

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

December 11, 2023

The Board of Supervisors of Brookshire-Katy Drainage District (the "District") met in regular session, open to the public, at 7:04 p.m. at 1111 Kenney Street, Brookshire, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Arnold England	President
Pat Keeling	Vice President
David Welch	Secretary
Blake Beckendorff	Supervisor
John Chisum	Supervisor

and all of the above were present, thus constituting a quorum.

Also attending the meeting were Stan Kitzman, General Manager of the District; Buddy Brand, Assistant General Manager of the District; Wendy Sidwell, District Administrator; Steve Berckenhoff, P.E., Rod Pinheiro, P.E., and Michael McCarthy, P.E., of Quiddity Engineering ("Quiddity" or "Engineer"); Andrew P. Johnson, III, and William Petrov, attorneys, and Mirna Croon, paralegal, of Johnson Petrov, LLP ("Johnson Petrov" or "Attorney"); and Luis Sanabria, P.E., of EHRA Engineering.

Agenda Item No. 1
CALL TO ORDER

The President called the meeting to order.

Agenda Item No. 2
INVOCATION AND PLEDGE OF ALLEGIANCE

The meeting was opened with the Invocation and Pledge of Allegiance.

Agenda Item No. 3
PUBLIC COMMENT

There was no public comment.

Agenda Item No. 4
MINUTES OF NOVEMBER 13, 2023 REGULAR BOARD MEETING, AND NOVEMBER 27, 2023 SPECIAL BOARD MEETING

Upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved the minutes of the November 13, 2023, Regular Board meeting, and November 27, 2023 Special Board meeting.

Agenda Item No. 5
EMPLOYER-INSURED DEDUCTIBLE REIMBURSEMENT IN COMPLIANCE WITH AMERIFLEX HRA

Upon motion by Supervisor Chisum, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved the deductible reimbursement for Mr. Brand in the amount of \$282.22, in compliance with Ameriflex HRA.

- (a) In his update to the Board, Mr. Pinheiro reported the successful launch of the District's Web-Based Application Submission Portal, with no significant technical issues and encouraging feedback from applicants.
- (b) Upon motion by Supervisor Beckendorff, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board authorized Quiddity to work on updating the District's Rules and Regulations. Mr. McCarthy noted that it is anticipated that the Rules and Regulations will be presented to the Board for review and approval in approximately six months.
- (c) Mr. McCarthy reviewed the letter to the City of Katy Engineer related to the 10th Street Bridge Improvements and District Easement Access Issues and Concerns, a copy of which is attached hereto as Exhibit "A". Mr. McCarthy stated that no action is requested on this matter at this time.
- (d) Upon motion by Supervisor Beckendorff, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved Permit No. 2023-27 - Final Plat for La Segarra Boulevard, Phase 1, as recommended by Quiddity. A copy of Quiddity's recommendation letter is attached hereto as Exhibit "A-1".
- (e) Upon motion by Supervisor Beckendorff, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved the Permit Application for Tract Development with Platting for Replat of Reserve 15 Twinwood Commerce Center - Preliminary Plat, as recommended by Quiddity. A copy of Quiddity's recommendation letter is attached hereto as Exhibit "A-2".
- (f) Upon motion by Supervisor Chisum, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved the Permit Application for Tract Development with Platting for Katy ISD Elementary School No. 48 - Preliminary Plat, as recommended by Quiddity. A copy of Quiddity's recommendation letter is attached hereto as Exhibit "A-3".
- (g) The Board reviewed Quiddity memo concerning recommendations for grant funding pursuits, a copy of which is attached hereto as Exhibit "A-4". Mr. McCarthy stated that Quiddity recommends the Board consider pursuing State grant funds through the Texas Water Development Board Flood Infrastructure Fund.

Next, Mr. McCarthy discussed possible funding of stream gauges through the Federal Emergency Management Agency ("FEMA") Flood Mitigation Assistance ("FMA") Program. There are currently four stream gauges along the District's perimeter. Installation of an individual gauge is estimated to be \$10,000 and an annual maintenance cost charged by the Harris County Flood Control District is \$750. If the District is successful in obtaining the FEMA FMA grant for stream

gauges, the District's share of the cost will be \$2,500 per stream gauge. Quiddity will ask Waller County to share the costs.

