

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

March 15, 2018

THE STATE OF TEXAS
COUNTY OF HARRIS
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 11

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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, March 15, 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 Commissioners Pinard and Fetner, 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; and 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 ("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. Tony Ghourley, Maintenance Manager for CCEMS; Mr. Jim Van Hooser, Human Resources Manager for CCEMS; and Mr. Norm Uhl, Public Information Officer ("PIO") for CCEMS.

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.

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

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

In the absence of Commissioner Pinard, there was no report on this item.

APPROVAL OF THE MINUTES

The Board next considered approval of the minutes of the regular meeting of February 15, 2018 and the certified agenda for the regular meeting of February 15, 2018, 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 Plummer, 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 February 15, 2018 and the certified agenda for the regular meeting of February 15, 2018, as presented.

REVIEW AND APPROVE ANNUAL AUDIT REPORT FOR THE FISCAL YEAR ENDED (THE "FYE") DECEMBER 31, 2017

Ms. Bobbitt reported that the audit report is in the process of being finalized and should be presented by the District's auditor at the April 19th Board meeting.

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 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 February 2018, the 2018 CCEMS budget comparison and reports from CCEMS PIO, copies of which are attached hereto. Mr. England reported that during the month of February there had been 2,133 transports, no Life Flight transports, and that 39% of the calls made during the month were "no transports." Mr. England went on to report that during the month of February, CCEMS had received 19 mutual aid assists and provided 18 mutual aid assists outside of CCEMS's boundaries.

Mr. England next reminded the Board that CCEMS had recently re-implemented the Community Wellness and Paramedic Program (the "Wellness Program"), which allows a physician's assistant to respond directly to less urgent patients that do not require an ambulance. Mr. England went on to report that necessary vehicles and equipment have been ordered for the Wellness Program, but such program is temporarily on hold.

Mr. England then reported that the CCEMS audit for FYE December 31, 2017 (the "CCEMS Audit") should be completed by the end of the month. Mr. England stated that a copy of the finalized CCEMS Audit will be provided to the District, upon completion and approval by the CCEMS Board.

Mr. England then presented to and reviewed with the Board: 1) the Department of Homeland Security's standard operating procedures for responding to suspicious packages, mail or correspondence; and 2) the Critical Infrastructure Partnership Advisory Council's 2018 Critical Infrastructure Summit presentation dated March 1, 2018, copies of which are attached hereto.

Commissioner Ripley next recognized Mr. Van Hooser, who made a presentation to the Board in connection with the results of a recent market salary survey conducted by CCEMS. Mr. Van Hooser went on to review CCEMS' current salary structure for emergency medical technicians ("EMT") and dispatchers, in comparison to the salaries paid by competitors of CCEMS. Mr. Van Hooser then reviewed a proposed increased salary structure for CCEMS EMTs and dispatchers. Mr. Van Hooser noted that the proposed increase would result in a salary budget increase of approximately \$831,311.09 for the remainder of 2018, and such increase in salaries would help CCEMS retain EMTs and dispatchers and keep CCEMS competitive in the EMS industry. Mr. England then requested that the Board consider assisting CCEMS with

funding the proposed increase in the salary structure. An extensive discussion ensued regarding the District's property tax value and related tax levy, the possible effect of Hurricane Harvey on the District's 2018 taxable valuation and whether it is economically feasible for the District to fund any portion of CCEMS' proposed increase in salaries. In response to a question, Mr. Gonzales stated that once the CCEMS Board of Directors finalizes the salary survey results and related recommendations, a copy of Mr. Van Hooser's presentation will be provided to the District along with a formal request for funding assistance.

Upon motion by Commissioner Grundmeyer, seconded by Commissioner Plummer, after full discussion and the question being put to the Board, the Board voted unanimously to approve the CCEMS Operations and Financial Report and authorize the CCEMS Operations payment in the amount of \$1,213,560.00 for the month of March.

