

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

January 25, 2024

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, January 25, 2024, 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
David Melanson	Commissioner-Appointee
Donnie Dishaw	Commissioner-Appointee

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 Ewald Ford Stein and Kolby Lee; Fire Captains Eric Tanner, Michael Carbajal, Calvin Hood III, Thomas Dousson and Felix Castillo; and Firefighters Anthony Gillespie and William Palamino. Also in attendance were: Ms. Regina D. Adams 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. Ryan Hortan of PGAL, Inc. ("PGAL"); Mr. Buck Bass of Bass Construction ("Bass"); and Mr. Ricardo Martinez of Martinez Architects ("MA"). Also in attendance were members of the public.

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.

OATHS OF OFFICE FOR COMMISSIONERS

Ms. Crone proceeded to administer the Oaths of Office to Commissioner-Appointees Pechukas, Melanson and Dishaw. It was noted that Commissioners Pechukas, Melanson and Dishaw were appointed to the following term of office: January 1, 2024 to December 31, 2025.

Ms. Crone then presented the Affidavits of Commissioner to Commissioners Pechukas, Melanson and Dishaw, who executed same, thereby verifying their qualifications to serve as Commissioner of the District.

Ms. Crone presented Commissioners Pechukas, Melanson and Dishaw with their sworn Statements of Appointed Officer, as required by the Texas Constitution, which statement was then duly executed by Commissioners Pechukas, Melanson and Dishaw.

ELECTION OF OFFICERS

The Board next considered the election of officers.

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 elect Commissioner Melanson as Treasurer, Commissioner Dishaw as Assistant Secretary and to retain the remaining current officer positions.

It was noted that the District's slate of officers was as follows:

Ed Krenek	President
Tommy Kuykendall	Vice President
Robert Pechukas	Secretary
David Melanson	Treasurer
Donnie Dishaw	Assistant Secretary

OATHS OF OFFICE TO BATTALION CHIEFS AND CAPTAINS

Commissioner Pechukas administered the Oaths of Office to Battalion Chief Lee and Captains Castillo, Tanner, Carbajal, Hood, and Doussan.

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.

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

1. Minutes from the December 19, 2023 Board meeting;
2. Bookkeeper's Report, including payment of bills;
3. Purchase orders;
4. Interest payment on Truist Bank loan; and
5. Payment of additional VFIS insurance premium for property and casualty coverage.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

CENTRAL STATION AND FIRE TRAINING FACILITY CONSTRUCTION

Ms. Crone reviewed with the Board the Site Evaluation and Project Feasibility Agreement with MA (the "MA Agreement") for the training facility design and proposed construction. Commissioner Krenek then reviewed the status of construction at various stations with the Board.

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 MA Agreement.

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

Mr. Bass reviewed with the Board an update on design and construction activities for the CCR Station. Commissioner Krenek noted the District's plans for the CCR temporary station when it was no longer needed at the CCR site.

Mr. Martinez then presented to the Board: 1) CO No. 11 for bi-fold door upgrades in the additive amount of \$4,876.00; 2) CO No. 12 for rough-in by electrician for alerting system in the additive amount of \$6,075.00; 3) CO No. 13 for an upgrade to Powerfoil Plus Winglets in the additive amount of \$660.00; and 4) PA No. 9 in the amount of \$187,501.50 from Bass.

Upon motion by Commissioner Melanson, seconded by Commissioner Kuykendall, after full discussion and the question being put to the Board, the Board voted unanimously to approve Co Nos. 11, 12 and 13 and PA No. 9 from Bass in the amount of \$187,501.50.

The Board went on to review an amended proposal from US Digital Designs ("USDD"), a sole source provider, in the amount of \$44,973.90 for the purchase of an alerting system for the CCR Station. The Board also reviewed a proposal from TNH Technology Corporation ("TNH") in the amount of \$13,773.00 for the installation of the USDD alerting system. 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 proposals from USDD for an alerting system in the amount of \$44,973.90 and TNH for installation of such alerting system in the amount of \$13,773.00.

JORDAN RANCH STATION PROPERTY LOCATION AND DESIGN

Ms. Crone reported that she, along with Chiefs Meier and Goates, met with Mr. Martinez to review the design plans for the Jordan Ranch Station and anticipated such plans would be completed by April 2024.

FULSHEAR STATION DESIGN

Mr. Horton reviewed with the Board the status of design of the Fulshear Station noting that schematic designs were submitted the prior week.

