

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

MAY 26, 2022

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 Thursday, May 26, 2022, at 6:00 p.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, except Commissioners Krenek and Stacy, thus constituting a quorum. The following District employees were in attendance: Fire Chief Herc Meier; Assistant Chief Wade Goates; and Ms. Karol Bone, Administrative Assistant. Also in attendance were District consultants: Ms. Sholeh Abedinzadeh, attorney, and Ms. Raechel Rodriguez, legal assistant (via teleconference), of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorney for the District; Ms. Kaye Townley (via teleconference) of Municipal Accounts & Consulting, L.P. ("MAC"), bookkeeper for the District; Messrs. Sebastian Garcia and Chuck Mathes (via teleconference) of Brookstone Construction ("Brookstone"); and Mr. Chad Nesvadba, P.E. of Huitt-Zollars, Inc. ("Huitt-Zollars" or "Engineer"). Also in attendance was Mr. Kevin Leverage of Pink Heals.

WHEREUPON, the meeting was called to order at 6:00 p.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

Mr. Leverage expressed his appreciation for all that the Board does for the residents of the District.

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 new website item be removed from the consent agenda.

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 approve or authorize the item(s) on the Consent Agenda, as follows:

1. Minutes from the April 19, 2022 Board meeting;
2. Bookkeeper's Report, including authorize payment of bills;
3. Quarterly Investment Report; and
4. Approve purchase orders.

NEW WEBSITE COMPANY

A discussion ensued regarding the changes made to the District's website. The Commissioners decided to take no action on this matter.

PINK HEALS PRESENTATION

Mr. Leverage reviewed with the Board Pink Heals' non-profit mission to provide support to women with breast cancer by rallying the community to visit such women with Pink Heals' signature pink fire truck. Mr. Leverage requested space in the District's facilities to house Pink Heals' vehicles subject to an agreement establishing that the District would have no liability in relation to housing the vehicles at District facilities. Ms. Abedinzadeh stated RBAP could either prepare such agreement or Mr. Leverage could provide RBAP with a Pink Heals' agreement to review. Mr. Leverage stated he would search for such agreement.

Mr. Leverage then answered questions from the Board regarding Pink Heals' employees and financials.

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 authorize RBAP and District staff to work with Pink Heals to prepare an agreement to house Pink Heals' vehicles in District facilities.

STATUS OF CROSS CREEK RANCH ("CCR") AND JORDAN RANCH STATIONS CONSTRUCTION FINANCING

Ms. Abedinzadeh provided the Board with an update on the District's construction financing, noting that Mr. Bill Blich, of Blich Associates the District's financial advisor, has requested bids from potential lenders. Ms. Abedinzadeh then reviewed with the Board the list of potential lenders for the District's construction financing and confirmed no other potential lenders from whom the Commissioners wanted to request a bid.

AUTHORIZE DESIGNEE TO TRANSFER FUNDS TO NEW FIRST NATIONAL BANK

Ms. Townley then reviewed with the Board the need to authorize Ms. Ghia Lewis of MAC to transfer funds between District accounts. 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 Ms. Lewis to transfer funds between District accounts.

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 reviewed the status of the final punch list, noting that some materials, such as trim panels, lights, residential appliances and impact resistant glass, were reordered with no set delivery date for such items. Commissioner Pechukas asked when Central Station would be fully staffed, to which Chief Meier replied that Central Station would be operational before the June 23rd Board meeting and the District would split staff between Central Station and Station 1.

Chief Meier went on to report that the previously-authorized Central Station furnishings purchases were made and, due to shortages, have not yet been delivered.

Mr. Mathes then presented Brookstone's Pay Application ("PA") No. 24 in the amount of \$692,449.56. 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. 24 in the amount of \$692,449.56. Commissioner McJunkin noted that he, Chief Meier and Ms. Brandi Crone, the District's Chief Operations Officer, met with Mr. Mathes regarding the status of the final PA and a Brookstone requested Change Order for the Central Station construction.

Commissioner McJunkin went on to provide background on the issues with the rusted doors installed at Central Station. Chief Meier stated he met with Door Engineering & Manufacturing ("DEM") and asked what DEM would do to compensate the District for the District's losses caused by DEM's quality control issues. Chief Meier reported that DEM offered to extend the warranty on the locking mechanism to ten (10) years as compensation. 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 accept DEM's offer of the ten (10)-year extended warranty for the locking mechanism on the doors.

Chief Meier and Ms. Bone reported to the Board that the District received payment in the amount of \$1,500.00 and the Bill of Sale has been executed for the house on the Central Station property. Chief Meier and Ms. Abedinzadeh provided an update on the timeline of moving such house off the Central Station property.

A discussion ensued regarding the delays for materials and furnishings and the hope of such being delivered in June.

CCR STATION DESIGN AND CONSTRUCTION INCLUDING PAY APPLICATIONS, CHANGE ORDERS AND ALLOWANCE TRANSFERS

Mr. Garcia stated that Brookstone publicly bid for subcontractors for the project and recommended accepting Alliance Steel Building System's ("ASBS") proposal in the amount of \$30,632 for shop drawing submittals for structural steel. Mr. Garcia went on to report that the

Addendum to the Construction Manager At Risk ("CMAR") Contract for the Gross Maximum Price is still pending final pricing.

Ms. Abedinzadeh reported that the CMAR Contract and General Conditions with Brookstone for CCR has been fully executed.

