



EMERGENCY MEDICAL SERVICES AUTHORITY – A PUBLIC TRUST

Regular Board of Trustees Meeting

October 26, 2022, at 1:00 p.m. via Teleconference

1417 N Lansing Avenue, Tulsa, OK 74106

6205 S. Sooner Road, OKC OK 73135

Board of Trustee Meeting Minutes:

NOTICE AND AGENDA for the Regular Meeting of the Board of Trustees for the Emergency Medical Services Authority, a Public Trust, were filed October 25, 2022, at 8:49 a.m. with the offices of the City Clerk of Tulsa and with the City Clerk of Oklahoma City on October 25, 2022, at 8:57 a.m., 24 hours prior to the time set for the meeting.

Trustees Present:

Chief Michael Baker
Dr. Jeffrey Goodloe
Phil Lakin - Arrived at 1:26 p.m.
Allison Petersen – Arrived at 1:06 p.m.
Tammy Powell
Scot Rigby
Jan Slater
Scott Vaughn
Wiley William
Chief Bryan Wood

Others Present:

Johna Easley, EMSA
Frank Gresh, EMSA
Sonia Coleman, EMSA
Adam Paluka, EMSA
James Davis, EMSA
Tracy Johnson, EMSA
Christopher Jenkins, EMSA
Pat McFerron, CSH & Associates
Jim Orbison, Riggs Abney
Kris Koepsel, Riggs Abney
Chris Goodwin, Edmond Fire
Chief Carl Cobb, OKC Fire

EMERGENCY MEDICAL SERVICES AUTHORITY

Board of Trustees Meeting

July 27th, 2022

A quorum was present, and the meeting was called to order at 1:04 p.m. by Chairman Wiley Williams.

CONSENT AGENDA

1. Approval of Board Minutes from the EMSA Board of Trustees Special Meeting dated September 23, 2022.

A motion was made by Ms. Powell and seconded by Ms. Slater to accept September 23, 2022, Special Meeting Minutes.

AYE: Chief Baker, Chief Kelley, Ms. Powell, Ms. Rigby, Ms. Slater, Mr. Vaughn, Mr. Williams

NAY:

ABSENT: Mr. Lakin, Ms. Petersen

ABSTAIN: Chief Wood

The motion is passed.

*****Ms. Petersen arrived at 1:06 p.m.*****

REGULAR AGENDA

1. **Chairman's Report-** Wiley Williams, Chairman of the Board, thanked Trustees who worked to agree to terms on the settlement with AMR.
2. **Discussion and possible action regarding the approval of a settlement of the claims arising from the Contract dated as of September 25, 2013, between Emergency Medical Services Authority, an Oklahoma public trust ("EMSA"), and American Medical Response Ambulance Service, Inc. ("AMRAS"), as amended, including, but not limited to, the lawsuit filed by EMSA against AMRAS in the United States District Court for the Northern District of Oklahoma Civil Action No. 20-CV-00455-GKF-CDL. – Kristopher Koepsel, EMSA Legal Counsel**

EMSA legal counsel Kris Koepsel told the Board on October 22, 2022 EMSA representatives appointed by the Board and EMSA executives met to resolve the lawsuit with its former operations contractor, AMR. The settlement, subject to Board approval, would require EMSA to pay AMR \$10.5M paid out of monies retained by EMSA in mitigation of its damages and claims asserted in the lawsuit, and this would resolve all claims between EMSA and AMR. Trustees who participated in the settlement, Phil Lakin, Jan Slater, Allison Petersen and Wiley Williams recommend

EMERGENCY MEDICAL SERVICES AUTHORITY

Board of Trustees Meeting

July 27th, 2022

approving the settlement and allow Wiley Williams be allowed to execute all documents related to the settlement. Trustees have been briefed in writing about the settlement.

Ms. Slater made a motion for approval of the settlement in United States District Court for the Northern District of Oklahoma Civil Action No. 20-CV-00455-GKF-CDL in the amount of \$10.5M paid out of monies retained by EMSA in mitigation of the claims made in the lawsuit and authorize Mr. Williams, Chairman of the Board, in coordination with EMSA legal counsel to take such necessary action to finalize the settlement and execute documents related to the settlement. Ms. Petersen seconded the motion.

AYE: Chief Baker, Chief Kelley, Councilor Lakin, Ms. Petersen, Ms. Powell, Ms. Rigby, Ms. Slater, Mr. Vaughn, Mr. Williams, Chief Wood

NAY: None

ABSENT: Mr. Lakin

The motion is passed.

