

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

December 17, 2024

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 17, 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 Doug Boeker; Fire Chief *Emeritus* Herc Meier; Chief Wade Goates, Assistant Chief of Training; Chief Mark Flathouse, Assistant Chief of Operations; Ms. Brandi Crone, Chief Administrative Officer ("CAO"); Ms. Kori Calhoun, Administrative Assistant; Battalion Chiefs Ford Stein, Jeff Tomberlin and Kolby Lee; and Firefighters Patrick Polasek, Felix Castillo, Derrick Gant, Jonathan Novella, Weston Martin, Lucas Rodriguez, Christopher Morones, Jeremy Sneed, Cody Harryman, Kevin Allen and Kassam Romero Garcia. Also in attendance were: Ms. Regina D. Adams and Ms. Meredith King (via videoconference), attorneys, and Ms. Raechel Rodriguez (via videoconference), legal assistant, of Radcliffe Adams Barner PLLC (the "Attorney" or "RAB"), attorney for the District; Ms. Carol Morrison (via videoconference) of Municipal Accounts & Consulting, L.P. ("MAC"), bookkeeper for the District; Mr. Ricardo Martinez of Martinez Architects ("MA"); Mr. Merrill Willgrubs of BD Realty Advisors, LLC ("BD Realty"). Also in attendance were members 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.

ADMINISTRATION OF OATHS OF OFFICE TO FIRE FIGHTERS; RECOGNITION OF CAPTAIN TURNER

Commissioner Pechukas administered the Oaths of Office to Firefighters Novella, Martin, Rodriguez, Sneed, Harryman, Allen and Garcia.

PUBLIC COMMENT

Commissioner Pechukas noted that this would be Commissioner Krenek's last Board meeting as a District Commissioner and thanked him for his service during his tenure on the Board. Commissioner Kuykendall also thanked Commissioner Krenek. Commissioner Krenek thanked the Board and District staff for their support during his time on the Board.

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. Commissioner Pechukas requested that the following items were removed from the consent agenda for separate discussion: 1) minutes from the November 19, 2024 Board meeting; and 2) acknowledge receipt of the Financial Advisor Brochure from Blitch Associates, Inc. ("Blitch"), financial advisor for the District.

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

1. Bookkeeper's Report, including payment of bills;
2. Purchase orders;
3. Publication of Notice of District Administration Office in *Fort Bend Herald* (due January 1);
4. Filing of annual report with Texas Department of Emergency Management (due January 1);
5. 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 Special Purpose District Public Information Database;
6. 2025 annual agenda; and
7. Continuation of fitness program with Moses Training Systems through first (1st) quarter, 2025.

REVIEW AND APPROVE MINUTES FROM THE NOVEMBER 19, 2024 BOARD MEETING

Commissioner Pechukas inquired if references to Board members as "Officers" were correct in the election agenda portion of the November 19, 2024 minutes. Ms. Adams explained that Board members were referred to as Officers when the canvassing portion of the meeting was in session and the Board was referred to as the Canvassing Authority. 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 minutes of the November 19, 2024 Board meeting.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

FULSHEAR STATION DESIGN AND CONSTRUCTION, INCLUDING SURVEY/SITE DEVELOPMENT AND CELL TOWER LEASE AND EASEMENT

Ms. Crone reported that PGAL, Inc. ("PGAL") would prepare the site development information for the District's six (6)-acre property.

Ms. Crone next reported that the cost for Huitt-Zollars, Inc. ("HZ") to prepare the plat for the District's six (6)-acre tract would be \$1,000.00 more than the Board previously approved. A copy of the updated proposal is attached hereto.

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) accept the proposal from Associated Testing Laboratories, Inc. for geotechnical survey services for the new Fulshear Station site located on the six (6)-acre tract in an amount not to exceed \$15,000.00; 2) accept the proposal from Tejas Surveying for site survey services for the new Fulshear Station site located on the six (6)-acre tract in an amount not to exceed \$15,000.00; and 3) authorize Ms. Crone to execute any necessary documents for same, subject to legal review.

Ms. Adams reported that SCI Wireless submitted a drawing of a cell tower that it installed at another location. Ms. Adams stated that District staff and PGAL would meet with SCI Wireless to visit the Fulshear Station site to determine the location and any conflicts with a proposed cell tower on the site.

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 amend its prior motion to accept the proposal from HZ to prepare the plat for the District's six (6)-acre tract in an amount not to exceed \$15,000.00.