Discussion ensued after which upon motion by Supervisor Beckendorff, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved Quiddity's proposal for professional engineering services related to preparation and submittal of FEMA FMA grant application for stream gauges at a cost not to exceed \$5,000.

(h) (i) There were no updates on Sunterra and Plow Tract developments.

Agenda Item No. 7

GENERAL MANAGER'S REPORT

Next, Mr. Brand reviewed the General Manager's Report, a copy of which is attached hereto as Exhibit "B". He also reviewed the Inspector's Report.

Agenda Item No. 8

FINANCIAL REPORT

Ms. Sidwell presented to and reviewed with the Board the November 2023 bills.

Upon motion by Supervisor Beckendorff, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved paying the November 2023 bills.

Ms. Sidwell then presented to and reviewed with the Board the Financial Report, a copy of which is attached hereto as Exhibit "C". Upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved the Financial Report along with checks listed therein.

Agenda Item No. 9

ENFORCEMENT ACTION AGAINST AWRY READY-MIX CONCRETE ("AWRY")

This matter was discussed in an executive session.

Agenda Item No. 10

EXECUTIVE SESSION

At 8:03 p.m., upon motion by Supervisor Chisum, seconded by Supervisor Beckendorff, the President called an Executive Session pursuant to Sections 551.071 to discuss matters of attorney-client privilege, including threatened or pending litigation. Only the present Board members, Mr. Kitzman, Mr. Brand, Ms. Sidwell, Mr. Pinheiro, Mr. Berckenhoff, Mr. McCarthy, Mr. Johnson, Mr. Petrov, and Mrs. Croon were present during the executive session.

Agenda Item No. 11

REGULAR SESSION

At 8:48 p.m., upon motion by Supervisor Keeling, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board reconvened the meeting in regular session.

ENFORCEMENT ACTION AGAINST AWRY READY-MIX CONCRETE ("AWRY")

Upon motion by Supervisor England, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board (i) authorized Attorney to file a lawsuit seeking temporary restraining order against AWRY; and (ii) appointed Supervisors England and Keeling to the committee tasked with approving any potential agreement related to AWRY litigation.

MAY 4, 2024, ELECTION. Mr. Petrov reminded the Board that the Supervisors Election is scheduled on Saturday, May 4, 2024, if needed. He then discussed appointment of a designated agent for the May 4, 2024 Supervisors Election to perform the duties set forth in Sections 31.122 and 31.123 of the Texas Election Code, as amended. Mr. Petrov reported that the District must post the Notice of Deadline to File Applications for Place ("Notice") on the Ballot no later than December 18, 2023. He further reported that the first day to file an application for a place on the ballot is January 17, 2024 and the last day to file an application for a place on the ballot is February 16, 2024.

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board appointed the District Administrator, Ms. Wendy Sidwell, and Johnson Petrov, as the District's designated agents for the May 4, 2024 election.

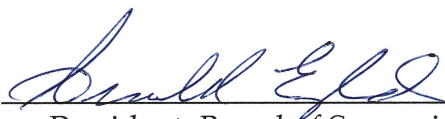
Next, upon motion by Supervisor Chisum, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board authorizing posting of the Notice as required by Texas Election Code.

ADJOURNMENT

With no additional matters to discuss, upon motion by Supervisor Keeling, seconded by Supervisor Chisum, and with all Supervisors voting aye, the Board adjourned the meeting at 9:00 p.m.

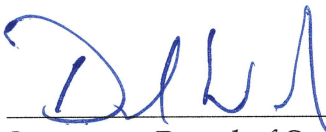
[EXECUTION PAGE FOLLOWS]

SIGNED this 8th day of JANUARY 2024.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

- Exhibit "A" Letter to City of Katy Engineer
- Exhibit "A-1" Quiddity Recommendation for Permit No. 2023-27
- Exhibit "A-2" Quiddity Recommendation for 15 Twinwood Commerce Center
- Exhibit "A-3" Quiddity Recommendation for Katy ISD Elementary School No. 48
- Exhibit "A-4" Quiddity Memo regarding Grant Funding Pursuits
- Exhibit "B" General Manager's Report
- Exhibit "C" Financial Report

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Brookshire - Katy Drainage District

