

1. Establish quorum and call to order: President D. McJunkin established a quorum and called the meeting to order at 8:04am. Other Commissioners present were: B. Warren, K. Stacy, E. Krenek and T. Kuykendall. Guests present were Barbara Minton, Synda Frost and Robert Frost. District employees in attendance were: Brandi Crone, Business Manager; Karol Bone, Administrative Assistant; Chief Herc Meier; and Assistant Chief Wade Goates. Consultants in attendance were: Kaye Townley with Municipal Accounts and Consulting, District bookkeeper; and Regina D. Adams with Radcliffe Bobbitt Adams Polley PLLC (“RBAP”), District general counsel.
2. Citizens Inquiry: Mrs. Frost addressed agenda item # 4d and began by stating she believes that tax revenues collected by the District should be used for fire protection only and not for any type of proposed park. Mrs. Frost stated Dr. Daley donated land for a park three (3) years ago west of the proposed park site off FM1093 and it is a 120-acre park with ample area for sports fields. Mrs. Frost added that other taxpayers she had spoken with all felt the same way. Ms. Minton then addressed the Board and said she agreed with Mrs. Frost and that she also feels that having a park so close to the fire station could cause safety concerns due to the additional traffic and children playing in the area.
3. Review and approve minutes from the June 18, 2019, July 16, 2019 meeting, July 30, 2019 meeting and July 30, 2019 budget workshop: Commissioner T. Kuykendall motioned to accept all the minutes as presented; Commissioner K. Stacy seconded the motion; all voted AYE, motion passed.
4. District Real Estate and Construction Matters:
  - a. Review status of property exchange including publication of proposed property exchange (1.4 acres/3 acres): Ms. Adams asked if any offers on the property in question had been received pursuant to the publication of notice of land exchange and Ms. Crone responded none were received. Commissioner E. Krenek motioned to authorize the land exchange with Twinwood Development, LLC for the 1.4 acres and 3 acres and approve the special warranty deeds for same; Commissioner T. Kuykendall seconded the motion; all voted AYE, motion passed.
  - b. Status of EOC and Fire Training Facility design and construction: Chief Meier reported that he would like for the District to send plans to Fort Bend County (“FBC”) for review and approval. The Board and Chief Meier then discussed the east and west emergency exits to the property and it was noted that they meet the location/distance requirements and the detention allotment does as well. Commissioner Krenek asked how many acres are on the west side of the property for detention. Chief Meier responded 22 acres, which is enough for any future build-out, training site or driving course.
  - c. Review options for disposition of District property on FM 1093 including draft Interlocal Agreement for Conveyance of Real Property with FBC and draft Interlocal Agreement for Lease of Real Property with FBC: This item was suspended until after executive session.
  - d. Potential action on disposition of approximately 12 acres of District property on FM

- 1093: This item was suspended until after executive session.
- e. Review future station locations: Ms. Crone reported that she has been working with the City of Fulshear ("Fulshear") to obtain copies of development agreements that are within the Fulshear city limits and Fulshear extraterritorial jurisdiction to determine if any developments contain designated areas for fire protection. Chief Meier stated that typically fire protection is not high on developers' priority list. Chief Meier continued by suggesting the Board designate a representative to work with developers to include fire protection when developments are being platted and that representative could also work with Commissioner Meyers' office and Fulshear to communicate the District's needs. Commissioner Kuykendall suggested that if the District supplies Fulshear and Commissioner Meyers with its needs and then work together, it would benefit everyone. Commissioner McJunkin suggested appointing Commissioner Kuykendall as liaison to Commissioner Meyers' office to meet and discuss plats on behalf of the District before final approval is granted. Commissioner Kuykendall stated Fulshear is updating its ordinances and could require approval from the District before granting final approval, adding that it's already in the guidelines, but is not enforced. Commissioner Stacy motioned to authorize RBAP to prepare a letter to the three cities within the District (Fulshear, Simonton and Weston Lakes) and Commissioner Meyers office regarding providing the District with development plats before their final approval; Commissioner Krenek seconded the motion; all voted AYE, motion passed. Commissioner Kuykendall volunteered to be the liaison with Commissioner Meyers office regarding the plat review process. Commissioner Krenek then motioned to appoint Commissioner Kuykendall as the District's liaison with Commissioner Meyers office regarding the platting review process on developments in the county; Commissioner Stacy seconded the motion; all voted AYE, motion passed.
  - f. Status of Temporary Station #4: Chief Meier reported that the temporary station could be on the same site as the proposed permanent station. Ms. Crone then discussed the temporary building that Harris County ESD 48 utilizes at its new Katy station location and that the District is looking at the same design. Chief Meier stated he would have proposals for obtaining the buildings at the next meeting.
5. Bookkeeper's Report, including authorize payment of bills: Ms. Townley presented the bookkeeper's report and asked the Commissioners if they like the addition of the percentage column to the budget and everyone responded affirmatively. Commissioner B. Warren motioned to accept the bookkeeper's report with a correction to the date on page 9 to "July 31, 2019" and to approve the list of bills for payment; Commissioner T. Kuykendall seconded the motion; all voted AYE, motion passed.
  6. Design to replace Station 1 and new Station 4: Ms. Crone explained Fulshear's proposed future plans and how that will affect the Station 1 location and the District's future goals. There was a brief discussion about station names. Chief stated that Station 4 will be located in the Cross Creek Ranch/Tamarron area. Chief Meier added that the new building to be located on the 5<sup>th</sup> St. property and the adjacent property is the station District administration is looking to move forward with on the design. Chief Meier asked for authorization to proceed with the design of both Station 1 and 4.