PRESENTATION AND REVIEW OF REPORTS FROM CCEMS REQUIRED PURSUANT TO VARIOUS PROVISIONS OF THE CONTRACT FOR PROVIDING EMERGENCY MEDICAL SERVICES BY AND BETWEEN THE DISTRICT AND CCEMS, DATED JUNE 30, 2013 (THE "SERVICE CONTRACT")

Ms. Bobbitt then explained that CCEMS is required to provide certain reports to the District pursuant to the Service Contract. Ms. Bobbitt noted that the CCEMS had previously provided the Board with the Annual Performance Review and Planning Report for the years 2012 through 2017 and the five (5) year Cypress Creek Growth Plan Report, but not the Annual Manpower Report. Ms. Bobbitt stated that CCEMS had since provided the District with a copy of the Annual Manpower Report.

Mr. Van Hooser exited the meeting 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 FYE December 31, 2018, the investment report and the checks being presented for payment at the meeting, copies of which are attached hereto.

Mr. Russell next reported that during the prior month, the District had received \$577,064.95 in 2017 property tax revenue and \$1,941.73 in investment interest. Mr. Russell further reported that all such revenue had been deposited into the District's Compass Bank Operating Account.

Mr. Russell then reported that MCI continues to negotiate with banks and TexPool for the best possible interest rates for the investment of District's funds.

In response to a question from Commissioner Ripley, Ms. Bobbitt explained that RBAP's invoice for the month of February 2018 was higher than normal due to a substantial amount of work performed in connection with: 1) responding to Public Information Act ("PIA") requests; and 2) the May 5, 2018 Commissioners Election (the "Election").

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 Bookkeeper's Report and authorize payment of the checks reflected therein.

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.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Bobbitt then reviewed with the Board the monthly Tax Assessor/Collector Report for the month of February 2018, a copy of which is attached hereto. Ms. Bobbitt reported that 95.18% of the District's 2017 tax levy has been collected as of February 28, 2018 with \$877,599.15 remaining to be collected.

CONSIDER AUTHORIZING PREPARATION OF RECONCILIATION AUDIT AND/OR FORENSIC AUDIT REPORT FOR FYE DECEMBER 31, 2017 (DISTRICT FUNDING VS. CCEMS EXPENDITURES)

Ms. Bobbitt next reminded the Board that the District had previously engaged Roth & Eyring, CPA ("Roth & Eyring") to prepare reconciliation audits for FYE December 31, 2015 and FYE December 31, 2016, in connection with the review of CCEMS accounts funded through District payments pursuant to the Service Contract. Ms. Bobbitt added that at the February Board meeting, the Board reviewed a proposal from Roth & Eyring for the preparation of a reconciliation audit for FYE December 31, 2017, which would cost between \$5,500 and \$6,500. Ms. Bobbitt went on to remind the Board that it authorized her to contact both Roth & Eyring and the District's current auditor, McCall Gibson Swedlund Barfoot PLLC ("McCall"), and inquire whether such firms have the capabilities and availability to conduct a forensic audit (in addition to a reconciliation audit) of the District's payments to CCEMS and the use of such payments by CCEMS. Ms. Bobbitt stated that Roth & Eyring has the capability to conduct a forensic audit, but would need additional information from the District (i.e. proposed schedule and a refined scope of the proposed audit) before it could confirm availability to conduct such audit and provide a proposal for same. Ms. Bobbitt reported that McCall does not perform forensic audits. Commissioner Ripley then reported that Commissioner Pinard continues to coordinate with two (2) firms regarding their capabilities and availability to conduct the proposed audit.

It was the consensus of the Board to defer action on the reconciliation/forensic audit item until the April Board meeting.

DISCUSS PROPOSED ENGAGEMENT OF PUBLIC RELATIONS ("PR") CONSULTANT AND TAKE ANY NECESSARY ACTIONS ON SAME

Mr. Johnson next presented to and reviewed with the Board a proposal from NRG for the provision of PR services to the District. A discussion ensued regarding the types of PR services to be provided by NRG, the duration of the engagement and the terms of the engagement. In response to a question, Ms. Bobbitt recommended that the Board schedule a PR training workshop upon engagement of a PR consultant/firm. 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 accept the proposal from NRG for the provision of PR services to the District, subject to the receipt of a revised proposal, in accordance with the discussed terms.

COMMISSIONER'S MONTHLY FACILITIES INSPECTION/TOUR REPORT

Commissioner Ripley stated that he has not conducted any recent facility inspections and would not be conducting any facility inspections/tours after Board meeting.

