

**MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS**

JUNE 15, 2021

THE STATE OF TEXAS §
COUNTY OF FORT BEND §
FORT BEND COUNTY EMERGENCY SERVICES DISTRICT NO. 4 §

The Board of Commissioners (the "Board" or the "Commissioners") of Fort Bend County Emergency Services District No. 4 (the "District") met in regular session, open to the public, at 30626 Fifth Street, Fulshear, Texas 77441, the regular meeting place of the District, on Tuesday, June 15, 2021, at 8:00 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Daniel McJunkin	President
Ed Krenek	Vice President
Kim Stacy	Secretary
Tommy Kuykendall	Treasurer
Robert Pechukas	Assistant Secretary/Treasurer

All members of the Board were present, thus constituting a quorum. Also attending the meeting were: Fire Chief Herc Meier, Ms. Brandi Crone and Ms. Karol Bone, employees of the District; Ms. Regina D. Adams and Ms. Sholeh Abedinzadeh (via teleconference), attorneys, and Ms. Hannah Slaven (via teleconference), paralegal, of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorneys for the District; Mr. Ricardo Martinez of Martinez Architects, LP ("Martinez"); Mr. Daniel Menendez, P.E., of Huitt-Zollars, Inc. ("Huitt-Zollars" or "Engineer"), District engineering consultant; Messrs. Chuck Mathes and Sebastian Garcia of Brookstone Construction ("Brookstone"); Ms. Natalie Ridley of Breedlove & Co. P.C. ("Breedlove" or "Auditor"), auditor for the District; Mr. Brad Dill of BD Realty Advisors ("BD Realty"); and Messrs. Jim Cummins, William Cummins, and Jim Buchanan of Dozier's BBQ & Meat Market. Also attending via teleconference were Ms. Lisa Anandel of BRW Architects ("BRW"); and Ms. Carol Morrison of Municipal Accounts & Consulting, L.P. ("MAC").

WHEREUPON, the meeting was called to order at 8:00 a.m. 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.

PUBLIC COMMENT

There were no public comments.

APPROVE CONSENT AGENDA

The Board reviewed the items reflected on the Consent Agenda. Commissioner McJunkin explained that this portion of the agenda deals with routine matters of the Board, and that no separate discussion of such items will occur unless a Commissioner or a member of the public requests that an item be moved to the regular portion of the agenda.

Upon motion by Commissioner Kuykendall, seconded by Commissioner Pechukas, after full discussion and the question being put to the Board, the Board voted unanimously to approve the item(s) on the Consent Agenda, as follows:

1. May 18, 2021 regular meeting minutes; and
2. Bookkeeper's Report, including authorization of payment of all bills.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS

Mr. Garcia provided an update regarding the status of the construction of Central Station and Fire Training Facility (the "Central Station"), noting that: masonry work on area "A" was ongoing, while the stone portion and top end of the elevator shaft were complete; the roof on area "B" of the Training Facility was complete; HVAC and electrical are being installed throughout; structural systems are being installed in the bathrooms; the fire and domestic water tanks are erected; and work on the water well is almost complete. Mr. Mathes added that windows and window units are being installed, but some specialty parts are delayed. Mr. Mathes also reported that the overhead mechanical, electrical and plumbing in the apparatus bay is in progress and should be complete within the next few weeks. In response to a question from Commissioner Krenek, Mr. Mathes stated Brookstone was not experiencing materials or labor shortages and that there were no anticipated cost increases.

The Board requested an update regarding the Central Station driveway. Mr. Mathes stated that he knew plans had been submitted and that there were concerns regarding grading of the driveway at the intersection to FM 1093. Ms. Anzel reported that the revised plans were submitted to Texas Department of Transportation ("TxDOT") on May 17, 2021, but BRW had not yet received a reply. Ms. Anzel noted plans were submitted to Fort Bend County (the "County") for drainage review, but the County had not yet returned comments. Ms. Anzel stated the County would likely want to see TxDOT approval for the driveway before the County issues comments or approval.

In response to a comment that the original anticipated date of completion was June 2021, Mr. Mathes explained there was stonemasonry that could not be completed until paving was completed in front of the apparatus bay, which has been delayed by rain. Mr. Mathes further explained that Brookstone was reworking the schedule in order to complete items timely, but that he certainly anticipated a delay of several weeks. The Board requested that Mr. Menendez follow up with TxDOT regarding the status of its review of the revised plans for the driveway to FM 1093. A discussion next ensued regarding source of funds for construction. Ms. Morrison confirmed that the loan funds were now being used to fund the remainder of the construction of the Central Station.

