

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

March 13, 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 except Supervisor Welch, thus constituting a quorum.

Also attending the meeting were Buddy Brand, Assistant General Manager of the District; Wendy Sidwell, District Administrator; Michael McCarthy, P.E., and Steve Berckenhoff, P.E. of Quiddity Engineering ("Quiddity" or "Engineer"); Blair Bozoarth of Sunterra Development; Dan Naef of Sunrise Development; and William Petrov, attorney, 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

There was no public comment.

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

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

Agenda Item No. 5
HOLLIS TRACTOR AND EQUIPMENT REPAIR'S ESTIMATE FOR 2000 FREIGHTLINER AIR CONDITIONING

Upon motion by Supervisor Beckendorff, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board authorized the Hollis Tractor and Equipment Repair for 2000 Freightliner Air Conditioning at an estimated cost of \$1,916.

Agenda Item No. 6
ADOPT ORDER AMENDING DISTRICT RULES AND REGULATIONS

Mr. Petrov presented to and reviewed with the Board the proposed amendment to the District's Rules and Regulations explaining that most governmental agencies such as the Texas Commission on Environmental Quality, have a designated number of days

for processing permit applications. It is not unusual for a governmental entity to return an application missing certain information and/or documents, if the requested information was not submitted within 90 days of the submittal date.

Mr. McCarthy stated that some more complex District projects have plethora of comments from multiple parties that need to be addressed. He proposed the District Rules and Regulations be revised to grant 180 days to the applicant to revise the application, with an extension option. If no response is received by the District Engineer after 180 days, the application would be considered withdrawn. Mr. Petrov stated that this matter will be on the next agenda for Board's consideration.

Agenda Item No. 7

AUTHORIZE CORRESPONDENCE TO SHAWNEE TREES ON BEHALF OF THE DISTRICT

Mr. Petrov reported that Mr. Shawn Geiman requested certain information related to the proposed drainage at Katy Dog Run pursuant to the Texas Information Act. Mr. Petrov explained that the District pursuant to the Act, the District is only required to produce documents already created. JP reviewed Mr. Geiman's request and prepared the response related to the proposed drainage at Katy Dog Run. Discussion ensued after which upon motion by Supervisor Keeling, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board authorized W. Sidwell to send the response to Mr. Geiman, on behalf of the District.

Agenda Item No. 8

PURCHASE AN ADDITIONAL FOUR (4) DRAWER FIRE PROOF FILING CABINET

Upon motion by Supervisor Chisum, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board authorized the purchase of one four (4) drawer fire-proof filing cabinet at the total cost of \$3,437.82, which includes the delivery fee.

Agenda Item No. 9

CYBER SECURITY COURSE ENROLLMENT

Upon motion by Supervisor Keeling, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board authorized the Board and staff to be enrolled into the cyber security course as required by the State of Texas.

Agenda Item No. 10

AUTHORIZE INCREASE TO PURCHASE LIMIT FOR GENERAL MANAGER

Upon motion by Supervisor Chisum, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board increased the purchase allowance limit for the General Manager and Assistant General Manager from \$1,750 to \$5,000.

Agenda Item No. 11

ENGINEER'S REPORT

Mr. McCarthy updated the Board regarding the Channel Rehabilitation projects and asked the Board to authorize Quiddity to coordinate the site visit with a contractor to discuss the project scope and costs.

Next, upon motion by Supervisor Beckendorff, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board authorized Quiddity to coordinate the site visit with a contractor to discuss the project scope and costs.

Next, Mr. Bozoarth updated the Board regarding the Sunterra Development and responded to questions from the Board. He stated that 260 homes have been sold in 2023.

Mr. Bozoarth also informed the Board about a new residential project in the District with approximately 3000 lots. The client and team will be introduced to the Board later.

Agenda Item No. 12
GENERAL MANAGER'S REPORT

Mr. Brand reviewed the Inspector’s Report and General Manager's Report, attached hereto as Exhibit "A".

Agenda Item No. 13
FINANCIAL REPORT

Ms. Sidwell presented to and reviewed with the Board the Financial Report, a copy of which is attached hereto as Exhibit "B". Upon motion by Supervisor Keeling, 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.

ADJOURNMENT

With no additional matters to discuss, upon motion by Supervisor Keeling, seconded by Supervisor Beckendorff, and with all Supervisors voting aye, the Board adjourned the meeting at 8:35 p.m.

