

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

January 16, 2020

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 the Bridgestone Municipal Utility District Operations and Water Education Center (the "Bridgestone Administrative Building"), 19720 Kuykendahl Road, Spring, Texas 77379, a meeting place inside the boundaries of the District, on Thursday, January 16, 2020, 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 Williams, thus constituting a quorum. Also attending the meeting were: Mr. Ron Welch of Municipal Information Services ("MIS"); Mr. Bill Russell of Myrtle Cruz, Inc. ("Bookkeeper"), bookkeeper for the District; Mr. Kerry Johnson of NRG Marketing Group ("NRG"), the District's website service provider and public relations consultant; and Ms. Regina D. Adams and Ms. Monica A. Garza, attorneys, 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: Messrs. Enrique Lima, Ruben Gonzales and Dave Billings, members of the CCEMS Board of Directors; Mr. Brad England, CCEMS Executive Director; Mr. Wren Nealy, CCEMS Assistant Executive Director; and Mr. Norm Uhl, CCEMS Public Information Officer.

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 Mr. Uhl for use by CCEMS.

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

PUBLIC COMMENTS

There were no comments from the public at this time.

APPROVAL OF THE MINUTES

The Board considered approval of the minutes of the regular meeting of December 19, 2019. Upon motion by Commissioner Brost, 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 19, 2019, as prepared, and the certified agenda for same.

Mr. England entered the meeting at this time.

UPDATE ON COMPREHENSIVE REVIEW REPORT PREPARED BY MIS (RON WELCH)

Commissioner Plummer then recognized Mr. Welch, who presented to and reviewed with the Board a draft Annual Comprehensive Review Report for December 2019, a copy of which can be found in the District's files. Mr. Welch explained that he has reviewed the District's assessed valuation trends, population projections and property account verifications. Mr. Welch noted that the District's certified taxable value for the 2018 tax year was \$47.71 billion, which is expected to increase to an estimated \$53.53 billion in 2023. Mr. Welch went on to state that the District's population is expected to increase from 553,150 in 2018 to 587,125 in 2023. Mr. Welch then answered various questions from the Board. A discussion ensued. Mr. Welch stated that he plans to attend the February Board meeting to answer any additional questions the Board may have on the report.

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

There was no report on the District's administrative and operational policies.

STATUS OF TRANSITION TO NEW INTERSECTION PREEMPTION CONTROLLER DEVICES (THE "PREEMPTION DEVICES")

Commissioner Brost then reminded the Board that the District had previously approved the Preemption Device Agreement by and between the District, ESD Nos. 7, 13, 16, 28 and 29 and Global Traffic Technologies, LLC ("GTT") and the Interlocal Agreement with Harris County (the "County"). Commissioner Brost next reviewed with the Board the status of the installation of the new preemption devices at the County and Texas Department of Transportation intersections. Ms. Adams reminded the Board that, at the December Board meeting, the Commissioners authorized payment of the first (1st) quarterly lease invoice from GTT in the amount of \$38,508.92. Commissioner Brost added that the next stakeholder's meeting is scheduled for January 28th.

STATUS OF INDEPENDENT AUDIT OF HSSK, LLC ("HSSK") REPORT FOR FISCAL YEAR ENDED ("FYE") DECEMBER 31, 2017 (THE "HSSK FORENSIC REPORT") AND CCEMS FINANCIALS, CONTROLS, POLICIES AND PROCEDURES

Mr. England stated that Houston Financial Forensics, LLC is in the process of conducting the audit of the HSSK Forensic Report and CCEMS finances, controls, policies and procedures. Mr. England noted that he expects to receive an update on such audit at CCEMS' January Board of Directors meeting.

