

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

June 12, 2023

The Board of Supervisors of Brookshire-Katy Drainage District (the "District") met in regular session, open to the public, at 7:00 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; Michael McCarthy, P.E., of Quiddity Engineering ("Quiddity" or "Engineer"); Blair Bozoarth of Sunterra Development; Shawn Geiman of Shawnee Trees, LLC; and Andrew P. Johnson, III, and William Petrov, attorneys, Mirna Croon, paralegal, and Martha Velasquez, legal intern, of Johnson Petrov, LLP ("Johnson Petrov" or "Attorney").

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

The President acknowledged Mr. Geiman, who shared his concerns about the drainage ditch that was never installed. A copy of Mr. Geiman's statement is attached hereto as Exhibit "A".

After making his statement, Mr. Geiman left the meeting.

Agenda Item No. 4
MINUTES OF MAY 4, 2023 BOARD MEETING, MAY 22, 2023 WORKSHOP, AND MAY 26, 2023 SPECIAL MEETING

Upon motion by Supervisor Chisum, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved the minutes of the May 4, 2023 Board meeting, May 22, 2023 Workshop, and May 26, 2023 Special Meeting.

Agenda Item No. 5
COMMITMENT LETTER FOR E. NEUMAN EASEMENT CROSSING ("Commitment Letter").

Mr. Petrov reviewed the Commitment Letter, which had been revised at the property owner's request to allow the owner access to all of his properties.

Upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved the revised Commitment Letter.

Agenda Item No. 6
ENGINEER'S REPORT

Mr. McCarthy reviewed the Engineer's Report, a copy of which is attached hereto as Exhibit "B".

Upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved Permit Application No. 2022-93 for Enterprise Park at Twinwood – Final Plat, as recommended by Quiddity.

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved Permit Application No. 2023-54 for Maple Grove Phase 1A Borrow Excavation – Drainage Plans, as recommended by Quiddity.

Upon motion by Supervisor Chisum, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved Permit Application No. 2023-44 for Clay Road Segment 1 Revision 2 – Drainage Plans, as recommended by Quiddity.

Upon motion by Supervisor Keeling, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved the Preliminary Plat for Kiddie Academy Sunterra, as recommended by Quiddity.

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board (i) approved the Preliminary Plat for La Segarra Blvd, Phase 1, as recommended by Quiddity; and (ii) approved the Preliminary Plat for Le Segarra Water Plant, as recommended by Quiddity.

Next, Mr. Bozoarth updated the Board regarding the Sunterra Development and responded to questions from the Board. Mr. Bozoarth reported that approximately 600 homes have been sold within the Sunterra Development this year.

Mr. McCarthy updated the Board on the Channel Rehabilitation projects. Storm Water Solutions submitted a proposal for Phases 1 and 2 of clearing, grubbing, and debris removal for less than \$65,000. The proposal is valid for 120 days. After clearing and grubbing, a channel realignment plan will need to be developed. Additionally, the District must confirm that it has the required easement on the property. No action was taken on this matter.

Ms. Sidwell reported that the closing on the property for the new Administration Building is scheduled for June 27, 2023. The survey has been submitted to the title company. The architect, Blue Line, will attend the next meeting to discuss plans to construct a detention pond on the newly purchased property.

Next, Mr. McCarthy distributed the preliminary draft of the Master Drainage Plan – Phase 1 to the Board.

Agenda Item No. 7
GENERAL MANAGER'S REPORT

Mr. Kitzman briefed the Board on the legislation passed during the 88th Texas Legislative Session.

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

Agenda Item No. 8
FINANCIAL REPORT

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

Next, upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board authorized the transfer of \$150,000 from the General to Payroll Fund.

Agenda Item No. 7
GENERAL MANAGER'S REPORT (CONTINUED)

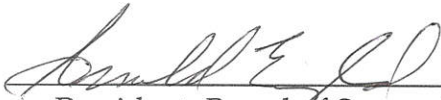
Next, Mr. Brand reviewed the Inspector's Report.