APPRAISALS OF DISTRICT PROPERTIES IN DOWNTOWN CITY OF FULSHEAR ("FULSHEAR")

A discussion ensued regarding the status of the appraisals of District properties located in Downtown Fulshear.

ACOUSTICAL IMPROVEMENTS PLAN FOR CENTRAL STATION TRAINING ROOM

Chief Meier presented to the Board a proposal from Advance Panel Systems, LLC ("APS") to install wall acoustical panels in the Central Station training room for \$25,266.00. Chief Meier also presented to the Board a proposal from Texas Premier Drywall Systems ("TPD") to install wood slats in the ceiling for \$24,965.00. Copies of the proposals from APS and TPD are 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 accept the proposal from APS to install wall panels for \$25,266.00.

CENTRAL STATION AND FIRE TRAINING FACILITY, INCLUDING PROJECT FINANCING OPTIONS AND SITE DEVELOPMENT

Chief Boeker stated that he was evaluating whether the Central Station and Fire Training Facility could be developed in phases in order to lower the costs of such development.

CROSS CREEK RANCH ("CCR") STATION DESIGN AND CONSTRUCTION, INCLUDING PAY APPLICATIONS ("PA"), CHANGE ORDERS ("CO") AND ALLOWANCE TRANSFERS ("AT") AND ENGAGE AUDITOR TO PREPARE AGREED-UPON PROCEDURES REPORT FOR CONSTRUCTION EXPENDITURES

Mr. Martinez presented to the Board PA No. 20 in the amount of \$20,287.25 from Bass, a copy of which is attached hereto. Mr. Martinez noted PA No. 20 included a CO in the deductive amount of \$153,313.74 for unused allowance funds.

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 PA No. 20 in the amount of \$20,287.25.

The Board then considered engaging McCall Gibson Swedlund Barfoot PLLC ("MGSB"), auditor for the District, to prepare an Agreed-Upon Procedures Report ("AUP") for the construction of the CCR Station for a cost between \$4,000.00 and \$6,000.00. A copy of the engagement letter with MGSB 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 engage MGSB to prepare the AUP for the construction of the CCR Station for a cost not to exceed \$6,000.00.

JORDAN RANCH ("JR") STATION DESIGN AND CONSTRUCTION, INCLUDING PLAT FOR STATION SITE AND STATION PLAN REVISIONS

Mr. Martinez updated the Board on the status of requesting bids for construction of the JR Station. Mr. Martinez stated that bids would be submitted by December 20, 2024.

A discussion ensued regarding petitioning for the release of District property from the Fulshear's extraterritorial jurisdiction ("ETJ"). 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 preparation of petitions for removal from ETJs to the cities within which the District has property within the ETJs.

STATION NO. 3 RENOVATION DESIGN AND CONSTRUCTION

Mr. Martinez then updated the Board on the Station No. 3 renovation design and construction and mobilization for same.

PROPERTY ACQUISITION FOR FUTURE STATION LOCATIONS, INCLUDING BROKER AGREEMENT WITH BD REALTY AND STATUS OF NEGOTIATIONS FOR REAL PROPERTY PURCHASE

A discussion ensued regarding the Broker Agreement with BD Realty. Mr. Willgrubs explained that the tasks listed in Exhibit A-1 of the Broker Agreement were to be billed for on an hourly basis and the tasks listed in Exhibit A-2 of the Broker Agreement were to be paid for on a commission basis for closed real estate transactions. An extensive discussion ensued regarding modifying the Broker Agreement to reflect that, if a real estate transaction successfully closed, BD Realty only earned the Exhibit A-2 commission but not be compensated for Exhibit A-1 tasks. Upon motion by Commissioner Krenek, seconded by Commissioner Kuykendall, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Broker Agreement with BD Realty, subject the revisions to same, as discussed.

AMENDED AND RESTATED ATTORNEY FEE AGREEMENT WITH RAB ("AMENDED ATTORNEY FEE AGREEMENT")

Ms. Adams presented to the Board an Amended Attorney Fee Agreement. Ms. Adams addressed questions from the Board regarding same. Ms. Adams went on to note that RAB had not requested an increase in fees since becoming the District's general counsel in 2019. 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 Amended Attorney Fee Agreement.

1999 SPARTAN ENGINE REPAIR

There was nothing to report at the time.

FIRE CHIEF REPORT

Chief Boeker thanked Chiefs Goates and Flathouse for the audio/visual updates in the Central Station training room.

Chief Boeker reported that he was preparing a Commissioner orientation for new Commissioner(s).

Chief Flathouse then reviewed staffing updates with the Board.

