

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

**September 19, 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, September 19, 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; Chief Wade Goates, Assistant Chief of Training; Chief Mark Flathouse, Assistant Chief of Operations; Ms. Brandi Crone, Chief Operations Officer ("COO"); Ms. Karol Bone, Administrative Assistant; and Battalion Chief Adam Budnik. 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; Mr. Bill Blitch (via teleconference) of Blitch and Associates, Inc., financial advisor for the District; and Mr. Ricardo Martinez of Martinez Architects ("MA").

WHEREUPON, the meeting was called to order at 8:06 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.

**REVIEW AND APPROVE BUDGET FOR FISCAL YEAR ENDING ("FYE")  
DECEMBER 31, 2024 (THE "2024 BUDGET")**

The Board then reviewed the 2024 Budget. Upon motion by Commissioner McJunkin, seconded by Commissioner Kuykendall, after full discussion and the question being put to the Board, the Board voted unanimously to approve the 2024 Budget.

## **PUBLIC HEARING REGARDING PROPOSED 2023 TAX RATE**

The President declared the public hearing open to discuss the District's proposed 2023 tax rate.

Ms. Adams noted that the Board proposed and published a total 2023 tax rate of \$0.095673 per \$100 assessed valuation consisting of \$0.011300 for debt service purposes and \$0.084373 for operations and maintenance purposes.

There being no comments from the public, the public hearing was adjourned at 8:13 a.m.

## **ORDER ADOPTING 2023 TAX RATE**

Commissioner Pechukas stated that the State of Texas mandates the language to be used in the motion to adopt a tax rate. Commissioner Pechukas also noted that the increase in tax revenue was due to the Fort Bend Central Appraisal District's appraisals increasing due to additional development.

Commissioner Kuykendall noted that the area would continue to grow and therefore the District needed to be able to grow with it to efficiently serve the area.

Commissioner Krenek noted that the District had also decided to be more competitive in the employment market so that the District can hire the best staff.

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 adopt the Order Adopting 2023 Tax Rate thereby increasing the property tax rate by the adoption of a tax rate of \$0.095673 per \$100 assessed valuation, which is effectively a 9.57 percent (9.57%) increase in the tax rate, comprised of \$0.011300 per \$100 assessed valuation for debt service purposes and \$0.084373 for operations and maintenance purposes.

## **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 Kuykendall requested that the Bookkeeper's Report 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 August 15, 2023 and August 28, 2023 Board meetings;
2. Annual Review of District Investment Policy; and
3. Purchase orders.

## **BOOKKEEPER'S REPORT**

Commissioner Kuykendall requested that the District look into additional higher interest rate investment accounts. Ms. Morrison noted that MAC was researching higher interest rate certificates of deposits at various institutions. 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 the Bookkeeper's Report, including authorize payment of bills.

## **DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:**

### **CENTRAL STATION AND FIRE TRAINING FACILITY CONSTRUCTION**

Mr. Martinez updated the Board on the design of the fire training facility. A discussion ensued regarding the use and disposition of the remainder of the District's Central Station property for the fire training facility site.

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

Mr. Martinez reviewed with the Board an update on design and construction activities for the CCR Station. Mr. Martinez went on to present to the Board PA No. 5 in the amount of \$385,825.40 from Bass Construction ("Bass"). Upon motion by Commissioner McJunkin, seconded by Commissioner Stacy, after full discussion and the question being put to the Board, the Board voted unanimously to approve PA No. 5 in the amount of \$385,825.40 from Bass.

### **JORDAN RANCH STATION PROPERTY LOCATION AND DESIGN**

Mr. Martinez reviewed with the Board an update on the design phase for the Jordan Ranch Station.

Ms. Adams then reviewed with the Board the Title Insurance Commitments received for the conveyance of the 1.43-acre tract and 3.5-acre tract in Jordan Ranch. Commissioner Krenek and Ms. Adams reviewed the restrictions and encroachments and potential releases regarding same.

### **FULSHEAR STATION DESIGN**

Ms. Crone updated the Board on the status of the proposed Standard Form of Agreement Between Owner and Architect with PGAL, Inc. ("PGAL") for the Fulshear Station design ("PGAL Agreement").

A discussion ensued regarding the request from the City of Fulshear (the "City") to utilize a portion of the Fulshear Station property for interim detention purposes. Ms. Crone noted that the District had asked the City for a written request regarding such use but had not received a response. Commissioner Krenek stated that the District should request a proposal from Huitt-Zollars ("HZ"), the District's consulting civil engineer, to review the District's options for long-

term detention. Upon motion by Commissioner Stacy, seconded by Commissioner McJunkin, after full discussion and the question being put to the Board, the Board voted unanimously to authorize District staff to obtain a proposal from HZ to review detention matters at the Fulshear Station site and authorize Commissioner Kuykendall to coordinate with HZ.

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

Ms. Adams stated that Property Acquisition Services, LLC, NFBWA's property acquisition consultant, responded to the District's counteroffer. Ms. Adams reported that NFBWA accepted the District's counteroffer for the water line and temporary construction easements. 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 the consideration for the easements.