The Board next considered pay estimates, change orders, and allowance transfers related to the construction of the Central Station. Mr. Mathes presented Pay Application 21801-13 in the amount of \$836,750.19, and Change Orders Nos. 20 and 21 in the amounts of \$2,280.00 and \$3,944.00, respectively. Upon motion by Commissioner Krenek, seconded by Commissioner Pechukas, after full discussion and the question being put to the Board, the Board voted unanimously to approve Pay Application 21801-13 and Change Orders Nos. 20 and 21.

The Board next considered the placement of a cornerstone at the Central Station. Ms. Crone presented designs developed by BRW for the Board's review. A discussion ensued

regarding various placement and design options with Mr. Mathes noting that, due to certain portions of construction already being complete, the placement of a time capsule could lead to increased cost, as the area would need to be reframed. Upon motion by Commissioner Kuykendall, seconded by Commissioner Pechukas, after full discussion and the question being put to the Board, the Board voted unanimously to authorize a budget of up to \$1,000 for the construction of a cornerstone for the Central Station and authorize Commissioner Stacy to work with Chief Meier and Ms. Crone on same.

Mr. Martinez next reviewed with the Board the status of design of the Jordan Ranch Station, noting that design work should be complete by the end of June, with a substantial portion of the design to be based on the Cross Creek Ranch ("CCR") Station design. Commissioner Kuykendall inquired when a temporary construction sign would be placed at the Jordan Ranch Station and CCR Station. A brief discussion ensued regarding whether such signage would require approval by the homeowners' association in the respective subdivisions. Mr. Martinez stated he would begin work on the signage and ensure he obtains approval from Ms. Crone and Chief Meier before posting.

Mr. Martinez next reported on the design and construction of the CCR Station, noting that the temporary station structure had been permitted by the County. Mr. Martinez explained that LaW Construction and Consulting, LLC, the general contractor for the temporary station project, was coordinating with gas and electric utilities to determine the site's needs from same. Mr. Martinez further reported that he anticipated groundbreaking around June 30, 2021, with steel delivery to occur around August 15, 2021.

Commissioner McJunkin then stated that the Board would be going into Executive Session at this time to discuss future station locations.

All meeting attendees, with the exception of all members of the Board present, Ms. Adams, Ms. Abedinzadeh, Chief Meier, Ms. Crone and Ms. Bone exited the meeting at 8:36 a.m.

CONVENE IN EXECUTIVE SESSION

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Sections 551.071 and 551.072 regarding attorney-client privilege and real estate matters, Commissioner McJunkin convened the Board into Executive Session at 8:37 a.m. The persons present in the Executive Session at various times were Commissioners McJunkin, Krenek, Stacy, Kuykendall and Pechukas, Chief Meier, Ms. Crone, Ms. Bone and Ms. Adams. Ms. Abedinzadeh and Ms. Slaven attended via teleconference.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 8:48 a.m.

Commissioner McJunkin reconvened the meeting in open session at approximately 8:48 a.m. at which time the Board took the following action:

Upon motion by Commissioner Krenek, seconded by Commissioner Pechukas, after full discussion and the question being put to the Board, the Board voted unanimously to authorize

obtaining the Phase I environmental assessment at a cost not to exceed \$2,500, authorize payment of earnest money of \$10,000 and the option fee not to exceed \$250 for the proposed purchase of Property No. 1.

Commissioner McJunkin then stated that the Board would reconvene into Executive Session at this time to discuss other future station locations.

All meeting attendees, with the exception of all members of the Board present, Ms. Adams, Ms. Abedinzadeh, Chief Meier, Ms. Crone and Ms. Bone exited the meeting at 8:49 a.m.

CONVENE IN EXECUTIVE SESSION

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Sections 551.071 and 551.072 regarding attorney-client privilege and real estate matters, Commissioner McJunkin convened the Board into Executive Session at 8:49 a.m. The persons present in the Executive Session at various times were Commissioners McJunkin, Krenek, Stacy, Kuykendall and Pechukas, Chief Meier, Ms. Crone, Ms. Bone and Ms. Adams. Ms. Abedinzadeh and Ms. Slaven attended via teleconference.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 9:11 a.m.

