

**MINUTES OF THE JANUARY 21, 2016 MEETING OF THE
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 11**

A meeting was duly called of the **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 11**, which was held on January 21, 2016, at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The Meeting was called to order at 9:00 AM by **LYNN LEBOUF**, President. Those Commissioners present were **LYNN LEBOUF**, **KAREN PLUMMER**, **FRED GRUNDMEYER**, and **KEVIN BROST**. Commissioner **ROBERT BERLETH** was absent. Also present were the District legal counsel Howard Katz and John Peeler, of Coveler & Katz, P.C., District book keeper Bill Russell, of Myrtle Cruz, Inc., Brad England, Executive Director of Cypress Creek Emergency Medical Services ("CCEMS"), Norm Uhl, Public Information Officer for CCEMS, Andrew McKinney, Attorney for CCEMS. Also present were District consultants Ricardo Martinez of Joiner Architects, District architects on the Station 513/Coventry project, Ron Welch of Municipal Information Services and members of the public.

The Board first addressed item 1 of the agenda, action to call the May 7, 2015 general election to elect three commissioners to the Board of Commissioners. The Board reviewed the following items related to the election:

- a. Approve an Order calling for an election under Texas Health and Safety Code Section 775.0345.
- b. Order Approving and Appointing an Agent for the Election;
- c. Order Appointing an Early Voting Clerk and Deputy Early Voting Clerk;
- d. Order Establishing and Designating Election Precincts and Polling Places;
- e. Order Establishing and Designating Early Voting Polling Places;
- f. Order Adopting Form of Notice of District Election;
- g. Action to approve a contract with Hart InterCivic, Inc. for election services.
- h. To consider and take action on such other Orders, Resolutions and related matters as required or appropriate to call for the District election.

Counsel presented an Election Order which addressed items a, c, d and e to hold the election for three seats on the Board of Commissioners in the overlapping fire districts with early voting to occur on weekdays and the Saturday during the early voting period as the District has done in prior years. After review, motion was made by Commissioner Brost to approve the order as presented addressing items a, c, d and e, and motion was seconded by Commissioner Plummer. After discussion the motion was approved by a vote of 4 to 0. Mr. Peeler asked the Board to approve the same form of Election Notice used in prior years noting that the Notice will be posted and published in English, Spanish, Vietnamese and Chinese (traditional). Motion by Commissioner Plummer and second by Commissioner Brost to use the same form of notice used in prior years. After discussion the motion was approved by a vote of 4 to 0. Mr. Peeler also asked the Board to preliminarily approve contracting with Hart Intercivic for services related to ballot production and programming voting machines. Motion was made by Commissioner Plummer and seconded by Commissioner Brost to approve contracting with Hart. After discussion the motion was approved by a vote of 4 to 0.

The Board reviewed the Minutes of the December 17, 2015 regular meeting. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **GRUNDMEYER** to approve the Minutes. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed Financial Matters. The District received two reports from District bookkeeper **BILL RUSSELL**, of **MYRTLE CRUZ, INC** – one for the year end 2015 and one for the current meeting period. He first reported that the operating account balance of the District after the last District meeting was \$249,211.84. He also noted the receipt of tax revenue since the prior meeting in the amount of \$1,362,391.22, tax penalty and interest of \$1,404.37, and interest of \$161.97. He also reported that as of December 31, 2015 and prior to the payment of current bills, \$1,612,169.40 was on deposit at the Prosperity Bank operating account, plus additional demand deposits of \$213,139.64 at Prosperity Bank, \$5,214.52 in TexPool, CD/investment accounts plus interest as to all said accounts/CD: \$236,462.21 at Spirit of Texas Bank, \$232,664.21 at Icon Bank, \$225,776.02 at Community Bank (previously Vista Bank), \$1,100,836.99 at

Compass Bank, \$890,577.65 at Wells Fargo Bank plus \$240,000.00 at three banks. He also said that all District funds were properly insured and/or secured by pledged securities.