ADJOURNMENT

With no additional matters to discuss, upon motion by Supervisor Keeling, seconded by Supervisor Welch, and with all Supervisors voting aye, the Board adjourned the meeting at 9:04 p.m.

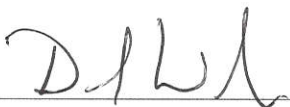
[EXECUTION PAGE FOLLOWS]

SIGNED this 10th day of July 2023.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

- | | |
|-------------|--------------------------|
| Exhibit "A" | Statement |
| Exhibit "B" | Engineering Report |
| Exhibit "C" | General Manager's Report |
| Exhibit "D" | Financial Report |

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

June 26, 2023

The Board of Supervisors of Brookshire-Katy Drainage District (the "District") met in special session, open to the public, at 8:30 a.m. on the 26th day of June, 2023, 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	Assistant Secretary

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

Also attending the meeting were Stan Kitzman, General Manager; Buddy Brand, Assistant General Manager of the District; Wendy Sidwell, District Administrator; Rod Pinheiro, P.E., of Quiddity Engineering ("Quiddity" or "Engineer"); Shawn Geiman of Shawnee Trees, LLC; Jack Duran of Blueline Architects; Brett Hanrahan of ALJ Lindsay, LLC; and Andrew P. Johnson, III, and William Petrov, attorneys, and Mirna Croon, paralegal, of Johnson Petrov, LLP ("Johnson Petrov" or "Attorney").

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

The President acknowledged Mr. Geiman, who stated that according to District representatives, additional retention would be required to build a third building on his property. He further stated that he was previously told that the master plan, which always intended three buildings, is valid for five years.

The President stated that District representatives will inspect Mr. Geiman's property today.

[Mr. Geiman departed the meeting.]

Agenda Item No. 4
UPDATE ON REAL ESTATE PURCHASE

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board (i) authorized the wire transfer in the amount of \$792,894.02 to the Frontier Title Company for the real-estate purchase; and (ii) authorized Supervisors England and Keeling to execute documents needed to finalize the real-estate purchase.

UPDATE ON NEW ADMINISTRATION BUILDING

Mr. Duran and Mr. Hanrahan reviewed the plans for the new Administration Building and discussed retention options. The Board also discussed the possibility of constructing a fishing pond on the newly purchased property. Mr. Duran stated that the preliminary construction cost estimate excluding furniture is \$2.8 million. Mr. Duran and Mr. Hanrahan responded to questions from the Board, stating that additional exhibits would be prepared for the Board's review at a future meeting.

[Mr. Duran and Mr. Hanrahan departed the meeting.]

UPDATE ON LEGISLATIVE CHANGES

Mr. Petrov discussed the actions of the 88th Texas Legislature (2023) with particular attention to changes in law that directly affect the District.

DISTRICT INFORMATION FORM

Mr. Petrov then discussed approval of a District Information Form, which is required to show the current tax rate, the outstanding debt and the Notice to Purchasers form. All of these records must be recorded in the Waller County Real Property Records (the "WCRPR") and filed with the Texas Commission on Environmental Quality ("TCEQ").

Upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved the District Information Form, and authorized recording of same in the WCRPR and filing of it with the TCEQ, as required by law.

UPDATE ON E. NEUMAN EASEMENT

Mr. Brand reported that the easement was signed and filed with the Waller County Real Property Records.

UPDATE ON RYLANDER EASEMENT

Mr. Kitzman discussed the historical background of the two easements affecting Mr. Geiman's property. He then updated the Board on the Rylander easement, noting that one of the property owners does not want an easement on his land.

[Supervisor Welch stepped out of the meeting.]

TRACT DEVELOPMENT WITH PLATTING FOR LA SEGARRA SECTION
PRELIMINARY PLAT

Upon motion by Supervisor Beckendorff, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved the Preliminary Plat for the above-referenced development, as recommended by Quiddity.

[Supervisor Welch entered the meeting.]

