

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

April 16, 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, April 16, 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	Treasurer
Donnie Dishaw	Assistant Secretary

All members of the Board were present, except Commissioner Kuykendall, thus constituting a quorum. The following District employees were in attendance: Fire Chief Herc Meier; Chief Mark Flathouse, Assistant Chief of Operations; Ms. Brandi Crone, Chief Administrative Officer ("CAO"); and Ms. Karol Bone, Administrative Assistant. 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. Ricardo Martinez of Martinez Architects ("MA"); Ms. Natalie Ridley of Breedlove and Co. P.C. ("Breedlove" or "Auditor"); Mr. Rich Coffman of Datavox; and Messrs. Paul Bonette and Ryan Horton of PGAL, Inc. ("PGAL").

WHEREUPON, the meeting was called to order at 8:03 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

There was nothing at the time.

PUBLIC COMMENT

There were no public comments at the time.

APPROVE CONSENT AGENDA

The Board reviewed the items reflected on the Consent Agenda, copies of which are attached hereto. 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 Pechukas, seconded by Commissioner Melanson, after full discussion and the question being put to the Board, the Board voted unanimously to approve, authorize or adopt the item(s) on the Consent Agenda, as follows:

1. Minutes from the March 19, 2024 Board meeting, subject to the revisions discussed;
2. Bookkeeper's Report, including payment of bills;
3. Purchase orders;
4. Agreement with Metro Fire Apparatus Specialists, Inc. for apparatus purchase; and
5. ESO Solution Agreement renewal.

AUDIT FOR FISCAL YEAR ENDING ("FYE") DECEMBER 31, 2023 (THE "2023 AUDIT")

Ms. Ridley presented to and reviewed with the Board the draft 2023 Audit with the Board, a copy of which is attached hereto. Ms. Ridley then answered questions from the Board. 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 approve the 2023 Audit, subject to revisions, and authorize its filing with the Fort Bend County (the "County") Commissioners Court.

Ms. Ridley exited the meeting at this time.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

ACOUSTICAL IMPROVEMENT PLAN FOR CENTRAL STATION TRAINING ROOM

Chief Meier reviewed with the Board the initial recommendations from Grace Acoustical Design ("Grace"), the acoustics consultants for the District. The Scope of Services offered by Grace is attached hereto. Chief Meier noted that Datavox was adjusting the speakers in the Central Station Training Room. Ms. Crone stated that she anticipated receipt of the final acoustics report the following week.

Mr. Horton entered the meeting at this time.

CENTRAL STATION AND FIRE TRAINING FACILITY CONSTRUCTION, INCLUDING DESIGN AND SITE DEVELOPMENT

Mr. Martinez reviewed with the Board the Design Process Report for the Fire Training Facility, a copy of which is attached hereto. Mr. Martinez reported that MA sent the revised site plan to District staff. A discussion ensued regarding the site plan layout updates requested by Chief Meier and the updates that were necessary to same.

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 the Construction and Design Progress Report for the CCR Station, a copy of which is attached hereto.

Mr. Martinez reviewed with the Board CO No. 17 from Bass in the amount of \$5,190.00 for rough-in jellyfish lighting, a copy of which is attached hereto. The Board tabled this matter.

Mr. Martinez then reviewed with the Board CO No. 18 from Bass in the amount of \$1,303.35 for panel schedule and breaker changes, a copy of which is attached hereto. 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 approve CO No. 18 from Bass in the amount of \$1,303.35 for panel schedule and breaker changes.

Mr. Martinez went on to review with the Board CO No. 19 from Bass in the amount of \$6,885.00 for dorm room changes, a copy of which is attached hereto. Upon motion by Commissioner Melanson, seconded by Commissioner Dishaw, after full discussion and the question being put to the Board, the Board voted unanimously to approve CO No. 19 from Bass in the amount of \$6,885.00 for dorm room changes.

Mr. Martinez reviewed with the Board CO No. 20 from Bass in the amount of \$1,904.00 for construction of a metal stud and plywood wall above the mezzanine, a copy of which is attached hereto. Mr. Martinez noted that no action was required with regard to CO No. 20.

Mr. Martinez reviewed with the Board CO No. 21 from Bass in the amount of \$5,708.11 for the addition of a panoramic door, a copy of which is attached hereto. 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 approve CO No. 21 from Bass in the amount of \$5,708.11 for the addition of a panoramic door.

Mr. Martinez then presented to the Board PA No. 12 in the amount of \$384,222.75 from Bass, a copy of which is attached hereto. 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 approve PA No. 12 from Bass in the amount of \$384,222.75.

JORDAN RANCH STATION PROPERTY LOCATION AND DESIGN, INCLUDING STATUS OF PLAT FOR STATION SITE

Mr. Martinez then reviewed the Design Progress Report for the Jordan Ranch Fire Station, a copy of which is attached hereto. Mr. Martinez reported that Huitt-Zollars ("HZ"), the District's consulting engineer, was preparing the plat for review.