P.O. BOX 608
BROOKSHIRE, TEXAS 77423

December 6, 2023

City Engineer for the City of Katy
ARKK ENGINEERS, LLC
Attn: David W. Kasper, P.E.
7322 Southwest Fwy Suite 1040
Houston, Texas 77074

Re: 10th Street Bridge Improvements & District Easement Access Issues and Concerns

Mr. Kasper,

The Brookshire-Katy Drainage District (District) acknowledges receipt of your application for the 10th Street Bridge Improvements (Project) within the City of Katy. The Project includes modifications within the District's easement that proposes an impact to the District's access and maintenance of the easement. Based on our review of the Project's scope and in response to your application, below is a summary of the District's acceptance of the Project with contingencies included, and the District's requirements for future improvements within District easements.

1. Access Easement Requirement

To ensure the proper maintenance of the District-owned channels, we must emphasize the necessity of a **minimum 20-foot wide access easement**. This requirement is essential for the following reasons:

- a) Right of Way (ROW) Access: A 20-foot easement guarantees sufficient space for District vehicles and equipment to access the area.
- b) Safety and Maneuverability: A 20-foot easement provides ample clearance on both sides of the equipment, reducing the risk of accidents, collisions, and damage to equipment, surrounding structures, or vegetation.
- c) Maintenance and Repairs: A 20-foot easement accommodates the immediate needs of equipment and allows space for maintenance and repairs. Equipment often requires on-site maintenance, and a wider easement ensures that operators have adequate room to work.
- d) Flexibility: A 20-foot easement allows for a range of equipment sizes and configurations that may be used in the future, ensuring continued viability even if equipment specifications change.

2. 10th Street Bridge Agreement

Regarding the 10th Street Bridge, we have reached the following agreement:

a) Access Easement

- i. The City of Katy will provide a minimum 20-foot-wide access at the northeast and northwest access locations.
- ii. The City of Katy will provide a minimum 16-foot-wide access at the southwest access location.
- iii. The City of Katy will provide a minimum 17-foot-wide access at the southeast access location.

Note:

- The specified widths are based on Right-of-Way (ROW), bridge and retaining wall design details/limits.
- Increasing access widths on the southern ends to meet the District's 20-foot requirement is not feasible with the current bridge design per the design engineer, Costello, Inc.
- The City of Katy recommends that the District utilize a proposed sidewalk and 6" access ramps at each access location.
- The City of Katy proposes retaining walls within the District's easement.

b) The District is willing to accept the proposed improvements as shown in the attached layout with the following contingencies:

- i. The District will not be held responsible or liable for any damages or repairs to the proposed sidewalks, access ramps, and retaining walls within the District's easement.
- ii. Any damages incurred by the District or to the referenced Project improvements within the District's easement, as determined to be a result from the District's standard maintenance and access practices, will be solely the City of Katy's responsibility to repair.
- iii. The execution and approval, by both the City of Katy and the Brookshire-Katy Drainage District, of a Consent to Encroachment Agreement, a draft of which is enclosed with this letter.

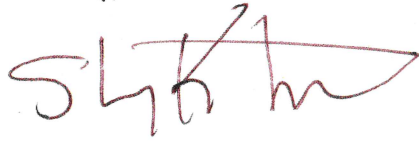
3. Access Concerns in Other Locations

- a) The District currently has access issues and concerns in certain locations within the City of Katy limits. Please refer to the attached exhibit for locations and recommendations previously provided.
- b) As of today's date, the District has not received a response from the City of Katy regarding potential solutions to the access issues. We would like to re-emphasize the critical importance of gaining access to maintain our facilities effectively to mitigate flood risk for the region.

Mr. David Kasper, PE
December 6, 2023
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We appreciate your attention to these matters and look forward to working collaboratively to ensure the effective maintenance of the District's easements to help mitigate flood related hazards in the region. Please do not hesitate to contact us if you require any further clarification or would like to discuss these matters in more detail.