Agenda Item No. 11

TRACT DEVELOPMENT WIITH PLATTING FOR ANSERRA MULTI-FAMILY DEVELOPMENT - PRIVATE PLANS FOR PARK AT ANSERRA SECTION 4 - FINAL PLAN AND DRAINAGE PLANS, PERMIT NO. 2022-105

Upon motion by Supervisor Beckendorff, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved the Permit No. 2022-105 for the above-referenced development subject to receipt of a fully executed revised Detention Facilities Maintenance Agreement, as recommended by Quiddity.

Agenda Item Nos. 12, 13, 14 and 15

TRACT DEVELOPMENT WIITH PLATTING FOR SUNTERRA SECTION NOS. 54 THROUGH 56; AND TRACT DEVELOPMENT WITH PLATTING FOR SUNTERRA SECTION 48 - REVISED FINAL PLAT AND DRAINAGE PLANS, PERMIT NO. 2022-63 REVISED

Upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with Supervisor Beckendorff voting nay, the Board approved Tract Development with Platting for Sunterra Section Nos. 54 through 56; and Tract Development with Platting for Sunterra Section 48 - Revised Final Plat and Drainage Plans, Permit No. 2022-63 Revised, as recommended by Quiddity.

Agenda Item No. 16

UPDATE ON SUNTERRA DEVELOPMENT

There was no report.

Agenda Item No. 17

UPDATE ON MASTER DRAINAGE PLANS - PHASE 1

Mr. Pinheiro distributed and summarized the Master Drainage Plan - Phase I. He stated that the Plan will be posted on the District website for review by any interested party.

Upon motion by Supervisor Beckendorff, seconded by Supervisor Keeling, after full discussion and with all Supervisors voting aye, the Board accepted the Master Drainage Plan - Phase I.

ADJOURNMENT

With no additional matters to discuss, upon motion by Supervisor Keeling, seconded by Supervisor Welch, and with all Supervisors voting aye, the Board adjourned the meeting at 11:03 a.m.

[EXECUTION PAGE FOLLOWS]

SIGNED this 10th day of July 2023.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

Exhibit "A"

Shawn Geiman – I have lived in Katy for 40 years.

I am here about the Geiman Sports Complex, and my residence with concerns about the drainage ditch that has not been installed to Morton Road from my SE corner.

- ❖ **In January 2020 – my engineer and I met with Charles Kalkomey & Stan Kitzman to discuss a ditch to Morton Road to help with runoff from properties in the NE corner of Schlipf Rd & Clay Rd.**
- ❖ **Waller County Road & Bridge stated Schlipf Rd is at capacity. NO water to drain to Schlipf Rd**
- ❖ **Many properties are now land locked for drainage of runoff.**
- ❖ **Neighbors to the north drain to my property. Neighbors to my south have built up their entire property. (Example: concrete wall)**
- ❖ **I had to build a 2 acre retention area for a 6 acre property**
 - **Until the ditch is dug out or installed; it is only 6" below grade**
 - **Wasting a large portion of MY land**
 - **This was ONLY supposed to be temporary; until the ditch was dug out or installed**
 - **I am paying taxes on this very EXPENSIVE piece of land; and can NOT finish development due to new rules**
- ❖ **Excuses that have been given:**
 - **Too difficult with gas lines**
 - **Is it because it cost too much**
- ❖ **Are no developers paying for it**
- ❖ **Is this not a priority of the Drainage District?**
- ❖ **You are supposed to be there for your constituents**
- ❖ **Engineers and attorneys for the district should be able to figure it out. It is their job.**

June 12, 2023



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

June 7, 2023

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

Reference: Twinwood Industrial Owner, LLC.
Enterprise Park at Twinwood – **Final Plat**
Permit No. 2022-96
Quiddity, Inc. Job No. R0002-1002-84

Dear Mr. England:

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

Applicant: Kimley-Horn and Associates, Inc.

Permit Type: Tract Development with Platting – Final Plat

Location: West of Discovery Hills Parkway and east of Twinwood Parkway

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

Previous Approvals: The District approved the Preliminary Plat for Twinwood Business Park Phase 3 Tract B on February 10, 2022, under Permit No. 2022-01.

