

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

January 18, 2018

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, January 18, 2018, 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
Josh Fetner	Asst. Treasurer

All members of the Board were present, except Commissioner Ripley, thus constituting a quorum. Also attending the meeting were: Mr. Bill Russell of Myrtle Cruz, Inc. ("MCI"), bookkeeper for the District; Mr. Kerry Johnson of NRG Marketing Group ("NRG"), the District's website service provider; Mr. Ricardo Martinez of Martinez Architects ("Martinez"); Ms. Robin S. Bobbitt, attorney, and Ms. Carla Christensen, paralegal, of Radcliffe Bobbitt Adams Polley PLLC ("RBAP"), attorneys for the District; In addition, the following representatives of Cypress Creek Emergency Medical Services (the "CCEMS") were in attendance at the meeting: Messrs. Dave Billings and Rueben Gonzales, members of the Board of Directors of the CCEMS; Mr. Brad England, Executive Director of the CCEMS; and Mr. Norm Uhl, Public Information Officer for the CCEMS.

WHEREUPON, the meeting was called to order by the Vice 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.

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

In the absence of Commissioner Ripley, Commissioner Plummer presided over the meeting.

STATUS OF PROPOSED ADMINISTRATIVE AND OPERATIONAL POLICIES AND PROCEDURES OF THE BOARD AND TAKE NECESSARY ACTIONS ON SAME

Commissioner Pinard reported that he is in the process of finalizing the application form to be utilized for items to be reviewed and vetted by the Board and will coordinate with Mr. Johnson for posting of such form on the District's website.

APPROVAL OF THE MINUTES

The Board next considered approval of the minutes of the regular meeting of December 21, 2017 and the certified agenda for the regular meeting of December 21, 2017, previously distributed to the Board. Ms. Bobbitt noted that the certified agenda is considered confidential information under the Texas Open Meetings Act (the "Act") and, therefore, may not be shared with anyone. Ms. Bobbitt added that the Act provides for court-ordered access of certified agendas under specific circumstances.

Upon motion by Commissioner Fetner, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the regular meeting of December 21, 2017 and the certified agenda for the regular meeting of December 21, 2017, as presented.

REVIEW AND TAKE ANY NECESSARY ACTIONS ON MONTHLY OPERATIONS AND FINANCIAL REPORT FROM CCEMS, INCLUDING CONSIDERATION OF MONTHLY OPERATIONS FUNDING REQUESTS, CAPITAL FUNDING REQUESTS AND PROPOSALS FOR THE PURCHASE OF TWO (2) SUPERVISOR VEHICLES

Commissioner Plummer 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 December 2017 and the 2017 CCEMS budget comparison, copies of which are attached hereto. Mr. England went on to report that during the month of December there had been 2,512 transports, six (6) Life Flight transports, and that 29% of the calls made during the month were "no transports." Mr. England went on to report that during the month of December, the CCEMS had received 33 mutual aid assists and had provided 24 mutual aid assists outside of the CCEMS's boundaries.

Mr. England then reviewed with the Board the following CCEMS reports: 1) Stroke Report; and 2) Trauma Report. Copies of such reports are attached to the Executive Directors Report, and attached hereto.

Mr. England next reported that, on behalf of CCEMS, the Houston-Galveston Area Council (the "HGAC") had solicited proposals for the District's purchase of two (2) supervisor vehicles. Mr. England reminded the Board that the CCEMS had previously requested that the Board include a \$780,000 capital expenditure in the District's budget for the fiscal year ending (the "FYE") December 31, 2018, which amount included the cost for the purchase of such supervisor vehicles. Mr. England then presented to and reviewed with the Board the proposal from the HGAC Buy Program in the amount of \$70,778.60 for the purchase of two (2) supervisor vehicles, a copy of which is attached hereto. Mr. England then presented to and reviewed with the Board the proposal from Lone Star Products & Equipment LLC ("Lone Star") in the amount of \$16,466 for the acquisition and installation of the necessary lighting, sirens, etc. for the two (2) supervisor vehicles, a copy of which is attached hereto.

Mr. England then reminded the Board that CCEMS recently re-implemented the Community Paramedic Program (the "Paramedic Program"), which allows a physician's assistant to respond directly to less urgent patients that do not require an ambulance. Mr. England next presented to and reviewed with the Board a summary report from Ms. Christina Du Bois regarding the status of the Paramedic Program and the program's patients, a copy of which is attached hereto. Mr. England noted that CCEMS has seen a reduction in the number of calls to 911 from patients that do not require an ambulance since the implementation of the Paramedic Program. In response to a question from Commissioner Pinard, Mr. England stated that he will confirm that the patients served by the Paramedic Program are provided a choice of facilities at which they can be served.