Chief Meier went on to state that, with regard to the public bids requested by Brookstone, he and Ms. Crone previously discussed this matter with Brookstone and told Brookstone not to request bids at this time due to specifications not yet being finalized. Mr. Garcia stated that Brookstone proceeded with requesting bids to avoid delays. 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 accept the bid from ASBS in the amount of \$30,632 for the release of shop drawings for structural steel.

Chief Meier presented to the Board a proposal from Johnson Controls Fire Protections LP ("JCI") for the installation of a required fire alarm panel with devices for the CCR temporary station. 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 accept the proposal in the amount of \$11,428.09 from JCI for the installation of the fire alarm panel with devices, subject to RBAP's review of the Terms and Conditions for same.

JORDAN RANCH STATION DESIGN

There was nothing to report at this time.

FULSHEAR STATION DESIGN

There was nothing to report at this time.

AUTHORIZE THE PURCHASE OF A 2022 JEEP WRANGLER

Chief Meier requested the Board consider purchasing a 2022 Jeep Wrangler ("Wrangler") for approximately \$65,000.00 to use for recruitment and operational purposes. Chief Meier reported that District recruiters were requesting a Wrangler wrapped in the District's logo and information so that they could easily transport the recruitment materials. Chief Meier stated that the Wrangler would also be lifted and have equipment installed so that it could be used for day-to-day operations and rescues. Chief Meier reported that the wrapping cost would be about \$4,600.00 and the lift cost would be approximately \$21,500.00. 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 authorize the purchase of a Wrangler, including wrapping with the District's logo and information and lifting, for an amount not to exceed \$91,100.00. When asked if pricing was through a purchasing cooperative, Chief Meier stated that he would procure at least three (3) bids for such purchase by mail and accept the lowest bid because the Wrangler was not available through a purchase cooperative.

UPGRADE HYDRAULIC TOOLS AND FANS ON THREE (3) NEW ENGINES FROM GAS TO BATTERY

Chief Meier next reported to the Board that three (3) gas-operated engines were delivered, but that there is an option to upgrade to battery-operated fans and hydraulic tools for such engines. Chief Meier requested the Board consider authorizing the purchase of the battery-operated fans and hydraulic tools for \$10,000.00 per engine. In response to a question from Commissioner Pechukas, Chief Meier explained that the battery-operated fans and hydraulic tools are more environmentally friendly and work better in certain environments while being just as reliable as gas-operated engines. Chief Meier noted the proposal was for \$37,000.00 but that he anticipates negotiating the price down to \$30,000.00. 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 authorize the purchase of battery-operated fans and hydraulic tools to upgrade the three (3) engines for a cost of \$30,000.00.

DISTRICT ADMINISTRATIVE REPORT

Commissioner Pechukas stated that he would like the District to be involved in more community engagement activities. Chief Meier responded with his expectations for the grand opening of the Central Station. Commissioner Pechukas expressed his desire for such event to be a family-friendly event held on a Saturday to maximize community engagement. Commissioner McJunkin stated that he hopes the June Board meeting will be held at Central Station, but that Central Station needs to be fully operational prior to the grand opening. A discussion ensued regarding the possibility of a soft opening prior to the grand opening, which would include a tour for community leaders and politicians. Commissioner Kuykendall expressed his desire to have the entire Board present, despite it being a quorum, for the grand opening of the Central Station and that he currently did not see the need for a soft opening. A discussion ensued regarding the notice requirements for a quorum.

Commissioner Pechukas then stated that he would like to deliver breakfast to firefighters to show his appreciation and engage with District staff.

FIRE CHIEF RUN REPORT

Chief Meier reported that there were 303 calls in the prior month. Chief Meier stated that he and Chief Goates attended a fire chief convention. Chief Meier also requested the Board consider the purchase of a tiller truck with ladder to assist other engines with additional manpower in the future. Chief Meier noted that the Fire-Rescue International - International Association of Fire Chiefs Conference will be August 24-26 in San Antonio, Texas.

PERSONNEL MATTERS

Chief Meier reported that two (2) full-time firefighters have begun working for the District and that the District also hired four (4) part-time firefighters the prior month. Chief Meier went on to report that no employees have been terminated and that one (1) employee recently resigned.

AMEND FISCAL YEAR ENDING ("FYE") DECEMBER 31, 2022 BUDGET (THE "2022 BUDGET")

CONVENE IN EXECUTIVE SESSION

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

All meeting attendees, with the exception of all members of the Board present, Chief Meier, Ms. Bone, Ms. Abedinzadeh and Ms. Rodriguez exited the meeting at 7:32 p.m.

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.074, regarding personnel matters, Commissioner McJunkin convened the Board into Executive Session at 7:35 p.m. The persons present in the Executive Session at various times were Commissioners McJunkin, Kuykendall and Pechukas, Chief Meier, Ms. Bone, Ms. Abedinzadeh and Ms. Rodriguez.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 8:26 p.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 voted unanimously to approve a six percent (6%) salary adjustment for District staff, excluding Chief Meier and Ms. Crone, with the stipulations discussed in Executive Session, thereby amending the 2022 Budget.

There being no further business to come before the Board the Board meeting was adjourned at 8:27 p.m.

PASSED, APPROVED, AND ADOPTED this 23rd day of June, 2022.

(DISTRICT SEAL)



Thomas C. Kuykendall Jr.
Secretary, Board of Commissioners