

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

SEPTEMBER 21, 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, September 21, 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"), attorneys for the District; Ms. Kaye Townley (via teleconference) of Municipal Accounts & Consulting, L.P. ("MAC"), bookkeeper for the District; Mr. Bill Blich (via teleconference) of Blich Associates, Inc. ("Blich"), financial advisor to the District; Ms. Lisa Andel (via teleconference) of BRW Architects ("BRW"); Mr. Ricardo Martinez (via teleconference) of Martinez Architects ("Martinez"); Mr. Chuck Mathes of Brookstone Construction ("Brookstone"); Mr. Brad Dill (via teleconference) of BD Realty Advisors ("BD Realty"); Mr. Chad Nesvadba, 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.

PUBLIC HEARING REGARDING PROPOSED 2021 TAX RATE

The President declared the public hearing open to discuss the District's proposed 2021 tax rate.

There being no comments from the public, the public hearing was adjourned.

ORDER ADOPTING 2021 TAX RATE

Ms. Adams noted that the Board proposed a total 2021 tax rate not to exceed the published rate of \$0.10 per \$100 assessed valuation consisting of \$0.007301 for debt service purposes and \$0.092699 for operations and maintenance purposes.

Commissioner Pechukas noted that any tax increase taxpayers experience was due to value increases. Commissioner Krenek stated the proposed tax rate was well substantiated due to growth in the District requiring more expenditures by the District.

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 adopt the Order Adopting 2021 Tax Rate, thereby levying a total ad valorem tax rate of \$0.10 per \$100 assessed valuation consisting of \$0.007301 for debt service purposes and \$0.092699 for operations and maintenance purposes for the District's fiscal year ending ("FYE") December 31, 2022.

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 will occur unless a Commissioner or a member of the public requests that an item be moved to the regular portion of the agenda. The Commissioners asked questions regarding apparatus repair invoices. Ms. Crone requested that the Grooming Policy item be tabled.

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

1. Minutes of the August 17, 2021 regular meeting, and August 31, 2021 special meeting; and
2. Bookkeeper's Report, including authorizing payment of all bills.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

CENTRAL STATION AND FIRE TRAINING FACILITY CONSTRUCTION

Mr. Mathes then provided an update regarding the construction of the Central Station, including the status of interior construction and exterior facade. Mr. Mathes reported delays due to Texas Department of Transportation. Mr. Mathes further reported that Brookstone located a line owned by AT&T during construction and noted Brookstone will not disturb the line as to avoid liability for damages. In response to a question, Mr. Mathes explained that Brookstone anticipates a solution in 60-70 days. Commissioners McJunkin and Krenek asked about any potential cost increases on materials. Mr. Mathes responded that there is a pending change order for an additional 47 days, but no cost increase at this time, so when asked the same question by Commissioner Krenek, Ms. Anzel concurred with Mr. Mathes.

The Board then discussed the proposed alerting system for the Central Station with District staff as well as the quality of the self-contained breathing apparatus and equipment for the firefighters manning the Central Station. Commissioner Stacy asked the amount of the County Assistance District ("CAD")

funds provided to the District. Ms. Crone responded that the CAD reimbursed \$60,000 to the District in August. Chief Meier noted such funds were enough for such materials for the Central Station and the Cross Creek Ranch ("CCR") Station.

Mr. Mathes then presented Pay Application ("PA") No. 16 in the amount of \$599,649.39. 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. 16.

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

Mr. Martinez next reported on the status of design and construction of the CCR Station. Mr. Martinez presented PA No. 2 from LaW Construction and Consulting in the amount of \$193,543.50 for the CCR temporary station construction. The Board discussed the cost of the Boxx Modular ramp of \$6,600, for which the District had \$1700 allowance which may require utilizing some of the contingency. Ms. Crone noted that the CCR furniture, fixture and equipment selections were under review. Discussion then ensued regarding the sizing of the water meter and the need for it to be sized large enough to serve the permanent CCR Station. 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 approve PA No. 2 and authorize use of up to \$3,500 in contingency and \$1,400 allowance transfer for the Boxx Modular ramp.

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

Discussion ensued regarding potentially installing a project sign at the proposed Jordan Ranch Station property similar to the sign at the CCR Station site. Commissioner Kuykendall expressed concern using verbiage indicating the site as a future station in case the District changes its mind. 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 installing signage at the proposed Jordan Ranch property and authorize Martinez to design same for Board approval.

Ms. Adams recommended that the real property aspect of the item be discussed further in Executive Session.

CONTRIBUTION TO HARRIS COUNTY EMERGENCY SERVICES DISTRICT 48 ("ESD 48") FOR SERVICES RENDERED

Chief Meier reported there was a fire at Mod Pizza and ESD 48 assisted the District with the call. Chief Meier requested the Board authorize a monetary contribution to demonstrate the District's appreciation for ESD 48's efforts and expenditures. A discussion ensued. 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 a \$500 contribution to ESD 48.