Sincerely,



Stan Kitzman, General Manager
Brookshire-Katy Drainage District

Property Owner in agreement:

Printed Name

Signature

Date Signed: _____

RDP/mhm

[https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/General/810 - INSPECTIONS/City of Katy - Easement Access Concerns/COK Letter - 12-05-23.docx](https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared%20Documents/General/810%20-%20INSPECTIONS/City%20of%20Katy%20-%20Easement%20Access%20Concerns/COK%20Letter%20-%2012-05-23.docx)

Enclosures

cc: Mr. Buddy Brand – Brookshire-Katy Drainage District via email mbrand@bkdd.dst.tx.us
Ms. Wendy Sidwell – Brookshire-Katy Drainage District via email wsidwell@bkdd.dst.tx.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



2322 W Grand Parkway North, Suite 150
Katy, Texas 77449
Tel: 832.913.4000
www.quiddity.com

December 8, 2023

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Enclave Gassner Tract, LLC
La Segarra Boulevard Phase 1 – **Final Plat**
Permit No. 2023-27
Quiddity, Inc. Job No. R0002-1003-82

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: EHRA, Inc.

Permit Type: Tract Development with Platting – Final Plat

Location: West of Neuman Road, east of FM 362, and north of Gassner Lane

Survey: H.& T.C. Railroad Company Survey, Abstract 288, Section 50, Waller County, Texas

Previous Approvals: The District approved the Preliminary Plat for the La Segarra Boulevard Phase 1 on June 12, 2023.

Description: The proposed La Segarra Boulevard Phase 1 (Development) encompasses approximately 2.75 acres of street right-of-way.

The Development is located within the future La Segarra development which is comprised of 212.71 acres of land. The Development was included in the drainage impact analysis titled "Gassner Drainage Impact Analysis," which was accepted by the District on June 6, 2022.

The design of the Development was included in the construction plans titled "Water Distribution, Wastewater Collection, Paving, and Storm Water Facilities to serve La Segarra Section 1", and approved on November 27, 2023, under Permit No. 2023-26. The drainage for the Development is conveyed through the proposed underground storm sewer within the future Section 1 and outfalls into Pond A, which will then outfall into the District's drainage easement to the east of the La Segarra development and future Neuman Road extension, which will ultimately connect to Brookshire Creek further downstream. Pond A was included in the construction plans titled "Phase 1 Detention Basin Excavation, Spoil



Mr. Arnold England, President
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Placement, and Outfall to Serve La Segarra" and approved on September 11, 2023, under Permit No. 2023-25. The applicant submitted a revision to the plans under Permit No. 2023-25, to include two temporary drainage swales to facilitate the runoff conveyance from the proposed Water Plant site. The revision to Permit No. 2023-25 was approved by the Board on November 27, 2023.

DFMA:

A Detention Facilities Maintenance Agreement (DFMA) is required for the proposed Pond A. The DFMA will be considered for Board approval and execution upon recommendation by the District's legal counsel.

Technical Review:

Based on our review of the final plat, the permit application generally complies with the District's Rules and Regulations (R&R); we interpose no objection and recommend its approval by the District's Board of Supervisors.

Please note that this recommendation does not necessarily mean that the proposed design and all the calculations provided in the accompanying documentation have been completely checked and verified. Omissions in this review do not relieve the Development from complying with the District's R&R or any other regulatory requirements from a different entity having jurisdiction. Moreover, the plat submitted has been prepared, dated, signed, and sealed by a Professional Land Surveyor licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R.

For the Applicant:

Please be advised that in an effort to comply with the District's policy to maintain zero net increase in stormwater runoff rates and to ensure that no adverse impacts are attributable to the proposed Development, all detention facilities (i.e., drainage infrastructure and outfall(s)) must be constructed and functional before beginning construction of any impervious improvements.

At least two business days prior to starting construction of the Detention Facilities and Drainage Infrastructure, the Developer's contractor shall notify the District's General Manager in writing. The Pre-Construction Notification form can be found on the District's website under Permit Application and Engineering Documents (<https://www.bkdd.dst.tx.us/page/BKDD.Home>).



