

**MINUTES OF THE SEPTEMBER 24, 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 September 24, 2015, at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The Meeting was called to order at 9:00 AM by **LYNN LEBOUF**, President. Those Commissioners present were **LYNN LEBOUF, KAREN PLUMMER, KEVIN BROST, and FRED GRUNDMEYER**. Commissioner **ROBERT BERLETH** was not present. Also present were the District legal counsel John Peeler, of Coveler & Katz, P.C., special counsel Chris Rothfelder of Rothfelder & Falick, L.L.P., District book keeper Bill Russell, of Myrtle Cruz, Inc., Board officers of Cypress Creek EMS ("CCEMS"), and CCEMS Executive Director Brad England. Also present were Ricardo Martinez of Joiner Architects, District architects on the Station 513/Coventry project, Ponderosa VFD Chief Fred Windisch, and members of the public.

The Board reviewed the Minutes of the August 20, 2015 regular meeting. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BROST** to approve the Minutes. 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 **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 \$2,851,591.29. He also noted the receipt of tax revenue since the prior meeting in the amount of \$7,355.75, tax penalty and interest of \$3,535.68, and interest of \$620.56. He also reported that as of this meeting and prior to the payment of current bills, \$2,961,617.16 was on deposit at the Prosperity Bank operating account, plus additional demand deposits of \$212,997.21 at Prosperity Bank, \$5,212.54 in TexPool, CD/investment accounts plus interest as to all said accounts/CD: \$236,100.99 at Spirit of Texas Bank, \$232,493.19 at Icon Bank, \$225,359.54 at Community Bank (previously Vista Bank), \$1,350,347.29 at Compass Bank, \$890,160.21 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 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)	\$	2,300.78
2.	Coveler & Katz, P.C. (legal-February):	\$	6,519.27
3.	Joiner Partnership, Inc. (Station 513)	\$	2,128.00
4.	Leyendecker Consulting Services	\$	790.00
5.	Rothfelder & Falick LLP	\$	8,262.96
6.	Trustmark National Bank	\$	15,942.98
7.	Bank Documentation and Attorney Fees	\$	525.00
	(additional bill not listed on report presented)		

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

The Board then addressed District investments. After review, Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER**, to approve the signature card with Central Bank for the new CD. After discussion, the Motion was approved by a vote of 4 to 0.

The Board took no action on Depository Pledge Agreements.

The Board then addressed 2015 budget revisions. Mr. Russell recommended no revisions to the District 2015 budget at this time. No action was taken.

The Board addressed the District 2016 budget. Mr. Russell presented a draft budget based upon anticipated total revenue of \$17,384,339 and total expenditures, including funding the District reserve, of \$17,384,339. After review, Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER**, to approve the proposed District 2016 budget, pending final adoption at the October meeting. After discussion, the Motion was approved by a vote of 4 to 0.

The Board addressed the 2015 tax setting including the tax rate and hearings. After review, Motion was made Mr. **BROST**, seconded by, Mr. **GRUNDMEYER** to propose a 2015 District tax rate of \$0.041850/\$100. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then discussed the public hearing dates for the proposed tax rate. Thereupon, after review, Motion was made by Mr. **BROST**, seconded by, Mr. **GRUNDMEYER** to make the following public hearing dates:

The first public hearing will be held on October 6, 2015 at 9:00 a.m. at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The second public hearing will be held on October 12, 2015 at 9:00 a.m. at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The date for tax rate adoption will be October 15, 2015 at 9:00 a.m. at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The Board addressed review of the District five-year plan. No action was required.

The Board then moved to agenda item #13 as item no's 11 and 12 were held for closed session.

The Board then received a report from CCEMS. Brad England, Executive Director of CCEMS, presented the report: he noted the call volume was up compared to same time last year, response times (00:07:52), fire/ems breakdown in dispatched calls and hospital times as well as for EMS billing collections information; in August there were 18 mutual aid responses in District territory and CCEMS provided 19 mutual aid responses provided out of District territory; he stated that they are in the very early stages of looking at new blood protocols; working with the VFD on budgets; working on CCEMS budget in an effort to provide budget committee with same; some interior renovations to stations. After review, motion was made by Mr. **BROST**, seconded by Mr. **GRUNDMEYER** to accept the CCEMS monthly report. After discussion, the motion was approved by a vote of 4 to 0.

The Board held on agenda item 14, to review and take action on purchase of new AEDs for use in District community. Mr. England reported that five quotes had been received and are being reviewed for recommendations to the Board. No action was taken.

The Board received a report from Ricardo Martinez on the Station 513/Coventry project. He addressed the work progress stating the electrical easement still had not been resolved but noted that this only affects the neighboring owner, not ESD 11 or ESD 7. He reported that air conditioning would be added so that the interior construction can begin. Mr. Martinez, also, reported that the substantial completion is expected mid-November, 2015. Mr. Martinez said that application number 11 to the contractor Brookstone in the amount of \$98,383.14 is certified due by the architect. After review, Motion was made by Mr. **BROST**, seconded by Mr. **GRUNDMEYER** to approve pay application number 11 as presented. After discussion, the Motion was approved by a vote of 4 to 0.

The Board tabled the review of real property as no action was needed.

The Board took no action on item 17, to review third party communications addressing District and Cypress Creek EMS operations.

The Board also moved item 18, District requests to CCEMS for documents and information, to after Closed Session.

The Board then addressed item 19, traffic preemption. Mr. **BROST** asked for follow up regarding Springwoods Village and any agreements for them to install the devices or pay for the District to do so. Counsel advised that he would seek additional information on this issue. No action was taken.

The Board entered executive session at 9:33 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 10:38 AM.

The Board then addressed item 17, the District's requests to Cypress Creek EMS for documentation and item 11, payment of CCEMS Operations and Capital funding. Mr. **BROST** asked additional questions on how the request for written documentation has now moved into non-disclosure agreement ("NDA"). CCEMS legal counsel Andrew McKinney provided a response regarding the development of the NDA process. Ms. **PLUMMER** expressed an extreme level of frustration on this matter, stating that the District is entitled to the information it has requested. Mr. McKinney stated, "We're fine with transparency as long as we preserve privacy", and offered some general information on overtime costs vs full-time employee staffing.

The Board then addressed the request from CCEMS for operations funding in the amount of \$893,805.42. Motion was made by Ms. **PLUMMER** and seconded by Mr. **GRUNDMEYER** to approve the monthly payment as presented. During discussion, Mr. **LEBOUEF** admonished CCEMS to work as quickly as possible to provide the financial information the Board has requested, or they face this being the last payment they receive from ESD 11 until the matter is resolved. After discussion, the Motion was approved by a vote of 3 to 0 with Mr. **BROST** abstaining.

The Board tabled agenda item 20, to review job descriptions for District appointed Office Manager.

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 11:10 AM.

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Secretary of the Board