

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

**December 19, 2023**

**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 33301 F.M. 1093, Fulshear, Texas 77441, the regular meeting place of the District, on Tuesday, December 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; Battalion Chiefs Jeff Tomberlin, Ewald Ford Stein and Adam Budnik; and Firefighters Calvin Hood, III, Anthony Gillespie and William Palamino. 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"). Also in attendance was Mrs. Marci Tomberlin, member of the public.

WHEREUPON, the meeting was called to order at 8:01 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**

The Oaths of Office were administered to Battalion Chiefs Tomberlin, Stein and Budnik.

Ms. King and Ms. Rodriguez entered the meeting at this time.

**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 McJunkin inquired about the CPR Training courses, to which Chief Meier explained that the District's captains were being trained to then be able to train the District's firefighters.

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

1. Minutes from the November 17, 2023 Board meeting;
2. Bookkeeper's Report, including payment of bills;
3. Purchase orders;
4. Publication of Notice of District Administration Office;
5. Filing of Annual Report with Texas Department of Emergency Management;
6. Payment to VFIS insurance premium via ACH;
7. Payment to Texas Mutual Workers' Compensation premium via ACH;
8. Filing of financial and tax-related information with Texas Comptroller pursuant to Texas Local Government Code, §203.062 and Texas Government Code, §403.0241 for the Special Purpose District Public Information Database;
9. 2024 annual agenda;
10. Receipt of Financial Advisory Brochure from Blich Associates, Inc.; and
11. Continuance of fitness program with The Summit Fitness through the first (1<sup>st</sup>) quarter of Fiscal Year Ending ("FYE") December 31, 2024.

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

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

Mr. Martinez reported that MA submitted a proposed agreement for the Fire Training Facility design. The Board tabled this matter until the District had further time to review the proposed agreement.

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 then presented to the Board PA No. 8 in the amount of \$579,730.85 from Bass Construction ("Bass").

Mr. Martinez went on to report that there were issues with the paneling on the CCR Station. After investigation, it was determined that Red Dot, a subcontractor for Bass, was aware of the panel size discrepancy and was covering all costs associated with the repairs of same. Mr. Martinez noted that the CCR Station eaves were not congruent, but a fix to the matter had been determined and noted that Bass didn't apprise him of the issue – District staff did. The Commissioners and Mr. Martinez then discussed the Board's expectations of MA and how the eaves issue was discovered. Chief Meier noted that there would be some modifications to the Jordan Ranch Station bay design as it relates to this issue.

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 PA No. 8 from Bass in the amount of \$579,730.85.

The Board went on to review a proposal from US Digital Designs ("US Digital"), a sole source provider, in the amount of \$63,041.04 for the purchase of an alerting system for the CCR Station. 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 US Digital for an alerting system in the amount of \$63,041.04.

JORDAN RANCH STATION PROPERTY LOCATION AND DESIGN

The Board then discussed the potential construction delivery methods for the Jordan Ranch Station. Commissioner McJunkin stated that a project of this magnitude should be delivered via competitive sealed proposals ("CSP"). 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 designate CSP as the construction delivery method for the Jordan Ranch Station. Ms. Crone reported that the District would close on the Jordan Ranch Station property on December 21, 2023 and that the District was moving forward with the design phase. An extensive discussion ensued regarding the timeline for the design and construction of the Jordan Ranch Station and the relocation of the temporary station to Bella Terra.

FULSHEAR STATION DESIGN

Ms. Crone went on to report to the Board that there was no update on the proposal from Huitt-Zollars for the detention pond matters. Ms. Crone also noted that PGAL, Inc. would present its proposed design of the Fulshear Station to the Board in the near future.

## **PURCHASE OF SPEAKERS/MICROPHONES FOR CENTRAL STATION TRAINING ROOM**

Chief Meier reported to the Board that District staff was working with Granicus, a government software services provider, to procure the equipment needed to hold Board meetings via video conference. Ms. Adams noted that such equipment would comply with state laws regarding holding Board meetings over video conference. It was noted that an item would be added to the January agenda regarding this matter.

## **DISTRICT ADMINISTRATIVE REPORT**

Ms. Crone updated the Board on District staffing. Ms. Crone reported that 38 applications were received for the bookkeeper position. Ms. Crone further reported that the firefighter application process closed the day prior and Chief Flathouse chose 17 applicants to interview for the firefighter positions. Ms. Crone stated that the captain application process would open in January 2024.

## **FIRE CHIEF REPORT**

Chief Goates reviewed with the Board the on-site Texas A&M Engineering Extension ("TEEX") classes that were then-currently being held.

Chief Flathouse went on to review with the Board a Recruiting Report noting that the District was working to fill captain and firefighter positions. Chief Flathouse went on to report that the District would continue to keep part-time firefighters on staff. In response to a question from Commissioner Krenek, Chief Flathouse reported that the District was seeking to hire four (4) additional captains. Chief Meier noted that the positions with the District were more visible to outside applicants subsequent to the District's pay increases.

In response to a question from Commissioner Stacy, Chief Meier reported that the CCR Station significantly improved the arrival and response times in the north area of CCR. A discussion ensued regarding the software used to track such information.

Commissioner McJunkin congratulated BRW Architects and the District on being awarded the Design Award by Firehouse magazine for the Central Station design.

Ms. Crone reported that she sent the requests for reappointment for Commissioners Stacy, McJunkin and Pechukas to the Fort Bend County Commissioner's Court.

## **PERSONNEL MATTERS**

### **FIRE CHIEF PROCUREMENT PROCESS**

Commissioner Kuykendall reported that he was working with Ms. Crone on the procurement process for a Fire Chief and that the Board would need to consider the residency requirements and salary range for the Fire Chief position.

**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, Ms. Adams, Ms. King and Ms. Rodriguez, exited the meeting at 9:22 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 9:23 a.m. The persons present in the Executive Session at various times were Commissioners Krenek, Kuykendall, Pechukas, Stacy and McJunkin, Ms. Crone, Ms. Adams, Ms. King and Ms. Rodriguez.

Ms. Crone entered Executive Session at 9:36 a.m.

**RECONVENE IN OPEN SESSION**

All meeting attendees still present re-entered the meeting at 9:38 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 was adjourned at 9:39 a.m.

PASSED, APPROVED, AND ADOPTED this 25<sup>th</sup> day of January, 2024.



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Secretary, Board of Commissioners

(DISTRICT SEAL)

