

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

December 9, 2024

The Board of Supervisors of Brookshire-Katy Drainage District (the "District") met in regular session, open to the public, at 7:00 p.m. on the 9th day of December, 2024, 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 Beckendorf	Supervisor
John Chisum	Assistant Secretary

and all of the above were present, thus constituting a quorum. [Supervisors Chisum and Beckendorf entered the meeting at 7:07 p.m., after agenda item no. 4 and prior to agenda item no. 5.]

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., Steve Berkenhoff, PE. of Quiddity Engineering ("Quiddity" or "Engineer"); Blair Bozoarth, P.E., and Christian Walker, P.E., of Quiddity Engineering Land Development Group representing Sunterra Development; Andrew P. Johnson, III, and William Petrov, attorneys, and Mirna Croon, paralegal, of Johnson Petrov, LLP ("Johnson Petrov" or "Attorney"); Andrew Lange, P.E. of Gessner Engineering and Jason Klug of Champco, Inc. representing J&J Packing Development; and Paul Dodd of NewQuest Properties representing Texas Heritage Marketplace.

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 7, 2024 REGULAR SESSION AND NOVEMBER 25, 2024 SPECIAL MEETING MINUTES

Upon motion by Supervisor Keeling, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved the minutes of the November 7, 2024 Regular Board meeting, and November 25, 2024 Special Board meeting.

[Supervisors Chisum and Beckendorf entered the meeting.]

- A. Permit Application for Drainage Study Analysis for Pitts Road Development - DIA, ID: 24-00037.

Upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved Permit Application for Drainage Study Analysis for Pitts Road Development - DIA, ID: 24-00037, as recommended by Quiddity in the letter attached hereto as Exhibit "A".

- B. Permit Application for Tract Development Without Platting for J&J Packing Facility, ID: 24-00035; Permit No. 2024-21REVISED.

Mr. McCarthy reviewed a recommendation letter for the above-referenced Permit Application, a copy of which is attached hereto as Exhibit "A-1".

- C. First Amendment to Detention Facilities Maintenance Agreement between Brookshire - Katy Drainage District and J&J Packing Company, Inc. and Terry Luedtke and Robyn Luedtke for Permit No. 2024-21REVISED.

Upon motion by Supervisor Chisum, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved (i) Permit No. 2024-21REVISED, as recommended by Quiddity; and (ii) First Amended to Detention Facilities Maintenance Agreement related to Permit No. 2024-21REVISED, as recommended by JP.

- D. Permit Application for Tract Development Without Platting for Texas Heritage Market Place Detention Basins, ID: 00140, Permit No. 2024-37.

Mr. McCarthy reviewed a recommendation letter for the above-referenced Permit Application, a copy of which is attached hereto as Exhibit "A-2".

- E. Variance Request for Texas Heritage Market Place Detention Basin, ID: 00140, Permit No. 2024-37.

Mr. McCarthy reviewed a recommendation letter for the above-referenced Variance Request, a copy of which is attached hereto as Exhibit "A-3".

- F. Detention Facilities Maintenance Agreement between Texas Heritage Market Place and Brookshire - Katy Drainage District for Permit No. 2024-37.

Mr. Petrov reviewed the above-referenced Agreement with the Board.

Next, upon motion by Supervisor Beckendorff, seconded by Supervisor Keeling, after full discussion and with Supervisor Welch abstaining, the Board approved (i) Permit No. 2024-37, as recommended by Quiddity; (ii) the Variance Request for Permit No. 2024-37, as recommended by Quiddity; and (iii) the Detention Facilities Maintenance Agreement related to Permit No. 2024-37, as recommended by JP.

- G. Permit Application for Tract Development With Platting for Sunterra Lakes Detention Reserves and Street Dedication - Final Drainage Plans (ID: 00608), Final Plat - (ID: 00580) Permit No. 2024-140.

Upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved Permit No. 2024-140, as recommended by Quiddity in the letter attached hereto as Exhibit "A-4".

- H. Permit Application for Tract Development With Platting for Sunterra Lakes Section 1 – Final Drainage Plans (ID: 00603), Final Plat (ID: 00577), Permit No. 2024-137.