Chief Goates then reviewed various firefighter training matters with the Board.

Chief Goates further reported that the Texas Commission on Fire Protection performed an audit of the District on December 2, 2024, and that any deficiencies had been addressed.

DISTRICT ADMINISTRATIVE REPORT

Ms. Crone introduced Ms. Donna Svatek to the Board and stated that Ms. Svatek would be joining the District's finance division.

Ms. Crone went on to report that, as authorized, the District entered into a Retail Electricity Provider Contract with TXU.

Ms. Crone then reported that a retirement luncheon for Ms. Karol Bone, a District Administrative Assistant, was scheduled. Ms. Crone noted that Ms. Bone would continue employment with the District during the transition period to train Ms. Calhoun.

Ms. Crone went on to inform the Board that Mr. Bill Blitch of Blitch would be meeting with District staff regarding finance planning in January.

JANUARY 2025 BOARD MEETING DATE

An extensive discussion ensued regarding the availability of Commissioners and District staff for the purpose of rescheduling the January 21, 2025 Board meeting. Ms. Adams stated that the Board may be considering holding a May 3, 2025 Annexation Election and the potential timeline for same. After further discussion, it was the consensus of the Board to schedule a special meeting on January 9, 2025, at 8:00 a.m. and reschedule the District's regular meeting to January 17, 2025, at 8:00 a.m.

PERSONNEL MATTERS

2025 PAY SCALE ADJUSTMENTS

Chief Boeker reviewed the proposed pay scale adjustments, which would define when an employee moved to the next step in the District's pay scale. A discussion ensued regarding District classification policies. 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 pay scale adjustments, as presented, to be effective the first (1st) full pay period in January.

CONVENE IN EXECUTIVE SESSION

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

All meeting attendees, with the exception of all members of the Board present, Ms. Crone, Chief Boeker, Ms. Adams, Ms. King, Ms. Rodriguez and Mr. Willgrubs exited the meeting at 9:46 a.m.

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically, Section 551.072 regarding real estate matters, and Section 551.074 regarding personnel matters, Commissioner Krenek convened the Board into Executive Session at 9:46 a.m. The persons present in the Executive Session at various times were: Commissioners Krenek, Kuykendall, Pechukas, Melanson and Dishaw; Ms. Crone; Chief Boeker; Ms. Adams; Ms. King; Ms. Rodriguez; and Mr. Willgrubs.

Mr. Willgrubs exited Executive Session at this time.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 11:05 a.m. and Commissioner Krennek reconvened the meeting in open session, at which time the Board took the following actions:

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) approve the earnest money contract for real property as discussed in Executive Session and subject to legal review; 2) authorize payment of the earnest money for same; and 3) authorize Ms. Crone to execute same.

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 HZ to prepare a site survey of the real property discussed in Executive Session, upon execution of the earnest money contract.

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 Terracon Consultants, Inc. to prepare a Phase I Environmental Site Assessment of the real property discussed in Executive Session, upon execution of the earnest money contract.

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 modify the Engineer/Operator pay scale, as discussed in Executive Session.

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 amend the District's Organizational Chart ("Org Chart") to create a Captain of Support Services position.

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 amend the District's Org Chart to create a Deputy Chief of Community Outreach position.

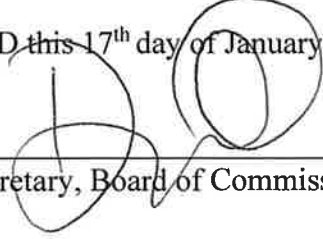
ACKNOWLEDGE RECEIPT OF FINANCIAL ADVISORY BROCHURE FROM BLITCH

Ms. Crone then presented to and reviewed with the Board information from the Municipal Securities Rulemaking Board ("MSRB") in connection with the MSRB Rule G-10 ("Rule G-10"), a copy of which is attached hereto. Ms. Adams stated that the Rule G-10 requires Blitch to annually provide, in writing, the following items of information: (1) a statement that the Financial Advisor is registered with the U.S. Securities and Exchange Commission and the MSRB; (2) the website address for the MSRB; and (3) a statement as to the availability to the customer of an investor brochure that is posted on the website of the MSRB that describes the protections that may be provided by the MSRB rules and how to file a complaint with an appropriate regulatory authority. 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 acknowledge receipt of the Rule G-10 notice from Blitch.

There being no further business to come before the Board, the meeting was adjourned at 11:11 a.m.

PASSED, APPROVED, AND ADOPTED this 17th day of January, 2025.

(DISTRICT SEAL)



Secretary, Board of Commissioners

