

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

March 4, 2021

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 the District's Administration Building, 18334 Stuebner Airline Road, Spring, Texas 77379, a meeting place inside the boundaries of the District, on Thursday, March 4, 2021, at 6:30 p.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: Mr. Douglas Hooten, Executive Director of the District; Mr. James Chebra, Chief Operations Officer of the District ("COO"); Mr. Rob Farmer, Chief Administrative Officer of the District ("CAO"); Mr. Dave Snavelly, Chief Financial Officer ("CFO") of the District; Ms. Shirley Ware, Executive Assistant of the District ("EA"); Dr. Casey Patrick, Medical Director for the District; Mr. Xavier De La Rosa, Chief Clinical Officer of the District ("CCO"); Mr. Ricardo Martinez of Martinez Architects ("Martinez"); Mr. John Howell of The GMS Group, L.L.C., financial advisor for the District (via teleconference); Ms. Regina D. Adams and Ms. Sholeh Abedinzadeh, attorneys, and Ms. Carla Christensen, paralegal, of Radcliffe Bobbitt Adams Polley PLLC ("RBAP"), attorneys for the District; Mr. Brian Trachtenberg (via teleconference) and Ms. Anna Phillips of Greathouse Holloway McFadden Trachtenberg, special counsel to the District; Mr. Zach Karrenbrock of 62 Digital, LLC ("62 Digital"), the District's website service provider and communications coordinator; Mr. Wren Nealy, Cypress Creek Emergency Medical Services ("CCEMS") Chief Executive Officer; Mr. Dave Billings, member of the CCEMS Board of Directors ("CCEMS Board"); Mr. Steven Beesley, CCEMS Interim Public Information Officer; Mr. George Vie of Feldman & Feldman, P.C., attorney for CCEMS; and several members of the public. A copy of the sign-in sheets are attached hereto.

There were several other members of the public in attendance via conference call but were unable to be identified other than by telephone number.

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. Beesley for use by CCEMS and 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 then recognized Ms. Lin Fish, who stated that she has been a resident of the District for 30 years and is not happy with "what the District is doing". Ms. Fish added that she is a supporter of CCEMS and would like for them to remain the service provider for the District. Ms. Fish also wanted the Board to be aware that the Houston Northwest Chamber of Commerce recently adopted a Resolution Calling for the District and CCEMS' Cooperation and Fiscal Prudence.

There were no additional public comments at this time.

STATUS OF PROCUREMENT OF FINANCING FOR PHASE I REDEVELOPMENT OF DISTRICT ADMINISTRATION PROPERTY AND APPURTENANCE(S) PURCHASES AND TAKE NECESSARY ACTIONS ON SAME

Ms. Adams reminded the Commissioners that they previously authorized her to coordinate with the District's financial advisor to procure the necessary financing options for Phase I of the redevelopment of District administration campus ("Phase I Project") and ambulance and appurtenance(s) purchases.

Mr. Howell then presented to and reviewed with the Board two (2) financing option schedules and related debt service requirements, copies of which are attached hereto. An extensive discussion ensued. In response to a question from Commissioner Williams, Mr. Howell stated that if the Board decides to pursue 100% financing for the Phase I Project and ambulances and appurtenances, the District would not need to increase its tax rate.

Upon motion by Commissioner Williams, seconded by Commissioner Pinard, after full discussion and the question being put to the Board, the Board voted unanimously to authorize Mr. Howell to pursue financing at 100% of the capital costs for the Phase I Project and the ambulances/appurtenances and obtain proposals for same.

ADMINISTRATION FACILITIES REPORT, INCLUDING:

STATUS OF FINALIZATION OF APPROVED CONSTRUCTION MANAGER AT RISK ("CMAR") CONTRACT WITH J.E. DUNN CONSTRUCTION COMPANY ("J.E. DUNN") AND PREPARATION OF GROSS MAXIMUM PRICE ("GMP") DOCUMENTATION FOR PHASE I PROJECT AND TAKE NECESSARY ACTION ON SAME

Ms. Adams then reported that, at the February 25th meeting, the Board awarded the CMAR Contract for the Phase I Project to J.E. Dunn, subject to review and approval of same by RBAP. Ms. Adams stated that RBAP is in the process of reviewing the CMAR Contract and coordinating with Martinez Architects and J.E. Dunn regarding same.

Mr. Martinez next reported that his office and J. E. Dunn are in the process of preparing

the GMP documentation in connection with the direct purchase for the Phase I Project.

REVIEW MAINTENANCE AND REPAIR ITEMS FOR THE ADMINISTRATION FACILITIES AND TAKE NECESSARY ACTIONS ON SAME, IF ANY

Mr. Hooten reported that there are no maintenance or repair items to consider at this time. Mr. Hooten noted that his office is addressing a few minor Winter Storm Uri-related repairs at the District's Administration Building.

