

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

JANUARY 18, 2022

**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, January 18, 2022, at 8:00 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

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| 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, except Commissioner Stacy, thus constituting a quorum. The following District employees were in attendance: Fire Chief Herc Meier; Ms. Brandi Crone, Chief Operations Officer ("COO"); 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 Anandel of BRW Architects ("BRW"); Mr. Ricardo Martinez of Martinez Architects ("Martinez"); Messrs. Sebastian Garcia and Chuck Mathes of Brookstone Construction ("Brookstone"); Mr. Brad Dill of BD Realty Advisors ("BD Realty"); and Mr. Chad Nesvadba, P.E. of Huitt-Zollars, Inc. ("Huitt-Zollars" or "Engineer").

WHEREUPON, the meeting was called to order at 8:02 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.

CONFIRM APPOINTMENT OF COMMISSIONERS, INCLUDING QUALIFY COMMISSIONERS AND ADMINISTER OATHS OF OFFICE

Ms. Crone proceeded to administer the Oaths of Office to Commissioner-Appointees McJunkin and Pechukas. It was noted that Commissioners McJunkin and Pechukas were appointed to the following term of office: January 1, 2022 to December 31, 2023.

Ms. Crone then presented the Affidavit of Commissioner to Commissioners McJunkin and Pechukas, who executed same, thereby verifying their qualifications to serve as Commissioner of the District.

Ms. Crone presented Commissioners McJunkin and Pechukas with their sworn Statement of Appointed Officer, as required by the Texas Constitution, which statement was then duly executed by Commissioners McJunkin and Pechukas.

ELECT OFFICERS

The Board tabled this matter until Commissioner-Appointee Stacy has been sworn in.

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 would occur unless a Commissioner or a member of the public requests that an item be moved to the regular portion of the agenda. Commissioner McJunkin requested the list of disposed surplus property and Order Granting COO Authority to Declare Property as Surplus or Salvage and Dispose of or Discard Same ("Surplus Property Order") be removed from the consent 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 December 9, 2021 and December 21, 2021 meetings; and
2. Bookkeeper's Report, including authorize payment of bills.

LIST OF DISPOSED SURPLUS PROPERTY

Ms. Crone presented to and reviewed with the Board the list of disposed surplus property. Chief Meier noted the large supply of air bottles does not match the current air packs. A discussion ensued regarding the surplus property noted there on and the disposition of same.

SURPLUS PROPERTY ORDER

In response to a question, Ms. Adams stated that state law outlines the methods for disposing of surplus property. A discussion ensued regarding granting the COO authority to declare property as surplus and the Board's involvement in same. Ms. Adams noted that such authority was previously granted to Ms. Crone in her previous position of Business Manager and this order only updates her title to COO. Upon motion by Commissioner Pechukas, seconded by Commissioner Kuykendall, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Surplus Property Order.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

CENTRAL STATION AND FIRE TRAINING FACILITY CONSTRUCTION

Mr. Mathes provided an update regarding the construction of the Central Station. Mr. Mathes reported that the first inspection of the hood vent by the Fort Bend County (the "County") Fire Marshal went well. Mr. Mathes went on to report that the County Environmental Health Department ("Environmental Health") desires to inspect the grease trap. A discussion ensued regarding the grease trap inspection and whether or not it was a requirement of Environmental Health when it was installed.

Mr. Dill entered the meeting at this time.

Mr. Mathes then presented Brookstone's Pay Application ("PA") No. 20 in the amount of \$359,806.97. A discussion ensued regarding the remaining retainage amount. 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 PA No. 20 in the amount of \$359,806.97.

A discussion ensued regarding the items for the time capsule at the Central Station.

Ms. Crone stated that she and Chief Meier met with Mr. Dill to inspect the house located on the Central Station property and Mr. Dill recommended demolishing it, or alternatively, utilizing it for training purposes. A discussion ensued regarding the District's liability in connection with the house. The Board also discussed whether to give the house to someone willing to pay the moving costs. 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 advertise the house for no cost, with the purchaser paying all removal costs and with no cost to the District for the next 30-60 days.

