

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

NOVEMBER 16, 2021

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

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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, November 16, 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
Tommy Kuykendall	Secretary
Kim Stacy	Treasurer
Robert Pechukas	Assistant Secretary/Treasurer

All members of the Board were present, thus constituting a quorum. The following District employees were in attendance: Fire Chief Herc Meier; Ms. Brandi Crone, Chief Operations Officer; Assistant Chief Wade Goates; and Ms. Karol Bone, Administrative Assistant. Also in attendance were: Ms. Regina D. Adams and Ms. Sholeh Abedinzadeh (via teleconference), attorneys, and Ms. Raechel Rodriguez (via teleconference), legal assistant, of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorney for the District; Ms. Carol Morrison (via teleconference) of Municipal Accounts & Consulting, L.P. ("MAC"), bookkeeper for the District; Ms. Lisa Andel and Mr. Ray Holliday of BRW Architects ("BRW"); Mr. Ricardo Martinez of Martinez Architects ("Martinez"); Mr. Chuck Mathes of Brookstone Construction ("Brookstone"); Mr. Brad Dill of BD Realty Advisors ("BD Realty"); Mr. Dan Melendez, P.E. of Huitt-Zollars, Inc. ("Huitt-Zollars" or "Engineer").

WHEREUPON, the meeting was called to order at 8:01 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.

OATHS OF OFFICE FOR CAPTAINS AND FIREFIGHTERS

Commissioner Kuykendall administered the Oath of Office to four (4) captains and three (3) firefighters.

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 would 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. Minutes of the October 21, 2021 regular meeting;
2. Bookkeeper's Report, including authorizing payment of all bills; and
3. Quarterly Investment Report.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

CENTRAL STATION AND FIRE TRAINING FACILITY CONSTRUCTION

Mr. Mathes provided an update regarding the construction of Central Station. Mr. Mathes stated that AT&T has bored under the driveway for its line but there has been no other action on AT&T's part. Mr. Mathes reported that tile installation is three (3) weeks behind. In response to a question, Ms. Crone stated she provided final approval for the layout of the tiles. Mr. Mathes further reported that the elevator and generator are complete. Mr. Mathes stated that five (5) doors were delivered and that he is researching the timing of delivery of the remainder.

Mr. Holliday then presented Brookstone's Pay Application ("PA") No. 18 in the amount of \$431,191.02. Mr. Mathes answered various questions from the Commissioners regarding same. 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 PA No. 18 in the amount of \$431,191.02.

Ms. Crone stated that the buyer of the house located on the Central Station property has not responded to the District's correspondence sent on October 28, 2021. 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 RBAP to send correspondence rescinding the District's acceptance of the buyer's offer, if the buyer has not responded to the October 28, 2021 correspondence by November 27, 2021. 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 authorize publication of notice of sale of the house in the event the District rescinds its acceptance of the buyer's offer. Ms. Crone stated she would work with Mr. Dill to have the house listed on MLS.

Chief Meier requested the Board authorize a budget of \$1.4 million for furnishings for the Central Station. Commissioner Krenek made a motion and Commissioner Stacy seconded same, to authorize a budget of \$1.4 million for furnishings for the Central Station. A discussion ensued regarding such furnishings and the desire not to micromanage District staff but still see the budgeted line items and contingencies. Ms. Crone stated that once a list of the District's furnishings need is completed, it will be presented to the Board. The Board then voted to unanimously pass the motion.

CROSS CREEK RANCH ("CCR") STATION DESIGN AND CONSTRUCTION INCLUDING PAY APPLICATIONS, CHANGE ORDERS AND ALLOWANCE TRANSFERS

Mr. Martinez next reported on the status of the construction of the temporary CCR Station. Mr. Martinez reported that there are eleven (11) bidders for this project and that Martinez will present such bids at the December Board meeting. A discussion ensued regarding timing of review of bids for construction. Commissioner Stacy asked if the vent head at the temporary station is installed. Chief Meier responded affirmatively. Mr. Martinez presented PA No. 4 from LaW Construction and Consulting in the amount of \$49,144.45 for the temporary CCR station construction. Upon motion by Commissioner Pechukas, seconded by Commissioner Stacy, after full discussion and the question being put to the Board, the Board voted unanimously to approve PA No. 4 in the amount of \$49,144.45.

JORDAN RANCH STATION DESIGN

Mr. Martinez next reviewed the status of design of the Jordan Ranch Fire Station and the construction delivery method of Construction Manager at Risk.

FUTURE STATION LOCATIONS, RELATED FEASIBILITY ASSESSMENTS AND OTHER DUE DILIGENCE MATTERS, INCLUDING AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS ON PROPERTY

CONVENE IN EXECUTIVE SESSION

Commissioner McJunkin then stated that the Board would enter into Executive Session to discuss real estate matters.