Description: The proposed Enterprise Park at Twinwood (Development) is located adjacent to Twinwood Parkway and Discovery Hills. The tract encompasses 47.92 acres and includes 0 lots, 2 reserves, and 1 block. For approval under this permit application is the development of Twinwood Business Park Phase 3 Reserve B which encompasses 32.10 acres and includes 0 lots, 1 commercial reserve, and 1 block. The remaining 15.82 acre commercial reserve will not be developed with this permit application, but a portion of the private storm sewer serving the Development encroaches into the 15.82 acre property. The property owner provided a letter of no objection for the encroachment. Any future plans for the 15.82 acre commercial reserve will need to be submitted to the District for approval and comply with the District's rules and regulations.



Mr. Arnold England, President
June 7, 2023
Page 2

The Development includes the construction of four (4) commercial buildings, underground utilities, and a concrete parking lot. The drainage from the site contains two outfall locations. The first outfall connects to a public storm sewer system within Discovery Hills Parkway. The second outfall connects to a public storm sewer system along Twinwood Parkway.

The public storm sewer system within Discovery Hill Parkway 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.

The public storm sewer system within Twinwood Parkway is routed to the Twinwood Business Park Phase 3 Detention Facilities, which will then outfall into Drainage Channel B and ultimately into the East Fork of Brookshire Creek. The Twinwood Business Park Phase 3 Detention Facilities were included in the plans titled "Twinwood Business Park Phase 3 Detention Facilities" and approved by the District under Permit No. 2019-48 on April 20, 2020.

DFMA:

The Twinwood Business Park Phase 3, 4, and 5 detention facilities are a part of an executed Detention Facilities Maintenance Agreement with the District.

Technical Review:

Based on our review of the final drainage plans (plans) and 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 plans and plat submitted have been prepared, dated, signed, and sealed by a Professional Engineer and a Land Surveyor, respectively. They are licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.



Mr. Arnold England, President
June 7, 2023
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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>).

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 McCarthy, PE

MHM/dme

[https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1002-84 Enterprise Park at Twinwood \(formerly Twinwood Bus Park Ph 3 Reserve B\)/Plan Reviews/Plat Letters/Enterprise Park at Twinwood - Final Plat Letter .docx](https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1002-84 Enterprise Park at Twinwood (formerly Twinwood Bus Park Ph 3 Reserve B)/Plan Reviews/Plat Letters/Enterprise Park at Twinwood - Final Plat Letter .docx)

cc: Mr. Todd King – Twinwood Industrial Owner, LLC tking@panattoni.com
Mr. Eric Rogers – Kimley-Horn and Associates, Inc. eric.rogers@kimley-horn.com
Honorable Carbett "Trey" J. Duhon, III, Waller County Judge via email t.duhon@wallercounty.us
Mr. Justin Beckendorff, Waller County Commissioner Precinct 4 via email j.beckendorff@wallercounty.us
Mr. Ross McCall, Waller County Engineer via email r.mccall@wallercounty.us
Mr. Andrew Johnson III – Johnson Petrov, LLP bkddlegal@johnsonpetrov.com



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June 13, 2023

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

Reference: Maple Development Group
Maple Grove Phase 1A Borrow Excavation - **Final Drainage Plans**
Permit No. 2023-54
Quiddity, Inc. Job No. R0002-1003-79

Dear Mr. England:

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

<u>Applicant:</u>	LJA Engineering, Inc.
<u>Permit Type:</u>	Tract Development w/o Platting – Final Drainage Plans
<u>Location:</u>	East of Neuman Road and north of Morton Road
<u>Survey:</u>	T.S. Reese Survey, Abstract 328, Waller County, Texas
<u>Previous Approvals:</u>	N/A
<u>Description:</u>	The District received a Permit Application for the Clearing and Grubbing in Maple Grove Phase 1A (Development). This Development includes clearing and grubbing of trees and vegetative material, fill and excavation, and construction of drainage swales over 273 acres, which covers the future Maple Grove development area. The clearing and grubbing work is needed to allow for an accurate topographic survey of the area for the design of the future residential development. The cut and fill and drainage improvements are to allow adequate drainage of the natural sheetflow pattern across the site. The engineer provided a drainage memo which certifies no adverse impacts are proposed as a result of the Development.
<u>Technical Review:</u>	Based on our review of the final drainage plans (plans), 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, a Professional



Mr. Arnold England, President
June 13, 2023
Page 2

Engineer has prepared, dated, signed, and sealed the plans submitted. This Professional is 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>).

