



May 5, 2020

**VIA HAND DELIVERY**

Mr. Glen Henning  
President, Board of Directors  
Cypress Creek Emergency Medical Services, Inc.

Re: Harris County Emergency Services District No. 11 (the "District"); Cypress Creek Emergency Medical Services, Inc. ("CCEMS") Executive Director

Dear Mr. Henning:

On behalf of the Board of Commissioners ("Board") of the District, I want to thank you and the CCEMS Board of Directors for appointing CCEMS' Chief Operating Officer, Mr. Wren Nealy, as the District liaison for all matters between the two entities. Mr. Nealy's first Board meeting as the District liaison, on April 16, 2020, was far more productive than any meeting with the previous liaison, CCEMS Executive Director, Mr. Bradley England, in recent history. In one meeting alone, Mr. Nealy was able to address most of the concerns the Board has repeatedly raised over the last several years with Mr. England. The Board is hopeful that Mr. Nealy will provide the Board with all previously-requested information and address the Board's questions and concerns promptly going forward.

You may recall that at the same Board meeting, CCEMS requested that the District send correspondence to CCEMS employees addressing the relationship between the District and CCEMS. On April 24, 2020, I transmitted such letter to Mr. Nealy for distribution to CCEMS staff and the CCEMS Board of Directors. To-date, to our knowledge, such letter has not been provided to anyone affiliated with CCEMS. The letter was provided. We had a reasonable expectation that it would be sent to the intended recipients. This inaction unfortunately shows that CCEMS may not have the intention to mend the relationship it has professed.

Further, the Commissioners find it necessary to shed additional light on our concerns about Mr. England and his continued leadership role at CCEMS. The issues outlined below grew in seriousness, particularly over the last two years and in some instances, have hindered the Board's ability to promptly make informed decisions on behalf of District residents and greatly damaged the District's relationship with CCEMS. If you would like to see evidence of the items outlined below, please watch the videos CCEMS has recorded of the District's Board meetings since early 2018.

**Karen Plummer**  
President

**Steve Williams**  
Vice President

**Fred Grundmeyer**  
Secretary

**Robert Pinard**  
Treasurer

**Kevin Brost**  
Assistant  
Treasurer

To provide you with historical context, one major category of concern for the Commissioners is that Mr. England repeatedly disregarded our requests through 2017 and 2018 to provide information regarding how the District's funding to CCEMS was utilized. These requests, which were often issued at District Board meetings, were always met with one of two responses from Mr. England: 1) no response, or 2) blanket-generalized statements that provided no real information at all. This refrain is what led to the engagement of HSSK around February 2018 to prepare what ultimately became the HSSK report. The Board felt that if Mr. England was not going to give us concrete answers to our repeated requests for information, then the District had no choice but to obtain those answers themselves with the help of HSSK. HSSK's efforts to review CCEMS's data were met with great resistance by Mr. England and, as was becoming a recurring theme, were often outright ignored. Only after the Commissioners forced the issue did Mr. England finally relent to allowing HSSK to perform the task they were engaged to perform. Even then, according to HSSK, HSSK was not given the full access it needed to assess the District's concerns. Mr. England has never cared that the District's contract with CCEMS clearly entitles us to review CCEMS books and records thoroughly to ensure that public funds are being spent responsibly. That is all we ever asked, and I'm sure as a Director yourself, you can appreciate how important that one ask is to us.

Another of Mr. England's common refrains – often occurring around budget time (especially in 2018)- is that he absolutely does not want the District to purchase and then lease ambulances to CCEMS (for a nominal fee), despite a standing lease agreement providing for that exact arrangement. Mr. England wanted full ownership interest turned over to CCEMS and the ambulances to become donated property to CCEMS. Despite attempts to explain the legal and rational reasons for the lease of ambulances from the District to CCEMS, Mr. England dug in his heels and continues to perceive that District-purchased ambulances (or any other capital purchases) are donated to CCEMS for its use. It is an extraordinarily unreasonable position to take, yet that is where he has staked his flag.

Contrary to what Mr. England says about the ownership of the ambulances, and pursuant to Section 5.02 (D) of the Service Agreement, the District has the right to require that any capital acquisitions funded by the District be taken in the District's name. Further, state law requires it. The District exercised this right at the District's December 19, 2019 meeting when the Board authorized that all ambulances purchased in whole or in part with District funds be labeled with a sticker listing the District's name. It was, in our opinion, a nominal request. In response, Mr. England suggested that CCEMS *might* consider applying the stickers if the Board agreed to move its regular meeting location back to the CCEMS administrative building. This might be the most ridiculous attempt at *quid pro quo* we have ever seen. Further, the fact that Mr. England perceived the Board's authorization as a request and not as a directive highlights his perception that the District exists only to serve CCEMS, rather than the other way around. We expect you will agree which of us is the customer in this relationship.