Mr. Arnold England, President

December 8, 2023

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The applicant shall not use this letter to commence any construction activities prior to receiving the **approved permit** from the governing entity with jurisdiction.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1003-82 La Segarra Blvd Phase 1 Permit Rvw/3.0 - LETTERS/La Segarra Blvd Phase 1 - Final Plat Letter 120523.docx>

cc: Mr. Alex Kamkar – Enclave Gassner Tract, LLC via email adkamkar@boldfoxdevelopment.com
Ms. Jackie Overton – EHRA, Inc. via email joverton@ehra.com
Mr. Luis Sanabria, PE – EHRA, Inc. via email lsanabria@ehra.com
Honorable Carbett "Trey" J. Duhon, III, Waller County Judge via email t.duhon@wallercounty.us
Mr. Kendric D. Jones, Waller County Commissioner Precinct 3 via email k.jones@wallercounty.us
Mr. Ross McCall, Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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December 8, 2023

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Urban Twinwood, LP
Twinwood Commerce Center Replat of Reserve 15 – **Preliminary Plat**
Quiddity, Inc. Job No. R0002-1003-23

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: LJA Engineering, Inc.

Permit Type: Tract Development with Platting – Preliminary Plat

Location: Southeast of Twinwood Parkway, northwest of Discovery Hills Parkway, east of FM 359, north of Waller County and Fort Bend County Line

Survey: Nathan Brookshire League, Abstract 16, Waller County, Texas

Previous Approvals: The District approved the Final Plat for Twinwood Commerce Center on January 23, 2023, under Permit No. 2022-100.

Description: The proposed Twinwood Commerce Center Replat of Reserve 15 (Development) is located southeast of Twinwood Parkway, northwest of Discovery Hills Parkway, east of FM 359, and is a part of the proposed Twinwood Business Park development.

The Development is a replat of the Twinwood Commerce Center which encompasses 24.86 acres and includes 0 lots, 15 commercial reserves, and 1 block. The Development subdivides commercial reserve 15 into 3 commercial reserves. The Development encompasses 11.383 acres and includes 3 reserves and 1 block. The property lies within Waller County Municipal Utility District No. 18 and is currently undeveloped.

The drainage from the site outfalls into a public storm sewer system within Discovery Hills Parkway, which is routed to the Twinwood Business Park Phase 4 and Phase 5 Detention Facilities and Amenity Lake (South Pond), which will then outfall to a tributary of East Fork of Brookshire Creek. The Twinwood Business Park Phase 4 and 5 Detention Facilities and amenity lake were included in the plans titled "Twinwood Business Park Phase 4 and 5 Detention Facilities and Amenity Lake" and approved by the District under Permit No. 2021-55 on February 10, 2022. These detention facilities are part of the originally executed Detention Facilities Maintenance Agreement.



QUIDDITY

Mr. Arnold England, President

December 8, 2023

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Revision: This replat is to subdivide commercial reserve 15 into three commercial reserves: 15A, 15B, and 15C. Drainage plans for each reserve will be submitted under a separate permit and reviewed by the District.

Technical Review: Based on our review of the Preliminary Plat of the Development, the permit application generally complies with the District's Rules and Regulations; we interpose no objection and recommend its acceptance by the District's Board of Supervisors.

It is to be understood that the acceptance of this Preliminary Plat by the District's Board of Supervisors does not constitute official acceptance of the proposed Development by the District but does constitute an authorization to begin and proceed with the preparation of the Final Plat.

The applicant shall not use this Preliminary acceptance to commence any construction activities until the Final Drainage Plans and Plat have been **approved and accepted** in official actions by the District and from any governing entity with jurisdiction.

Observation: The submittal of the Final Plat for the proposed Development shall include the necessary and all engineering supporting related information/ documents for review.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1003-23.001 Twinwood Commerce Ctr & Replat of Reserve 15 Twinwood Commerce CtrCommerce/Plan Reviews/Plat Letters/Twinwood Commerce Center Replat - Prelim Plat Ltr 120623.docx>

cc: Mr. Mark Overton – Urban Twinwood, LP via email moverton@urbancompanies.com
Ms. Naomi McAninch – LJA Engineering, Inc. via email nmcaninch@lja.com
Honorable Carbett “Trey” J. Duhon, III, Waller County Judge via email t.duhon@wallercounty.us
Mr. Kendric D. Jones, Waller County Commissioner Precinct 3 via email k.jones@wallercounty.us
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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December 8, 2023

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Katy Independent School District
Katy ISD Elementary School No. 48 - **Preliminary Plat**
Quiddity Job No. R0002-1020-01.021

Dear Mr. England:

The Brookshire-Katy Drainage District (District) received a permit application as follows:

Applicant: West Belt Surveying, Inc.