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 McCarthy, PE

MHM/dme

[https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1003-79 Maple Grove Permit Review/Plan Reviews/Plan Review Letters/Maple Grove Phase 1A Borrow Ex - DP Letter 20230606.docx](https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared%20Documents/BKDD%20All%20Permits/R0002-1003-79%20Maple%20Grove%20Permit%20Review/Plan%20Reviews/Plan%20Review%20Letters/Maple%20Grove%20Phase%201A%20Borrow%20Ex%20-%20DP%20Letter%2020230606.docx)

cc: Mr. Chance Vinklarek, PE – LJA Engineering, Inc. cvinklarek@lja.com
Mr. Sky Zhang, PhD, PE, CFM – LJA Engineering, Inc. czhang@lja.com
Honorable Carbett "Trey" J. Duhon, III, Waller County Judge via email t.duhon@wallercounty.us
Mr. Kendrick 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 ajohnson@johnsonpetrov.com



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June 6, 2023

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

Reference: Astro Sunterra, LP c/o Land Tejas
Clay Road Segment 1 Revision 2 - Final Drainage Plans
Permit No. 2023-44
Quiddity Job No. R0002-1002-07

Dear Mr. England:

The District has received a permit application as follows:

Applicant: Quiddity – LDS

Permit Type: Tract Development without Platting – Final Construction Plans

Location: 27974 Clay Road, Katy, Texas 77493

Survey: H. & T.C. R.R. Co. Survey Section 121, Abstract 201, Waller County, Texas

Previous Approvals: The District previously approved the Preliminary Plat for Clay Road on August 9, 2021, under Permit No. 2021-56. The District previously approved the Final Drainage Plans for Clay Road Segment 1 on December 13, 2021, under Permit No. 2020-89. The District previously approved the Final Drainage Plans for Clay Road Segment 1, Revision 1 on January 23, 2023, under Permit No. 2023-09.

Revision: The proposed Clay Road Segment 1 Revision 2 (Development) includes revisions to sheets 10, 11, 12A, 15-16A, and 41. These sheets were revised to include storm sewer additions and drainage improvements on the west side of Bartlett Road which outfalls into the District's channel along Bartlett Road and to the south of Clay Road. It is our understanding the revisions were originally intended to be included in the future Clay Road Segment 2 improvements, but are now included in the Development's scope to expedite the drainage improvements along Clay Road.

Technical Review: Based on our review of the final drainage plans (plans), 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, a Professional



Mr. Arnold England, President

Page 2

June 6, 2023

Engineer has prepared, dated, signed, and sealed the plans submitted. This Professional is 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. Omissions in this approval do not relieve the Development from complying with the District's R&R or any other regulatory criteria having jurisdiction.

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 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>).

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 McCarthy, PE

MHM/dme

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1002-07 Clay Road Permit Review/Plan Reviews/Plan Review Letters/England_Clay Road Seg 1 Revision 2 Final Plan Ltr 060523.docx

cc: Mr. Blair Bozoarth, PE – Quiddity – LDS via email bbozoarth@quiddity.com
Mr. Brian Geier, PE – Quiddity – LDS via email bgeier@quiddity.com
Mr. Shamar O'Bryant - Land Tejas via email sobryant@landtejas.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 ajohnson@johnsonpetrov.com



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June 6, 2023

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

Reference: KA Great Minds West LLC
Kiddie Academy Sunterra - **Preliminary Plat**
Quiddity Job No. R0002-1004-07

Dear Mr. England:

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

Applicant: Windrose Services

Permit Type: Tract Development with Platting – Preliminary Plat

Location: East of Bartlett Road and north of Clay Road

Survey: J.W. McCutcheon Survey Section 130, Abstract 308, Waller County, Texas

Description: The proposed Kiddie Academy Sunterra (Development) is located east of Bartlett Road and north of Clay Road. The Development includes a replat of Unrestricted Reserve "A", Sunterra Market Reserve to Bartlett Road Corner Reserve. The Development encompasses approximately 3.2484 acres and includes 0 lots, 2 reserves, and 1 block.

