. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed Financial Matters. The District received a report from **MARISSA NORRIS, of MYRTLE CRUZ, INC.**, the District's bookkeeper. She reported that the operating account balance of the District following the prior meeting was \$6,451,274.12. She also noted the receipt of tax revenue since the prior meeting in the amount of \$50,628.13, tax penalty and interest of \$1,785.80, and interest of \$1,939.52. She also reported that as of this meeting and prior to the payment of current bills, \$6,504,892.00 was on deposit at the Prosperity Bank operating account, plus time deposits of \$240,000.00 plus interest at four banks and \$2,000,000.00 at Central Bank (CDARS program), plus demand deposits of \$212,889.87 (Prosperity Bank), plus \$5,211.62 at TexPool, plus CD/investment accounts plus interest as to all said accounts/CD: \$235,833.35 at Spirit of Texas Bank, \$232,364.32 at Icon Bank, \$225,160.85 at

Community Bank (previously Vista Bank), and \$1,349,890.87 at Compass Bank, plus \$240,000.00 at four banks. She 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 4 to 0.

The Board then addressed a new contract with **MYRTLE CRUZ, INC.**, the District's bookkeeper, for bookkeeper services. **MARISSA NORRIS** presented the proposal and said the rates have not been adjusted since the beginning days of the District. The new monthly fixed rate would be \$2,200.00, plus expenses (\$.20/copy); 2xcost for postage; \$1.00/month/box for storage. Thereupon, after review, Motion was made by Mr. **BROST**, seconded by Mr. **GRUNDMEYER** to approve the new contract with **MYRTLE CRUZ, INC.** as proposed. After discussion, the Motion was approved by a vote of 4 to 0.

As part of the Financial Report, the Board then addressed District investments. **MARISSA NORRIS** reported that District bookkeeper Bill Russell suggested the following action: transfer \$650,000.00 from Compass Bank to Wells Fargo Bank. Thereupon, after review, Motion was made by Mr. **BROST**, seconded by Mr. **GRUNDMEYER** to approve the transfer. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed District investments. **MARISSA NORRIS** and Counsel presented for approval the Depository Pledge Agreement with Wells Fargo Bank. Thereupon, after review, Motion was made by Mr. **BROST**, seconded by Mr. **GRUNDMEYER** to approve the Depository Pledge Agreement with Wells Fargo Bank. After discussion, the Motion was approved by a vote of 4 to 0.

Counsel discussed the proposed revised Depository Pledge Agreement with Compass Bank that would provide for letters of credit as collateral. Counsel said her was still working on requested revisions from Compass Bank.

The Board then addressed the 2015 property valuations. Counsel discussed the 2015 preliminary HCAD reports. Counsel said that the Effective Tax Rate process will begin in mid-August with tax rate setting likely in September. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr.

BROST to approve for Counsel to prepare and publish the District's 2015 Effective Tax Rate calculations. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed 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)	\$	1,782.96
2.	Coveler & Katz, P.C. (legal-May)	\$	3,283.46
3.	Joiner Partnership, Inc. (Station 513)	\$	2,128.00
4.	Lyendecker Consulting (Loan inspection fee Station 513.)	\$	395.00
5.	Webwize (Dist. website)	\$	100.00

After discussion, the Motion was approved by a vote of 4 to 0.

The Board noted the Webwize invoice. There was discussion about the posting on the website and its updating. Mr. **BROST** said he would address the website with Webwize.

The Board then addressed final approval of the District's 2014 audit presented by Jennifer Day, of McCall Gibson Swedlund & Barfoot, the District's auditors. Ms. Day said the report was clean with no exceptions or qualifications and that the classification of assets and capital purchases was addressed. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **GRUNDMEYER** to approve the District's 2014 audit. After discussion, the Motion was approved by a vote of 4 to 0.

The Board addressed revisions to the 2015 District budget. No action was required.

The Board addressed review of the District five-year plan. There was discussion about station construction or renovation.

Without objection, the Board took up Agenda Item 16 and addressed co-location with HCESD No. 7/Spring VFD for new Spring VFD Station 75 on FM 2920. Spring VFD Assistant Chief Robert Logan addressed the Board and spoke of a possible co-location for new Station 75 on FM 2920. Spring VFD Assistant Chief Logan said there was interest at HCESD No. 7/Spring VFD about co-locations similar to the Coventry joint station. Brad England, Executive Director of CCEMS, said he did not think a new EMS station at Spring VFD Station 75 was

necessary. There was discussion that the Treaschwig EMS station and the older EMS station near the Station 513 Coventry joint facility could be relocated or renovated for less than the cost of a new station. Ms. **PLUMMER** said that if renovation is feasible why build new. There was continued discussion about the pros and cons about co-location at Spring VFD Station 75. Mr. **LEBOUEF** appointed Ms. Plummer and Mr. Brost to a committee to study the Station 75 co-location issues with CCEMS and HCESD No. 11/Spring VFD. Spring VFD Assistant Chief Logan said that was good because HCESD No. 11/Spring VFD has been working on the Station 75 facility for some time and were ready to take action.

The Board then addressed the payment of CCEMS Operations and Capital funding as set forth in the Financial Report. **MARISSA NORRIS** noted that Operations funding was due at this meeting in the amount of \$893,805.42. After review, Motion was made Mr. **BROST**, seconded by Ms. **PLUMMER** to pay the CCEMS Operations. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed the payment of CCEMS Capital funding. Mr. England said there was none.