REVIEW AND TAKE ANY NECESSARY ACTIONS ON MONTHLY OPERATIONS AND FINANCIAL REPORT FROM CCEMS, INCLUDING CONSIDERATION OF MONTHLY OPERATIONS FUNDING REQUESTS AND CAPITAL FUNDING REQUESTS

Mr. England presented to and reviewed with the Board the Executive Director's Report and the CCEMS Operations and Financial Reports, including the operations statistics for the month of December 2019, copies of which are attached hereto. Mr. England reported that during the month of December there were 2,493 transports, 12 Life Flight transports and that 24% of the calls made during the month were "no transports." Mr. England went on to report that during the month of December, CCEMS received 50 mutual aid assists and provided 31 mutual aid assists outside of CCEMS' boundaries.

Mr. England then reported that McGraph Consulting Group, Inc. ("McGraph") provided a draft of the updated Operational Assessment Report/Handbook to CCEMS for review. Mr. England stated that McGraph has completed the Handbook and the CCEMS Board of Directors will consider approval of same at its meeting later in the month.

Mr. England next reported that CCEMS is coordinating with the U.S. Army regarding the Clinical Fellowship Program for 2020.

Mr. England then presented an invoice from DAC, Inc. in the amount of \$3,079 for the annual servicing of the Station No. 513 air conditioning system.

Mr. England then reminded the Board that Fort Bend County had previously requested to join the CCEMS communications/dispatch center and CCEMS is currently negotiating with Fort Bend County regarding same.

Mr. England went on to report that CCEMS is making minor repairs to all of its stations.

Mr. England then reported that CCEMS continues to coordinate with representatives of the Ponderosa Fire Department and other fire departments within the District regarding future plans for fire stations.

Mr. England next reviewed with the Board the revised CCEMS budget for FYE December 31, 2020 (the "CCEMS Budget"), a copy of which is attached. Commissioner Brost noted that CCEMS' ESD Capital Expenditures should reflect the same amount as the District, which is \$780,000 (not \$750,000).

STATUS OF INVESTIGATION OF CCEMS MAINTENANCE FACILITY AND EMPLOYEES RELATED THERETO

Mr. England stated he has nothing new to report in connection with the status of CCEMS' investigation of its maintenance facility employees but added that as soon as CCEMS receives new information on same, it will be conveyed to the District. Mr. England noted that the CCEMS attorney is planning to attend the next CCEMS Board meeting in order to provide an update on the criminal investigation.

CCEMS OPERATIONS REPORT (CONTD.)

In response to a previous request from Commissioner Brost, Mr. England noted that the CCEMS Operations Report now includes the dates/times when CCEMS has three (3) or fewer ambulances in service. Commissioner Brost then requested that CCEMS' Operations Report include CCEMS response times for each census tract located within the District.

Upon motion by Commissioner Grundmeyer, seconded by Commissioner Pinard, after full discussion and the question being put to the Board, the Board voted unanimously to approve the CCEMS Operations and Financial Report, authorize the CCEMS Operations payment in the amount of \$1,325,000 for the month of January, authorize the annual servicing of Station No. 513's air conditioning system and approve the CCEMS Budget for FYE December 31, 2020 with the revisions, as requested by the Board at its November 21, 2019 meeting.

REVIEW AND TAKE ANY NECESSARY ACTIONS ON FINANCIAL MATTERS, INCLUDING FINANCIAL REPORT FROM DISTRICT TREASURER AND BUDGET COMPARISON

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 investment report and the checks being presented for payment at the meeting, copies of which are attached hereto.

Mr. Russell reported that during the prior month, the District received \$8,420,248.62 in 2019 property tax revenue and \$139.51 in investment interest. Mr. Russell further reported that all such revenue had been deposited into the District's Operating Account.