[EXECUTION PAGE FOLLOWS]

SIGNED this 10th day of APRIL 2023.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

Exhibit "A" General Manager's Report
Exhibit "B" Financial Report

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

EXHIBIT "A"

February 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	2,143	5	150	\$174.85	\$515.14
JD R15 15' Flex-Wing Cutter	2019	-	-	-	\$0.00	\$0.00
JD 6145M 2019 BOOM MOWER	2019	1,921	7	103	\$0.00	\$3,019.00
JD 6145M 2021 BOOM MOWER	2021	751	4	145	\$0.00	\$179.17
JD 6150M BOOM MOWER	2015	5,587	0	262	\$449.97	\$2,435.65
JD 930M Z-TRAK MOWER	2018	501	8	24	\$91.80	\$91.80

HEAVY EQUIPMENT

EQUIPMENT	YEAR MODEL	LIFETIME HOURS	HOURS THIS MONTH	FISCAL YTD HOURS	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
CAT D6k2 DOZER	2019	1,115	87	245	\$0.00	\$0.00
CAT 323 EXCAVATOR	2018	3,192	116	365	\$90.78	\$4,029.41
CAT 416E BACKHOE	2012	2,907	18	61	\$0.00	\$187.45
JD 755A TRACK LOADER	1982	2,573	0	8	\$0.00	\$0.00
NORAM 65E MOTOR GRADER	2014	2,857	13	56	\$150.87	\$3,774.19

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	10,387	314	2,061	\$19.99	\$34.99
TACOMA SR 4X4 (INSPECTOR)	2019	33,288	1,021	3,788	\$0.00	\$1,232.16
F-150 4X4 (GENERAL MANAGER)	2017	71,913	855	5,720	\$8.98	\$1,176.30
F-250 4X4 (FOREMAN)	2016	100,115	949	5,159	\$30.12	\$43.11
F-750 DUMP TRUCK	2011	35,226	148	618	\$0.00	\$2,248.42
F-250 4X4 w/FUEL TANK (CREW)	2008	168,791	324	1,449	\$75.18	\$667.58
F-250 4X2 (CREW)	2006	117,667	415	924	\$44.40	\$44.40
FREIGHTLINER HAUL TRUCK	2000	384,394	123	523	\$20.99	\$219.86
DODGE RAM 2301 - 2500 4x4	2023	161				
DODGE RAM 2302 - 2500 4x4	2023	196				
CHEVROLET C-60 FARM TRUCK	1977	UNKNOWN	UNKNOWN	UNKNOWN	\$0.00	\$0.00

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

FEBRUARY 2023 - FINANCIAL REPORT

General Fund	\$3,462,606.07
Payroll Fund	\$179,601.92
Petty Cash	\$1,668.75
Building Fund	\$1,100,561.79
Capital Improvement Fund	\$600,329.55
Texpool Fund	\$2,970.09
Amegy Bank Checking	\$69,600.84
Austin Co. State Bank CD	\$243,052.51
Bank of Shiner CD	\$182,076.20
Bank of Brenham CD	\$245,000.00
Citizens State Bank CD	\$240,956.67
Fayetteville Bank CD	\$178,669.51
First Nat. Bank Bellville CD	\$179,399.40
Industry State Bank CD	\$246,720.99
TOTAL RECONCILED BALANCE	\$6,933,214.29

All accounts are reconciled.

EXHIBIT "B"

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 2/1	\$2,959.40	\$2,003,277.15	\$85,202.78	\$69,600.84	\$1,100,435.16	\$600,260.48
Deposits and Credits	\$10.69	\$1,875,188.70	\$150,015.81	\$0.00	\$126.63	\$69.07
Debits and Withdrawals	\$0.00	\$384,485.13	\$41,174.86	\$0.00	\$0.00	\$0.00
Ending Balance 2/28	\$2,970.09	\$3,493,980.72	\$194,043.73	\$69,600.84	\$1,100,561.79	\$600,329.55
Less Total Outstanding Drafts/Deposits (Net Amount)	\$0.00	-\$31,374.65	-\$14,441.81	\$0.00	\$0.00	\$0.00
Adjusted Ending Balance 2/28	\$2,970.09	\$3,462,606.07	\$179,601.92	\$69,600.84	\$1,100,561.79	\$600,329.55
Monthly Interest Earned	\$10.69	\$318.95	\$15.81	\$0.00	\$126.63	\$69.07

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 2/1	\$243,052.51	\$182,076.20	\$240,956.67	\$178,351.13	\$179,083.16	\$246,720.99	\$245,000.00
Deposits and Credits	\$0.00	\$0.00	\$0.00	\$318.38	\$316.24	\$0.00	\$0.00
Debits and Withdrawals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ending Balance 2/28	\$243,052.51	\$182,076.20	\$240,956.67	\$178,669.51	\$179,399.40	\$246,720.99	\$245,000.00
Interest/Earned	\$0.00	\$0.00	\$0.00	\$318.38	\$316.24	\$0.00	\$0.00

BUDGET	
22-23 FY Budget	\$3,997,825.15
YTD Expenses	\$1,090,838.28
New Equipment	\$60,112.57
Total Budgeted Expenses YTD	\$1,150,950.85

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

March 27, 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 27th day of March, 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, thus constituting a quorum.