At the January 16 and February 27, 2020 Board meetings, Mr. England deflected questions regarding ambulance stickers by first alleging that CCEMS was in the process of designing the stickers and, in the next breath, blaming Mr. Nealy (who was not in attendance to defend himself) for not coordinating on the stickers with Commissioner Brost. As of the date of this letter, it has been more than four (4) months since the Board's directive and, to our knowledge, not a single District ambulance has a sticker indicating the funding source.

Further, over the last two years Mr. England has, on multiple occasions, yelled at, belittled and undermined the Commissioners during Board meetings. Often, Mr. England will even single out specific Commissioners for taking what he believes are incorrect positions. Instead of behaving as a service provider/contractor should when communicating with its client, he repeatedly made it clear that the District (and therefore, the taxpayers) were there to serve CCEMS and not the other way around. For example, to paraphrase what he and Mr. Ruben Gonzales have said on more than one occasion at open meetings, they believe the District only exists to fund CCEMS, so the Commissioners should rubber stamp whatever CCEMS wants.

In addition to being disrespectful and refusing to work with the Commissioners, Mr. England has outright lied to the Board during open meetings. As you are aware, in January 2019, KPRC Channel 2 Investigative Reporter Joel Eisenbaum reported on a CCEMS employee performing maintenance on privately-owned vehicles during working hours utilizing CCEMS's time and resources (which are funded by the District). At the District's April 18, 2019 Board meeting, Mr. England reported that the matter had been turned over to the Harris County Sheriff's Office ("HCSO") for investigation. At each District Board meeting thereafter, the Board inquired as to the status of the investigation, to which Mr. England would generally state there was no update to provide. The Commissioners often requested the HCSO case number, at which time Mr. England would state he would provide it, but never did.

At the District's January 16, 2020 Board meeting, Commissioner Robert Pinard again requested the HCSO case number issued when the matter was first turned over to HCSO, to which Mr. England stated, for the first time, that there was no such case number. As you can imagine, this came as a surprise to all of the Commissioners as it was a complete departure from Mr. England's refrain for almost a year. Mr. England doubled-down on his new statement by stating that he never said there was a case number to begin with. Thereafter, at the Board's February 27, 2020 meeting, Mr. England reported for the first time in over a year that the matter was not actually being investigated by HCSO. Rather, Mr. England explained, HCSO advised CCEMS to hire an independent forensic specialist to investigate the matter and turn such findings over to HCSO in order to develop a case. It was not until April 2020 when Mr. Nealy provided me, via email, with the HCSO Case Card and investigation number and noted verbally he had it all along and had never been asked by Mr. England to provide it. Although the date written on the case card cannot be fully ascertained, it is evident that it was filled out by HCSO in 2019. The Board's repeated requests for an update on this matter from Mr. England, and more specifically for the HCSO case number, went continuously disregarded by Mr. England for over a year, during which time we were actively misled. Such conduct is not only unacceptable, but a breach of Section 2.03(E) of the Service Agreement and a fraud on a political subdivision of the State of Texas. This entire matter is secondary, of course, to the hindrance by Mr. England's actions (or inactions) of the District's ability to press its own charges against the CCEMS-employed bad actors for this misuse of District funds- which was the whole reason the Commissioners asked for the information in the first place. When this matter first came to light in January/February 2019, Mr. England and Mr. Andrew McKinney committed to work with the District to pursue this matter collectively and it was not long after that commitment that the District was shut out entirely.

Mr. England often puts little to no effort into responding to the Commissioners' requests for specific information necessary for the Board to make informed decisions – decisions that, for the most

part, would only help CCEMS do its job better, more easily, and with greater access to personnel, equipment, and funding. For example, after questions about response time over the prior year, at the District's January 16, 2020 meeting, Commissioner Kevin Brost requested that Mr. England provide actual response times for each census tract located within the District for the prior year. At the February 27, 2020 meeting, Mr. England provided an incoherent map with the same average response times typically included in his report month after month. Commissioner Brost reiterated at that meeting, and the District's General Counsel followed up via correspondence on March 4, 2020, the specific information requested – actual- not average- response times. Again, it was not until the April 16, 2020 Board meeting when Mr. Nealy presented the Board with information much more akin to the information the District requested. In fact, Mr. Nealy presented a completely new map to the Commissioners that provided a wealth of data regarding response times in addition to other important data. According to Mr. Nealy, this map, and the GIS software used to generate it, has been used by CCEMS for a number of years, yet Mr. England never provided it to the Commissioners.

