

**MINUTES OF THE MARCH 24, 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 March 24, 2016, at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The Meeting was called to order at 9:01 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 John Peeler, of Coverer & 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 and other CCEMS staff. Also present were District consultants Ricardo Martinez of Joiner Architects, District architects on the Station 513/Coventry project, Wayne Dolcefino, and members of the public.

The Board first addressed item 1 of the agenda, matters relating to the May 7, 2016 general election to elect three commissioners to the Board of Commissioners. Counsel John Peeler provided an update on the mail ballot procedures. No action was taken.

The Board reviewed the Minutes of the February 18, 2016 regular meeting. After review, Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER** to approve the Minutes. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed agenda item 3, public comment. Wayne Dolcefino offered comment about the Travis County Court decision on public information act cases and his position on the use of ambulance billing to offset taxes. Mr. Dolcefino added that the District has the duty to protect all public funds, including tax funds and therefore is requesting changes be made to the EMS contract between the District and CCEMS to protect funds and transparency.

The Board then addressed Financial Matters. The District received two reports from District bookkeeper Bill Russell. Mr. Russell reported that the operating account balance of the District as of February 18, 2016 was \$12,935,827.80. He also noted the receipt of tax revenue since the prior meeting

in the amount of \$583,503.97, tax penalty and interest of \$2,664.99, and interest of \$2,050.31. He also reported that as of this meeting and prior to the payment of current bills, \$12,512,457.86 was on deposit at the Prosperity Bank operating account, plus additional demand deposits of \$213,209.53 at Prosperity Bank, \$1,005,216.92 in TexPool, CD/investment accounts plus interest as to all said accounts/CD: \$236,637.19 at Spirit of Texas Bank, \$232,748.12 at Icon Bank, \$225,850.02 at Community Bank (previously Vista Bank), \$1,101,071.70 at Compass Bank, \$890,763.23 at Wells Fargo Bank plus \$240,000.00 at three banks. He informed the Board that the investment pool rates had increased slightly. 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 included in the monthly report:

1.	Myrtle Cruz, Inc. (bookkeeping)	\$ 2,330.60
2.	Coveler & Katz, P.C. (legal)	\$ 14,209.20
3.	Joiner Partnership Inc. (Invoice 16020/Stn 3)	\$ 1,966.00
4.	Harris County Appraisal District (2d Qtr Fees)	\$ 32,098.00
5.	VFIS of Texas/Regnier & Assoc. (Inv 31497)	\$ 4,672.00
6.	Lighthouse Data Solutions (Inv 0004452)	\$ 2,220.16

And additionally, two bills/checks not listed in the report, CCEMS (FFE reimbursement for Station 513), \$65,034.31 and Lone Star AED, \$150,000.00:

After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed District investments. Counsel John Peeler stated the District had a Depository Pledge Agreement with Independent Bank and that he would coordinate with Mr. Russell on alternate banks for CD's with better interest rates. Mr. Russell suggested moving the checking account from Prosperity Bank to Compass Bank and stated that a Depository Pledge Agreement was already in place. After review, Motion was made by Mr. **BROST**, seconded by Mr. **GRUNDMEYER**, to move checking account from Prosperity Bank to Compass Bank. After discussion, the Motion was approved by a vote of 4 to 0.

The Board then addressed the District 2016 Investment Policy. After review, motion was made by Ms. **PLUMMER**, seconded by Mr. **GRUNDMEYER**, to approve the 2016 Investment Policy as presented, keeping the District Treasurer as the District Investment Officer. After discussion, the Motion was approved by a vote of 4 to 0.

The Board took no action on 2016 budget revisions.

The Board then addressed agenda item 10, the payment of operations pursuant to current budget and service agreement with Cypress Creek EMS. Mr. **BROST** expressed his concern that the District was paying for more ambulances/crews in CCEMS budget than those actually operating. Mr. Russell and Mr. **LEBOUEF** said that the mid-year review would address this issue. Mr. England reminded the Board that the CPA retained by the Board to perform the last review of payments by the District to CCEMS found that the District underpaid CCEMS in 2015 by over \$100,000. After review, motion was made by Ms. **PLUMMER**, seconded by Mr. **GRUNDMEYER** to approve payment of monthly funding request to CCEMS.