Preliminary drainage plans were submitted to the District for review. The Development includes a proposed single commercial building, underground utilities, and associated parking to serve the 1.7589 acre Reserve B. The District has not received a permit application for the future development of the remaining 1.49 acre Reserve A within this tract.

The drainage for the Development is proposed to connect to existing public storm sewer stubs along Bartlett Road, which will then connect to the storm sewer system within Sunterra Beach Drive. The construction of the existing public storm sewer along Bartlett Road was included in the plans titled "Water, Sanitary, Drainage & Paving Facilities on Bartlett Road-Segment No. 1" under Permit No. 2021-02 and approved by the District on February 8, 2021. The construction of the existing public storm sewer along Sunterra Beach Drive was included in the plans titled "Water, Sanitary, Drainage & Paving Facilities on Sunterra Beach Drive Seg 1 & Sunterra Shores Drive Seg 1" under Permit No. 2020-73 and approved by the District on March 8, 2021.

The flow from the referenced connections at Bartlett Road and Sunterra Beach Drive will outfall into Detention Pond C, which outfalls into Detention Pond D, which will then outfall into Detention Pond E. Detention Pond E outfalls into Cane Island Branch of Buffalo Bayou.



Mr. Arnold England, President

June 6, 2023

Page 2

Detention Ponds C, D, and E were included in the construction plans titled "Sunterra Mass Grading and Detention Phase I" that were approved under Permit No. 2020-18 on August 10, 2020 and in the plans titled "Sunterra Phase IA Pipes and Outfalls" that were approved under Permit No. 2020-64 on November 9, 2020.

DFMA: Detention Ponds C, D, and E are part of an executed Detention Facilities Maintenance Agreement with the District.

Technical Review: Based on our review, the Preliminary Plat of Kiddie Academy Sunterra generally complies with the District's Rules and Regulations. We interpose no objection and recommend the District accept this Preliminary Plat.

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 the District's acceptance of the Preliminary Plat 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 McCarthy, PE

MHM/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1004-07 Kiddie Academy Sunterra Permit Review/3.0 - LETTERS/Kiddie Academy Sunterra - Prelim Plat Approval Ltr 060623.docx>

cc: Ms. Amanda Rabius – Windrose Services amanda.rabius@windroseservices.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 ajohnson@johnsonpetrov.com



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

June 7, 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 – **Preliminary Plat**
Quiddity, Inc. Job No. R0002-1003-82

Dear Mr. England:

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

<u>Applicant:</u>	EHRA, Inc.
<u>Permit Type:</u>	Tract Development with Platting – Preliminary Plat
<u>Location:</u>	West of Neuman Road, east of FM 362, and north of Gassner Lane
<u>Survey:</u>	H. & T.C. Rail Road Company Survey, Abstract 288, Section 50, Waller County, Texas
<u>Previous Approvals:</u>	N/A
<u>Description:</u>	The proposed La Segarra Boulevard Phase 1 (Development) is located west of Neuman Road, east of FM 362, and north of Gassner Lane. The Development encompasses approximately 2.75 acres and includes 0 lots, 1 block, and 1 reserve. The Development is located within the future La Segarra development, comprising 212.71 acres of land. This Development includes only the platting of the boulevard. The construction of the Development will be included under the permit for the future La Segarra Section 1. The Development was included in the drainage impact analysis titled "Gassner Drainage Impact Analysis" that was accepted by the District on June 6, 2022. The drainage for the road will outfall into the future La Segarra Phase 1 detention facilities, which will then outfall into the District's channel along Neuman Road that ultimately connects to Brookshire Creek further downstream. The permit applications for La Segarra Section 1 and La Segarra Phase 1 detention facilities have been received by the District and are currently in review.
<u>DFMA:</u>	A fully executed Detention Facilities Maintenance Agreement (DFMA) that includes the La Segarra Phase 1 drainage and detention facilities will be required prior to District approval of the final plat and drainage plans for the Development.