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 17 mutual aid responses in District territory and CCEMS provided 26 mutual aid responses to out of District territory. He reported that CCEMS has responded to a chronologic total of 502 STEMI calls, with a 98% correct call rate. Mr. England said that 7 minutes 59 seconds was the average total response time, with 6 minutes 55 seconds the average travel time and average scene time was 21 minutes 16 seconds, and the average transport was 16 minutes 51 seconds. Mr. England said that the average dispatch time at 58 seconds was well under the 90 seconds national average. He also reported that for the prior month end CCEMS responded to

3,328 calls, with the prior month's ALS being 1,558 and BLS being 488. Mr. England said there were also 5 life flights. Mr. England said there was continuing review of new/additional AEDs for use in the community. He said there would be a report for the next meeting. Mr. England that the new Frazer ambulances were on the streets. He also reported that a new ambulance was in a wreck. He also reported receipt by CCEMS of a award from the US Marshal's Office for professionalism.

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

The Board received a report from Ricardo Martinez of Joiner Partnership, Inc. District architects on the Station 513/Coventry project. He addressed the work progress and he said there was change order but there was no increase in the project cost. After review, Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER** to approve the change order. After discussion, the Motion was approved by a vote of 4 to 0.

Mr. Martinez said there was a Pay App to the contractor Brookstone in the amount of \$109,003.45, as certified due by the architect. After review, Motion was made by Mr. **BROST**, seconded by Mr. **GRUNDMEYER** to approve the Pay App. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed E-Views. Ponderosa VFD Fire Chief Fred Windisch and Klein VFD executive director Rich Jones delivered a report. They reported that there was a equipment conflict with the intersection controllers that was being reviewed. They delivered reports that detailed all the E-View intersections and the respective governing authorities, being either TxDOT or Harris County Transtar. Mr. Jones said there was a total of 263 intersection in the program, with 166 under Harris County Transtar and 97 under TxDOT. There was discussion about the Coventry intersections and if the developer would carry through on the discussion for it to cover the cost of installation. Ponderosa VFD Fire Chief Windisch said there was also concern about the Kuykendahl/I-45 intersection and TxDOT review. There was also discussion about possible expansion of the E-View service area, such as HCESD No. 17/Little York VFD area that is within the HCESD No. 11 jurisdiction.

The Board then addressed Agenda Item 18, and third party communications addressing Cypress Creek EMS operations, and to review and take action on a District request to Cypress Creek EMS under service agreement for documents and information that the Texas Attorney General and/or Harris County District Attorney has requested and which fall under or relate to District funding. Mr. **BROST** said that CCEMS was obligated to deliver the requested records and that the District funds the CCEMS personnel. Counsel said he had submitted a request for records addressing CCEMS payroll and personnel records. Andrew McKinney, attorney for CCEMS said he had received a request from District Counsel on behalf of a District Board member. Mr. McKinney said CCEMS would not respond to requests from an entity or an unnamed person. Counsel said he had made the request on his own behalf and for a District board member and that Mr. McKinney acknowledged in an email that it was a proper request. Counsel said his office also forwarded to CCEMS a PIA request from Wayne Dolcefino and CCEMS had not yet responded. Mr. McKinney said these are the same requests that are the subject of the lawsuits CCEMS filed against the Texas Attorney General and that Mr. Dolcefino filed against CCEMS and would be responded to in the same fashion if the District or any commissioner made a similar request. Mr. **LEBOUEF** said that the District Board has consistently said that CCEMS should provide the requested information. Counsel said the request he sent was not only a PIA but a request under the service agreement. Mr. McKinney said the District wants to make a motion it can and he would respond in that fashion. Mr. **BROST** asked if Mr. McKinney meant to say that he would not respond to a request for information under the service agreement. Mr. McKinney said to make the motion. After review, Motion was made by Mr. **BROST** to instruct Counsel to request from CCEMS a roster of all personnel that the District funds, with names and amounts received, from January 1, 2014 to the present. The Motion lingered until being seconded by Ms. **PLUMMER**. After discussion, the Motion was approved by a vote of 3 to 0 (Mr. **GRUNDMEYER** abstaining).

The Board then addressed Agenda Item 19, and addressed EMS/ambulance billing in the context of the Cypress Creek EMS budget and District funding, including entertainment and/or any other non-EMS items for

possible methods for cost savings in District funding. Mr. McKinney said the District does not have the right under the service agreement to demand ambulance billing information. Counsel said the District has the right to ask about any budgetary matters to determine how its funds are being used and if the ambulance billing is increasing District cost or might even reduce the District cost. Mr. **BROST** said the key issue is transparency and how the funds are being used. Mr. England said the CCEMS budget process begins in August and the information can be reviewed. Mr. **LEBOUEF** said a break-down on the CCEMS budget would help the Board's review. Mr. England said he gives that every month. Counsel said that is a report only of the District funded portion. Mr. England left the meeting to bring in the full CCEMS P&L monthly report. Mr. **BROST** said this information should be given every month.

The Board next addressed creation of a position of District office manager. Counsel said that he was revising the job description.

The District tabled receiving a legislative report.

The Board received public comment. Ponderosa VFD Fire Chief Windisch said the CAD installed at the CommCenter was a good asset to assist with dispatch and communications. Ponderosa VFD Fire Chief Windisch said the Commissioner Robert Berleth was again absent from the meeting. Steve Faulkner said the District website was out of date and the service was not worth the cost if this is the best site that can be achieved.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 10:45 a.m.

Secretary of the Board