

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

May 21, 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, May 21, 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, 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 Administrative Officer ("CAO"); Captain John Bradley; Battalion Chiefs Adam Budnik, Jeff Tomberlin and Kolby Lee (via teleconference) and Firefighter Steven Morales. Also in attendance were: Ms. Regina D. Adams (via teleconference), attorney, 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. Ryan Horton of PGAL, Inc. ("PGAL"); Mr. Ryan Fortner of Revenue Management Services ("RMS"), sales and use tax auditor and consultant for the District; and Mr. Steve Bagwell of Zoll Medical Corporation ("Zoll").

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.

OATHS OF OFFICE

Commissioner Pechukas administered the oath of office to Firefighter Morales.

PUBLIC COMMENT

Commissioner Pechukas requested a moment of silence in memory of Ms. Lila Smith of Fort Bend County (the "County") Precinct No. 3 Commissioner Andy Meyers' office .

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

Mr. Fortner presented to and reviewed with the Board a proposal from RMS for a sales and use tax feasibility study for a cost of \$1,500.00, a copy of which is attached hereto. 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 from RMS in the amount of \$1,500.00 and approve the Agreement for Sales Tax Monitoring Services, subject to RAB's review.

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 Kuykendall, 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 April 5, 2024 workshop and April 16, 2024 regular Board meetings;
2. Bookkeeper's Report, including payment of bills;
3. Purchase orders;
4. Schindler Elevator Maintenance Agreement;
5. Marathon Fitness Maintenance renewal;
6. DistribuAire HVAC Maintenance Agreement – Central Station; and
7. Filing of Fiscal Year Ending ("FYE") December 31, 2023 Audit with the County Commissioners Court.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

ACOUSTICAL IMPROVEMENT PLAN FOR CENTRAL STATION TRAINING ROOM

Chief Meier then reviewed with the Board the Acoustical Assessment of the Central Station Training Room by Grace Acoustical Design, a copy of which is attached hereto. Chief Meier noted that the room would require additional absorptive materials.

Chief Meier went on to present to the Board a proposal from Payless Insulation ("Payless") for either one and a half inch (1.5") spray insulation for a cost of \$12,650.00 or three-inch (3") spray insulation for a cost of \$19,780.00, a copy of which is attached hereto. Upon motion by Commissioner Kuykendall, seconded by Commissioner Melanson, after full discussion and the question being put to the Board, the Board voted four (4) votes in favor and one (1) abstention, with Commissioner Dishaw abstaining, to accept the proposal from Payless for three-inch (3") spray insulation in the amount of \$19,780.00.

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

Chief Meier reviewed with the Board the Design Process Report for the Fire Training Facility, a copy of which is attached hereto.

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

Chief Meier reviewed with the Board the Construction and Design Progress Report for the CCR Station, a copy of which is attached hereto.

Chief Meier then presented to the Board CO No. 22 for ventless gas regulators in the deductive amount of \$1,245.00, a copy of which is attached hereto. Upon motion by Commissioner Kuykendall, seconded by Commissioner Melanson, after full discussion and the question being put to the Board, the Board voted unanimously to approve CO No. 22 in the deductive amount of \$1,245.00.

Chief Meier presented to the Board PA No. 13 in the amount of \$645,520.25 from Bass Construction ("Bass"), 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 PA No. 13 in the amount of \$645,520.25.

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

Ms. Crone then reviewed the Design Progress Report for the Jordan Ranch Fire Station, a copy of which is attached hereto.

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 Station Update and Design Development Report, a copy of which is attached hereto.

STATION NO. 3 RENOVATION DESIGN AND CONSTRUCTION

Ms. Crone then reviewed with the Board the Design Progress Report for the Station No. 3 renovation, a copy of which is attached hereto. Ms. Crone noted she, along with Chief Meier and Chief Flathouse, met with Martinez Architects on May 16, 2024 to review design activities.

UPDATE KNOX BOX PROGRAM

Chief Meier then reviewed a summary for upgrades to the District's Knox Box system, a copy of which is attached hereto, for a total cost of \$105,998.00 to: 1) re-core 394 Knox Boxes with e-cores; 2) install a Knox Key Defender Dual on Battalion Chief vehicles; and 3) purchase two (2) e-keys. 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 authorize the upgrades to the District's Knox Box system for a total cost of \$105,998.00.

PURCHASE ZOLL MEDICAL CORPORATION ("ZOLL") X SERIES MONITOR DEFIBRILLATOR

Chief Meier went on to present to the Board a proposal from Zoll for five (5) X-Series Advanced Monitor/Defibrillators, necessary equipment and four (4) year service plan for \$297,839.98 and related Security Agreement, copies of which are attached hereto. Chief Meier noted that the District would need an emergency medical technician, or firefighters that are cross-trained in emergency medical services to operate the monitor/defibrillators. 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 from Zoll in the amount of \$297,839.98 and approve the Security Agreement, subject to legal review.

1999 SPARTAN ENGINE(THE "ENGINE") REPAIR

Chief Meier updated the Board on the status of the repairs and modifications to the Engine and requested authorization to spend an additional \$10,000.00 for repairs. 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 additional repairs to the Engine for a cost not to exceed \$10,000.00.

FIRE CHIEF REPORT

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

DISTRICT ADMINISTRATIVE REPORT

Ms. Crone reported that District staff were still working with BD Realty on real estate matters. Ms. Crone also reminded the Board of the upcoming Fire Rescue International conference in Dallas, Texas and requested confirmation of attendance so that accommodations could be made.

Ms. Crone then surveyed the Board on availability to reschedule the June and July Board meetings. After discussion, it was the consensus of the Board to reschedule its Board meetings to June 13, 2024 and July 10, 2024.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

FULSHEAR STATION DESIGN AND CONSTRUCTION INCLUDING REQUEST FOR CSP AND OFFER FOR ACQUISITION OF ROAD EASEMENT ON WALLIS STREET FROM THE COUNTY (CONT.)

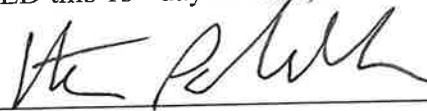
Ms. Adams then reviewed with the Board a counteroffer received from the County for acquisition of a road easement on Wallis Street specifically related to the fence relocation. A discussion ensued regarding the District obtaining a proposal to move the fence on the District's property because County contractors could not perform such work on private property. The Commissioners requested District staff to obtain such proposal and submit same to the County's right of way acquisition representatives.

PERSONNEL MATTERS

The Board then reviewed the status of the Fire Chief job posting. A discussion ensued regarding the timeline for the hiring process, including when to send a pre-interview questionnaire to applicants. It was the consensus of the Board to hold a special Board meeting on June 11, 2024 at 8:00 a.m. to discuss the applications received.

There being no further business to come before the Board, the meeting was adjourned at 10:20 a.m.

PASSED, APPROVED, AND ADOPTED this 13th day of June, 2024.



Secretary, Board of Commissioners

(DISTRICT SEAL)