Upon motion by Commissioner Fetner, 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 \$1,213,560 for the month of January.

Upon motion by Commissioner Fetner, 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 proposals from the HGAC Buy Program and Lone Star in connection with the District's purchase of two (2) supervisor vehicles and outfitting of such vehicles with the necessary lighting, sirens, etc.

CONSIDER COMMISSIONER AND FORMER COMMISSIONER REQUESTS FOR REIMBURSEMENT OF DEFENSE COSTS AND ADOPTION OF REIMBURSEMENT RESOLUTION REGARDING SUCH REQUESTS

There were no requests for reimbursement at this time.

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, the adopted budget for the FYE December 31, 2018, 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 \$9,180,113.28 in 2017 property tax revenue, \$2,549.41 in penalties and interest and \$747.56 in investment interest. Mr. Russell further reported that all such revenue had been deposited into the District's Compass Bank Operating Account.

Upon motion by Commissioner Grundmeyer, seconded by Commissioner Fetner, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Bookkeeper's Report and to authorize payment of the checks reflected therein with the exception of the invoice from Hart Intercivic for election equipment training and testing, which will be held until February 20th (the deadline for write-in candidates to file to be on the May 5, 2018 election ballot).

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Bobbitt stated that her office had not yet received the Tax Assessor/Collector's Report for the month of December.

RESOLUTION AUTHORIZING THE 20% PENALTY FOR COLLECTION COSTS ON DELINQUENT 2017 TAXES

Ms. Bobbitt then explained that pursuant to Sections 6.30, 33.07, 33.08 and 33.11 of the Texas Tax Code, as amended, the District may levy an additional 20% penalty on 2017 real property taxes that remain delinquent as of July 1, 2018 and an additional 20% penalty on 2017 personal property taxes that remain delinquent as of April 1, 2018 to help defray the costs of collection, if the Board has entered into an agreement with an attorney for the collection of delinquent taxes and if adequate notice of such penalty is provided to property owners.

Upon motion by Commissioner Fetner, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted four (4) votes in favor, with Commissioner Pinard abstaining, to adopt the Resolution Authorizing the 20% Penalty for Collection Costs on Delinquent 2017 Taxes, a copy of which is attached hereto.

COMMISSIONER'S MONTHLY FACILITIES INSPECTION/TOUR REPORT

In the absence of Commissioner Ripley, there was no report on monthly facilities inspections/tours.

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

There was nothing to report on this item at this time.

UPDATE ON E-VIEWS PREEMPTION SYSTEM DEVICES, INCLUDING STATUS OF INSURANCE CLAIM FOR DAMAGE TO VARIOUS SAFETY SYSTEM, INC., E-VIEWS DEVICES DURING HURRICANE HARVEY, STATUS OF REPAIR/REPLACEMENT OF DAMAGED E-VIEWS DEVICES AND TAKE ANY NECESSARY ACTIONS ON SAME

Commissioner Fetner then provided an update to the Board regarding the damaged E-Views devices and reminded the Board that they had previously authorized the submission of an insurance claim to VFIS, the District's insurance carrier, for damage to the District's E-Views devices due to Hurricane Harvey. Commissioner Fetner went on to report that such claim was filed with VFIS and that the District had previously received checks for claim payments in the amounts of \$81,500 (for 11 of the E-Views devices that were substantially damaged during Hurricane Harvey) and \$20,000 (for other damaged E-Views devices). Commissioner Fetner added that he is continuing to coordinate with Chief Jones, Mike Taylor and the other stakeholders to determine the ownership of the damaged controller devices in order to distribute the appropriate pro-rata share of the insurance proceeds to the proper entities. Commissioner Fetner requested that the Board authorize distribution of the insurance proceeds at the February Board meeting.

Commissioner Fetner went on to explain that as previously discussed, due to the continuing advancement of technology, the current E-Views devices will be obsolete in the near future and that Harris County (the "County") and likely the Texas Department of Transportation ("TxDot"), have decided to replace the intersection preemption controller devices for County and State roads with newer, more updated devices. Commissioner Fetner added that the stakeholders continue to review the various vendor options in connection with the necessary transition from the current E-Views devices to intersection preemption controller devices that will be compatible with the County's newer, more updated equipment. Commissioner Fetner went on to state that the stakeholders are currently considering approval of a subscription-based system with three (3) different vendors for the replacement of E-View devices. Commissioner Fetner added that he will continue to provide updates to the Board on this matter.

