

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

October 17, 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, October 17, 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; Battalion Chief Adam Budnik; and Firefighter Giovanni Velasquez. 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 of Martinez Architects ("MA").

WHEREUPON, the meeting was called to order at 8:04 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.

OATH OF OFFICE

Commissioner Pechukas administered the Oath of Office to Firefighter Velasquez.

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 inquired about a training reimbursement for a District employee. It was noted that the employee had reimbursed the District their per diem for the portion of the training they did not attend.

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

1. Minutes from the September 19, 2023 Board meeting;
2. Bookkeeper's Report, including authorize payment of bills; and
3. Purchase orders.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

CENTRAL STATION AND FIRE TRAINING FACILITY CONSTRUCTION

Mr. Martinez and Chief Meier updated the Board on the design of the fire training facility. Mr. Martinez reviewed the preliminary site layout. A discussion ensued regarding various training proposal options.

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, noting that the foundation was installed, and the driveway paving was underway. Mr. Martinez went on to present to the Board PA No. 6 in the amount of \$220,114.05 from Bass Construction ("Bass"). 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. 6 in the amount of \$220,114.05 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. Crone noted the site survey provided by Johnson Development was under review by Huitt-Zollars ("HZ") so that HZ could prepare a topographic survey. Ms. Crone further noted that the Environmental Site Assessment and Geotechnical Reports were completed. Ms. Adams also stated that she contacted Johnson Development's attorney regarding the status of the amended Covenants, Conditions and Restrictions that the Board would need to approve prior to closing.

Ms. Crone then reported on a meeting she had with a resident adjacent to the proposed Jordan Ranch Station site.

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. for the Fulshear Station design. Ms. Crone stated that Commissioner Kuykendall, Chief Meier and herself met with HZ regarding detention matters.

WATER LINE AND TEMPORARY CONSTRUCTION EASEMENT FOR STATION NO. 3 TO NORTH FORT BEND WATER AUTHORITY ("NFBWA")

Ms. Adams reviewed with the Board the status of the finalization of the Water Line and Temporary Construction Easement (the "Easement") for Station No. 3 to NFBWA. A discussion ensued regarding the proposed terms of the Easement.

RESCHEDULE NOVEMBER AND DECEMBER REGULAR MEETINGS

It was the consensus of the Board to reschedule the District's November 21, 2023 Board meeting to Friday, November 17, 2023 at 8:00 a.m.

The Board further agreed to keep the December Board meeting as scheduled.

ATTENDANCE AT THE TEXAS FIRE ADMINISTRATIVE PROFESSIONALS WORKSHOP (THE "WORKSHOP")

Ms. Crone then requested the Board's authorization to attend the Workshop. 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 authorize Ms. Crone and Ms. Bone's attendance at the Workshop on January 15 – 17, 2024 for a cost not to exceed \$2,100.00. A discussion ensued regarding the Workshop conflicting with the District's January Board meeting. It was the consensus of the Board to reschedule such Board meeting to January 23, 2024.

REQUEST FOR COST SHARING OF PROPERTY LINE FENCE ON THE DISTRICT'S 6.00+ ACRE PROPERTY

Chief Meier reviewed with the Board a request from a District resident, whose property is adjacent to the District's 6-acre property, and was requesting that the District share the cost of the installation of a fence between the resident's property and the District's property. The Board took no action on this matter.

PURCHASE AND FINANCE OF TWO (2) ENGINES AND LADDER APPARATUS

The Board reviewed a proposal from Metro Fire Apparatus Specialists, Inc. ("Metro Fire") for the lease to purchase of two (2) Spartan Engines for \$1,332,822.00 each and one (1) Spartan Tractor Drawn Quint for \$2,450,410.00 to be purchased through the Houston-Galveston Area Council Buy ("HGAC") purchasing cooperative. The Board also reviewed a proposal from Community Leasing Partners ("CLP") to finance the lease to purchase of such apparatus in the

amount of \$5,080,549.70. 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: 1) authorize purchasing two (2) Spartan Engines and ladder with equipment from Metro Fire via HGAC; 2) authorize financing same through a lease-purchase with CLP for a five (5) year term; 3) approve the lease resolution and all agreements and closing documents regarding same; and 4) authorize Commissioners Krenek and Pechukas to execute all lease documents, subject to legal review.

PURCHASE OF A FIRE TRAINING SIMULATOR

The Board reviewed a proposal from Doron Precision Systems, Inc. ("Doron") via Sourcewell purchasing cooperative for a driving simulator system in the amount of \$397,595.00. The Board also reviewed a proposal from Fire Simulation Training ("FST") for a Pump Ops Simulator in the amount of \$128,413.70. Chiefs Goates and Budnik reviewed such proposals and fielded questions from the Board. 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 accept the proposal from Doron for a driving simulator system in the amount of \$397,595.00 with the additional five (5) year warranty and the proposal from FST for a Pump Ops Simulator in the amount of \$128,413.70.

DISTRICT ADMINISTRATIVE REPORT

Ms. Crone noted that District staff was working on Fiscal Years Ending December 31, 2023 and 2024 Budgets amendments.

Mr. Martinez exited the meeting at this time.

FIRE CHIEF REPORT

Chief Meier reviewed the Fire Chief Report noting there were 386 total calls for service.

Chief Flathouse then reviewed staffing matters with the Board. An extensive discussion ensued regarding policies for firefighters wearing District uniforms while off-duty as well as procurement of warmer uniforms for the winter months.

PERSONNEL MATTERS

SALARY AND POSITIONS CONSIDERATION

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

FIRE CHIEF PROCUREMENT PROCESS

Commissioner Kuykendall reported that he was working with Ms. Crone on the procurement process for a Fire Chief.

ORGANIZATIONAL CHART ("ORG CHART")

Ms. Crone reviewed with the Board the timeline for hiring a staff Bookkeeper and Human Resources Coordinator.

Commissioner Stacy requested access to disciplinary reports for District staff.

Ms. Morrison exited the meeting at this time.

POLICY CONSIDERATION CONCERNING BENEFIT EVENTS

Ms. Adams reviewed with the Board a memorandum regarding the use of public funds for private purposes.

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 10:08 a.m.

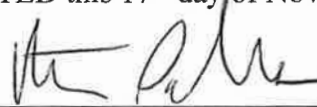
Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, Section 551.074 regarding personnel matters, Commissioner Krenek convened the Board into Executive Session at 10:09 a.m. The persons present in the Executive Session at various times were Commissioners Krenek, Kuykendall, Pechukas, Stacy and McJunkin, Ms. Adams, Ms. King and Ms. Rodriguez.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 10:25 a.m. and Commissioner Krenek reconvened the meeting in open session, at which time the Board took no action.

There being no further business to come before the Board, the meeting adjourned at 10:25 a.m.

PASSED, APPROVED, AND ADOPTED this 17th day of November, 2023.



Secretary, Board of Commissioners

(DISTRICT SEAL)