SIGNAL PREEMPTION DEVICES

Chief Meier next reported to the Board the status of the signal preemption devices, noting the sole

source for such service in Fort Bend County (the "County") is Paradigm Technologies. The County is placing all signals under one agreement. Chief Meier explained the cost to the District for such service is estimated to be \$75,000 - \$80,000 and requested Board approval of same. Chief Meier added that Fort Bend County EMS ambulances are being outfitted with the hardware and software.

Upon motion by Commissioner Pechukas, seconded by Commissioner Krenek, after full discussion and the question being put to the Board, the Board authorized payment to Paradigm Technologies in an amount not to exceed \$80,000 for signal preemption equipment and for Chief Meier to coordinate with the County engineer regarding key priority intersections.

REQUEST FOR QUALIFICATIONS ("RFQ") FOR PROJECT MANAGEMENT SERVICES

Ms. Adams reminded the Board that at the August 31st Board meeting, the Board requested an item be added to the agenda regarding RFQs for project management services subsequent to the presentation from AG|CM. Ms. Adams explained the role of a project manager, including keeping the project moving and coordinating with all parties to streamline tasks. In response to a question from Commissioner Stacy regarding justification of costs, Ms. Adams stated the responders to the RFQs could provide sample case studies indicating realized cost savings. Further discussion ensued regarding the District's liability and a project manager's liability on construction projects.

Commissioner Krenek stated his support for acquiring a project manager for CCR to ensure that mistakes are identified early on therefore making projects more cost effective. Chief Meier suggested the District appoint Chief Goates as its representative because of his fire marshal experience.

It was the consensus of the Board to table this matter until the October Board meeting.

ORDER REGARDING ANNUAL REVIEW OF RULES, POLICIES AND CODE OF ETHICS FOR THE INVESTMENT OF DISTRICT FUNDS AND REVIEW OF INVESTMENTS ("INVESTMENT POLICY ORDER")

Ms. Adams then reviewed with the Board the Investment Policy Order. Ms. Adams reported that the District is required to review its Investment Policy annually. Ms. Adams then reported that the authorized broker list, which is required pursuant to the Texas Public Funds Investment Act, has been updated. Upon motion by Commissioner Krenek, seconded by Commissioner Stacy, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Investment Policy Order and approve the amendments to the authorized broker list for same, a copy of which is attached hereto.

FUTURE DISPATCH PROVIDER OPTIONS

Chief Meier presented to and reviewed with the Board an Interlocal Service Agreement with WestCom Communications Center ("WestCom") and recommended the District utilize WestCom's dispatch services, noting that WestCom is EMS and fire focused, whereas the County is not. Chief Meier also noted the cost for such services is estimated to be between \$120,000 and \$130,000 per year and that the District would be represented on the Joint Advisory Board for WestCom.

Commissioner Pechukas reminded the Board that the County was reviewing dispatch options, and under consideration was the option to place dispatch under the Fort Bend County Fire Marshal.

Upon motion by Commissioner Krenek, seconded by Commissioner Stacy, after full discussion and the question being put to the Board, the Board voted to: 1) authorize transition of dispatch services to WestCom; 2) authorize execution of Interlocal Service Agreement with WestCom, subject to review of same by RBAP; and 3) authorize preparation and transmission of correspondence to County Commissioners Court, County Judge and County Fire Marshal explaining the District's decision on dispatch services to be prepared by Commissioners Krenek and Pechukas.

An extensive discussion ensued regarding the relationship between the County dispatch system and the WestCom dispatch system.

CONVENE IN EXECUTIVE SESSION

Commissioner McJunkin then stated that the Board would enter into Executive Session at this time 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, Ms. Bone and Mr. Nesvadba exited the meeting at 9:56 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 10:02 a.m. The persons present in the Executive Session at various times were Commissioners McJunkin, Krenek, Stacy, Kuykendall and Pechukas, Chief Meier, Ms. Crone, Ms. Bone, Mr. Nesvadba and Ms. Adams, Mr. Dill, Ms. Abedinzadeh and Ms. Rodriguez.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 11:06 a.m. and Commissioner McJunkin reconvened the meeting in open session, at which time the Board took the following action:

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 consultants and District staff to proceed with the modifications to the acquisition of proposed station property, as discussed in Executive Session.

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 authorize Mr. Dill to proceed with exploration of additional potential station location(s).

There being no further business to come before the Board the meeting was adjourned at 11:09 a.m.

PASSED, APPROVED, AND ADOPTED this 19th day of October, 2021.

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Secretary, Board of Commissioners