Upon motion by Commissioner Brost, 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, including payment to DAC, Inc. in the amount of \$3,079 for the annual servicing of the Station No. 513 air conditioning system.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Adams then reviewed with the Board the Tax Assessor/Collectors Report for the month of December, a copy of which is attached hereto. Ms. Adams noted that, as of December 31, 2019, the District had collected 50.23% of its 2019 tax levy

RESOLUTION AUTHORIZING THE 20% PENALTY FOR COLLECTION COSTS ON DELINQUENT 2019 TAXES

Ms. Adams then explained that pursuant to Sections 6.30, 33.07, 33.08 and 33.11, Texas Tax Code, as amended, the District may levy an additional 20% penalty on 2019 real property taxes that remain delinquent as of July 1, 2020 and an additional 20% penalty on 2019 personal property taxes that remain delinquent as of April 1, 2020 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 Brost, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Resolution Authorizing the 20% Penalty for Collection Costs on Delinquent 2019 Taxes, a copy of which is attached hereto.

DISTRICT COMMUNICATIONS REPORT

STATUS OF PUBLIC RELATIONS ("PR") ACTIVITIES FROM NRG AND TAKE NECESSARY ACTION ON SAME

Mr. Johnson then reported that the District's website is up-to-date and all required election information has been posted. Mr. Johnson added that, as requested by RBAP, additional Commissioner contact information and tax-related information has been added to the District's website. Ms. Adams explained that, pursuant to Senate Bill 2, the District is now required to post contact, tax, financial and budget-related information on a publicly-available website.

Mr. Johnson went on to report that once the District stickers have been affixed to the requisite ambulances, as approved at the December Board meeting, he would update the website with photographs of same. Mr. England noted that CCEMS is in the process of designing the stickers and will provide the appropriate photographs to Mr. Johnson for the District's website. After a brief discussion, Commissioner Pinard agreed to coordinate with Community Impact regarding the publication of District-related articles.

STATUS OF DISTRICT CONSTRUCTION, REPAIR, IMPROVEMENT OR RENOVATION PROJECTS

There was nothing to report on this matter.

Commissioner Brost noted that the District needs to start discussions regarding future plans for construction of new stations/facilities.

REVIEW BOARD GOALS FOR 2020 AND TAKE ANY NECESSARY ACTIONS ON SAME

There was no discussion on this matter at this time.

RESCHEDULE FEBRUARY 20, 2020 BOARD MEETING

Ms. Adams noted that the regular February 20th Board meeting will need to be rescheduled due to SAFE-D conference. After some discussion, it was the consensus of the Board to set the next meeting date for Thursday, February 27th at 6:30 p.m. at Bridgestone Administration Building.

ATTORNEY'S REPORT

ADOPT RESOLUTION DESIGNATING DISTRICT ADMINISTRATIVE OFFICE AND REGULAR MEETING LOCATION(S)

A discussion ensued regarding establishing the District's regular meeting location. This item was tabled until the February 27th Board meeting.

REVIEW VARIOUS MATTERS RELATED TO COMMUNICATIONS REGARDING PROPOSED AMENDMENTS TO SERVICE AGREEMENT WITH CCEMS AND TAKE ANY NECESSARY ACTIONS ON SAME

Ms. Adams reported that, on January 9th, RBAP transmitted correspondence to CCEMS and Mr. England in care of the CCEMS attorney (via certified mail) in response to CCEMS letters of November 25th and 27th. Ms. Adams stated that she would further review legal matters pertaining to the District's term sheet for the proposed Amendments to the Service Agreement with CCEMS with the Commissioners in Executive Session.

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

Ms. Adams next reported that there had been no PIA requests received since the December Board meeting.

ELECTION AGENDA

Ms. Garza next explained that the 2020 Commissioner's Election will be held on Saturday, May 2, 2020 (the "Election"), and noted that the terms of office of Commissioners Plummer, Pinard and Williams are expiring at such time. Ms. Garza further informed the Board that the first day to file an Application for a Place on the Ballot (the "Application") was Wednesday, January 15th, and that Applications must be received by Radcliffe Bobbitt no later than 5:00 p.m. on Friday, February 14th and that Declarations of Write-in Candidacy must be received by 5:00 p.m. on Tuesday, February 18th.