The Board requested response time data in order to determine a strategic plan for the District's growing population. Mr. England's failure to provide this information when requested has delayed that course of action. The worst part of this situation Mr. England created is, the information Mr. Nealy presented reinforced the District's major concerns- there were far worse response times in certain areas of the District than Mr. England had continuously led us to believe. We can only speculate what his motivation was for failing to report accurate response times or accurate average response times, but it did nothing but hurt the District residents. What is apparent, however, is that Mr. England views the Commissioners with indifference rather than with the authority bestowed upon us from the District residents that elected us to office.

As you are aware, the District has attempted to negotiate an amended Service Agreement with CCEMS for the past year (in addition to its attempt to do so in 2017). The Board initially met with Mr. England, Mr. Nealy and Mr. McKinney at a special workshop meeting, on March 28, 2019, to discuss potential terms for an amended Service Agreement. The CCEMS representatives indicated their desire to do so. On April 29, 2019, the District, through its General Counsel, transmitted a proposed term sheet for an amended Service Agreement. Since that time, the Board has reiterated 1) in open meetings of the District, 2) in correspondence sent directly to CCEMS Directors and 3) in correspondence sent to Mr. McKinney and Mr. England that the District desired to negotiate an amended Service Agreement. Each time the Board inquires on the status of a response to such correspondence, or any other outstanding matter, Mr. England's standard hasty response has been that he is not aware of such correspondence, despite being confronted with evidence that he was included on emails or other forms of transmission sending same. At the December 19, 2019 Board meeting, Mr. England stated that he does not receive the minutes or agenda for the District's meetings. This statement is another example of Mr. England's overwhelming tendency to respond with falsehoods as Mr. England has, until this month, been included on every agenda and minutes distribution list and even includes the District's agenda in his monthly report. At the March 19, 2020 Board meeting he even stated he had not received the District's March 4, 2020 correspondence, despite a confirmation from Mr. McKinney to the District's General Counsel the day the letter was sent that it had been forwarded to Mr. England.

Rather than respond to the Board's questions in an open meeting or negotiate an amended Service Agreement properly, Mr. England instead prefers to summon members of the Board to private

meetings to discuss District business, or, even worse, go to our places of business to confront us. Mr. England has also complained at several District meetings that he should be allowed into the Board's executive session(s) with the District's General Counsel where such matters are discussed. These actions by Mr. England make it clear that he does not understand, or worse, completely disregards, the fact that the Commissioners are elected public officials subject to legal requirements such as the Open Meetings Act. It also makes clear two other false premises that seem to underly many of Mr. England's missteps: he incorrectly thinks that there is no separation of powers between the District and CCEMS, and between CCEMS and him and his level of authority over both.

Mr. England's regular practice of attempting to summon Commissioners to Perry's Steakhouse has gotten out of control. Mr. England has called upon certain Commissioners to appear at Perry's, via text and telephone, and, as noted, has appeared unannounced at our places of business in attempts to discuss the following: the Board's decision to move the District's regular meeting location, the District's General Counsel and attempts to convince Commissioners to terminate her firm and hire a new firm, the Board's decision to not amend the District's budget in light of CCEMS' budget, and the Request for Qualifications for EMS services, among other topics. Mr. England has even called upon his cronies, vendors to CCEMS and various local fire chiefs to call Commissioners in an effort to persuade us. We know he has done this because they all just repeat Mr. England's talking points and verbiage. It is clear Mr. England prefers to attempt to intimidate and manipulate individual Commissioners in these private communications rather than properly conduct business in public meetings. Despite our statements that he cease these attempts, they did not stop until very recently and that was only after we refused to meet him. The Commissioners are not and have not been comfortable with these communications or meetings. Mr. England has gotten so irate that his tactics are no longer working, he has called several Commissioners liars to their faces at Board meetings, and screamed and/or cursed at Commissioners over telephone or via text. The Board does not appreciate and will not tolerate such conduct going forward and the chances of these actions continuing to occur increase exponentially if he remains employed by CCEMS.

