

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

JUNE 20, 2023

**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 33301 F.M. 1093, Fulshear, Texas 77441, the regular meeting place of the District, on Tuesday, June 20, 2023, at 8:00 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Ed Krenek	President
Tommy Kuykendall	Vice President
Robert Pechukas	Secretary
Kim Stacy	Treasurer
Daniel McJunkin	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; Assistant Chief Wade Goates; Ms. Brandi Crone, Chief Operations Officer ("COO"); and Ms. Karol Bone, Administrative Assistant. Also in attendance were: Ms. Regina D. Adams and Ms. Meredith King (via teleconference), attorneys, and Ms. Raechel Rodriguez (via teleconference), legal assistant, of Radcliffe Adams Barner PLLC (the "Attorney" or "RAB"), attorney for the District; Ms. Carol Morrison (via teleconference) of Municipal Accounts & Consulting, L.P. ("MAC"), bookkeeper for the District; and Mr. Ricardo Martinez (via teleconference) of Martinez Architects ("MA").

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 was no public comment.

APPROVE CONSENT AGENDA

The Board reviewed the items reflected on the Consent Agenda. Commissioner Krenek explained that this portion of the agenda dealt 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 requested that an item be moved to the regular portion of the agenda. Commissioner Stacy requested declaration of the 2018 Ford F150 ("F150") as surplus property and the purchase orders 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 May 16, 2023 and May 25, 2023 Board meetings;
2. Bookkeeper's Report; and
3. TNH Technology contract renewal.

DECLARE AND LIST F150 AS SURPLUS PROPERTY

PURCHASE ORDERS

2023 CHEVROLET SUBURBAN (THE "SUBURBAN") (SOURCEWELL)

In response to a question from Commissioner Stacy, Chief Meier explained that the F150 needed repairs and that a dealership was offering the District a trade-in value of \$32,000.00 for same.

After some discussion regarding the potential for use of the F150 by other District employees, Commissioner Stacy requested a list of the District's fleet vehicles – general or assigned – and for what task each vehicle was utilized. Commissioner Stacy also requested a quote for the repair of the F150. Further discussion ensued.

Upon motion by Commissioner Stacy, seconded by Commissioner McJunkin, after full discussion and the question being put to the Board, the Board voted four (4) votes in favor, with one (1) vote against by Commissioner Krenek, to postpone consideration of declaration of the F150 as surplus property and the purchase of the Suburban until the July 18, 2023 Board meeting.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

CENTRAL STATION AND FIRE TRAINING FACILITY CONSTRUCTION

There was nothing to report at the time.

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

Ms. Crone reviewed with the Board an update on design and construction activities for the CCR Station. Ms. Crone also noted that PA No. 2 in the amount of \$156,819.35 would be considered later in the meeting.

JORDAN RANCH STATION PROPERTY LOCATION AND DESIGN

Ms. Crone reported that the proposed property sales contracts related to the Jordan Ranch Station site were being prepared and reviewed by Johnson Development and had not yet been provided to the District.

A discussion ensued regarding due diligence and feasibility matters related to the proposed Jordan Ranch Station site after the property sales contracts were executed. The Board then reviewed proposals from: 1) Huitt-Zollars, Inc. ("Huitt-Zollars") for boundary and topographic survey of the proposed Jordan Ranch Station site in the amount of \$7,575.00; 2) Raba Kistner, Inc. ("Raba Kistner") for geotechnical engineering services in the amount of \$8,990.00; and 3) Terracon Consultants, Inc. ("Terracon") for a Phase I Environmental Site Assessment in the amount of \$2,600.00.

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 accept the proposals from Huitt-Zollars, Raba Kistner and Terracon, as presented, subject to approval of the property sales contracts for the Jordan Ranch Station site.

Mr. Martinez entered the meeting at this time via teleconference.

CCR STATION DESIGN AND CONSTRUCTION, INCLUDING PA, CO AND AT (CONT.)

Mr. Martinez then fielded questions from the Board regarding the progress of construction of the CCR Station.