FULSHEAR STATION DESIGN AND CONSTRUCTION INCLUDING REQUEST FOR COMPETITIVE SEALED PROPOSALS ("CSP") AND OFFER FOR ACQUISITION OF ROAD EASEMENT ON WALLIS STREET FROM THE COUNTY

Mr. Horton reviewed with the Board the status of design of the Fulshear Station, noting that PGAL would be requesting CSPs by July 4, 2024. Mr. Horton also reviewed a Schedule Snapshot for the Fulshear Station, a copy of which is attached hereto.

It was noted that the matter regarding acquisition offer of a portion of the District's property on Wallis Street from the County would be further discussed during Executive Session.

STATION NO. 3 RENOVATION, INCLUDING SELECTION OF CONSTRUCTION DELIVERY METHOD FOR SAME

Mr. Martinez reviewed the status of design of the Station No. 3 renovation and the plans for continued use of the bays throughout the renovation. Copies of the site plans and Design Progress Report for Station No. 3 are attached hereto. A discussion ensued regarding moving the temporary living quarters from CCR to Station No. 3 in the late Summer or early Fall.

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 designate CSPs as the construction delivery method for all future construction projects.

BELLA TERRA STATION PROPERTY

Commissioner Krenek reviewed with the Board the potential timeline for the start of construction of the Bella Terra Station.

Messrs. Bonnette, Horton and Martinez exited the meeting at this time.

PURCHASE OF DISTRICT VEHICLE

The Board then reviewed a proposal from Caldwell Country Chevrolet ("Caldwell") through HGACBuy, a purchasing cooperative, for a 2025 Chevrolet Suburban in the amount of \$83,031.00, a copy of which is attached hereto. Upon motion by Commissioner Melanson, seconded by Commissioner Pechukas, after full discussion and the question being put to the Board, the Board voted unanimously to accept the proposal from Caldwell and authorize the purchase of a 2025 Chevrolet Suburban in the amount of \$83,031.00.

POTENTIAL SALES AND USE TAX ELECTION ON NOVEMBER 5, 2024 AND ANY PRELIMINARY ACTIONS ON SAME

The Board then discussed a potential Sales and Use Tax Election and the necessary preliminary steps to be taken for same. 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 engage for a sales and use tax analysis of the District for an amount not to exceed \$2,500.00 subject to receipt of a proposal for same.

1999 SPARTAN ENGINE REPAIR

Chief Meier updated the Board on the status of the repairs and modifications to the 1999 Spartan Engine, noting that he was researching costs for air conditioning.

FIRE CHIEF REPORT

Chief Meier then reviewed with the Board the Fire Chief Report, a copy of which is attached hereto.

ATTENDANCE AT FDIC CONFERENCE APRIL 17-19, 2024 IN INDIANAPOLIS, IN

A discussion ensued regarding Commissioner attendance at future FDIC conferences.

DISTRICT ADMINISTRATIVE REPORT

Ms. Crone reviewed purchase of hats and shirts for the Board. Ms. Crone went on to report that the District was scheduling annual staff physicals with Frontline Health in November.

Ms. Crone also noted that the District was working with Mr. Brad Dill of BD Realty regarding available real estate in the southeast quadrant of the District.

PERSONNEL MATTERS

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

CONVENE IN EXECUTIVE SESSION

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

All meeting attendees, with the exception of all members of the Board present, Chief Meier, Ms. Crone, Ms. Bone and Ms. Adams exited the meeting at 9:43 a.m.

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, Section 551.072, regarding real property matters, and Section 551.074, regarding personnel matters, Commissioner Krenek convened the Board into Executive Session at 9:43 a.m. The persons present in the Executive Session at various times were: Commissioners Krenek, Pechukas, Melanson and Dishaw; Chief Meier; Ms. Crone; Ms. Bone; and Ms. Adams.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 10:20 a.m. and Commissioner Krenek reconvened the meeting in open session, at which time the Board took the following action:

Upon motion by Commissioner Dishaw, seconded by Commissioner Pechukas, after full discussion and the question being put to the Board, the Board voted unanimously to authorize a counteroffer to the County for the portion of the Wallis Street property, as discussed in Executive Session.

Upon motion by Commissioner Dishaw, seconded by Commissioner Melanson, after full discussion and the question being put to the Board, the Board voted unanimously to: 1) approve the Fire Chief job posting; 2) authorize posting of same; 3) approve the application review procedure as discussed in Executive Session; and 4) authorize engaging a consultant to assist with the interview and hiring process related to same, as discussed in Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 10:21 a.m.

PASSED, APPROVED, AND ADOPTED this 21st day of May, 2024.



Secretary, Board of Commissioners

(DISTRICT SEAL)