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

There was no report on any District construction, repair or renovation projects 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

In the absence of Commissioner Fetner, there was no status update regarding the damaged E-Views devices or the distribution of the appropriate pro-rata share of the insurance proceeds to the proper entities.

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> and noted that the website is up-to-date.

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

UPDATE/REVIEW OF RECENT PUBLIC INFORMATION ACT ("PIA") REQUESTS AND STATUS OF RESPONSES TO SAME

Ms. Bobbitt next reported that there were three (3) PIA requests received since the February Board meeting, such requests being received from: 1) Beard & Lane Attorneys at Law ("Beard & Lane") and dated February 13, 2018; and 2) Dolcefino Consulting ("Dolcefino") dated February 20, 2018 and February 24, 2018, respectively, copies of which are attached hereto.

A brief discussion ensued. Ms. Bobbitt added that her office has provided an initial response to the Beard & Lane request and submitted a request to the Office of the Attorney General asking for a determination on certain requested items, as required by the provisions of the PIA.

Ms. Bobbitt further reported that her office had responded to one (1) of the Dolcefino requests on March 5, 2018, in accordance with the applicable PIA provisions and is awaiting clarification on certain requested items before responding to the second (2nd) request.

Mr. Johnson exited the meeting at this time.

ELECTION AGENDA

UPDATE ON MAY 5, 2018 COMMISSIONERS ELECTION MATTERS AND TAKE ANY NECESSARY ACTIONS ON SAME

Ms. Bobbitt next reminded the Board that the Election will be held on Saturday, May 5, 2018, and noted that the terms of office of Commissioners Grundmeyer and Fetner are expiring at such time.

Ms. Bobbitt then reported that the drawing for positions on the Election ballot was held at the offices of RBAP on the 21st day of February, 2018, at 2:00 p.m. Ms. Bobbitt went on to state that the placement of candidates on the ballot is as follows: Kevin Brost, Josh Fetner, Matt Folsom and Fred Grundmeyer.

Ms. Bobbitt further reported that her office has not received any further communication from Mr. John Peeler of Coveler & Peeler, P.C., the attorney for several of the other Emergency Services Districts ("ESDs") in the area that had participated in the May 2016 Joint Election with the District regarding sharing of polling locations during the Election.

REVIEW AND DISCUSS LOCATING POLLING PLACES AND OBTAINING ELECTION JUDGES AND CLERKS FOR ELECTION

Ms. Bobbitt and Ms. Christensen then presented to and reviewed with the Board a map depicting potential polling places to be used for the District's Election. Ms. Bobbitt noted that the Board previously agreed to have four (4) early voting polling places, but has not yet decided on the number of Election Day polling places. Ms. Bobbitt further noted that, in accordance with the provisions of the Texas Election Code, voters in the upcoming Election will be allowed to vote at any early voting polling place within the District, but will only be able to vote at their District's voting precinct's polling place on Election Day. An extensive discussion ensued regarding the potential number of Election Day polling places, the specific polling place locations for early voting and Election Day, hours of early voting by personal appearance, the rate of pay for Election officials and whether to publish the District's Notice of Election in addition to posting same.

It was the consensus of the Board to have the following four (4) early voting polling places:

1. CCEMS Station 511 (Klein Volunteer Fire Department)
28826 N. Eldridge Parkway
Tomball, Texas 77377
2. CCEMS Station 55 (Champions Fire Department)
12726 Champion Forest Drive
Houston, Texas 77066
3. Ponderosa Volunteer Fire Department (Station 61)
17061 Rolling Creek
Houston, Texas 77090
4. CCEMS Station 510
20810 Lee Road
Humble, Texas 77338

It was the consensus of the Board to utilize the above-listed four (4) locations in addition to the following two (2) locations for a total of six (6) Election Day polling places:

5. CCEMS Station 513 (Spring Fire Station 70)
22310 Springwoods Village Parkway
Spring, Texas 77389
6. Harris County Municipal Utility District No. 24 Administration Building
17035 Deer Creek Drive
Spring, Texas 77379

After discussion, the Board agreed to set the following hours and dates for early voting by personal appearance:

Monday, April 23 – Friday, April 27 (11:00 a.m. -7:00 p.m.)
Saturday, April 28 (9:00 a.m. -12:00 p.m.)
Monday, April 30 and Tuesday, May 1 (11:00 a.m. -7:00 p.m.)

