

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

**MARCH 15, 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 Tuesday, March 15, 2022, 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 ("COO"); Assistant Chief Wade Goates; and Ms. Karol Bone, Administrative Assistant. Also in attendance were: Ms. Regina D. Adams (via teleconference) and Ms. Sholeh Abedinzadeh (via teleconference), attorneys, and 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; Mr. Bill Blich (via teleconference) of Blich Associates, Inc. ("Blich"), financial advisor for the District; Ms. Lisa Anandel of BRW Architects ("BRW"); Mr. Ricardo Martinez of Martinez Architects ("Martinez"); Messrs. Chuck Mathes and Sebastian Garcia 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 8:00 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.

**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.

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

1. Minutes from the February 15, 2022 Board meeting;
2. Bookkeeper's Report, including authorize payment of bills;
3. Exclusions list for placement of funds with New First National Bank;
4. Transfer of funds from ICS account into Texas Class account;
5. Purchase headsets from Atlantic Signal;
6. Purchase radios from Motorola Solutions; and
7. Omnia Partners Cooperative Purchasing Program.

### **LONG TERM CAPITAL/BUDGET PLANNING AND PROJECTIONS**

Mr. Blich stated he is working with Ms. Crone to determine operating net revenues and costs of financing stations. Mr. Blich also stated he anticipates having the capital and operating projections ready to present at the April Board meeting.

### **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 stated that Brookstone is 60% complete with its review of the punch list items. Mr. Mathes went on to report that the Fort Bend County (the "County") Environmental Health Department ("FBEH") informed Brookstone that the areas needing inspection can be excavated to confirm pipe elevations and reroute the sanitary sewer line. A discussion ensued regarding the timeline of events leading to FBEH requesting a new inspection after prior approval and actions that could be taken to prevent inspections from being overlooked by any County permitting departments in the future. Mr. Mathes further reported that the garage door repairs were to commence the prior day but the subcontractors did not arrive. Mr. Mathes stated he would investigate this matter further.

Mr. Mathes then presented Brookstone's Pay Application ("PA") No. 22 in the amount of \$7,051.79. Mr. Mathes next presented Allowance Transfer Authorization ("ATA") No. 29 for an additive amount of \$1,900.00 for the conversion from wired telephone connectivity for emergency phone communications to the Schindler Ahead Cellular Dialer System to be funded from the District's expenditure allowance. 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: 1) PA No. 22 in the amount of \$7,051.79; and 2) ATA No. 29 in the additive amount of \$1,900.00 to be funded from the District's expenditure allowance.

Ms. Crone reviewed with the Board Section 7.2.2 of the Construction Manager at Risk ("CMAR") Agreement with Brookstone for the Central Station that stated the District may audit the CMAR's final accounting within 30 days after delivery of same to the Architect. Ms. Crone stated that she has requested an engagement letter from the District's auditor for the preparation of same and requested the Board's authorization to engage an auditor to perform a construction audit. 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 authorize the engagement of an auditor, at a cost not to exceed \$7,500.00, for the purpose of auditing the construction costs related to the Central Station.

Ms. Adams stated that, per the Board's request, RBAP sent additional correspondence to Ms. Molly Ladner and her attorney regarding the proposed purchase of the surplus house on the Central Station property but did not receive a response within two (2) weeks of such correspondence. Commissioner Pechukas stated the District needs to move forward with disposing of the surplus house since RBAB's correspondence was concise. Commissioner Krenek requested Ms. Adams write a summary of her correspondence with Ms. Ladner. Ms. Adams noted that the District can proceed with disposing of the house and that further communication with Ms. Ladner was unnecessary.

Ms. Crone reviewed with the Board the amended furniture/fixtures/equipment budget for the Central Station stating that additional items would be included once costs were determined. Chief Meier noted that the cost for audio/visual equipment through Datavox was approximately \$250,000.00. In response to a question from Commissioner Krenek, Ms. Crone noted that these types of systems could range in price from \$400,000.00 to \$500,000.00.

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

Mr. Martinez reported on the status of the permanent CCR Station construction. Mr. Martinez stated a conference call was scheduled with Ms. Adams and Mr. Jeremy Stovall of Brookstone regarding finalization of the CMAR Agreement with Brookstone for the CCR Station. Ms. Adams stated that while closing on the financing may take time, the interest rates would be locked in once the District accepted a lender's bid. 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 Mr. Blich and District staff to obtain financing for the construction of the CCR Station.

#### JORDAN RANCH STATION DESIGN

Mr. Martinez next reported on the status of the Jordan Ranch Station design. Mr. Martinez stated that he has met with District staff and reviewed the design for Jordan Ranch Station. Chief Meier noted that the sign at the Jordan Ranch Station will not remain in place despite efforts to anchor it.

## FULSHEAR STATION DESIGN

Ms. Crone reminded the Board that Chief Meier, Chief Goates and herself met with PGAL regarding preliminary programming for the new Fulshear Station pre-design. Ms. Crone noted there were no further updates regarding this matter.