The Board then reviewed a proposal from Huitt Zollars ("HZ") for the scope of work HZ would perform in connection with drainage matters for the Fulshear Station. Upon motion by Commissioner Pechukas, seconded by Commissioner Melanson, after full discussion and the question being put to the Board, the Board voted unanimously to accept the proposal from HZ, subject to legal review, in an amount not to exceed \$12,000.00.

Mr. Horton exited the meeting at this time.

STATION NO. 3 RENOVATION

Chief Meier reported that Station No. 3 was 14-years old and in need of various repairs, including a new HVAC system. The Board then reviewed a Standard Short Form of Agreement Between Owner and Architect for Station No. 3 Renovation with MA ("Station No. 3 Renovation 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 Station No. 3 Renovation Agreement.

The Board then discussed the potential construction delivery methods for the Station No. 3 renovation. Commissioner Krenek suggested, based upon the District's prior experience, that the project be delivered via competitive sealed proposals ("CSP"). Upon motion by Commissioner Pechukas, seconded by Commissioner Dishaw, 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 Station No. 3 renovation.

STATION CONSTRUCTION/REMODEL TIMELINE

Chief Meier reviewed with the Board a construction/remodel timeline for all ongoing station construction and design projects.

PURCHASE OF SPEAKERS/MICROPHONES FOR CENTRAL STATION TRAINING ROOM

Chief Meier reminded the Board that District staff were working with Granicus, a government software services provider, to procure the equipment needed to hold Board meetings via videoconference. Chief Meier noted that the District received a proposal from Granicus, but was reviewing the District's budget to determine what would be needed.

SCHEDULE BOARD WORKSHOP

The Board tentatively scheduled its workshop for April 5, 2024.

ANNUAL REVIEW OF CONSULTANT CONTRACTS

There was nothing to review at the time.

1999 SPARTAN ENGINE REPAIR

Chief Meier reported that the District's 1999 Spartan Engine required repairs and some modifications for use in holiday parades. 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 authorize an expense not to exceed \$10,000.00 to begin repairs to the 1999 Spartan Engine.

DISTRICT ADMINISTRATIVE REPORT

Ms. Crone reviewed with the Board a Compensation Disclosure and Limit of Liability Notice from the Marsh and McLennan Agency, the District's insurance broker. Ms. Crone then confirmed Commissioner attendance for the SAFE-D Annual Conference.

Ms. Crone noted that plaques for presentation to former Commissioners Kim Stacy and Daniel McJunkin would be made.

Ms. Crone then reported that there was a water leak at the CCR temporary station that was to be repaired later in the day. Upon motion by Commissioner Pechukas, seconded by Commissioner Melanson, after full discussion and the question being put to the Board, the Board voted unanimously to authorize the emergency water leak repair at the CCR temporary station in an amount not to exceed \$5,000.00.

FIRE CHIEF REPORT

Chief Meier reviewed freeze and flooding calls and noted that there was one (1) staff member injury from a call at an apartment complex during the freeze. Chief Meier went on to review vehicle maintenance and repair matters.

In response to questions from the Board, Chief Flathouse reviewed three (3)-man and four (4)-man shift staffing options/requirements.

Ms. Crone stated that interviews for the bookkeeper position would be scheduled for the first (1st) week of February.

PERSONNEL MATTERS

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 and Ms. Adams exited the meeting at 10:31 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 10:32 a.m. The persons present in the Executive Session at various times were Commissioners Krenek, Kuykendall, Pechukas, Melanson and Dishaw and Ms. Adams.

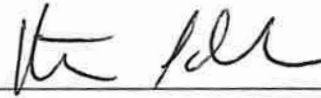
RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 11:33 a.m. and Commissioner Krenek reconvened the meeting in open session, at which time the Board took the following actions:

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 set the Fire Chief salary as discussed in Executive Session and transition the COO position title to Chief Administrative Officer ("CAO") and set the CAO salary as discussed in Executive Session.

There being no further business to come before the Board, and upon motion by Commissioner Kuykendall, seconded by Commissioner Dishaw, after full discussion and the question being put to the Board, the Board voted unanimously to adjourn the meeting at 11:34 a.m.

PASSED, APPROVED, AND ADOPTED this 20th day of February, 2024.



(DISTRICT SEAL)

Secretary, Board of Commissioners