EXECUTIVE DIRECTOR'S REPORT, INCLUDING:

APPROVE DISTRICT PURCHASE ORDERS, AS MAY BE NECESSARY

Mr. Hooten stated that he would be presenting purchase order requests for capital expenditures later in the Board meeting.

STATUS OF HIRING FOR MIDDLE-MANAGEMENT EMPLOYEE POSITIONS AND AUTHORIZE POSTING OF OTHER LEVELS OF EMPLOYMENT

Mr. Hooten then reported that he and the District's executive staff continue to conduct interviews for the middle-management staff positions, including the Operations, IT and Communications Manager positions.

Mr. Hooten then introduced Mr. De La Rosa to the Board.

STATUS OF ESTABLISHING THE NECESSARY VENDOR ACCOUNTS FOR DISTRICT ADMINISTRATION PURPOSES

Mr. Hooten reported that he is coordinating with various vendors to establish accounts as well as the District's supply chain.

STATUS OF PROCUREMENT OF TEXAS DEPARTMENT OF STATE HEALTH SERVICES ("DSHS") EMERGENCY MEDICAL SERVICES ("EMS") PROVIDER LICENSE AND ANY OTHER NECESSARY LICENSURE(S) AND TAKE NECESSARY ACTIONS ON SAME

Mr. Hooten reported that the District's application to obtain a DSHS EMS Provider License was submitted on Friday, February 13th and has been approved, pending the completion of required inspections.

AUTHORIZE ENROLLMENT AS A MEDICARE PROVIDER, AS NECESSARY

Mr. Hooten then stated that, in the near future, the District will need to enroll as a Medicare provider.

STATUS OF IMPLEMENTATION OF EMPLOYEE INSURANCE AND BENEFITS PLAN

Mr. Hooten noted that the previously approved insurance and benefits plan became effective on March 1st.

REVIEW OF TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM ("TCDRS")
RETIREMENT PLANS AND TAKE ANY NECESSARY ACTION ON SAME

Mr. Hooten also reminded the Board that he has submitted an application for the District's participation in the TCDRS and a representative of TCDRS plans to attend the March 18th Board meeting to present retirement plan options.

STATUS OF ESTABLISHING DISPATCH SERVICES AND COMMUNICATIONS WITH
OTHER EMERGENCY SERVICES PROVIDERS REGARDING SAME

Mr. Hooten next reminded the Board that he and Commissioners Brost and Pinard had preliminary meetings with the chiefs of the fire departments located within the District in connection with future plans for dispatching and the District's communications center. Mr. Hooten added that he continues to discuss the potential for same with the chiefs of the fire departments.

REVIEW AND APPROVE PURCHASE ORDERS AND AGREEMENTS FOR VEHICLES,
SERVICES, SUPPLIES, FURNITURE, FIXTURES AND EQUIPMENT FOR THE DISTRICT,
AS NECESSARY, INCLUDING:

PURCHASE ORDERS TO:

FERNO

This item was tabled at this time.

EMD-PRO QA/AQUA

Mr. Hooten then presented to and reviewed with the Board the summary and specifications for the District's purchase of dispatching software from Priority Dispatch/EMD Pro QA/Aqua, a sole source technology provider letter from Priority Dispatch and the Implementation Agreement for same, copies of which are attached hereto. Mr. Hooten stated that the estimated cost of the dispatching software is \$234,170.00 in the first year and \$24,000.00 per year thereafter. A discussion ensued.

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 the purchase of dispatching software for approximately \$234,170.00 from Priority Dispatch and EMD ProQA/Aqua and approve and authorize execution of Implementation Agreement with Priority Dispatch for same, subject to review and comments on the Implementation Agreement with Priority Dispatch by RBAP and subject to receipt of a completed Form 1295 from Priority Dispatch.

STRYKER

Mr. Hooten then presented to and reviewed with the Board the summary and specifications for the District's purchase of 40 stretchers, power loaders and stair chairs from Stryker, a copy of which is attached hereto. Mr. Hooten stated that the estimated cost of the stretchers is \$3,369,721.60. A discussion ensued and it was noted that such equipment and technology would benefit EMTs and paramedics as this system is fully automated. It was also noted that the District

has received the sole source provider letter..

Upon motion by Commissioner Williams, seconded by Commissioner Pinard, after full discussion and the question being put to the Board, the Board voted unanimously to authorize the purchase of 40 stretchers, power loaders and stair chairs for \$3,369,721.60 from Stryker.

ZOLL

Mr. Hooten then presented to and reviewed with the Board the summary and specifications for the District's purchase of automated external defibrillators ("AED"), ventilators and monitors from Zoll, a sole source technology provider, a copy of which is attached hereto. Mr. Hooten stated that the estimated cost of the AEDs, ventilators and monitors is \$2,451,565.34. A discussion ensued.

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 authorize the purchase of AEDs, ventilators and monitors for \$2,451,565.34 from Zoll.