He then reported that the operating account balance of the District as of January 20, 2016 was \$1,601,218.50. He also noted the receipt of tax revenue since the prior meeting in the amount of \$7,972,346.93, tax penalty and interest of \$2,271.60, and interest of \$-0-. He also reported that as of this meeting and prior to the payment of current bills, \$9,575,837.53 was on deposit at the Prosperity Bank operating account, plus additional demand deposits of \$213,139.64 at Prosperity Bank, \$5,214.52 in TexPool, CD/investment accounts plus interest as to all said accounts/CD: \$236,462.21 at Spirit of Texas Bank, \$232,664.21 at Icon Bank, \$225,776.02 at Community Bank (previously Vista Bank), \$1,100,836.99 at Compass Bank, \$890,577.65 at Wells Fargo Bank plus \$240,000.00 at three banks. He also said that all District funds were properly insured and/or secured by pledged securities.

Thereupon, after review, Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER** to approve the Financial Report as presented. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed payment of District bills. After review, Motion was made by Ms. **BROST**, seconded by Mr. **PLUMMER**, to approve the payment of District bills as follows:

December 31, 2015

1.	Myrtle Cruz, Inc. (bookkeeping)	\$	2,284.20
2.	Coveler & Katz, P.C. (legal-February):	\$	5,913.20
3.	Joiner Partnership, Inc. (Station 513)	\$	266.00
4.	Leyendecker Consulting (Inv 1799)	\$	395.00
5.	Rothfelder & Falick LLP (Inv 0801-1 48495	\$	2,092.50

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1.	Municipal Information Services	\$	9,625.00
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After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed item 5 of the agenda, action on the ratification of a continuing contract with a private law firm for the collection of delinquent District ad valorem property taxes, and providing for the payment of 20% of the delinquent taxes, penalties, and interest which are collected by the attorney under

said contract. Motion was made by Mr. **BROST** to continue the delinquent tax collections contract with Linebarger, Goggan, Blair & Sampson which is on file with the County Tax Office, and Ms. **PLUMMER** seconded the motion. After discussion the motion was approved by a vote of 4 to 0.

The Board then addressed items 6, 7 and 8 together, action on the imposition of penalty on delinquent taxes pursuant to Sections 33.07, 33.08 and 33.11 of the Property Tax Code. Motion was made by Mr. **BROST** and seconded by Ms. **PLUMMER** to approve the resolution presented by Mr. Peeler which was received from collections counsel to continue to impose penalties under Tax Code sections 33.07, 33.08 and 33.11, ratifying the resolutions already on file with the Tax Office. After discussion, the motion was approved by a vote of 4 to 0.

The Board took no action on District investments.

The Board took no action on Depository Institutions, Depository Pledge Agreements or Investment Policy.

The Board took no action on 2016 budget revisions.

The Board then addressed item 12 and received a report from Ron Welch of Municipal Information Services. Dr. Welch presented a comprehensive report and verbal summary on property values, population and economic factors affecting the District tax base. After review, Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER**, to accept the report as presented. After discussion, the Motion was approved by a vote of 4 to 0.

The Board addressed the payment of operations funding pursuant to current budget and service agreement with Cypress Creek EMS. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **GRUNDMEYER**, to approve payment in the amount of \$1,003,835.00 to Cypress Creek EMS. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed the payment of capital funding pursuant to current budget and service agreement with Cypress Creek EMS. Brad England presented information on AED quotes stating they liked the low bid contractor as their products were light weight and compatible with the Zoll monitors carried on the CCEMS/ESD 11 ambulances. The cost for 150 units, at \$970 per unit, would be \$150,000.00. He, also, stated that approximately 120 old units will be pulled back from first responders and then potentially sold as surplus. After review,

Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER** to approve the District purchase of 150 AED's at a cost of \$150,000.000. After discussion, the motion was approved by a vote of 4 to 0.

Mr. England continued to discuss the solicitation for the purchase of nine ambulances. Three proposals were received. CCEMS recommends the Frazer H-GAC pricing of \$1.4 million with a delivery time of approximately five months. After review, motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER** to approve the District purchase of six ambulances and the EMS purchase of three ambulances from the Frazer quote. After discussion, the motion was approved by a vote of 4 to 0.