Upon motion by Supervisor Beckendorff, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved Permit No. 2024-137, as recommended by Quiddity in the letter attached hereto as Exhibit "A-5".

- I. Permit Extension Request for Tract Development With Platting for Lakes of Cane Island Section 4 – Preliminary Plat (ID: 00382).

Upon motion by Supervisor Chisum, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved a 180 days permit extension request from December 9, 2024 for the above-referenced Preliminary Plat ID 00382.

- J. Update on Sunterra Lakes Development.

Mr. Walker provided an update regarding the Sunterra Lakes Development project. He indicated that upon completion, the development will consist of 3,900 lots, with initial lot deliveries expected to commence in mid-2025.

- K. Update on Pitts Road Detention (ID: 24-00019).

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

Agenda Item No. 6

GENERAL MANAGER'S REPORT

Mr. Brand presented the General Manager's Report and the Inspector's Report to the Board, a copy of which is attached hereto as Exhibit "B". Ms. Sidwell discussed the AWRY payment schedule.

Regarding the new Administration Building construction, Mr. Brand informed the Board that completion is now scheduled for April 18, 2025. The Board then reviewed Pay Application No. 5 from Commercial Construction and Maintenance and decided to include it on the agenda for the next Board meeting.

Agenda Item No. 7

FINANCIAL REPORT

First, upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board authorized transferring \$200,000 from the General Fund to the Payroll Fund.

Ms. Sidwell presented to and reviewed with the Board the November 2024 bills.

She 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 Beckendorff, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved (i) paying the November 2024 bills; and (ii) the Financial Report.

Agenda Item No. 8
EXECUTIVE SESSION

At 8:11 p.m. upon motion by Supervisor Welch, seconded by Supervisor Chisum, the President called an Executive Session pursuant to Sections 551.071 to discuss matters of attorney-client privilege. Only the present Board members, Mr. Kitzman, Mr. Brand, Ms. Sidwell, Mr. McCarthy, Mr. Berckenhoff, Mr. Johnson, Mr. Petrov, and Ms. Croon were present during the executive session.

Agenda Item No. 9
REGULAR SESSION

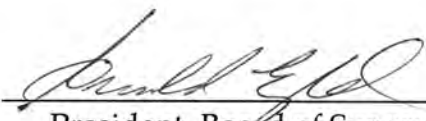
At 8:48 p.m., upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board reconvened the meeting in regular session. No action was taken in the Executive Session.

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 8:50 p.m.

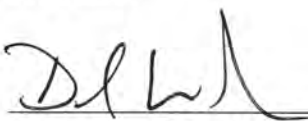
[EXECUTION PAGE FOLLOWS]

SIGNED this 13th day of JANUARY 2025.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

Exhibit "A"	Quiddity Recommendation for Permit ID 24-00037
Exhibit "A-1"	Quiddity Recommendation for Permit Application No. 2024-21 Revised
Exhibit "A-2"	Quiddity Recommendation for Permit Application No. 2024-37
Exhibit "A-3"	Quiddity Recommendation for Variance Request for Permit Application NO. 2024-37
Exhibit "A-4"	Quiddity Recommendation for Permit Application No. 2024-140
Exhibit "A-5"	Quiddity Recommendation for Permit Application No. 2024-137
Exhibit "A-6"	Quiddity Recommendation for Extensions - Preliminary Permit ID: 00382
Exhibit "B"	General Manager's Report
Exhibit "C"	Financial Report



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December 6, 2024

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

Reference: Sadikali S. Manesiya
Pitts Road Development – **Drainage Impact Assessment**
Application ID No. 24-00037
Permit No. N/A
Quiddity Job No. R0002-1020-01.001

Dear Mr. England:

The referenced Pitts Road Development Drainage Impact Assessment (Report) has been reviewed pursuant to the Brookshire-Katy Drainage District's (District) Rules and Regulations (R&R). A copy of the Report is attached for further information.

This review aims to verify whether the Development's proposed drainage and detention facilities as analyzed within the Report generally comply with the District's R&R and criteria. This review addresses issues regarding hydraulic and hydrologic drainage design criteria only. The subsequent plats and drainage plans for the proposed Development must be submitted to the District for review and approval. Additionally, the Report certifies that no adverse impacts will take place within the receiving waterways, adjacent properties, or downstream facilities in accordance with the District's R&R.