REVIEW, DISCUSS AND TAKE ACTION ON MISCELLANEOUS MEDIA MATTERS, INCLUDING UPDATE BY NRG ON STATUS OF DISTRICT'S WEBSITE

Mr. Johnson next reported on the status of the re-design of the District's website, <http://www.esd11.com>. Mr. Johnson then reviewed on the TV monitor the updated website with the Board and consultants. Extensive discussion ensued. It was the consensus of the Board to archive all meeting minutes prior to January 1, 2017 and one (1) year of meeting notices. In response to a question, Ms. Bobbitt agreed to coordinate with Mr. Johnson regarding the appropriate disclaimer language to include on the District's website.

APPROVAL OF NON-DISCLOSURE AGREEMENT WITH NRG

Ms. Bobbitt then reported that Mr. Johnson had provided her office with a draft of the proposed Non-Disclosure Agreement between NRG and the District for her review. Ms. Bobbitt stated that she will review the draft agreement and provide Mr. Johnson with any comments prior to the February Board meeting.

DISCUSS PROPOSED ESTABLISHMENT AND IMPLEMENTATION OF DISTRICT/BOARD GOALS FOR 2018 AND TAKE ANY NECESSARY ACTIONS ON SAME

No action was taken on this matter at this time.

ATTORNEY'S REPORT, INCLUDING APPROVAL OF PROPOSED AMENDMENT OF LEGAL SERVICES AGREEMENT WITH RBAP

Ms. Bobbitt then distributed for the Boards review an amended attorney fee agreement for general counsel services (the "Amended Fee Agreement"), which was prepared in response to her recent meeting and discussions with Commissioners Ripley and Fetner. Ms. Bobbitt stated that the Amended Fee Agreement includes a flat fee rate structure (\$4,800/month, plus expenses) for regular and routine District items such as meeting attendance, minute preparation, agenda preparation and posting, and two (2) hours of an attorney attendance at one (1) Board meeting per month. Discussion ensued. Ms. Bobbitt next addressed questions from the Board. Upon motion by Commissioner Fetner, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Amended Fee Agreement, effective January 1, 2018, a copy of which is attached hereto.

ELECTION AGENDA

Ms. Bobbitt next explained that the 2018 Commissioner's Election will be held on Saturday, May 5, 2018 (the "Election"), and noted that the terms of office of Commissioners Grundmeyer and Fetner are expiring at such time. Ms. Bobbitt further informed the Board that the first day to file an application for a place on the ballot was Wednesday, January 17th, and that applications for a place on the ballot must be received by Radcliffe Bobbitt no later than 5:00 p.m. on Friday, February 16th and that applications for write-in candidates must be received by Tuesday, February 20th.

Ms. Bobbitt next reported that her office has contacted Mr. John Peeler of Coveler & Peeler, P.C., the attorney for several of the other Emergency Services Districts ("ESDs") that participated in the 2016 Joint Election with the District. Ms. Bobbitt went on to state that based on her recent conference call with Messrs. Coveler and Peeler, the other ESDs do not appear to be interested in holding a joint election or sharing the 2016 polling locations. Ms. Bobbitt added that Mr. Peeler had stated that none of his clients wanted to be associated with the District due to all the issues and problems that occurred with the 2016 election. A discussion next ensued regarding possible polling locations should the District have an election. Ms. Bobbitt and Ms. Christensen went on to explain that Radcliffe Bobbitt is in the process of reviewing potential polling locations, including the polling locations used in the 2016 election boundaries of the District and will begin contacting potential polling locations. Ms. Christensen also stated that she is in the process of contacting potential election officials.

Ms. Christensen next explained that the District would need to purchase two (2) additional electronic voting systems in order to have enough voting machines for the same amount of polling locations that were utilized in 2016. It was the consensus of the Board to not purchase two (2) additional machines at this time.

Ms. Bobbitt then presented to and reviewed with the Board a proposal from Hart Intercivic ("Hart") in the amount of \$2,660 for election official training on the election equipment and to perform the required testing of the election equipment should a District election be held, a copy of which is attached hereto. Upon motion by Commissioner Fetner, seconded by Commissioner Grundmeyer, after full discussion and with all Directors present voting aye, the Board voted unanimously to approve the Hart proposal and authorize payment to Hart, subject to a determination that the District will be required to hold its May 5, 2018 Commissioners Election.

Ms. Bobbitt noted that the Board will be adopting the Order Calling Election at the February 15th meeting.

Ms. Bobbitt then stated that she had nothing further to report at this time.

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, February 15, 2018, at 9:00 a.m.

There being no further business to come before the Board, the meeting was adjourned at approximately 10:45 a.m.

PASSED, APPROVED AND ADOPTED this 15th day of February, 2018.

(DISTRICT SEAL)

Secretary, Board of Commissioners