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April 7, 2020

Ms. Regina D. Adams
Radcliffe, Bobbitt, Adams, Polley
America Tower
2929 Allen Parkway
Suite 340
Houston TX 77019-7120

Re: CCEMS/ESD 11

Dear Ms. Adams:

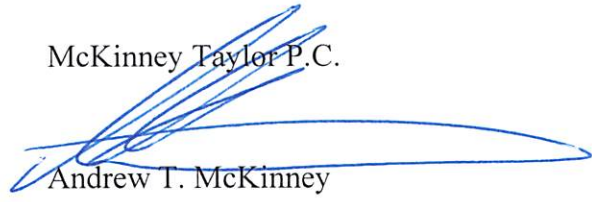
Following the RFQ publication, I am given to understand that several CCEMS Board Members (Glen Henning, Linda Mercier and Ruben Gonzales) had an informal phone conference with Commissioners Plummer and Brost. I also understand that there have been additional informal phone calls, texts and emails between people on both sides, and that all of this is and has been geared to finding a way forward with CCEMS remaining in its current position. My marching orders are to facilitate and support in any way that I can a full reconciliation between CCEMS and ESD 11. The one concern I have—and that I have made known to my client—is that, as things presently stand, the RFQ has the legal effect of a termination notice. The impression—which I hope is correct—the CCEMS folks have gotten in these informal discussions is that the RFQ was intended to “get CCEMS’s attention” and force a more productive and open line of communication. If that is the goal, then it seems to me that has been accomplished.

As you know, the doctrine of laches applies to any request for equitable relief. The clock started ticking on laches when the RFQ went up. Even the warmest of informal assurances does not impact laches, unfortunately. For this reason, on behalf of CCEMS, I am asking that the Commissioners vote at the next meeting to suspend the RFQ solicitation for a period of not less than 60 days to see if our two clients can’t find a way forward. CCEMS and the District have worked well for many years, and CCEMS would like to see this relationship continue.

Other than my client, no one has seen this letter or knows of its contents. Thank you for your time and attention. Kindest personal regards.

Yours very truly,

McKinney Taylor P.C.



Andrew T. McKinney