Mr. Martinez presented to the Board PA No. 2 from Bass Construction Co., Inc. ("Bass") in the amount of \$156,819.35. 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 PA No. 2 from Bass in the amount of \$156,819.35.

Mr. Martinez exited the meeting at this time.

FULSHEAR STATION DESIGN

Ms. Crone reminded the Board it previously accepted the Statement of Qualifications ("SOQ") for geotechnical services from Associated Testing Laboratories, Inc. ("AT") for the Fulshear Station site. Ms. Crone then presented to the Board the Agreement for Professional Geotechnical Services Fulshear Station Site with AT (the "AT Agreement"). 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 approve the AT Agreement. Commissioner Pechukas noted that the cost of AT's services was \$8,086.00.

Ms. Crone then reminded the Commissioners that they requested clarification on Sections 11.2 and 11.3 of the proposed Standard Form of Agreement Between Owner and Architect with PGAL, Inc. ("PGAL") for the Fulshear Station design ("PGAL Agreement"). Ms. Crone reported that PGAL was willing to adjust the payment model in the PGAL Agreement.

UPDATE ON REQUEST FOR PURCHASE OF WATER LINE EASEMENT AT STATION NO. 3 FROM NORTH FORT BEND WATER AUTHORITY ("NFBWA")

Ms. Adams noted that she had previously contacted Property Acquisition Services, LLC with regard to the District's counteroffer and still had not received a response.

HEALTH INSURANCE BENEFITS

Ms. Crone then presented to the Board a proposal from Marsh & McLennan Agency Company ("MMAC") for health benefits. An extensive discussion ensued regarding the various health plan levels and coverage for the families of District staff. Commissioner Pechukas motioned to increase employee coverage to \$2,208.00 for the Blue Choice Gold PPO 819 Health Savings Account ("HSA") plan, which included the cost of coverage for the District employee and their family. Further discussion ensued regarding the health plan costs, short- and long-term disability, cancer liability and dental and vision plan costs.

Commissioner Pechukas then revised his previous motion to increase the District staff health benefit allowance to \$2,376.76, plus a \$70.00 HSA contribution for District staff enrolled in the HSA plan. The revised motion was then seconded by Commissioner Stacy. After full discussion and the question being put to the Board, the Board voted unanimously to increase the District staff health benefit allowance to \$2,376.76 plus a \$70.00 HSA contribution for District staff enrolled in the HSA plan.

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 approve short- and long-term disability, cancer liability, dental and vision coverage.

Commissioner Kuykendall noted his reservations to increase the health benefit allowance prior to the completion of the salary survey.

ADMINISTRATION ATTENDANCE AT HUMAN RESOURCE GULF COAST SYMPOSIUM ("HRGCS") (JULY 12-13, 2023)

Ms. Crone then requested the Board approve the District's administrative staff's attendance at HRGCS. Commissioner Stacy noted that the cost to attend the HRGCS would put the District's training expense line item over the budgeted amount. Ms. Crone noted that some items classified as training needed to be reclassified in the budget.

Upon motion by Commissioner McJunkin, seconded by Commissioner Pechukas, after full discussion and the question being put to the Board, the Board voted unanimously to authorize District administrative staff's attendance at HRGCS.

DATES FOR WORKSHOP TO REVIEW PROPOSED FISCAL YEAR ENDING DECEMBER 31, 2024 BUDGET ("2024 BUDGET")

After discussion, it was the consensus of the Board to schedule the workshop to review the proposed 2024 Budget for July 11, 2023 at 8:00 a.m.

DISTRICT WEBSITE UPDATE

Ms. Crone reviewed with the Board the District's preliminary goals for the District's website and noted more specifics would be provided at the July 18, 2023 Board meeting.

CONSIDER COMMISSIONER PHOTOGRAPHS AT EACH DISTRICT STATION

Commissioner Pechukas expressed his concern that District firefighters may not know who the Commissioners are. A discussion ensued regarding having photographs taken of all District staff and Commissioners. Upon motion by Commissioner Pechukas, seconded by Commissioner McJunkin, after full discussion and the question being put to the Board, the Board voted unanimously to authorize professional photographs of District staff and Commissioners for a cost of \$1,260.00 and authorize Commissioners' photographs to be placed at the District's stations and on the District's website.