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

### CONVENE IN EXECUTIVE SESSION

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

All meeting attendees, with the exception of all members of the Board present, Chief Meier, Ms. Crone, Ms. Bone, Messrs. Nesvadba and Dill, Ms. Adams, Ms. Abedinzadeh, and Ms. Rodriguez exited the meeting at 9:21 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 9:22 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, Messrs. Nesvadba and Dill, Ms. Adams, Ms. Abedinzadeh, and Ms. Rodriguez.

### RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 9:29 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 voted unanimously to: 1) approve and authorize execution of the sales contract amendment for the future station property, as discussed in Executive Session; and 2) adopt the Resolution Authorizing Purchase of Property and Appointing Representative to Execute Related Documents thereby authorizing Commissioner McJunkin to execute the closing documents.

### MONTHLY MEETING DAY AND TIME

Commissioner Pechukas made a motion to change the District's monthly meeting day and time to the fourth (4<sup>th</sup>) Tuesday of each month at 6:00 p.m. Commissioner McJunkin noted he has a scheduling conflict for that specific day of the month. An extensive discussion ensued regarding the Commissioners' opinions on changing the District's meeting day to the fourth (4<sup>th</sup>) Tuesday. Commissioner Pechukas amended his motion to change the meeting day and time to the fourth (4<sup>th</sup>) Thursday of each month at 6:00 p.m.

Ms. Crone asked the Board for its expectations regarding her attendance at evening meetings. It was the consensus of the Board that Ms. Crone's attendance is vital to the District's monthly meetings and frequent absences would be counter-productive, but expressed understanding that family obligations may occur and absences would be allowed. Commissioners Krenek and Kuykendall expressed that they had no opposition to moving the District's monthly meeting day and time to the fourth (4<sup>th</sup>) Thursday of each month at 6:00 p.m. Commissioner Stacy commented that when the Commissioners accepted their appointment to the Board, it was for the current meeting time and that the meeting time should not change to accommodate only one (1) or two (2) individuals. Commissioner Pechukas amended motion was seconded by Commissioner Kuykendall, and after full discussion and the question being put to the Board, the Board voted four (4) votes in favor and one (1) opposed, with Commissioner Stacy voting in opposition, to change the District's monthly meeting day and time to the fourth (4<sup>th</sup>) Thursday at 6:00 p.m. for three (3) months from May until July at which time the Board would consider if the new monthly meeting time is beneficial to the District's mission.

### **DISTRICT APPAREL ORDER**

Ms. Crone stated that District staff is working through our existing supplier for the District sweatshirts. Ms. Crone added that if anyone needed replacement shirts, to let District staff know so it may be ordered from Land's End.

### **NAMING OF DISTRICT STATIONS**

A discussion ensued regarding various options for naming District stations, including names of community leaders, subdivisions or communities along with a numbering system. It was noted that the District's Firefighters currently refer to the District's stations using numerals. 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 adopt a numerical station naming system suggested by the Naming Committee with the possibility of including the title or name of donors that contributed to the construction of such station and requested a station naming policy be created accordingly.

### **DISTRICT ADMINISTRATIVE REPORT**

Ms. Crone presented to and reviewed with the Board the District Administrative Report. Ms. Crone informed the Commissioners that their required training hours were due at the end of March and must be submitted online. Ms. Crone noted that District staff is still in the process of working with the Auditor on the annual audit preparation.

Ms. Crone next reported that she met with The Pink Heels National Tour ("Pink Heels"), a non-profit organization requesting the District's assistance to provide support to cancer patients. An extensive discussion ensued regarding the functions of Pink Heels and the potential financial implications to the District should it provide assistance. Ms. Crone noted that she would like to discuss this matter with Katy fire departments, as Pink Heels has also requested their assistance. Commissioner McJunkin stated that he thinks the District's community outreach should be limited to awareness campaigns that are in line with the District's mission, such as a smoke detector drive. It was the consensus of the Board to reconsider this matter when more financial information is

provided from Pink Heels.

Ms. Crone went on to report that the City of Weston Lakes ("Weston Lakes") is relaunching its Emergency Management Committee which includes a position for a Commissioner of the District. A discussion ensued regarding the District's position on participating in this matter. Ms. Adams noted that an item regarding appointment to the Weston Lakes Emergency Management Committee should be included on an agenda prior to the Board taking action. The Board requested such item be added to its next agenda.

**FIRE CHIEF RUN REPORT**

Chief Meier reported that there were 272 calls in the prior month.

**PERSONNEL MATTERS**

Chief Meier provided the Board an update on general personnel matters and staffing challenges. In response to a question, Chief Meier stated that potential firefighters are looking for higher pay and additional benefits when seeking employment. Ms. Crone noted that the District has a difficult time competing with other districts that have sales taxes to supplement their salary budgets.

There being no further business to come before the Board the Board meeting was adjourned at 10:49 a.m.

PASSED, APPROVED, AND ADOPTED this 19<sup>th</sup> day of April, 2022.

(DISTRICT SEAL)

  
Secretary, Board of Commissioners