Mr. Arnold England, President
June 7, 2023
Page 2

Technical Review: Based on our review of the Preliminary Plat of La Segarra Boulevard Phase 1, this Preliminary Plat generally complies with the District's Rules and Regulations. We interpose no objection and recommend the District accept this Preliminary Plat.

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 the District's acceptance of the Preliminary Plat 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 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 - Prelim Plat Letter 060723.docx>

cc: Ms. Jackie Overton – EHRA, Inc. via email joverton@ehra.com
Mr. Luis Sanabria – 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 r.mccall@wallercounty.us
Mr. Andrew Johnson III – Johnson Petrov, LLP bkkdlegal@johnsonpetrov.com



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June 7, 2023

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

Reference: Enclave Gassner Tract, LLC
La Segarra Water Plant – **Preliminary Plat**
Quiddity, Inc. Job No. R0002-1003-87

Dear Mr. England:

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

Applicant: EHRA, Inc.

Permit Type: Tract Development with Platting – Preliminary Plat

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

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

Previous Approvals: N/A

Description: The proposed La Segarra Water Plant (Development) is located to the west of Neuman Road, east of FM 362, and north of Gassner Lane. The Development encompasses approximately 1.91 acres and includes 0 lots, 1 block, and 1 reserve.

The Development is located within the future La Segarra development, comprising 212.71 acres of land. This Development includes the construction of a Water Plant to serve the ultimate development. The Development was included in the drainage impact analysis titled "Gassner Drainage Impact Analysis" that was accepted by the District on June 6, 2022.

The drainage for the site will connect to the future La Segarra Section 2 drainage facilities, which will outfall into the future La Segarra Phase 2 detention facilities, which will outfall into the future La Segarra Phase 1 detention facilities, which will then outfall into the District's channel along Neuman Road that ultimately connects to Brookshire Creek further downstream. The District has not received permit applications for La Segarra Section 2 and La Segarra Phase 2 detention facilities. The permits for La Segarra Section 1 and La Segarra Phase 1 detention facilities have been received by the District and are currently in review. These permits must be approved by the District, constructed, and operational prior to the District's approval of the final plat and drainage plans for the Development.



Mr. Arnold England, President

June 7, 2023

Page 2

DFMA: A fully executed Detention Facilities Maintenance Agreement (DFMA) that includes the La Segarra Phase 1 and 2 drainage and detention facilities will be required prior to District approval of the final plat and drainage plans for the Development.

Technical Review: Based on our review of the Preliminary Plat of La Segarra Water Plant, this Preliminary Plat generally complies with the District's Rules and Regulations. We interpose no objection and recommend the District accept this Preliminary Plat.

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 the District's acceptance of the Preliminary Plat 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 McCarthy, PE

MHM/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1003-87 La Segarra WP Permit Rvw/3.0 - LETTERS/La Segarra WP - Prelim Plat Letter 060623.docx>

cc: Ms. Jackie Overton – EHRA, Inc. via email joverton@ehra.com
Mr. Luis Sanabria – EHRA, Inc. via email isanabria@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 r.mccall@wallercounty.us
Mr. Andrew Johnson III – Johnson Petrov, LLP bkkdlegal@johnsonpetrov.com

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

Exhibit "C"

May 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	2,321	67	328	\$0.00	\$2,723.91
JD R15 15' Flex-Wing Cutter	2019	-	-	-	\$0.00	\$0.00
JD 6145M 2019 BOOM MOWER	2019	1,995	48	177	\$0.00	\$8,644.20
JD 6145M 2021 BOOM MOWER	2021	972	76	366	\$215.00	\$640.57
JD 6150M BOOM MOWER	2015	5,818	35	493	\$407.73	\$3,455.95
JD 930M Z-TRAK MOWER	2018	529	13	52	\$61.86	\$229.22