Technical Review & Findings:

The proposed 10-acre Pitts Road Development (Development) is located at the southeast corner of Pitts Road and Clay Road. The Development is located outside of the District's boundaries and within Harris County. The Development proposes to discharge their runoff to Cane Island Branch of Buffalo Bayou, which includes a District drainage easement. The Report aims to analyze the drainage and detention requirements for the Development, using Atlas 14 criteria, and certify no adverse impacts to the Development, adjacent properties, or downstream facilities in accordance with the District's (R&R).

The existing drainage conditions for the Development generally sheetflow from north to south and west to east towards Cane Island Branch. To mitigate the increase in flows from the future commercial development, the Development includes a proposed detention facility with a controlled release outfall into Cane Island Branch. Additionally, the entire property is located within the 100-yr floodplain and mitigation is required for fill within



Mr. Arnold England, President
December 6, 2024
Page 2

the floodplain areas. Detailed cut/fill areas and mitigation calculations are outlined within the Report. It is the applicant's responsibility to coordinate with the appropriate floodplain manager for this area to obtain the required floodplain permit prior to beginning construction.

The Development includes construction of a single dry-bottom detention pond. The detention pond includes 8.64 ac-ft of detention capacity with a detention storage rate of 1.01 ac-ft/ac. The detention pond includes 9.37 ac-ft of mitigation capacity for the fill within the floodplain. Additionally, the detention pond includes 4:1 side slopes, 20-ft maintenance berms, minimum 1-ft of freeboard, concrete pilot channel, backslope swales and interceptor structures, and a concrete overflow spillway.

The detention pond's outfall, which includes a single 24-inch reinforced concrete pipe, and concrete overflow spillway cross the adjacent property to the east and discharge directly into Cane Island Branch of Buffalo Bayou. The applicant secured a 50-ft wide private drainage easement from the adjacent property owner that encompasses the outfall structures. A copy of the drainage easement has been submitted to the District.

Conclusion:

Based on our review of the Report, the Development does not appear to show any adverse impacts from the proposed improvements. The peak discharge and water surface elevations within Cane Island Branch are lower in the proposed conditions, when compared to those under the existing conditions for storm events up to and including the Atlas 14 100-yr storm event as summarized in the Report.

The permit applications for the subsequent drainage plans must include a certification from a professional engineer licensed to practice in the state of Texas that the future developments will cause no adverse impact to the receiving drainage and detention facilities, including downstream facilities, in full compliance with this Report. At this time, no variance requests from the District's R&R have been requested or granted. We offer no objections to this Pitts Road Development Drainage Impact Assessment and recommend the District accept this Report.

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 submitted Report has been prepared, dated, signed, and sealed by a Professional Engineer licensed to practice in the State of Texas, conveying their professional responsibilities and accountability.

For the Applicant

- DFMA - The property owner will be required to coordinate with the District's legal counsel and execute a Detention Facilities Maintenance Agreement (DFMA) for this Development before the District approves



Mr. Arnold England, President

December 6, 2024

Page 3

the final drainage and detention plans for the Development. The Board will consider approval of the DFMA once recommended by the District's legal counsel.

- The applicant shall not use this letter to commence any construction activities prior to receiving District approval of the associated final drainage plans for the Development. Additionally, the applicant is responsible to obtain all approved permits from the governing entities with jurisdiction prior to construction.

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

Sincerely,

Michael McCarthy, PE

MHM/

https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1020-01.001 Pitts Road Development/3.0 - LETTERS/Pitts Road Development DIA Approval Ltr_120624.docx

Enclosures

cc: Sadikali S. Manesiya – via email sadiksmanesiya@yahoo.com
 Mr. Rana Mahmood, PE – Heights Engineering, LLC via email rana@heightsengineering.com
 Ms. Yasmeen Ali – Heights Engineering, LLC via email yasmeen@heightsengineering.com
 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 6, 2024

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

Reference: J&J Packing Company, Inc.
J&J Packing Facility – Final Drainage Plans
Application ID No. 24-00035
Permit No. 2024-21 REVISED
Quiddity Job No. R0002-1020-01.005

Dear Mr. England:

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

Applicant: Gessner Engineering

Application Type: Tract Development without Platting – **Final Drainage Plans**

Location: 35602 US 90 West, Brookshire, Texas 77423

Survey: William Cooper, Abstract 20, Waller County, Texas

Previous Approvals: The Final Drainage Plans were approved by the District under Permit No. 2024-21 on April 8, 2024.