The Board then addressed item 11, the acquisition and/or payment for capital items pursuant to District budget and/or service agreement with Cypress Creek EMS. Counsel John Peeler and Brad England, reviewed the slight price change on the ambulance purchase order from the January quotes. After review, motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER**, to approve the ambulance Purchase Order in the amount of \$990,400. After discussion, the motion was approved by a vote of 4 to 0. The Board unanimously approved the execution of the purchase order for AEDs that was approved at the January meeting.

The Board then addressed item 12 and received a report from CCEMS. Brad England, Executive Director of CCEMS, presented the monthly report and provided a verbal summary of same. Mr. England made mention of the Grand Opening scheduled for April 23, 2016. Mr. Peeler advised a meeting notice would be prepared and posted. Mr. England reported that Norm Uhl would coordinate the event. Mr. **BROST** questioned the fourteen and two ambulances per report chart. Mr. England explained that two additional "floaters" will be placed in service around June 1<sup>st</sup> as crews are currently training. He, also, confirmed fourteen full-

time and two floaters as previously pointed out by Mr. **BROST**. Mr. **LEBOUEF** questioned the reason behind the drop in dispatch times noting his satisfaction in the difference. Brad England explained the new software was aiding in the change. After review, motion was made by Mr. **BROST**, seconded by Mr. **GRUNDMEYER** to accept the CCEMS monthly report. After discussion, the motion was approved by a vote of 4 to 0.

The Board took no action on agenda item 13 regarding the purchase of new AEDs. No action was taken.

The Board then addressed item 14, action regarding construction, improvements, repairs and renovations to District stations. Ricardo Martinez reported one pay application is still expected noting a “positive” change order to follow on the Station 513/Coventry project. There was a brief discussion on the possible need for Ethics Commission form 1295 to be filed for the change order and the fact that Brookshire does not want to prepare a form unless absolutely necessary. No action taken.

The Board then addressed item 15 pertaining to real property. Brad England informed the Board that Klein VFD wants \$350,000 as a purchase price for the Dowdell station, and that CCEMS offered to rent the building. Mr. England stated he would follow up with the Constable regarding Northampton as no information was available at this time. No action was taken.

The Board then addressed item 16, Capital Lease Agreement(s) with CCEMS for possession and operation of District owned real or personal property. Counsel John Peeler presented a basic summary of the lease agreement. Andrew McKinney, Attorney for CCEMS, requested Mr. Peeler clarify the agreement on liability and indemnity. Mr. **LEBOUEF** suggested the attorneys work out the details. After review, Motion was made by Mr. **BROST**, seconded by Ms. **PLUMMER** to provisionally approve the Capital Lease Agreement pending action on a final document at a later date. After discussion, Motion was approved 4 to 0.

The Board then addressed District requests to CCEMS for information under the service agreement for documents, reports and information. Mr. **BROST** asked about a class action suit that has been filed against CCEMS. Andrew McKinney replied that the suit was filed by a disgruntled job applicant who apparently submits a series of online applications and then sues the would be

employer based on criminal background provisions and credit checks. Brad England will provide additional details at a later date. No action taken.

The Board then addressed the District website. Ms. **PLUMMER** stated that she will try to get access from old web master/web allowing Toivo Sari to update the District website. Ms. **PLUMMER** then questioned whose responsibility it is to maintain the website. Mr. **BROST** said the responsibility would lie with Mr. **BERLETH**. Toivo Sari offered setting up the website, acting as a substitute. Mr. **BROST** reminded the Board that Coveler & Katz, P.C. used to send information for website posting. Mr. Peeler said that he will find out if and when information may have been forwarded and when any changes in practice had been implemented. No action was taken.

The Board then addressed item 19, traffic preemption. Mr. Peeler reported that Howard Katz is working with the Improvement District on possible cost sharing. No action taken.

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

The Board entered Closed Session at 10:06 AM to consult with legal counsel under Government Code section 551.071. The Board returned to Open Session at 10:30 AM.

The Board then addressed agenda item 22, the date of the next regular meeting, to be held April 21, 2016 at 9:00 AM.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned 10:35 a.m.

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Secretary of the Board