APPROVE AND AUTHORIZE EXECUTION OF INTERLOCAL AGREEMENT WITH CITY OF MIDLOTHIAN, TEXAS ("MIDLOTHIAN") RELATED TO THE PURCHASE OF MEDICAL SUPPLIES

Mr. Hooten then presented to and reviewed with the Board the proposed Interlocal Agreement between the District and Midlothian establishing a cooperative purchasing program for the purchase of medical supplies, a copy of which is attached hereto.

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 execution of the Interlocal Agreement with Midlothian, a copy of which is attached hereto.

APPROVE AND AUTHORIZE AGREEMENT FOR PURCHASE OF SUPPLIES WITH BOUND TREE MEDICAL

Mr. Hooten then presented to and reviewed with the Board the proposed Agreement between the District and Bound Tree Medical in connection with the District's purchase of medical supplies pursuant to the Midlothian cooperative purchasing Interlocal Agreement, a copy of which is attached hereto. Mr. Hooten noted that the pricing the District will receive is the same as Midlothian receives due to the bidding and procurement process Midlothian has already undertaken.

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 execution of the Agreement with Bound Tree Medical subject to receipt of a Form 1295.

Mr. Hooten stated that he does not have any additional purchase orders for the Board's consideration at this time.

REVIEW CCEMS BUDGET PROPOSAL FOR JANUARY-AUGUST OF FISCAL YEAR ENDING ("FYE") DECEMBER 31, 2021 AND TAKE NECESSARY ACTIONS ON SAME

Mr. Nealy then presented to the Board CCEMS' proposed budget for FYE December 31, 2021, a copy of which is attached hereto. Mr. Nealy stated that, based on such budget, CCEMS is requesting a monthly budget of \$1,578,326 per month from January to August of 2021 from the District. Mr. Nealy noted that the increase in the CCEMS expenditures compared to FYE December 31, 2020 is mainly due to increases in wages and for payment of fuel for the ambulances. An extensive discussion ensued. In response to a question from Commissioner Williams regarding the substantial decrease in Communications Center (the "Comm Center") wages, Mr. Nealy confirmed that CCEMS had been charging the District for approximately 80% the Comm Center employee wages when the District's actual pro-rata share of the Comm Center call volume is 51.98%.

It was the consensus of the Board to table action on this item pending further review of CCEMS' proposed budget.

REVIEW AND ADOPT AMENDED DISTRICT BUDGET FOR FYE DECEMBER 31, 2021, AS NECESSARY

Mr. Hooten then reported that he, Mr. Snavelly and Ms. Ware met with the District's Bookkeeper on March 2nd to discuss most of the necessary amendments to the District's budget to account for operational costs for FYE December 31, 2021. Mr. Hooten stated that the proposed amended District budget will be presented to the Board at the March 18th meeting.

STATUS OF HIRING FOR MIDDLE-MANAGEMENT EMPLOYEE POSITIONS AND AUTHORIZE POSTING OF OTHER LEVELS OF EMPLOYMENT

REVIEW MATTERS RELATED TO THE SERVICE AGREEMENT WITH CCEMS, INCLUDING STATUS OF CCEMS V. THE DISTRICT, ET AL, (THE "CCEMS LITIGATION") AND TAKE ANY NECESSARY ACTION ON SAME

Commissioner Plummer then stated that the Board would be going into Executive Session to discuss matters of attorney-client privilege, pending litigation and personnel matters pursuant to Sections 551.071 and 551.074, Texas Government Code regarding the above agenda items.

All meeting attendees, with the exception of all members of the Board present, Ms. Adams, Ms. Abedinzadeh, Ms. Christensen, Mr. Trachtenberg (via teleconference), Ms. Phillips and Mr. Hooten exited the meeting at 7:28 p.m.

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Sections 551.071 and 551.074 regarding matters of attorney-client privilege, pending litigation and personnel matters, Commissioner Plummer convened the Board in Executive Session at 7:32 p.m., to deliberate personnel matters and the CCEMS Litigation. The persons present in the Executive Session at various times were Commissioners Plummer, Williams, Pinard and Brost, Ms. Adams, Ms. Abedinzadeh, Ms. Christensen, Mr. Trachtenberg (via teleconference), Ms. Phillips and Mr. Hooten.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 8:39 p.m.


Commissioner Plummer then reconvened the meeting in open session at approximately 8:40 p.m. at which time no action was taken by the Board.

REVIEW CCEMS BUDGET PROPOSAL FOR JANUARY-AUGUST OF FYE DECEMBER 31, 2021 AND TAKE NECESSARY ACTIONS ON SAME (CONTINUED)

Commissioner Plummer stated that the Board preliminarily reviewed CCEMS' proposed budget for January through August as it pertains to the CCEMS Litigation and the District's Budget Committee have been tasked with further reviewing such proposed budget with CCEMS.

There being no further business to come before the Board, the meeting was adjourned at 8:41 p.m.

PASSED, APPROVED AND ADOPTED this 15th day of April 2021.


Secretary, Board of Commissioners