Commissioner McJunkin reconvened the meeting in open session at approximately 9:11 a.m. at which time the Board took the following action:

Upon motion by Commissioner Kuykendall, seconded by Commissioner Pechukas, after full discussion and the question being put to the Board, the Board voted unanimously to authorize obtaining an appraisal and authorize Huitt-Zollars to survey Property No. 2 for the proposed purchase of same.

The Board next considered Statements of Qualifications ("SOQ") from Martinez and PGAL for architectural design services for proposed new Fulshear station (the "Fulshear Station"). Commissioner Pechukas stated that while the Board requested SOQs from a third firm, such firm declined to provide an SOQ to the Board, having claimed that the District was "a Martinez district." Commissioner Pechukas stated he had been concerned that this would be an issue when the District awarded a second contract to Martinez. A discussion ensued regarding whether the award of the second contract to Martinez created an issue, or whether this particular firm misunderstood the situation and the qualifying rationale why Martinez was selected for the Jordan Ranch Station design. Upon motion by Commissioner Krenek, seconded by Commissioner Kuykendall, after full discussion and the question being put to the Board, the Board voted unanimously to accept the SOQ of PGAL and authorize the negotiation of a contract for the design of the Fulshear Station.

Commissioner Krenek exited the meeting at this time.

SET DATE FOR BUDGET WORKSHOP

Ms. Crone suggested several possible dates for a budget workshop meeting. After discussion, the Commissioners reached a consensus to tentatively schedule a budget workshop meeting on July 22, 2021,

HEALTH INSURANCE BENEFITS RENEWAL

Ms. Crone stated that she and Commissioner Stacy were able to begin the review of the District's employee benefits renewal. Ms. Crone noted that she did not think the District should make any carrier changes to its health, vision and dental benefits, but that she and Commissioner Stacy should review new possibilities for long-term disability, accidental death and dismemberment, and life insurance coverages for District employees. Commissioner McJunkin noted that no action was necessary at this time.

FUTURE DISPATCH PROVIDER OPTIONS

Chief Meier requested authorization to commence negotiations with Harris Fort Bend Emergency Services District No. 100 regarding a potential agreement for dispatch services. Commissioner Pechukas reported that the County is currently performing a study that could lead to the transition of dispatch services away from the Fort Bend County Sheriff's Office creating an entirely new dispatch system. Commissioner Pechukas requested that the Board delay any decision on dispatch until the results of the study are disclosed, or at least for thirty (30) days, and revisit the discussion at the August Board meeting. A discussion ensued regarding the requirements of fire dispatch and various necessary considerations regarding same. The Commissioners reached a consensus to await the results of the County's dispatch study before taking any further action.

Ms. Ridley entered the meeting during this discussion.

REVIEW AND APPROVE AUDIT OF FISCAL YEAR ENDED ("FYE") DECEMBER 31, 2020 (THE "AUDIT")

Ms. Ridley presented to and reviewed the draft Audit with the Board. Upon motion by Commissioner Kuykendall, seconded by Commissioner Stacy, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Audit and authorize its filing with the County Commissioners Court.

REVIEW AND ADOPT DISTRICT SOCIAL MEDIA POLICY

Ms. Adams presented to and reviewed with the Board a District Social Media Policy. Ms. Adams noted that a revision to the draft policy as presented would be made to change the reference in the "Scope" paragraph to refer to appointed officials instead of elected officials. Ms. Adams explained that the contents of the District's social media pages were subject to records retention schedules promulgated by the Texas State Library and Archives Commission and the Texas Public Information Act, and discussed various strategies to manage comments from the public on such pages. Upon motion by Commissioner Krenek, seconded by Commissioner Pechukas, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the District Social Media Policy as presented, subject to the revision noted by Ms. Adams.

DISTRICT ADMINISTRATION REPORT

Ms. Crone reported that an advertisement for sale of the house located on the Central Station site has been published in the *Fort Bend Herald*. Ms. Crone also reported that two (2) new firefighters have been hired to start in July, and the candidates are being narrowed for a third position, which she hopes will also start in July.

FIRE CHIEF RUN REPORT

Chief Meier reported that there were 293 calls in the month of May, and that training is ongoing. In response to a question from the Board, Chief Meier responded that he felt his needs were being met.

There being no further business to come before the Board, upon motion by Commissioner Pechukas, seconded by Commissioner Kuykendall, with all Board members present voting aye, the meeting was adjourned at 10:07 a.m.

PASSED, APPROVED, AND ADOPTED this 20th day of July, 2021.

(DISTRICT SEAL)

Thomas C. Kuykendall Jr.
Secretary, Board of Commissioners