Permit Type: Tract Development with Platting – Preliminary Plat

Location: East of Schlipf Road, west of Bartlett Road, north of Clay Road, south of Stockdick Road

Survey: H. & T.C.R.R. Co. Survey, Abstract 201, Waller County, Texas

Description: The District received a Permit Application for the Preliminary Plat of Katy ISD Elementary School No. 48 (Development). The proposed Development is within the Sunterra development and encompasses 19.291 acres and includes 1 reserve and 1 block.

The drainage for the Development will be conveyed through an underground private storm sewer and connect to an existing public storm sewer system along Sunterra Shores Drive. The public storm sewer system along Sunterra Shores Drive was included in the construction plans titled "WSD&P on Sunterra Beach Drive Seg 1 & Sunterra Shores Drive Seg 1" that were approved under Permit No. 2020-73 on March 8, 2021. The flow will be directed east along Schlipf Road and outfall into the Detention Pond C, which outfalls into Detention Pond E, which then outfalls into Cane Island Branch of Buffalo Bayou. Detention Ponds C and E were included in the construction plans titled "Sunterra Mass Grading and Detention Phase I" under Permit No. 2020-18 and approved by the District on August 10, 2020. The associated outfalls with Ponds C and E were included in the construction plans titled "Sunterra Phase I Pipes and Outfalls" under Permit No. 2020-64 and approved by the District on November 9, 2020

DFMA: Detention Ponds C and E are a part of the executed addendum to the original Detention Facilities Maintenance Agreement (DFMA).



Mr. Arnold England, President
December 8, 2023
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Technical Review: The Sunterra Development started before the District Rules and Regulations changed on February 28, 2022, to include and adopt the Atlas 14 flow criteria. However, it was designed to satisfy Atlas 14 flow criteria adopted by Harris County.

Based on our review of the Preliminary Plat of Katy ISD Elementary School No. 48, the permit application generally complies with the District's Rules and Regulations; we interpose no objection and recommend its acceptance by the District's Board of Supervisors.

It is to be understood that the acceptance of the Preliminary Plat by the District's Board of Supervisors does not constitute official acceptance of the proposed Development by the District but does constitute an authorization to begin and proceed with the preparation of the Final Drainage Plans and Plat.

The applicant shall not use this Preliminary acceptance to commence any construction activities until the Final Drainage Plans and Plat have been **approved and accepted** in official actions by the District and from any governing entity with jurisdiction.

Observation: The submittal of the Final Plat for the proposed Development shall include the necessary construction plans, drainage calculations, and all engineering supporting related information/ documents for review.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Michael H. McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1020-01.021 Katy ISD Elementary School No. 48/2.0 - Letters/Katy ISD Elementary School No. 48 - Prelim Plat Approval Ltr_120723.docx

cc: Mr. Trey Barnett – Katy Independent School District via email johnwbarnett@katyisd.org
Mr. Abraham Nimrooz – West Belt Surveying, Inc. via email abrahmn@westbeltsurveying.com
Honorable Carbett "Trey" J. Duhon, III, Waller County Judge via email t.duhon@wallercounty.us
Mr. Kendric D. Jones, Waller County Commissioner Precinct 3 via email k.jones@wallercounty.us
Mr. Ross McCall, PE – Waller County Engineer via email r.mccall@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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December 11, 2023

Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Re: Proposal for Professional Engineering Services
Stream Gauges
FEMA FMA Grant Application

Dear Mr. England:

Quiddity Engineering, LLC (Quiddity) appreciates the opportunity to present this proposal for Professional Engineering Services in connection with preparing a grant application to the FEMA Flood Mitigation Assistance (FMA) program to install stream gauges within BKDD's limits.

Project Understanding

Quiddity understands that the Client desires to seek federal grant assistance to obtain and install up to six stream gauges to be installed at strategic locations throughout BKDD's jurisdiction and maintained as part of the Harris County Flood Warning System at www.harriscountyfws.org.

Quiddity has been in touch with the Harris County Flood Control District, who maintains the system, and offered the following guidance. First, that installation of an individual gauge will cost approximately \$10,000. Second, in order for it to be included and maintained in the FWS, HCFCFCD would require an annual maintenance fee of approximately \$750. The method for accomplishing this work would be through an interlocal agreement (ILA), and HCFCFCD has indicated a preference that this be accommodated through their current ILA with Waller County. While that presents a second tier of complexity, it does not appear to be insurmountable.