The Board then received a report from CCEMS. Brad England, Executive Director of CCEMS, presented the monthly report and provided a verbal summary noting: Unit 523 is now Unit 513 and is a 24-hour responder; this leaves the EMS with two "floaters". Ms. **BROST** inquired as to when the new unit would be up and running. Mr. England informed the Board that staff training is ongoing and to expect a run date of April. After review, motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER** to accept the CCEMS monthly report. After discussion, the motion was approved by a vote of 4 to 0.

The Board then addressed item 17, action regarding construction, improvements, repairs and renovations to District stations. Ricardo Martinez provided a report on the Station 513/Coventry project: he addressed the work progress stating the station was ready for substantial completion and furniture move-in; the punch list still had some items being completed; access control to be handled by Toivo Sari who manages IT for CCEMS. Mr. **BROST** asked if the station was cable ready to which Mr. Sari confirmed cable acceptance. Mr. Martinez stated the utilities at Station 513 needed to be transferred and information had been provided to Brad England regarding same. The District will insure the building and CCEMS will insure the contents. No Pay Application was presented. After review, Motion was made by Mr. **BROST**, seconded by Mr. **GRUNDMEYER**, to approve the substantial completion of Station 513/Coventry project. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed item 18 pertaining to real property. Brad England informed the Board that he had been talking with Klein regarding the

Dowdell station sharing as it would be a great location for “floater” ambulances. He also noted that Treaschwig, Station 2, will be torn down and rebuilt on the same property after the County pays for the road via condemnation action. He will inquire with MUD but expects to keep the well and on-site septic. No action was taken on this item.

The Board took no action on third party communications addressing District and Cypress Creek EMS operations.

The Board addressed item 20, District requests to CCEMS for information under the service agreement and are related to District funding of CCEMS operations. Mr. McKinney reported that CCEMS has provided through his office to District counsel information on floater trucks requested at the December meeting. He noted that it contained information on utilization ratios, time staffed, time on calls and type of calls. He also said that no trucks could be prudently taken out of service for any comparative cost savings, as the main priority has to be not missing calls or having unreasonable response times. Mr. **BROST** asked if this explains why unit 523 had been missing from prior reports, to which Mr. McKinney answered in the affirmative.

The Board then addressed the District website. Mr. **BROST** stated that Mr. **BERLETH** had not been able to secure management. Brad England said that CCEMS could manage the website with the help of CCEMS staff such as Toivo Sari and Norm Uhl. The Board members unanimously agreed to have CCEMS manage the District website. Mr. **BROST** will coordinate with Toivo Sari on this matter.

The Board then addressed item 22, traffic preemption. Counsel Howard Katz presented the 2016 amendment. He, also provided a short summary of analysis related to E-Views’ legal issues: 2-year contract; removal of some warranty limits; 60-day termination clause; and added damages in case of breach by E-Views.

Mr. **BROST** asked if the program could be expanded to include Harris County ESD No. 9. Mr. Katz explained that ESD 9 was working with their own system. Mr. **BROST** expressed wanting to look at cooperation to make sure the system/equipment are compatible and there would be no duplication of

administration. Mr. Katz replied that Harris County is not approving the competing Opticon system.

Mr. **BROST** relayed that Ponderosa Fire Department Chief Windisch met with TXDOT about 1960 and reported it went well, though he still needs to speak with the City of Houston.

Mr. Katz reported that he reviewed the correspondence from Springwood Village Development and had additional correspondence with the developer. He shared that some roads are not county roads so the District is working with Harris County Improvement District and developer to add to non-county road intersections and asked for cost-sharing. Mr. Katz does not feel the developer had fully committed previously to the whole development at their cost. He said that it was always intended to be reviewed after the county took the roads. Mr. Katz explained that the District will have to wait to see if the developer will agree to cost-sharing. Motion was made by Mr. **BROST** and seconded by Ms. **PLUMMER** to approve the amendment, pending the vendor filing the required Ethics Commission form 1295. After discussion the motion was approved by a vote of 4 to 0

No action was taken on an Interlocal Agreement pertaining to election equipment.

No action was taken on personnel matters.

The Board did not enter Closed Session.

No public comment was offered.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned 10:32 a.m.

Secretary of the Board