HEAVY EQUIPMENT

EQUIPMENT	YEAR MODEL	LIFETIME HOURS	HOURS THIS MONTH	FISCAL YTD HOURS	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
CAT D6k2 DOZER	2019	1,181	6	311	\$0.00	\$2,830.40
CAT 323 EXCAVATOR	2018	3,468	73	641	\$0.00	\$8,390.31
CAT 416E BACKHOE	2012	3,002	44	156	\$0.00	\$374.90
JD 755A TRACK LOADER	1982	2,599	2	34	\$886.42	\$886.42
NORAM 65E MOTOR GRADER	2014	2,886	9	85	\$0.00	\$6,050.53

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	11,943	497	3,617	\$0.00	\$51.48
TACOMA SR 4X4 (INSPECTOR)	2019	36,238	1,030	6,738	\$115.94	\$1,415.68
F-150 4X4 (GENERAL MANAGER)	2017	75,600	1,196	9,407	\$455.38	\$1,674.01
F-250 4X4 (FOREMAN)	2016	102,296	189	7,340	\$138.49	\$181.60
F-750 DUMP TRUCK	2011	36,750	662	2,142	\$1,208.42	\$3,941.25
FREIGHTLINER HAUL TRUCK	2000	384,592	105	721	\$40.75	\$3,763.46
DODGE RAM 4X4 (2301)	2023	671	434	671	\$1,013.28	\$1,021.78
DODGE RAM 4X4 (2302)	2023	1,209	937	1,209	\$919.71	\$928.21
CHEVROLET C-60 FARM TRUCK	1977	UNKNOWN	UNKNOWN	UNKNOWN	\$0.00	\$16.50

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

MAY 2023 - FINANCIAL REPORT

Exhibit "D"

General Fund	\$3,784,581.32
Payroll Fund	\$64,019.48
Petty Cash	\$1,546.51
Building Fund	\$1,100,977.94
Capital Improvement Fund	\$600,556.55
Texpool Fund	\$3,003.75
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	\$179,143.97
First Nat. Bank Bellville CD	\$179,881.22
Industry State Bank CD	\$246,720.99
TOTAL RECONCILED BALANCE	\$7,142,457.50

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 5/1	\$2,992.05	\$4,002,454.83	\$104,636.37	\$69,600.84	\$1,100,837.70	\$600,480.05
Deposits and Credits	\$11.70	\$67,572.45	\$11.39	\$0.00	\$140.24	\$76.50
Debits and Withdrawals	\$0.00	\$297,382.38	\$38,379.36	\$0.00	\$0.00	\$0.00
Ending Balance 5/31	\$3,003.75	\$3,772,644.90	\$66,268.40	\$69,600.84	\$1,100,977.94	\$600,556.55
Less Total Outstanding Drafts/Deposits (Net Amount)	\$0.00	\$11,936.42	-\$2,248.92	\$0.00	\$0.00	\$0.00
Adjusted Ending Balance 5/31	\$3,003.75	\$3,784,581.32	\$64,019.48	\$69,600.84	\$1,100,977.94	\$600,556.55
Monthly Interest Earned	\$11.70	\$489.71	\$11.39	\$0.00	\$140.24	\$76.40

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 5/1	\$244,392.06	\$182,076.20	\$240,956.67	\$178,669.51	\$179,399.40	\$246,720.99	\$245,000.00
Deposits and Credits	\$0.00	\$0.00	\$0.00	\$474.46	\$481.82	\$0.00	\$0.00
Debits and Withdrawals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ending Balance 5/31	\$244,392.06	\$182,076.20	\$240,956.67	\$179,143.97	\$179,881.22	\$246,720.99	\$245,000.00
Interest/Earned	\$0.00	\$0.00	\$0.00	\$474.46	\$481.82	\$0.00	\$0.00

BUDGET	
22-23 FY Budget	\$3,997,825.15
YTD Expenses	\$1,747,287.28
New Equipment	\$178,455.67
Total Budgeted Expenses YTD	\$1,925,742.95