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

Mr. Martinez went on to report on the status of the permanent CCR Station. Mr. Martinez reported that he is still reviewing the Construction Manager at Risk ("CMAR") agreement with Brookstone and would forward to RBAP for legal review.

JORDAN RANCH STATION DESIGN

Mr. Martinez next reviewed the status of design of the Jordan Ranch Station. Commissioner Pechukas expressed that he did not want the District to look at other properties for the station and would like to move forward with utilizing the property the District currently owns.

FULSHEAR STATION DESIGN

Ms. Crone reported that she will be meeting with PGAL prior to executing the pre-design agreement.

FUTURE STATION LOCATIONS, RELATED FEASIBILITY ASSESSMENTS AND OTHER DUE DILIGENCE MATTERS

Ms. Adams asked that this item be discussed further in Executive Session.

PERSONNEL MATTERS

Ms. Crone asked that this item be discussion further in Executive Session.

ACQUISITION AND INSTALLATION OF TELEPHONE SYSTEM

Chief Meier reminded the Board that it previously approved an agreement for a cloud-based telephone system with DataVox, Inc., but that Comcast Enterprise Services ("Comcast") provided a lower quote for such services. Chief Meier reported that installation through Comcast would be \$796.00 and the monthly service bill for all District stations would be \$495.05. 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 approve the Master Service Agreement with Comcast, subject to review by RBAP.

PURCHASE OF UTILITY VEHICLE ("UTV")

Chief Meier requested the Board consider the purchase of a Polaris RANGER XP 1000 ("Polaris") UTV for approximately \$21,000.00. A discussion ensued regarding various uses for a Polaris UTV. Chief Meier reported that District branding of the Polaris UTV would cost approximately \$10,000.00. 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 the purchase of a Polaris UTV with District branding at a cost not to exceed \$31,000.00.

ANNUAL REVIEW OF CONSULTANT CONTRACTS

The Board tabled this matter until the January 25th special Board meeting.

DISTRICT ADMINISTRATIVE REPORT

Ms. Crone presented to and reviewed with the Board the District Administrative Report. Ms. Crone provided an update on the SAFE-D registration. Ms. Crone reported that the District has hired three (3) firefighters who will begin work on January 31st. Ms. Crone also reported that she has been in contact with First Arriving, a website development company specifically for emergency and fire services, for pricing and quotes to build the District a website for recruiting purposes.

FIRE CHIEF RUN REPORT

Chief Meier reported that there were 322 calls in the prior month. Chief Meier reported that dispatch through WestCom Communications Center ("WestCom") is going well. Chief Meier stated that WestCom provides on-site dispatch. Chief Meier went on to report on the response to a grass fire over the prior weekend.

CONVENE IN EXECUTIVE SESSION

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

All meeting attendees, with the exception of all members of the Board present, Chief Meier, Ms. Crone, Chief Goates, Ms. Bone, Mr. Nesvadba, Mr. Dill, Ms. Adams, Ms. Abedinzadeh and Ms. Rodriguez exited the meeting at 9:19 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 and Section 551.074, regarding personnel matters, Commissioner McJunkin convened the Board into Executive Session at 9:20 a.m. The persons present in the Executive Session at various times were Commissioners McJunkin, Krenek, Kuykendall and Pechukas, Chief Meier, Ms. Crone, Chief Goates, Ms. Bone, Mr. Nesvadba, Mr. Dill, Ms. Adams, Ms. Abedinzadeh and Ms. Rodriguez.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 10:09 a.m. and Commissioner McJunkin reconvened the meeting in open session, at which time the Board took the following action:

Upon motion by Commissioner Pechukas, seconded by Commissioner Kuykendall, after full discussion and the question being put to the Board, the Board authorized Mr. Dill to negotiate the price of real property as discussed in Executive Session.

There being no further business to come before the Board the Board meeting was adjourned at 10:09 a.m.

PASSED, APPROVED, AND ADOPTED this 15th day of February, 2022.

(DISTRICT SEAL)


Secretary, Board of Commissioners