Commissioner Warren stated the money for this work is in the budget and motioned to authorize District administration to request proposals/qualifications for the design of Stations 1 and 4 and authorize the use of District funds allocated in retained earnings for same; Commissioner K. Stacy seconded the motion; all voted AYE, motion passed.

7. Review and adopt Fiscal Year Ending December 31, 2020 Budget: Chief Meier presented the proposed budget and explained some of the modifications made to the proposed budget that will allow an additional \$1.5 million to be used for capital outlay. Chief Meier stated the District would need approximately \$22 - \$23 million for 3 stations (the EOC at \$10 million, and Station 4 and Fulshear Fire at \$6.750 million each). Commissioner Kuykendall suggested adding a summary explaining the District's strategic capital plan. Commissioner E. Krenek motioned to adopt the fiscal year ending December 31, 2020 budget, as presented; Commissioner B. Warren seconded the motion; all voted AYE, motion passed.
8. Review and establish proposed 2019 effective tax rate: Ms. Crone briefly reviewed the tax rate calculations, based upon the 2019 taxable value of \$8,253,096,700, as provided by FBC Appraisal District, and explained the requirements for publication and required tax public hearings if the Board decides to propose a tax rate above the effective rate of \$0.095081/\$100. Commissioner T. Kuykendall motioned to propose a 2019 tax rate for publication of \$0.10/\$100 valuation, due to the growth in the District and the proposed construction of 2-3 new fire stations by the District; Commissioner B. Warren seconded the motion; all voted AYE, motion passed.
9. Set public hearing dates, if necessary, and authorize publication of effective tax rate: After review of the 2019 planning calendar provided by the FBC Tax Assessor, Commissioner E. Krenek motioned to authorize the publication of the proposed 2019 tax rate and hold the required tax public hearings on Tuesday, September 3, 2019 at 8:30am and Tuesday, September 10, 2019 at 8:30am and adopt a 2019 tax rate at the regular meeting on September 17, 2019 at 8:00am; Commissioner T. Kuykendall seconded the motion; all vote AYE, motion passed.
10. Review proposed policy establishing official spokespeople for Fulshear Simonton Fire Department ("FSFD"), District Management and District Board: Commissioner McJunkin explained the need for an official spokesperson for FSFD and the District and suggested that the District establish a policy for same. Commissioner McJunkin continued that the policy would appoint the following: Chief Meier, FSFD and Ms. Crone, Public Information Officer for the District. Commissioner McJunkin also stated that the policy would provide clearer explanation of who does what on behalf of the District. Commissioner McJunkin said the goal is to communicate the Board's policies and plans through one mouthpiece, and address requests for public speaking on behalf of the District to be channeled through the District's administrative office so that such engagements can be coordinated and then asked for a motion to adopt the policy. Commissioner B. Warren motioned to adopt such policy; Commissioner K. Stacy seconded the motion and asked if this would have any effect on the earlier appointment of Commissioner Kuykendall as liaison with FBC on future developments within the

ESD, the response was that such appointment is not affected; all voted AYE, motion passed.

11. District Administration Report: Ms. Crone reported that the new computers for District staff and Commissioners had been ordered and there was an additional savings of \$1,000. Ms. Crone added that Henry Ngo would be available for training, if necessary. Commissioner McJunkin reported he is working with Ms. Crone to improve the District's website to include more fire department and District information and will ask Mr. Ngo any questions regarding "ransomware". Ms. Adams reminded everyone of the cyber security seminar RBAP and others are hosting on September 14. Ms. Adams also proposed establishing a District policy regarding public information contained on private devices of Commissioners and District employees.
12. Fire Chief Run Report: Chief Meier reported there were a total of 199 calls for the month of July, with Station 3 receiving twice the number of calls as Station 1. He noted there is a countywide burn ban in effect and that the burn ban implementation procedure is for the FBC Fire Marshall's Office to recommend implementation of a burn ban to FBC Commissioners Court, who then vote to establish such ban. Further, once FBC Commissioners Court places the burn ban into effect, the FBC Fire Marshall is responsible for notifying the public. Commissioner Kuykendall suggested the District could also post this information on its website. Chief Meier also gave a brief review of the community forum on emergency services held in the Tamarron subdivision on Monday, August 19, 2019.
13. Adjourn to Executive Session to discuss matters concerning pending or contemplated litigation, consultation with attorney, real property, or personnel, as authorized pursuant to Texas Government Code, Section 551.071, et seq: The Board adjourned to executive session at 9:45am and reconvened to general session at 10:05am. There was no action to be taken and it was noted that FBC has rescinded its request for the 12-acre property donation on FM1093.
14. Adjourn: Commissioner B. Warren motioned to adjourn the meeting; Commissioner K. Stacy seconded the motion; all voted AYE, motion passed. The meeting was adjourned at 10:07am.

Passed and approved this 15 day of October, 2019.



K. Stacy  
Secretary, Board of Commissioners