3. Discussion and possible action regarding the approval of the Seconded Amended and Restated Trust Indenture, the Amended and Restated Interlocal EMS Cooperation Agreement, and the Uniform Ordinance as revised and amended. – Kristopher Koepsel, EMSA Legal Counsel

Mr. Koepsel explained that these documents needed to be updated for EMSA to continue doing business. The Cities of Oklahoma Cities and Tulsa will need to approve these documents, and the City of Oklahoma City has already begun that process. Chief Wood asked if non-beneficiary cities would receive the documents, and Mr. Koepsel said they would. The Board discussed changes made to the Trust related to non-beneficiary cities.

*****Mr. Lakin arrived at 1:26 p.m.*****

A motion was made by Ms. Petersen and seconded by Councilor Lakin to approve the Seconded Amended and Restated Trust Indenture, the Amended and Restated Interlocal EMS Cooperation Agreement, and the Uniform Ordinance as revised and amended.

AYE: Chief Baker, Chief Kelley, Councilor Lakin, Ms. Petersen, Ms. Powell, Ms. Slater, Mr. Vaughn, Mr. Williams, Chief Wood

EMERGENCY MEDICAL SERVICES AUTHORITY

Board of Trustees Meeting

July 27th, 2022

NAY: Mr. Rigby

The motion is passed.

4. Emergency Purchase Request – Approval of emergency purchase of used ambulances, including a determination of an emergency and waiver of bidding requirements as provided in Okla. Stat. tit. 60 § 176(L). – Frank Gresh, Interim Chief Operating Officer

Mr. Gresh told Trustees EMSA agreed to purchase two Type 2 ambulances to be used for inter-facility calls.

A motion was made by Ms. Slater and seconded by Chief Baker to approve an emergency purchase of used ambulances, including a determination of an emergency and waiver of bidding requirements as provided in Okla. Stat. tit. 60 § 176(L).

AYE: Chief Baker, Chief Kelley, Councilor Lakin, Ms. Petersen, Ms. Powell, Mr. Rigby, Ms. Slater, Mr. Vaughn, Mr. Williams, Chief Wood

NAY: None

The motion is passed.

5. Purchase Request/Authority – Approval of purchasing authority beginning November 1, 2022, for the purchase of used ambulances not to exceed \$1M dollars and waiver of the bidding requirements contained in the EMSA Purchasing Policy for such equipment. – Johna Easley, Interim Chief Executive Officer

Ms. Easley asked the Board to blanket approve used ambulances not to exceed \$1M and if a single ambulance is about \$100,000 to waive the requirements of EMSA's purchasing policy after November 1, 2022. Mr. Gresh said most used ambulances cost between \$80,000 and \$100,000.

A motion was made by Mr. Lakin and seconded by Ms. Slater to approve purchasing authority beginning November 1, 2022, for EMSA to purchase used ambulances not to exceed \$1M dollars and waiver of the bidding requirements contained in the EMSA Purchasing Policy for such equipment through October 31, 2023, with monthly reports to the Board about ambulance purchases.

AYE: Chief Baker, Chief Kelley, Councilor Lakin, Ms. Petersen, Ms. Powell, Mr. Rigby, Ms. Slater, Mr. Vaughn, Mr. Williams, Chief Wood

NAY: None

EMERGENCY MEDICAL SERVICES AUTHORITY

Board of Trustees Meeting

July 27th, 2022

The motion is passed.

6. President's Report

- a. **Operational Compliance Report-** Frank Gresh, Interim Chief Operations Officer– Mr. Gresh presented the Response Time Compliance Summary for September 2022 to the Board. Mr. Gresh reported the Eastern Division Beneficiary jurisdictions were compliant in Priority 1 and 2 calls. Priority 3 and 4 calls were not in compliance. In the Eastern Division Non-beneficiary jurisdictions, compliance was not met in Priority 1 and 2 calls. There was 100% compliance in Priority 3 and 4 calls. The Western Division Beneficiary jurisdictions continued to be out of compliance in all categories. The Western Division Non-beneficiary jurisdictions were not in compliance on Priority 1, and 2 calls. Mr. Gresh shared the running 12-month compliance trend for both divisions as well as exclusions. Data representing the percentage of minutes late was shared for both divisions. Data on BLS 9-1-1 utilization and IFT usage in the system was also shared with Trustees. Mr. Gresh also discussed bed delay trends with Trustees and updated them on system efforts to reduce the effect of bed delays on the system. Call volume trends were also discussed showing that FY23 is approaching all-time high levels of call volume in both the Eastern and Western Divisions.

