

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

March 3, 2022

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 special session, open to the public, at Bridgestone Municipal Utility District ("Bridgestone") Operations and Water Education Center, 19720 Kuykendahl Road, Spring, Texas 77379, a meeting place inside the boundaries of the District, on Thursday, March 3, 2022, at 9:00 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Karen Plummer	President
Steve Williams	Vice President
Fred Grundmeyer	Secretary
Robert Pinard	Treasurer/Asst. Secretary
Kevin Brost	Asst. Treasurer

All members of the Board were present, except Commissioner Grundmeyer, thus constituting a quorum. Also attending the meeting were the following District employees: Mr. Douglas Hooten, Chief Executive Officer ("CEO"); Mr. Rob Farmer, Chief Administrative Officer ("CAO"); Mr. Jamie Chebra, Chief Operating Officer ("COO"); Mr. Dave Snavely, Chief Financial Officer ("CFO"); Ms. Shirley Ware, Executive Assistant; Ms. Katie Conn, Compliance Manager; Mr. Xavier De La Rosa, Chief Clinical Officer; Mr. Jerry Thomas, Community Engagement Manager; and Mr. Joel Ocasio. District consultants in attendance were: Ms. Regina D. Adams, attorney, and Ms. Carla Christensen, paralegal, of Radcliffe Bobbitt Adams Polley PLLC ("RBAP"), general counsel for the District; Mr. Brian Trachtenberg and Ms. Anna Phillips of Greathouse Holloway McFadden Trachtenberg ("Greathouse"), special counsel to the District; and Mr. Zach Karrenbrock of 62 Digital, LLC ("62 Digital"), the District's communications coordinator. A copy of the sign-in sheet is attached hereto.

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.

This meeting was video recorded by 62 Digital for use by the District. The meeting was also streamed live by 62 Digital on the District's website.

The Board held a 30-second moment of silence for prayer and reflection.

PUBLIC COMMENTS

The President recognized Mr. Ocasio, who stated that, as a candidate in the May 7, 2022 Commissioner's Election (the "Election"), he has many concerns regarding the District conducting

its own Election including meeting legal requirements, having current voting equipment and staffing of polling locations. Mr. Ocasio then reported that, prior to his filing as a candidate for the Election, an Executive Level District employee asked him his intent for filing his candidacy. Mr. Ocasio emphatically stated that he will not be bullied or intimidated by District staff.

In response to a question from Commissioner Williams, Mr. Ocasio stated that he has not yet filed a complaint with the District's Human Resources Department but plans to do so in the near future.

Commissioner Brost then responded that the District purchased new election equipment before Harris County (the "County") offered to conduct a joint election and the County uses the same equipment. Commissioner Brost also noted that, by conducting its own Election, the District anticipates saving approximately \$150,000.00 compared to the cost of the County conducting it.

Ms. Adams then addressed Mr. Ocasio's concerns about the District meeting all legal requirements. Ms. Adams stated that the upcoming District Election will be conducted in accordance with all legal requirements. Ms. Adams stated that, at previous Board meetings, her office was only relaying concerns about a substantial amount of new election procedures that have not yet been fully addressed by the Texas Secretary of State, such as new ballot by mail carrier envelopes and related verification procedures, and the related costs associated with same.

There were no additional public comments at this time.

REVIEW AND APPROVE EQUIPMENT LEASE AGREEMENT AND RECYCLING SERVICES AGREEMENT WITH WM RECYCLE AMERICA, L.L.C. ("WM")

Mr. Hooten next presented to and reviewed with the Board a proposal from WM regarding recycling services, including an Equipment Lease Agreement and Recycling Services Agreement with WM. Ms. Adams noted that her office has reviewed and commented on the proposed Equipment Lease Agreement and Recycling Services Agreement with WM and prepared the necessary Addendums to same.

Upon motion by Commissioner Brost, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Equipment Lease and Recycling Services Agreements with WM and the related Addendums to same, copies of which are attached hereto.

REVIEW AND APPROVE CLINICAL AFFILIATION AGREEMENT WITH AXON ADMINISTRATION CONSORTIUM, DBA AXON EDUCATION ("AXON")

Mr. Hooten then presented to and reviewed with the Board the proposed Affiliation Agreement with Axon in connection with the use of the District's facilities by Axon students and the related Medical Director acknowledgement letter. A discussion ensued. Ms. Adams noted that RBAP reviewed and commented on the Affiliation Agreement and acknowledgement letter.

Upon motion by Commissioner Williams, seconded by Commissioner Brost, after full discussion and the question being put to the Board, the Board voted unanimously to approve and authorize the CEO to execute the Affiliation Agreement with Axon and to authorize the District's

Medical Director to execute the related acknowledgement letter, copies of which are attached hereto, subject to finalization of same.

REVIEW AND APPROVE INTERLOCAL AGREEMENT AND BUSINESS ASSOCIATE ADDENDUM WITH THE COUNTY IN CONNECTION WITH SHARING PUBLIC HEALTH INFORMATION

Mr. Hooten then presented to and reviewed with the Board the Interlocal Agreement and Business Associate Addendum with the County in connection with sharing certain restricted public health information. A discussion ensued. Ms. Adams noted that RBAP reviewed and commented on the Interlocal Agreement and Business Associate Addendum.

