

1. Establish quorum and call to order: President D. McJunkin established a quorum and called the meeting to order at 8:00am. Other Commissioners present were: K. Stacy, E. Krenek, T. Kuykendall and R. Pechukas. 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 of Municipal Accounts and Consulting (“MAC”), District Bookkeeper; Regina Adams of Radcliffe Bobbitt Adams Polley, LLC (“RBAP”), District general counsel; and Bill Blich of Blich Associates, District Financial Advisor. Guests in attendance were: Brad Dill of BD Commercial Real Estate Brokers and Howard Katz.
2. Public Comment: None.
3. Minutes from the February 18, 2020 meeting: Commissioner Kuykendall motioned to approve the minutes as presented, Commissioner Pechukas seconded the motion; all voted AYE, motion passed.

Skip to item #4e

- 4e. Proposal from BD Commercial Real Estate Brokers: Ms. Adams began by explaining the reason for Mr. Dill’s attendance was due to the Board’s review and request for modifications to his proposal from the February Board meeting. Ms. Adams also noted that she reviewed such revisions after they were made by Mr. Dill. Mr. Dill then went through his proposal further explaining the differentiation in the services provided and under which method of compensation applied to each. Commissioner Krenek asked, that given the cost associated with the preparation of Mr. Dill’s reports, what they would entail. Mr. Dill shared copies of reports prepared for other ESD’s for the Board’s review. Commissioner Stacy stated she appreciated the presentation and examples of his past work. Commissioner Stacy motioned to engage BD Commercial Real Estate Brokers and noted that the costs are very reasonable for the services to be provided, and accept the proposal as presented, Commissioner Krenek seconded the motion; all voted AYE, motion passed. Mr. Dill presented President McJunkin with the agreement for execution and collected the reports presented earlier in the meeting.
- 4aii. Financing options for partial construction costs and authorize proceeding with financing: Mr. Blich began by stating, due to the volatile market and catastrophic changes that had occurred in the past week due to the COVID-19 pandemic, he had not received anything from Amegy Bank. Ms. Crone presented the proposal received from Blake Kauss with Community Leasing Partners (“CML”) and reviewed the offered terms and rates with the Board. Commissioner Krenek asked when the District would be able to begin construction and Ms. Crone replied the District was still awaiting the approved septic design. Commissioner Stacy stated that this quote from CML was actually lower than the previous quote CML provided when Ms. Crone first sought out rate information. Mr. Blich stated, he had reviewed the proposal from CML and if this rate was still holding he would advise the Board to move forward with CML. Commissioner Stacy motioned to move forward with the proposal from

CML for a ten (10) year loan at an interest rate of 2.42% for partial construction costs for the Emergency Operations Center, Commissioner Pechukas seconded the motion; all voted AYE, motion passed.

Skip to item #6

6. Fort Bend County Appraisal District (“FBCAD”) investigation on prior years’ taxation of a portion of the Tamarron subdivision area: Ms. Adams reviewed with the Board the FBCAD’s general counsel’s memorandum regarding the status of the prior years’ taxes for a portion of the Tamarron subdivision, as had been discussed at prior Board meetings. Ms. Adams noted that she was not surprised by FBCAD’s investigation results and added that due to the outcome of FBCAD’s internal investigation in to the matter there is no advisable actions for the District to take with regard to this matter. Commissioner Krenek added that the error fell within the FBCAD office and that the District’s annexation and paperwork submission had been done correctly. Mr. Katz stated that the District does not have authority to file suit and suggested that the Board accept the conclusion of FBCAD’s investigation to show the District was part of the discussion. Ms. Adams suggested formalizing the acceptance of the investigation report in the minutes by making a motion to accept the report. The Commissioners asked if the District could request a procedural change within FBCAD regarding annexations and the review of the appraisal records when land is added to a jurisdiction, Ms. Adams responded that, as previously discussed, if the District makes such a request that it should also include an acknowledgement that the District is also responsible for reviewing the appraisal records of the District on an annual basis. Mr. Katz suggested an annual or bi-annual audit of all District tax accounts be performed. Commissioner Krenek suggested accepting FBCAD’s decision and noting in the minutes that the District accepts same and to establish a policy to review the District’s appraisal roll. Commissioner Stacy agreed.
- 4ai. Materials testing proposal: Ms. Crone reviewed with the Board the proposals received and handed out the proposal from Gessner received earlier in the morning. Ms. Crone added that Gessner is the firm that has completed the preliminary materials testing on the EOC site for BRW Architects. Commissioner Kuykendall stated he would like to have more time to review all three proposals and compare “apples to apples”. Ms. Crone stated that a decision did not have to be made at the meeting and could wait until April. Commissioner Krenek added that he had several issues with some of the provisions in the contracts and that all three should be reviewed further. Commissioner Pechukas asked if this item could be postponed for now until everyone had an opportunity to review. Ms. Crone asked the Commissioners to review the proposals and provide her with a list of questions for review at the April Board meeting. Commissioner Kuykendall motioned to postpone this item until a future Board meeting; Commissioner Pechukas seconded the motion; all voted AYE, motion passed.
- 4aiii. Designate authorized signor for change orders: Ms. Crone reported that at the most recent construction meeting with Brookstone, Brookstone suggested designating a District representative to approve and sign change orders to prevent delays.