COMMISSIONER ACCESS TO DISPATCHED CALLS

Commissioner Pechukas stated that Commissioners should have access to calls District crews were dispatched to. A discussion ensued regarding concerns regarding non-operational access to potentially private information in some dispatch reports. 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 request District staff to research what information from dispatched calls could be released to the Commissioners.

Ms. Adams noted any legal advice regarding communications and dispatch could be provided during Executive Session.

COMMISSIONER ACCESS TO ALL DISTRICT OWNED/OPERATED BUILDINGS

Commissioner Stacy stated that her access to the Central Station was revoked and was unsure as to the reason. A discussion ensued regarding establishing a policy regarding access to District owned and operated buildings. Ms. Crone reviewed the general access standards for the Central Station and temporary CCR Station.

SECURITY DEVICES, EQUIPMENT, POLICIES AND PROCEDURES AND/OR PROTOCOLS AT ALL DISTRICT STATIONS

It was noted that this item would be discussed during Executive Session.

DISTRICT ADMINISTRATIVE REPORT

Ms. Crone reported that interviews for an Assistant Chief of Operation position were conducted.

Ms. Crone then reviewed with the Board the 2023 Tax Rate Planning Calendar. A discussion ensued regarding strategic planning review at the 2024 Budget workshop.

PERSONNEL MATTERS, INCLUDING CONSIDER TIMING OF ADVERTISEMENT FOR FIRE CHIEF POSITION

The Board postponed this matter until after the strategic planning meeting.

FIRE CHIEF REPORT

Chief Meier reviewed the Fire Chief Report. Chief Meier reported that Mr. Mark Flathouse accepted the Assistant Chief of Operations position with a start date of July 10, 2023. Chief Meier also reported that, beginning July 10, 2023, Chief Goates' position would be Assistant Chief of Training.

A discussion ensued regarding a softball game that was not sponsored by the District.

PERSONNEL MATTERS, INCLUDING DISTRICT STAFF JOB DESCRIPTIONS AND REVIEW PROPOSALS FOR SALARY SURVEY CONSULTANT SERVICES

Ms. Crone presented to the Board the job descriptions for the Finance Manager and Human Resources ("HR") Coordinator positions. Ms. Crone noted that District staff was working on developing job descriptions for certain part-time positions. 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 approve the job descriptions for Finance Manager and HR Coordinator and authorize posting of same.

Ms. Crone then presented to the Board three (3) proposals from Houston-Galveston Area Council, Logic Compensation Group ("LCG") and Public Consulting Group for salary and benefits survey services. 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 accept the proposal for salary and benefits survey services from LCG.

CONVENE IN EXECUTIVE SESSION

Commissioner Krenek then stated that the Board would enter into Executive Session to discuss personnel and security device matters.

All meeting attendees, with the exception of all members of the Board present, exited the meeting at 9:58 a.m.

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, Section 551.074, regarding personnel matters, and Section 551.076, regarding security device matters, Commissioner Krenek convened the Board into Executive Session at 9:58 a.m. The persons present in the Executive Session at various times were Commissioners Krenek, Stacy, Kuykendall, Pechukas and McJunkin.

Commissioner Krenek exited Executive Session at 10:15 a.m.

Commissioner Pechukas exited Executive Session at 10:18 a.m.

RECONVENE IN OPEN SESSION

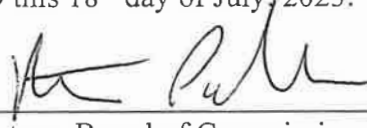
All meeting attendees still present re-entered the meeting at 10:54 a.m. and Commissioner Kuykendall reconvened the meeting in open session, at which time the Board took no action.

FUTURE AGENDA ITEMS

The Board scheduled a special meeting to discuss personnel, security and dispatch matters on June 27, 2023 at 8:00 a.m.

There being no further business to come before the Board, the Board meeting adjourned at 10:56 a.m.

PASSED, APPROVED, AND ADOPTED this 18th day of July, 2023.



Secretary, Board of Commissioners

(DISTRICT SEAL)