Also attending the meeting were Buddy Brand, Assistant General Manager of the District; Wendy Sidwell, District Administrator; Rod Pinheiro, P.E. and Michael McCarthy, P.E. of Quiddity Engineering ("Quiddity" or "Engineer"); Blair Bozoarth, P.E. of Sunterra Development; 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

There was no public comment.

Agenda Item No. 4
UPDATE ON SUNTERRA DEVELOPMENT AND OTHER PENDING MATTERS

Mr. Blair updated the Board regarding Sunterra development. It was reported that the plans for Clay Road - Segment 1 Revision 2 of the development should be submitted to the District today. Mr. Blair noted that the monthly sales in the development range from 120 to 160 homes.

[Mr. Blair departed the meeting.]

Agenda Item No. 6
APPROVAL OF INTERLOCAL AGREEMENT BETWEEN BROOKSHIRE-KATY DRAINAGE DISTRICT AND REGION 8 EDUCATION SERVICE CENTER FOR COOPERATIVE PURCHASING SERVICES THROUGH THE INTERLOCAL PURCHASING SYSTEM ("TIPS")

Mr. Brand informed the Board about the TIPS and explained that TIPS allows governmental entities to use its pricing and/or bidding system. There is no membership fee associated with joining TIPS. Mr. Brand further stated that the District reached out to several dealerships regarding purchasing two (2) trucks; however, Silsbee Fleet Group is the only one who responded to the request. Silsbee has two (2) 2022 brand new Dodge pickup trucks with long beds at a cost of \$118,343.10.

Mr. Brand also stated that the District has two (2) 2008 pickup trucks with certain issues, which will be declared surplus property and auctioned off.

Mr. Brand then asked the Board to authorize the District to join TIPS. Upon motion by Supervisor Chisum, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board authorized TIPS membership for the District.

Agenda Item No. 5

PURCHASE OF TWO ADDITIONAL TRUCKS

Next, upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board authorized the purchase of two (2) Dodge pickup trucks from Silsbee Fleet Group in the amount of \$118,343.10, including delivery fees.

Agenda Item No. 7

UPDATE ON CITY OF KATY PERMIT APPLICATION PROJJECTS

This matter was discussed in an executive session later in the meeting.

Agenda Item No. 8

UPDATE ON CHANNEL REHABILITATION PROJECTS

Mr. McCarthy updated the Board regarding the Channel Rehabilitation projects stating that Quiddity is in the process of requesting costs estimates from several contractors related to clearing, grubbing and regarding of the Channel.

Agenda Item No. 9

ADOPT ORDER AMENDING THE DISTRICT RULES AND REGULATIONS

Mr. Petrov stated that as discussed at the previous Board meeting, most governmental agencies such as the Texas Commission on Environmental Quality, have a designated number of days for processing permit applications. It is not unusual for a governmental entity to return an application missing certain information and/or documents, if the requested information was not submitted within certain period of time.

The District Rules and Regulations have been revised to grant 120 days to the applicant to revise the application, with an extension option of 60 days. If no response is received by the District Engineer after 120 days, the application would be considered withdrawn. The current applicants will be notified that the 120 days deadline begins from the notification date. The 120-day deadline will be applicable to all District applications.

Upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board amended the District Rules and Regulations to grant the applicants 120-days to submit and revise all District applications, with an extension option of 60 days or their application will be withdrawn.

Agenda Item No. 10

UPDATE ON BROOKSHIRE-KATY DRAINAGE DISTRICT NEW ADMINISTRATION BUILDING

This matter was discussed in an executive session later in the meeting.

Agenda Item No. 11

DISCUSS PERSONNEL ISSUES

This matter was discussed in an executive session later in the meeting.

Agenda Item No. 12
EXECUTIVE SESSION

At 9:26 a.m., the President called an Executive Session pursuant to Sections 551.071 and 551.072 of the Open Meetings Act, to discuss matters of attorney-client privilege and real-estate matters. All Board members, Mr. Brand, Ms. Sidwell, Mr. Pinheiro, Mr. McCarthy, Mr. Johnson, Mr. Petrov, and Mrs. Croon were present for the executive session. No action was taken in the Executive Session.

Agenda Item No. 13
REGULAR SESSION

At 10:58 a.m., upon motion by Supervisor Keeling, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board reconvened the meeting in regular session.

Agenda Item No. 10
UPDATE ON BROOKSHIRE-KATY DRAINAGE DISTRICT NEW ADMINISTRATION BUILDING

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board adopted the plan to develop its own detention with a pump at the new Administration Building site.

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 11:00 a.m.

[EXECUTION PAGE FOLLOWS]

SIGNED this 10th day of APRIL 2023.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors