

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

APRIL 19, 2022

**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, April 19, 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, except Commissioners Krenek and Pechukas, thus constituting a quorum. The following District employees were in attendance: Fire Chief Herc Meier; Ms. Brandi Crone, Chief Operating Officer ("COO"); Assistant Chief Wade Goates; and Ms. Karol Bone, Administrative Assistant. Also in attendance were: Ms. Regina D. Adams of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorney for the District; Ms. Kaye Townley of Municipal Accounts & Consulting, L.P. ("MAC"), bookkeeper for the District; Mr. Bill Blich of Blich Associates, Inc. ("Blich"), financial advisor for the District; Ms. Natalie Ridley of Breedlove & Co. P.C. ("Breedlove" or "Auditor"), auditor for the District; Ms. Lisa Anandel of BRW Architects ("BRW"); Mr. Ricardo Martinez of Martinez Architects ("Martinez"); Mr. Jeremy Stovall (via teleconference) of Brookstone Construction ("Brookstone"); 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. Commissioner Stacy requested the minutes of March 15, 2022 be removed from the consent agenda.

Upon motion by Commissioner Stacy, 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 4, 2022 Board meeting;
2. Bookkeeper's Report, including authorize payment of bills;
3. Annual payment to Capital One Public Funding for Central Station loan;
4. Purchase orders; and
5. Corporate Billing Charge Agreement with DLS Fleet Services.

Ms. Andel entered the meeting at this time.

APPROVE THE MINUTES OF MARCH 15, 2022

A discussion ensued regarding the future meeting date and time as referenced in the March 15, 2022 minutes. Upon motion by Commissioner Stacy, seconded by Commissioner Kuykendall, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes from the March 15, 2022 Board meeting.

PERSONNEL MATTERS

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. Crone, Ms. Bone, and Ms. Adams exited the meeting at 8:05 a.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 8:05 a.m. The persons present in the Executive Session at various times were Commissioners McJunkin, Stacy, and Kuykendall, Chief Meier, Ms. Crone, Ms. Bone and Ms. Adams.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 8:19 a.m. and Commissioner McJunkin reconvened the meeting in open session, at which time the Board took no action.

Chief Meier exited the meeting at this time.

**REVIEW AND APPROVE AUDIT FOR FISCAL YEAR ENDED ("FYE")
DECEMBER 31, 2021 (THE "2021 AUDIT")**

Ms. Ridley presented to and reviewed with the Board the draft 2021 Audit with the Board. Ms. Ridley answered questions from the Board. Upon motion by Commissioner Kuykendall, seconded by Commissioner Stacy, after full discussion and the question being put to the Board, the Board voted unanimously to approve the 2021 Audit and authorize its filing with the Fort Bend County (the "County") Commissioners Court.

Ms. Ridley exited the meeting at this time.

REVIEW ARBITRAGE COMPLIANCE REPORT ("ACR")

Ms. Adams then briefly reviewed with the Board the ACR prepared by Arbitrage Compliance Specialists, Inc. ("ACS") regarding the District's active financing as of March 9, 2022. A discussion ensued regarding the creation of additional fund accounts, including debt service and capital projects.

Upon motion by Commissioner Kuykendall, seconded by Commissioner Stacy, after full discussion and the question being put to the Board, the Board voted unanimously to accept the ACR.

LONG TERM CAPITAL/BUDGET PLANNING AND PROJECTIONS

Mr. Blich presented to and reviewed with the Board projections for capital improvements and budget planning. Mr. Blich reviewed recommendations regarding terms for the Cross Creek Ranch ("CCR") and Jordan Ranch construction loan and recommended to the Board that the District seek a 15 – 20 year term. A discussion ensued regarding interest rates in the bond market versus general loan market.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

CENTRAL STATION AND FIRE TRAINING FACILITY CONSTRUCTION

Mr. Stovall provided an update regarding the construction of Central Station. Mr. Stovall reviewed the status of the final punch list, including remaining items. Mr. Stovall went on to report that the County Environmental Health Department ("FBEH") issued the permit for the grease trap and sanitary sewer line. Mr. Stovall further reported that the garage door repairs had not commenced because the subcontractor did not have the specified powder coated doors. Ms. Andel noted that BRW was at fault for the error in the garage door specifications. Mr. Stovall noted that Brookstone is coordinating with the manufacturer to rectify this issue. A discussion ensued regarding how much input the Board would have on door specifications for future stations.

Mr. Stovall then presented Brookstone's Pay Application ("PA") No. 23 in the amount of \$37,041.83 and Allowance Transfer Authorization ("ATA") No. 30 as a pass-through of costs totaling \$75,000.00 to facilitate the District working with PanelTech, Inc. ("Panel Tech") for the purpose of providing additional millwork outside of Brookstone's scope. Upon motion by Commissioner Kuykendall, seconded by Commissioner Stacy, after full discussion and the

question being put to the Board, the Board voted unanimously to approve: 1) PA No. 23 in the amount of \$37,041.83; and 2) ATA No. 30 for costs totaling \$75,000.00 for the millwork proposal from PanelTech.

Ms. Crone reported to the Board that she spoke with an interested purchaser of the house on the Central Station site who reached out to a moving company to determine the costs associated with removing same and that she subsequently spoke with the moving company which also expressed interest in purchasing the house. The Commissioners asked Ms. Crone to dispose of the house as she saw fit.

Ms. Crone further reported that previously-authorized Central Station furnishing purchases were made and the items were to be delivered in the near future.

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 that this project was nearing the gross maximum price bidding stage. Ms. Adams noted that the Construction Manager at Risk contract negotiation with Brookstone was almost complete.

JORDAN RANCH STATION DESIGN

Mr. Martinez next reported on the status of the Jordan Ranch Station design. Mr. Martinez stated platting process was continuing. Commissioner McJunkin noted that construction needs to begin by February 2023.

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.

AUTHORIZE SUPPORT OF THE PINK HEALS NATIONAL TOUR ("PINK HEALS")

Ms. Crone stated that Chief Meier was in favor of supporting Pink Heals, a non-profit organization that provides support to cancer patients. Ms. Crone reported that Pink Heals received a pink truck and support vehicle and was now seeking housing for such vehicles. Ms. Crone went on to note that the District requested a representative from Pink Heals attend the Board meeting. Chief Goates reviewed with the Board the various events the truck would be involved in, such as cancer parades. Ms. Crone stated she would request again that a Pink Heals representative attend a Board meeting to discuss the matter further with the Commissioners.

CITY OF WESTON LAKES ("WESTON LAKES") EMERGENCY MANAGEMENT COMMITTEE RESOLUTION AND DISTRICT APPOINTMENT TO SAME

Ms. Crone recommended that the Board appoint the District Chief or his/her designee to represent the District on the Weston Lakes Emergency Management Committee. Ms. Crone further recommended that the District request Weston Lakes amend its Resolution No. 3-09 to reflect that the Fire Chief or his/her designee could be appointed to the Emergency Management Committee. Upon motion by Commissioner Kuykendall, seconded by Commissioner Stacy, after full discussion and the question being put to the Board, the Board voted unanimously to request Weston Lakes to amend its Resolution No. 3-09 as discussed.

Mr. Martinez and Ms. Andel exited the meeting at this time.

DISTRICT ADMINISTRATIVE REPORT

Ms. Crone presented to and reviewed with the Board the District Administrative Report. Ms. Crone noted that District has interviewed and hired five (5) part-time Firefighters. Ms. Crone and Chief Goates went on to review plans for recruitment of Firefighters from Lone Star College.

Ms. Crone noted that physicals were scheduled for the second (2nd) week of May, 2022.

FIRE CHIEF RUN REPORT

Chief Goates reported that there were 309 calls in the prior month.

DISTRICT ADMINISTRATIVE REPORT (CONT.)

Ms. Crone noted that the District received estimated values from the County Appraisal District for all property owned by the District.

AMEND FYE DECEMBER 31, 2022 BUDGET ("2022 BUDGET")

Upon motion by Commissioner Stacy, seconded by Commissioner Kuykendall, after full discussion and the question being put to the Board, the Board voted unanimously to amend the 2022 Budget to remove capital outlay and create a separate capital projects budget.

There being no further business to come before the Board the Board meeting was adjourned at 10:42 a.m.

PASSED, APPROVED, AND ADOPTED this 26th day of May, 2022.

(DISTRICT SEAL)


Secretary, Board of Commissioners