Commissioner Pechukas asked what type of monetary limit is normal. Further discussions included that change orders could cover a multitude of things and that the signor should be someone who is familiar with the entire project. Ms. Adams suggested authorizing a designated representative to approve change orders in an additive amount not to exceed \$25,000. Commissioner Pechukas motioned to appoint President McJunkin as the authorized signor of change orders including additive change orders for an amount not to exceed \$25,000; Commissioner Krenek seconded the motion; all voted AYE, motion passed.

- 4b. Future station locations: this item was tabled to executive session.
- 4c. Site acquisition for future Station 4 site: Ms. Crone reported that the City of Fulshear is still awaiting the mylar plat to review and there were no further updates. Chief Meier stated that the temporary facility on that site would cost around \$300,000 and will take around 90 days to build. He asked if the Board is still interested in moving forward with purchasing a temporary station to place on the site and the Commissioners responded affirmatively. Chief Meier stated he will provide costs at the April Board meeting.
- 4di. Fencing bid for 2 acre property off Wallis Street: Commissioner Pechukas began by stating that J4 Fencing's proposal included sales tax which would need to be removed. Commissioner Krenek asked how long the training facility would be at the Wallis Street location. Chief Meier responded that it could be as long as five years. Commissioner Stacy stated that anything over 4 feet high along the front of the property would require approval by the City of Fulshear. Commissioner Stacy asked if there would be security cameras and the response was none have been planned at this time. Commissioner Pechukas motioned to approve the bid from Turnbuckle Fencing, as presented; Commissioner Kuykendall seconded the motion; all voted AYE, motion passed. Chief Meier added that the District is responsible for noting the location of any lines, cables, etc. outside of the 811 call locator. Chief Meier also added that the fence would have a 30-foot set back along the front of the property.
- 4dii. Concrete slab bid for training system and tower on 2 acres: Ms. Crone reported she has not received bids for this item yet. Ms. Crone added that the District have to have a set of professional engineer-sealed plans to present to the City of Fulshear for the permit.
- 4f. Request for Qualifications ("RFQ") for Architectural Services for future station design: Ms. Crone and Chief Meier requested authorization to begin the RFQ process for the design of Station 4 and possibly Station 1. Commissioner Pechukas motioned to authorize District personnel to initiate preparation of an RFQ package; Commissioner Stacy seconded the motion; all voted AYE, motion passed. Ms. Adams asked if the Board wanted to review the RFQ package before it is posted if the Commissioners had any architects in mind to send the RFQ. Chief Meier stated that would delay the process. The motion was amended to allow District personnel to create and send out the RFQ for architectural design for Station 4. The amendment passed.