**REPLACE CHASSIS AND REMOUNT ON BOOSTER**

Chief Meier then reported that Engine 1 required a chassis remount as it was 20 years old. A discussion ensued regarding funding the chassis and remount from the FYE December 31, 2023 Budget. 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 accept the proposal for the chassis remount for Engine 1 in the amount of \$136,000.00.

**PURCHASE OF TWO ENGINES AND LADDER APPARATUS**

An extensive discussion ensued regarding the purchase of two (2) engines and ladder apparatus through a purchasing cooperative. It was the consensus of the Board to further consider the purchase of such apparatus upon receipt of a proposal for same.

**OPERATION OF WATER TREATMENT SYSTEM FOR CENTRAL STATION**

Chief Meier went on to present a proposal from Homer's Soft Water, LLC in the amount of \$15,939.94 for a commercial water softener and chlorination system and installation of same in a pump house at the Central Station. An extensive discussion ensued. Upon motion by Commissioner Stacy, seconded by Commissioner Pechukas, after full discussion and the question being put to the Board, the Board voted unanimously to approve an amount not to exceed \$40,000.00 for a commercial water softener and chlorination system and installation of same in a pump house at the Central Station to be funded from the Central Station budget.

**PURCHASE OF A FIT TESTING MACHINE**

Chief Meier presented to the Board a proposal from Metro Fire Apparatus Specialists, Inc. ("Metro") in the amount of \$13,424.00 for a respirator fit testing machine. An extensive discussion ensued regarding funding of the respirator fit testing machine. Upon motion by Commissioner Stacy, seconded by Commissioner Pechukas, after full discussion and the question being put to the Board, the Board voted unanimously to accept the proposal from Metro in the amount of \$13,424.00 for a respirator fit testing machine.

## **PURCHASE OF A FIRE TRAINING SIMULATOR**

Chief Meier stated that the District needed a fire training simulator. Chief Meier noted that a fire training simulator would cost approximately \$500,000.00 and would be purchased via a purchasing cooperative. An extensive discussion ensued. It was the consensus of the Board to further consider this matter upon receipt and review of a proposal for same.

## **DISTRICT ADMINISTRATIVE REPORT**

Ms. Crone stated she had nothing further to report.

Commissioner Krenek requested a presentation on the variance request from Thrive Church to the City.

Commissioner Stacy inquired about the status of the icemaker repair at Station No. 3 to which Chief Meier confirmed that the filter in the icemaker and air filters had been recently replaced.

## **FIRE CHIEF REPORT**

Chief Meier reviewed the Fire Chief Report noting there were 395 total calls for service.

## **PERSONNEL MATTERS**

### **SALARY AND STAFF POSITIONS**

There was nothing to report at the time.

### **FIRE CHIEF SEARCH PROCESS**

Commissioners Kuykendall and Pechukas reported that they met to discuss the initial timeline of the search for a future Fire Chief upon Chief Meier's retirement. A discussion ensued regarding the timeline for the Fire Chief job posting.

### **HOLIDAY PAY AND LIST OF HOLIDAYS**

### **RIDE UP PAY**

### **ORGANIZATIONAL CHART ("ORG CHART")**

It was noted that these matters would be discussed during Executive Session.

## **CONVENE IN EXECUTIVE SESSION**

Commissioner Krenek 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, Ms. Adams, Ms. King and Ms. Rodriguez, exited the meeting at 10:51 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, Commissioner Krenek convened the Board into Executive Session at 10:51 a.m. The persons present in the Executive Session at various times were Commissioners Krenek, Kuykendall, Pechukas, Stacy and McJunkin, Chief Meier, Chief Goates, Chief Flathouse, Ms. Crone, Ms. Bone, Ms. Adams, Ms. King and Ms. Rodriguez.

Chief Goates and Chief Flathouse entered Executive Session at 11:12 a.m.

Ms. Crone exited Executive Session at 11:27 a.m.

Commissioner Pechukas exited Executive Session at 11:34 a.m.

Chief Meier, Chief Goates, Chief Flathouse and Ms. Bone exited Executive Session at 11:49 a.m.

Ms. Crone reentered Executive Session at 11:56 a.m. and exited at 12:03 p.m.

Ms. King and Ms. Rodriguez exited the meeting at 12:10 p.m.

#### **RECONVENE IN OPEN SESSION**

All meeting attendees still present re-entered the meeting at 12:18 p.m. and Commissioner Krenek reconvened the meeting in open session, at which time the Board took no action.

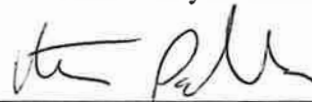
Commissioner Krenek stated the salary survey for administrative positions and Fire Chief needed to be reprioritized.

#### **REVIEW UPDATE ON 88<sup>TH</sup> TEXAS LEGISLATURE**

Ms. Adams reviewed with the Board the memorandum regarding Senate Bill 232.

There being no further business to come before the Board, the meeting adjourned at 12:21 p.m.

PASSED, APPROVED, AND ADOPTED this 17<sup>th</sup> day of October, 2023.



(DISTRICT SEAL)

Secretary, Board of Commissioners