The FEMA FMA program has the ability to fund stream gauges for local agencies through a sub-unit of their Capability and Capacity Building (C&CB) Activities program. The cost share is 75/25, so if successful, for each gauge installed BKDD would be responsible for approximately \$2,500 (plus future maintenance). At this time, discussions with BKDD staff indicate a possibility for as many as six gauges strategically located within the District, which would represent an approximate local share of \$15,000. If successful, Quiddity would recommend inquiring with Waller County to consider sharing in that cost, as well as potentially HCFCFCD for gauges on any streams that ultimately flow into Harris County.

It is important to note that preparing and submitting an application is not in and of itself a firm commitment to pay the required local share of the project cost, but rather an initial indication of a willingness to do so. A firm commitment is not required until an actual grant award is offered to and accepted by the BKDD Board.



QUIDDITY

Mr. Arnold England, President

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December 11, 2022

Quiddity Scope of Services

The effort to prepare and submit a FEMA FMA application for this type of initiative is relatively low, approximately 20 hours of staff time. This includes coordination with BKDD staff on stream gauge locations, providing access to the FEMA.GO grant system to enter the application materials, obtaining approval from the Board to submit the application, and responding to TWDB/FEMA Requests for Information (RFI's). If successful, the effort required to implement the grant and negotiate any ILA's will be discussed at that time.

Project Schedule

Quiddity will assure that the application is submitted to TWDB prior to the January 8, 2024 deadline. After that time, Quiddity will respond to any RFI's as they are received either from TWDB or FEMA. Preliminary indication of grant award is expected in the Summer of 2024.

Compensation

The work will be performed on a time & materials basis and shall not exceed \$5,000.00 for this authorization. Please review and advise if you require any additional information and/ or clarifications. We look forward to providing these services to BKDD.

Sincerely,

Alan R. Black, P.E.

Vice President

APPROVED BY:

By: _____

Name: _____

Date: _____

BROOKSHIRE-KATY DRAINAGE DISTRICT
MONTHLY EQUIPMENT MILEAGE/HOUR, AND EXPENSE REPORT

November 2023

TRACTORS

EQUIPMENT	YEAR MODEL	LIFETIME HOURS	HOURS THIS MONTH	FISCAL YTD HOURS	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
JD 5100E BAT-WING TRACTOR	2019	2,676	37	98	\$0.00	\$0.00
JD R15 15' Flex-Wing Cutter	2019	-	-	-	\$0.00	\$0.00
JD 6145M 2019 BOOM MOWER	2019	2,526	70	168	\$3,055.20	\$3,648.67
JD 6145M 2021 BOOM MOWER	2021	1,177	20	20	\$428.07	\$787.33
JD 6150M BOOM MOWER	2015	6,022	61	61	\$415.02	\$943.78
JD 930M Z-TRAK MOWER	2018	561	0	6	\$50.02	\$50.02

HEAVY EQUIPMENT

EQUIPMENT	YEAR MODEL	LIFETIME HOURS	HOURS THIS MONTH	FISCAL YTD HOURS	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
CAT D6k2 DOZER	2019	1,357	33	89	\$0.00	\$0.00
CAT 323 EXCAVATOR	2018	3,986	57	140	\$0.00	\$166.15
CAT 416E BACKHOE	2012	3,262	44	95	\$378.20	\$378.20
JD 755A TRACK LOADER	1982	2,617	1	3	\$0.00	\$0.00
NORAM 65E MOTOR GRADER	2014	2,920	5	12	\$0.00	\$0.00