5. Bookkeeper’s Report, including authorize payment of bills: Ms. Townley presented the Bookkeeper’s Report and List of Bills; there were no questions. Ms. Crone asked when MAC would provide a copy of QuickBooks to the auditor and Ms. Townley responded that she hoped to do so by Friday, March 20. Ms. Crone then asked the Commissioners to consider only including the Balance Sheet in the Bookkeeper’s Report annually after the audit had been completed and to review the percentage column and the over/under column on the budget as it is not necessary to have both. Ms. Crone added that no decision needed to be made today. Commissioner Krenek motioned to accept the Bookkeeper’s Report and list of bills as presented; Commissioner Kuykendall seconded the motion; all voted AYE, motion passed.
 - 5a. Close Wallis State Bank Money Market account: Ms. Crone explained that this account was put in place many years ago prior to the District’s ICS account. Ms. Crone added it is at a lower interest rate and would like to move the funds to either ICS or TexasClass. Commissioner Pechukas motioned to close the account; Commissioner Krenek seconded the motion; all voted AYE, motion passed.
 - 5b. 2015 Tower payment or payoff option: Ms. Crone reviewed the payoff information received from Banc of America and Mr. Blich recommended paying off the note. Commissioner Pechukas motioned to authorize paying off the note for the 2015 Tower in full; Commissioner Kuykendall seconded the motion; all voted AYE, motion passed.
7. Mapping overlay from LJA Engineering (“LJA”) verifying tax accounts within District boundaries: Commissioner Kuykendall stated that he, Ms. Crone and Chief Meier had met with George Culver of LJA regarding the GIS mapping tool and reviewed the map with the Board. Commissioner Kuykendall stated that LJA had confirmed the one area of taxing and jurisdictional discrepancy being in Tamarron. Commissioner Kuykendall noted that the cost for this project was proposed at \$1,000. Ms. Adams recommended that the District have the map updated at least annually and Ms. Crone stated the map would include an overlay of all properties added in 2018 and 2019.
8. Creation and administration of District social media accounts: Commissioner Pechukas began by stating this was his request, that recording or live streaming Board meetings in the future would allow for more community contact and transparency. Commissioner Pechukas stated that he believed that social media helped his office to reach out to the public. Commissioner McJunkin added that once the District begins this policy there is no going back, and someone has to maintain the social media platform that is used. Commissioner McJunkin added that currently Ms. Crone is the District’s public information officer (“PIO”) contact and everything should flow through her for approval. Ms. Crone asked how to handle a situation where divergent items are requested for posting by different Commissioners. Commissioner Kuykendall stated he believes the District should move in this direction before the tax rate hearings later in the year. Ms. Adams recommended there be one designated employee or, if the staff were larger, department, to maintain and monitor social media account(s) and that, since the information shared thereon is public information, the Texas Public Information Act must be adhered to and offered to provide a memorandum regarding social media. Commissioner Pechukas motioned to authorize the creation of a District Facebook

account and appoint the District PIO to administer it; Commissioner Kuykendall seconded the motion. Commissioner Stacy asked if this meant the District is going live on Facebook now. Commissioner Pechukas stated it does not have to be live yet, but to establish staffing requirements and that he believes there are more positives than negatives to having it ready. All Commissioners voted AYE, motion passed.

9. Policy for annual reviews of all District contractors: Commissioner Pechukas asked to withdraw this item for the time being and postpone to a future agenda.
10. Fire Department COVID-19 update: Chief Meier reported that normal day-to-day duties were occurring in the department and the staff is taking all recommended precautions. Chief Meier added that Fort Bend County Commissioners Court had authorized \$100K to purchase masks, gowns and other safety items. Assistant Chief Goates reported that steps have been taken for increased safety protocols and procedures and that the 911 call center now has specific questions they are required to ask for certain types of calls. Chief Goates added that the Department will not enter into structures on medical calls due to possible exposure, and this is part of the new procedures. Assistant Chief Goates stated that different jurisdictions may have different response directives and travel restrictions are on a case-by-case basis. Ms. Crone added that the FDIC conference had been cancelled and the per diem checks for same in the list of bills have been voided.
11. Delegation of authority if the Board is unable to meet: Ms. Adams reported that the Texas Governor, via the Texas Attorney General's office, suspended some of the provisions of the Open Meetings Acts and would temporarily allow teleconference or videoconference public meetings with recording of same during the COVID-19 pandemic emergency. Ms. Adams added that the Texas Government Code already provides that if a quorum is not available to meet in person due to a declared disaster, then a quorum of the governing body is not required. Ms. Adams noted that meetings must still be posted more than 72 hours prior to a meeting. Ms. Adams stated that due to the fluctuating nature of the COVID-19 emergency, she did not recommend delegating any additional authority to a specific Commissioner or employee at this time.
12. District Administration Report: Ms. Crone reported the workshop with BRW Architects and Brookstone to meet key personnel would be held at a later date. Ms. Crone added that interviews for part-time firefighters would still take place for now.
13. Fire Chief Run Report: Chief Meier reported there had been a total of 205 calls for February. Station 3 responded to 147 and Station 1 responded to 58 calls.
14. 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 11:04am and reconvened to general session 11:16, at which time no action was taken.

15. Adjourn: Commissioner Pechukas motioned to adjourn the meeting; Commissioner Kuykendall seconded the motion; all voted AYE, motion passed. The meeting was adjourned at 11:16am.

Passed and approved this 22 day of April, 2020.



T. Kuykendall
Secretary, Board of Commissioners