After a brief discussion, the Board agreed to pay all Election officials \$16.00 per hour for their services.

DISCUSS AND APPROVE PROPOSALS FROM HART INTERCIVIC ("HART") FOR ELECTION EQUIPMENT

Ms. Christensen next reminded the Board that it previously authorized RBAP to request a formal proposal from Hart for the District's purchase of four (4) Electronic Poll Pad Books ("Poll Pads"), plus the required software, for each of the early voting polling places. Ms. Christensen then presented to and reviewed with the Board the proposal from Hart for such purchase, a copy of which is attached hereto. Ms. Christensen noted that should the Board approve the proposal, Hart will invoice the District in the amount of \$7,225 for the necessary Poll Pad software and Know Inc. will invoice the District for the purchase of four (4) Apple iPads (32 GB). Ms. Christensen added that, beginning in 2019, there will be an annual software and license renewal fee in the amount of \$1,500 in connection with the Poll Pads. Upon motion by Commissioner Grundmeyer, seconded by Commissioner Plummer, after full discussion and the question being put to the Board, the Board voted unanimously to accept the proposal from Hart and authorize payment for the District's purchase of four (4) Poll Pads (plus the required software).

Ms. Christensen then presented to and reviewed with the Board two (2) proposals from Hart for the purchase of election equipment and two (2) proposals from Hart for the rental of election equipment, copies of which are attached hereto. Ms. Christensen stated that the two (2) purchase proposals are for either: 1) four (4) Judge's Booth Controllers ("JBCs") and four (4) Disabled Access Units ("DAUs") for a total cost of \$17,905; or 2) four (4) JBCs, four (4) DAUs and four (4) eSlates for a total cost of \$25,525. Ms. Christensen stated that the two (2) rental proposals are for the rental of either: 1) four (4) Judge's Booth Controllers ("JBCs") and four (4) Disabled Access Units ("DAUs") for a total cost of \$10,525; or 2) four (4) JBCs, four (4) DAUs and four (4) eSlates for a total cost of \$15,525. A discussion ensued. 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 accept a revised Hart proposal for the purchase of three (3) JBCs and DAUs and authorize payment to Hart in the amount of \$13,685.

Ms. Bobbitt next reminded the Board that it had previously agreed to consider publication of the Notice of Election in the Community Impact newspaper in the event that the District holds the Election. Ms. Bobbitt stated that the Community Impact newspaper does not contain a legal notices or classified section and, therefore, it is not feasible for the District to post the Notice of Election in such paper. Ms. Bobbitt went on to explain that such notice is not required to be published under the provisions of the Texas Election Code if it is posted in various required locations, and inquired whether the Board wanted such notice to be published in another publication for the upcoming Election. A brief discussion ensued regarding the substantial cost to publish the translated Notice of Election in the Houston Chronicle. It was the consensus of the Board to not publish the Notice of Election in the Houston Chronicle. The Board agreed to continue to utilize the District's website and other social media platforms to inform District residents of the upcoming Election. Ms. Bobbitt reminded the Board that RBAP will also be posting the Notice of Election at the appropriate locations within the District, as required.

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, April 19, 2018, at 9:00 a.m.

All meeting attendees, with the exception of all members of the Board, Messrs. England and Gonzales, along with Ms. Bobbitt and Ms. Christensen, exited the meeting at 10:50 a.m.

CONVENE IN EXECUTIVE SESSION

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.071(2), Commissioner Ripley convened the Board in Executive Session at 11:00 a.m., to consult with the District's attorney and discuss and deliberate on certain matters concerning attorney-client privilege. The persons present in the executive session were Commissioners Ripley, Plummer and Grundmeyer, Messrs. England and Gonzales and Ms. Bobbitt and Ms. Christensen.

Messrs. England and Gonzales exited the Executive Session at approximately 11:23 a.m.

RECONVENE IN OPEN SESSION

Commissioner Ripley then reconvened the meeting in open session at approximately 11:35 a.m. No action was taken by the Board at this time.

There being no further business to come before the Board, the meeting was adjourned at approximately 11:36 a.m.

PASSED, APPROVED AND ADOPTED this 19th day of April, 2018.



Fred Runday
Secretary, Board of Commissioners