VEHICLES

EQUIPMENT	YEAR MODEL	LIFETIME MILES	MILES THIS MONTH	FISCAL YTD MILES	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
F-250 4X4 w/FUEL TANK (CREW)	2020	13,968	574	990	\$0.00	\$16.50
TACOMA SR 4X4 (INSPECTOR)	2020	42,047	553	1,438	\$62.91	\$138.89
F-150 4X4 (GENERAL MANAGER)	2017	82,157	1,574	2,103	\$0.00	\$7.00
F-250 4X4 (FOREMAN)	2016	102,823	124	258	\$0.00	\$0.00
F-750 DUMP TRUCK	2011	41,155	1,059	2,733	\$443.94	\$443.94
FREIGHTLINER HAUL TRUCK	2000	41	41	135	\$5,281.43	\$5,281.43
DODGE RAM 4X4 (2301)	2023	2,784	342	718	\$22.72	\$27.71
DODGE RAM 4X4 (2302)	2023	7,065	880	1,949	\$137.39	\$137.39
TACOMA TDR 4X4 (ASST GM)	2023	3,035	1,455	3,035	\$283.97	\$299.50

TRAILERS

EQUIPMENT	YEAR MODEL	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
LOAD MAX TRAIL 20' TANDEM	2020	\$0.00	\$0.00
CARRY-ON 6'x8' 2-WHEEL	2017	\$0.00	\$0.00
NUTTALL LOWBOY	1985	\$0.00	\$0.00
SPRAYER TANK TRAILER	?	\$0.00	\$0.00
HOME-MADE 4-WHEEL	1980	\$0.00	\$0.00

NOVEMBER 2023 - FINANCIAL REPORT

Exhibit "C"

General Fund	\$1,368,195.44
Payroll Fund	\$110,174.27
Petty Cash	\$1,906.73
Building Fund	\$1,458,129.18
Capital Improvement Fund	\$601,008.35
Texpool Fund	\$3,083.11
Amegy Bank Checking	\$69,600.84
Austin Co. State Bank CD	\$244,392.06
Bank of Shiner CD	\$182,076.20
Bank of Brenham CD	\$245,000.00
Citizens State Bank CD	\$240,956.67
Fayetteville Bank CD	\$180,140.10
First Nat. Bank Bellville CD	\$180,881.45
Industry State Bank CD	\$246,720.99
TOTAL RECONCILED BALANCE	\$5,132,265.39

RESERVES:
\$1,520,167.47

All accounts are reconciled.

FUNDS						
	TexPool	Prosperity Bank General Fund	Prosperity Bank Payroll Fund	Amegy Bank Grant - Checking	Prosperity Bank Building Fund	Prosperity Bank Capital Imprvmnts
Fund Balance						
Beginning Balance 11/1	\$3,069.16	\$1,766,053.17	\$153,900.62	\$69,600.84	\$1,460,054.20	\$600,934.26
Deposits and Credits	\$13.95	\$50,387.92	\$16.39	\$0.00	\$179.98	\$74.09
Debits and Withdrawals	\$0.00	\$437,643.74	\$41,699.66	\$0.00	\$680.00	\$0.00
Ending Balance 11/30	\$3,083.11	\$1,378,797.35	\$112,217.35	\$69,600.84	\$1,459,554.18	\$601,008.35
Less Total Outstanding Drafts/Deposits (Net Amount)	\$0.00	-\$10,601.91	-\$2,043.08	\$0.00	-\$1,425.00	\$0.00
Adjusted Ending Balance 11/30	\$3,083.11	\$1,368,195.44	\$110,174.27	\$69,600.84	\$1,458,129.18	\$601,008.35
Monthly Interest Earned	\$13.95	\$200.17	\$16.39	\$0.00	\$179.98	\$74.09

CERTIFICATES OF DEPOSIT							
	Austin County State Bank	Bank of Shiner	Citizens State Bank	Fayetteville Bank	First National Bank of Bellville	Industry State Bank	Bank of Brenham
Fund Balance							
Beginning Balance 11/1	\$244,392.06	\$182,076.20	\$240,956.67	\$179,641.34	\$180,380.64	\$246,720.99	\$245,000.00
Deposits and Credits	\$0.00	\$0.00	\$0.00	\$498.76	\$500.81	\$0.00	\$0.00
Debits and Withdrawals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ending Balance 11/30	\$244,392.06	\$182,076.20	\$240,956.67	\$180,140.10	\$180,881.45	\$246,720.99	\$245,000.00
Interest/Earned	\$0.00	\$0.00	\$0.00	\$498.76	\$500.81	\$0.00	\$0.00

BUDGET	
23-24 FY Budget	\$4,082,689.56
YTD Expenses	\$549,452.63
New Equipment	\$208,579.98
Total Budgeted Expenses YTD	\$758,032.61