All meeting attendees, with the exception of all members of the Board present, Ms. Adams, Ms. Abedinzadeh, Ms. Rodriguez, Mr. Dill, Chief Meier, Ms. Crone, Chief Goates, Ms. Bone and Mr. Melendez exited the meeting at 8:43 a.m.

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.072 regarding real estate matters, Commissioner McJunkin convened the Board into Executive Session at 8:44 a.m. The persons present in the Executive Session at various times were Commissioners McJunkin, Krenek, Stacy, Kuykendall and Pechukas, Chief Meier, Ms. Crone, Chief Goates, Ms. Bone, Mr. Melendez, Ms. Adams, Mr. Dill, Ms. Abedinzadeh and Ms. Rodriguez.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 9:36 a.m. and Commissioner McJunkin reconvened the meeting in open session, 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 Mr. Dill to take the actions regarding real estate matters, as discussed in Executive Session.

RFQS FOR PROJECT MANAGEMENT SERVICES

It was the consensus of the Board to remove this item from future agendas.

AUTHORIZE ENGAGEMENT OF AUDITOR FOR PREPARATION OF DISTRICT'S FISCAL YEAR ENDING ("FYE") DECEMBER 31, 2021 AUDIT ("2021 AUDIT")

Ms. Crone presented to and reviewed with the Board the engagement letter from Breedlove & Co., P.C. ("Breedlove"), the District's auditor, for the preparation of the 2021 Audit. Ms. Crone noted that the fee would be approximately \$16,000. Upon motion by Commissioner Pechukas, seconded by Commissioner Krenek, after full discussion and the question being put to the Board, the Board voted unanimously to authorize engagement of Breedlove for the preparation of the 2021 Audit.

REVIEW AND APPROVE INTERLOCAL AGREEMENT FOR THE COLLECTION OF TAXES

Ms. Adams presented to and reviewed with the Board the Interlocal Agreement for the Collection of Taxes with Fort Bend County (the "County"), the County Tax Assessor/Collector which had been reviewed by RBAP. Upon motion by Commissioner Krenek, seconded by Commissioner Stacy, after full discussion and the question being put to the Board, the Board voted four (4) votes in favor and one (1) abstention, with Commissioner Pechukas abstaining, to approve the Interlocal Agreement for the Collection of Taxes.

REVIEW AND APPROVE RESOLUTION CASTING BALLOT FOR FORT BEND COUNTY APPRAISAL DISTRICT ("FBCAD") BOARD OF DIRECTORS ELECTION

The Board next considered the Resolution Casting Ballot for FBCAD Board of Directors Election. A discussion ensued regarding the candidates and number of votes allotted to the District. Ms. Adams explained that the District could cast all 20 votes to one (1) candidate, or split the votes amongst multiple candidates. 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 Resolution Casting Ballot for FBCAD Board of Directors Election thereby casting its 20 votes for Mr. Jim Kij.

AUTHORIZE RECOMMENDATION TO FORT BEND COUNTY COMMISSIONER'S COURT ("COMMISSIONER'S COURT") FOR APPOINTMENT OF DISTRICT COMMISSIONERS

Ms. Crone stated that Commissioners McJunkin, Stacy and Pechukas' terms of office are expiring. The Commissioners expressed their desire to continue serving the District. Upon motion by Commissioner Kuykendall, seconded by Commissioner Krenek, after full discussion and the question being put to the Board, the Board voted four (4) votes in favor and one (1) abstention, with Commissioner Pechukas abstaining, to authorize sending recommendation to County Commissioner's Court for reappointment of Commissioners McJunkin, Stacy and Pechukas.

DISTRICT ADMINISTRATIVE REPORT

Ms. Crone next presented to and reviewed with the Board the District Administrative Report. Ms. Crone reported that the District has hired six (6) firefighters. Ms. Crone stated that she toured the Cy-Fair Fire Department to see its administrative and maintenance set-up and encouraged the

Commissioners to do the same after the New Year. Ms. Crone also reviewed the District's holiday schedule. Ms. Crone reminded the Board about the SAFE-D conference in February.

FIRE CHIEF RUN REPORT

Chief Meier reported that there were 335 calls in the prior month. A discussion ensued regarding the fires reported in October, specifically the Weston Lakes Fire, and the Weston Lakes Property Owners' Association meeting regarding same.

There being no further business to come before the Board the meeting was adjourned at 10:01 a.m.

PASSED, APPROVED, AND ADOPTED this 21st day of December, 2021.

(DISTRICT SEAL)


Secretary, Board of Commissioners