Upon motion by Commissioner Brost, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted unanimously to approve and authorize the CEO to execute the Interlocal Agreement and Business Associate Addendum with the County, copies of which are attached hereto, subject to finalization of same.

APPROVE PAYMENT OF BILLS AND ISSUANCE OF CHECKS

Mr. Snavelly next presented to and reviewed with the Board a list of checks and related invoices being presented for payment, copies of which are attached hereto. A discussion ensued.

Mr. Snavelly went on to answer questions from the Board regarding the invoices.

Upon motion by Commissioner Brost, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted unanimously to authorize payment of the bills, as submitted.

ATTORNEY'S REPORT, INCLUDING:

REVIEW RECENT PUBLIC INFORMATION ACT ("PIA") REQUESTS, STATUS OF RESPONSES TO SAME AND *DISTRICT VS. KEN PAXTON* (THE "AG LITIGATION")

Ms. Adams and Mr. Trachtenberg stated that they will provide a status update on the AG Litigation in Executive Session.

STATUS OF *CYPRESS CREEK EMERGENCY MEDICAL SERVICES ("CCEMS") VS. THE DISTRICT, ET AL.* (THE "CCEMS LITIGATION") AND RELATED LEGAL MATTERS AND TAKE NECESSARY ACTION ON SAME

Mr. Trachtenberg stated that he will provide status updates on the CCEMS Litigation and bankruptcy proceedings in Executive Session.

STATUS OF FREEPOINT ENERGY SOLUTIONS, LLC ("FREEPOINT") VS. CONTINENTAL ALLOYS AND SERVICES, INC., ET AL (THE "FREEPOINT LITIGATION"), AUTHORIZE ENGAGEMENT OF SPECIAL COUNSEL AND TAKE ANY OTHER NECESSARY ACTIONS ON SAME.

Ms. Adams and Mr. Trachtenberg stated that they would provide a report on the Freepoint Litigation in Executive Session.

ELECTION AGENDA

UPDATE ON ELECTION MATTERS, AND TAKE ANY NECESSARY ACTIONS ON SAME
REVIEW PROPOSED POLLING PLACE LOCATIONS AND PROCUREMENT OF
ELECTION OFFICIALS, INCLUDING APPOINT EARLY VOTING CLERK AND DEPUTY
EARLY VOTING CLERKS

Ms. Adams reminded the Board that the terms of office of Commissioners Grundmeyer and Brost are expiring in May. Ms. Adams reported that as of the deadline to file candidate applications, the District had received five (5) candidate applications. Ms. Adams went on to state the drawing for a position on the Election ballot was held on February 21st and RBAP is currently coordinating with printing vendor(s) to obtain the appropriate amount of sample and paper ballots for the Election.

Ms. Adams then presented to and reviewed with the Board a preliminary map depicting potential polling locations to be used for the Election. Ms. Adams stated that RBAP is in the process of finalizing arrangements with various locations so that there will be five (5) early voting ("EV") and five (5) Election Day ("ED") polling places.

A discussion ensued regarding the potential number, location and hours of EV and ED polling place locations. Ms. Adams noted that, in accordance with the provisions of the Texas Election Code, voters in the upcoming Election will be allowed to vote at any EV polling place within the District, but will only be able to vote at their District-voting precinct's polling place on ED.

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

Monday, April 25 – Friday, April 29	9:00 a.m. to 6:00 p.m.
Saturday, April 29	10:00 a.m. to 1:00 p.m.
Monday, May 2 and Tuesday, May 3	9:00 a.m. to 6:00 p.m.

Ms. Adams next requested that the Board appoint the EV Clerk for the Election. Upon motion by Commissioner Brost, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted unanimously to appoint Ms. Sue Mallott as the EV Clerk and Ms. Ethel Sanders, Ms. Margaret Smith and Ms. Sylvia Collins as Deputy EV Clerks.

STATUS OF THE AG LITIGATION

STATUS OF THE CCEMS LITIGATION AND RELATED MATTERS

STATUS OF THE FREEPOINT LITIGATION AND RELATED MATTERS

Commissioner Plummer then stated that the Board would be going into Executive Session to deliberate the items listed above as matters of attorney-client privilege and pending litigation as they relate to the AG Litigation, the CCEMS Litigation and the Freepoint Litigation, pursuant to Section 551.071, Texas Government Code.

All members of the Board present, Ms. Adams, Ms. Christensen, Mr. Trachtenberg, Ms. Phillips and Mr. Hooten convened into Executive Session at 6:24 p.m.

All other meeting attendees still present re-entered the meeting at 7:16 p.m.

RECONVENE IN OPEN SESSION

Commissioner Plummer reconvened the meeting in open session at approximately 7:17 p.m. at which time no action was taken by the Board.

Ms. Adams then noted that the regular Board meeting on Thursday, March 17th at 9:00 a.m. will be held at the District's Administration Building at 18334 Stuebner Airline Road, Spring, Texas.

There being no further business to come before the Board, the meeting was adjourned at 7:18 p.m.

PASSED, APPROVED AND ADOPTED this 21st day of April, 2022.


Secretary, Board of Commissioners