The preference of communicating covertly is not limited to Mr. England. At the August 15, 2019 Board meeting, the Board authorized "taking action as discussed in Executive Session", which was to authorize Commissioner Brost and me to schedule a meeting with then-CCEMS Board President Greg Marwill to directly discuss the previously-transmitted term sheet. Mr. Gonzales, who was not in the room during Executive Session or when the motion was made, approached me in the parking lot immediately after the meeting to inform me that a meeting with Mr. Marwill "wasn't going to happen". There is no other way he could have known that we planned to meet with Mr. Marwill unless someone was, at the very least, eavesdropping on the District's Executive Session. Over the following month, Commissioner Brost and I attempted to schedule a meeting via various avenues with Mr. Marwill. We were then told that he was no longer the CCEMS Board President and that any meetings with CCEMS' Directors were disallowed. Mr. England has consistently stated that the Board is unwilling to mend the relationship with CCEMS but it is difficult to do so when our attempts are thwarted by Mr. England and presumably, Mr. Gonzales. There are reasons the CCEMS Directors are always in the dark on District matters, and it is not because we have not tried to reach out.

One of the most glaring instances of Mr. England's lying to and stonewalling the District occurred at the February 27, 2020 and March 19, 2020 Board meetings. Commissioner Brost had

previously inquired with Mr. England about a call that a CCEMS ambulance responded to in mid-February. It was a distinguishable call and Commissioner Brost provided basic factual information about the call to Mr. England but was off by one day on the date of the call. Instead of pulling the information on the call and providing it, Mr. England took that opportunity to continue to undermine the Board and involve other jurisdictions and CCEMS dispatch in his efforts to sway people to believe that Commissioner Brost was bringing up a call from two years prior to make Mr. England look badly. It culminated in a clown show at the March 19, 2020 Board meeting and CCEMS should be embarrassed by his behavior. Since that time, we acquired the call recording and we have the call report from Spring Fire Department- the call did happen and it was not in January 2018 as Mr. England wanted everyone to believe. Mr. Nealy has acknowledged that the call happened and the response time- although not good- was not as poor as it seemed. He reviewed the call thoroughly with the Board. It was a matter that could have easily been resolved by Mr. England with even a modicum of communication- instead he decided to drag it out and involve people that did not need to be involved in an attempt to publicly embarrass this governmental body. In fact, Mr. England has admitted to multiple people that his only goal in attending District Board meetings was to fight... and fight he did, for no legitimate reason.

Lastly, it is no secret that multiple sexual harassment claims have been brought against Mr. England over the years. As a public entity, the District is committed to providing a safe workplace for all. As decent human beings, the Commissioners are committed to the same standard. We take claims of sexual harassment very seriously, and expect our contractors to do the same. We demand that CCEMS share with us the results of any internal or external investigations into claims of sexual harassment by Mr. England or anyone else at CCEMS, and that CCEMS commit to removing Mr. England from his supervisory role, or having an external law firm with no prior affiliation to CCEMS review any future claims made against him. The District believes that there are sexual harassment claims made against Mr. England of which it has never been notified.

The District is encouraged by CCEMS's decision to replace Mr. England with Mr. Nealy as the CCEMS officer in charge of servicing the District's needs, and we are hopeful that CCEMS will continue taking steps to address the District's many concerns. One necessary step is a wholesale amendment of the Service Agreement with CCEMS. The Board is optimistic that Mr. Nealy's new role will aid in this matter and in addressing the Board's concerns as they may arise. However, the District is not optimistic that a real, sustainable change in the relationship between the District and CCEMS can happen as long as Mr. England and his cohorts, Mr. McKinney and Mr. Gonzalez, are involved in CCEMS management. The District has only ever tried to understand how its funds are utilized by CCEMS in order to better serve the District residents and establish a fair agreement that benefits both parties while allowing more thorough emergency services be provided. Mr. England, Mr. McKinney and Mr. Gonzales have done nothing but thwart those efforts. Therefore, if Mr. England or any of the other individuals noted above remain in positions of power and/or control of CCEMS, the District does not believe that further negotiations of the Service Agreement, or any extensions of the relationship between the District and CCEMS, will be successful. As always, please feel free to call me at 832-953-6475 with any questions.

Director Glen Henning  
Cypress Creek EMS  
May 5, 2020  
Page 7

Sincerely,

Board of Commissioners  
Harris County Emergency Services District No. 11

*Karen Plummer*

Karen Plummer, President

*Steve Williams*

Steve Williams, Vice President

*Fred Grundmeyer*

Fred Grundmeyer, Secretary

*Robert Pinard*

Robert Pinard, Treasurer

*Kevin Brost*

Kevin Brost, Assistant Treasurer