Ms. Garza then presented a draft Order Calling Commissioner's Election scheduled for Saturday, May 2, 2020. Extensive discussion ensued regarding polling locations and election equipment.

Ms. Garza then presented to and reviewed with the Board a map depicting the polling locations used for the District's May 2018 election, a copy of which is attached hereto. Ms. Garza 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 location within the District, but will only be able to vote at their voting precinct polling location on Election Day. An extensive discussion ensued regarding the polling locations to utilize for the Election. Ms. Adams then reported that she and Ms. Garza will further review potential polling locations and alternate polling locations and present an updated map along with a summary of polling location options at the February 27th Board meeting.

Ms. Garza next asked the Board to select a date for canvassing the Election, should the Election be held, explaining that such date must be no earlier than three (3) days following Election Day, such date being May 5, 2020, and no later than 11 days following Election Day, such date being May 13, 2020. Ms. Garza reminded the Board that only two (2) members of the Board need to be present for the canvassing of the Election results. The Board agreed to hold the canvassing meeting, if necessary, on Tuesday, May 12, 2020 at 9:00 a.m.

In response to a question from Commissioner Grundmeyer, Ms. Adams addressed general questions regarding campaign laws.

Ms. Garza next reminded the Board that the District had previously purchased four (4) Electronic Poll Pad Books ("Poll Pads"), plus software, from Hart Intercivic ("Hart") for each early voting location used in 2018 so that the early voting poll books can communicate and inform Election officials if a voter has previously cast a vote at another early voting location or has cast a ballot by mail. Ms. Garza then reported that, at the December Board meeting, the Board authorized RBAP to obtain a proposal from Hart for the District's purchase of two (2) additional Poll Pads plus software, from Hart, for the two (2) additional Election Day polling locations so that Poll Pads can be used at all Election Day polling places. Ms. Garza went on to review with the Board the proposal from Hart and noted that, should the Board approve the proposal, Hart will invoice the District in the amount of \$2,425 for the necessary Poll Pad software and Know Inc. will invoice the District approximately \$620 for the purchase of two (2) Apple iPads (32 GB). Ms. Garza added that, beginning in 2021, there will also be an annual software and license renewal fee in the amount of \$250 in connection with the two (2) additional Poll Pads. Upon motion by Commissioner Brost, seconded by Commissioner Pinard, 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 two (2) Poll Pads (plus the required software).

Upon motion by Commissioner Brost, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Order Calling Commissioner's Election for May 2, 2020, a copy of which is attached hereto.

Ms. Garza went on to report that RBAP continues to coordinate with Runbeck Election Services ("Runbeck") regarding printing Election ballots, compiling packets for eligible ballot by mail ("BBM") voters and mailing BBM packets to voters. Ms. Garza noted that the District's early voting clerk mailed approximately 10,000 BBM packets for the May 2018 election and the District can anticipate double such amount for the upcoming Election since it is a Presidential election year.

All meeting attendees, with the exception of all members of the Board present, Ms. Adams, Ms. Garza and Ms. Christensen exited the meeting at 10:34 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), regarding matters of attorney-client privilege, Commissioner Plummer convened the Board in Executive Session at 10:40 a.m., to consult with the District's attorney regarding legal matters pertaining to the term sheet for the proposed Amendment to Service Agreement with CCEMS. The persons present in the executive session were Commissioners Plummer, Grundmeyer, Pinard and Brost, Ms. Adams, Ms. Garza and Ms. Christensen.

RECONVENE IN OPEN SESSION

Commissioner Plummer then reconvened the meeting in open session at approximately 11:30 a.m. at which time no action was taken.

There being no further business to come before the Board, the meeting was adjourned at 11:31 a.m.

PASSED, APPROVED AND ADOPTED this 27th day of February, 2020.



Asst. Secretary, Board of Commissioners