- b. **Financial Report** – Lora Conger, Chief Financial Officer - Ms. Conger presented the year-to-date FY23 Income Statement, and noted income is tracking as expected with the higher-than-expected call volume. For year-to-date Operating Expenses, the only variance was the additional funds being spent on contracted labor. Ms. Conger said she will be working on a rolling forecast that updates finance based on unbudgeted items like the contracted paramedics working in the system. Chief Baker asked if Ms. Conger was concerned about the money being spent on the contracted medics. Ms. Conger said in the short term she was not concerned, but it was not a sustainable long-term solution.

Ms. Conger presented the FY22 Audit. The Auditing firm, AGH, gave an audit report to finance committee and gave the audit an unqualified opinion, consistent with what has been seen in the past. There were no audit adjustments, and no management letter comments other than required disclosures. Ms. Easley said the auditors have previously mentioned EMSA's small finance team, and they noted Ms. Conger has done a good job growing her team. Ms. Easley also asked the Auditors to look over EMSA's purchasing and purchasing policies as the Authority has assumed operational control of the system and is making more purchases. She said they found no issues and believe our purchasing policies are in line with expectations.

Ms. Conger discussed the Prosperity Bank Line of Credit renewal with the Board. She said as long as she has been at EMSA, the Line of Credit has not been drawn upon. The Line of Credit has a \$1,000 cost and a floating rate and there are no usage fees or penalties. Ms. Powell asked how long EMSA has had the line of credit, and Ms. Conger said it has been in place for at least ten years as a risk mitigation endeavor.

EMERGENCY MEDICAL SERVICES AUTHORITY

Board of Trustees Meeting

July 27th, 2022

Ms. Slater made a motion to accept the Audit and approve the Line of Credit Renewal and Chief Baker seconded the motion.

AYE: Chief Baker, Chief Kelley, Councilor Lakin, Ms. Petersen, Ms. Powell, Mr. Rigby, Ms. Slater, Mr. Vaughn, Mr. Williams, Chief Wood

NAY: None

The motion is passed.

- c. President Commentary-** Johna Easley, Interim Chief Executive Officer – Ms. Easley told the Board Adam Paluka, EMSA Chief Public Affairs Officer, would use his time to present survey findings to the Board. Mr. Paluka told the Board EMSA had recently conducted two resident surveys in Oklahoma City and Tulsa. Cole Hargrave Snodgrass and Associates President Pat McFerron, whose firm conducted the survey, presented the findings to the Board. Data shows the vast majority of residents in OKC and Tulsa have a positive impression of EMSA, believe they are getting a high level of clinical care, and have even greater affinity for EMSA and its Team if they have utilized EMSA services. CHS has done similar Surveys for EMSA in the past, and they show 2022 data is at levels matching or exceeding years past.
- 7. Chief Medical Officer’s Report-** Dr. Jeffrey Goodloe, Chief Medical Officer – Dr. Goodloe presented Office of the Medical Director activities which included monthly meetings with EMSA and the Fire Chiefs and monthly Quality Improvement meetings with all agencies in the EMSA system. He discussed upcoming cardiac monitor purchases that will be an expensive line item for EMSA. Dr. Goodloe discussed new state laws effective November 1st that will affect EMS. One law will allow EMS system initiated non-transport, and his office is looking at what those parameters might be in the EMSA system. A second law would allow for non-ambulance transport in certain circumstances – this happens at EMSA in inclement weather and should not have a major effect on the system. OMD has been meeting with EMSA executives and Oklahoma City Management and the Fire Department. Dr. Goodloe shared data regarding the Basic Life Support 9-1-1 program.

*****Mr. Lakin departed at 2:42 p.m.*****

- 8. New Business –** No New Business.
- 9. Trustees’ Reports –** No trustees report.
- 10. Next Meeting –** Wednesday, November 16, 2022, at 1:00 p.m.

EMERGENCY MEDICAL SERVICES AUTHORITY

Board of Trustees Meeting

July 27th, 2022

11. Adjourn – The meeting was adjourned by Mr. Williams at 2:56 p.m.

Adam Paluka, Assistant Secretary

Date