Description: The J&J Packing Facility (Development) is comprised of approximately 9.25 acres and located north of US Highway 90, west of FM 1489, east of Wilpitz Road, and south of FM 359. The Development includes an expansion to the existing J&J Packing Company, Inc. development. The existing J&J Packing development does not have a permit with the District. The Development was previously approved by the District under Permit No. 2024-21 on April 8, 2024. This permit application includes a revision to the previously approved final drainage plans to include additional paving surrounding the building expansion. Therefore, additional drainage and detention improvements are proposed to mitigate the increase in impervious cover.

The existing drainage conditions for the Development are split, with the majority of the tract sheet flowing to the south and outfalling to the US Highway 90 right-of-way (ROW), under TxDOT jurisdiction. The remaining area within the Development sheet flows to the northwest towards Union Pacific Railroad (UPRR) ROW.



Mr. Arnold England, President
 December 6, 2024
 Page 2

The Development includes construction of two on-site detention ponds (Pond 1 and Pond B2). The total detention storage volume for the Development is 2.86 acre-feet and the detention storage rate for the improvements is approximately 1.0 ac-ft/ac. Ponds 1 and B2 are proposed to be dry bottom detention ponds that includes a minimum of 1-ft of freeboard, 3:1 and 4:1 side slopes, concrete pilot channel, and minimum 15-ft maintenance berms. The majority of the runoff from the proposed improvements will mirror pre-developed conditions and be routed to Pond 1 via storm sewer that discharges into an open grass-lined channel, which will then discharge into Pond 1 via dual 18-inch HDPE pipes, which will then discharge into US Highway 90. A small area that drains away from TxDOT will be conveyed to Pond B2 via an underground storm sewer with a controlled release into UPRR ROW.

The Development includes one outfall from Pond 1 into US Highway 90 ROW. The outfall includes 4:1 concrete wingwalls, with a staged outlet structure using 18-inch and 10.75-inch orifices set at flowline elevations of 125.5-ft and 123.5-ft, respectively. The staged outlet structure connects to a 12-inch HDPE pipe that discharges to US Highway 90 ROW. Pond 1 includes an extreme event spillway that is sized to convey the peak 100-yr release flow from Pond 1 into US Highway 90 ROW at the outlet location. The applicant provided

As previously mentioned, there is a small area that naturally sheet flows to the northeast into UPRR ROW. To mitigate the increase in flow from this small area, the Development proposes Pond B2 with a controlled release to the UPRR ROW via an 18-inch HDPE outfall pipe. Pond B2 includes approximately 0.76 ac-ft of detention, 3:1 side slopes, a depth of approximately 3-ft, and 15-ft maintenance berms. The Pond B2 detention outfall results in a decrease in flow at the outlet into UPRR ROW up to and including the 100-yr storm event.

TxDOT Permit:

The Applicant submitted TxDOT approval for the discharge to US Highway 90 under TxDOT Permit No. 24070102.

DFMA:

There is an executed Detention Facilities Maintenance Agreement (DFMA) with the District. The DFMA is required to be amended to include the revised final drainage plans. The Amended DFMA is included as a separate agenda item for District approval.

Mr. Arnold England, President
December 6, 2024
Page 3

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, the plans submitted have been prepared, dated, signed, and sealed by a Professional Engineer. They are licensed to practice in the State of Texas, which therefore conveys 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, the Owner shall implement temporary drainage and detention facilities as necessary during construction of the Development to avoid adverse impacts on neighboring properties or downstream facilities. It is recommended all permanent drainage and detention facilities be constructed and functional prior to construction of the impervious improvements associated with the scope of the Development.

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 6, 2024
Page 4

The applicant shall not use this letter to commence any construction activities prior to receiving all **approved permits** from the governing entities 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/R0002-1020-01.005 J&J Packing Facility/3.0 - LETTERS/J&J Packing Facilities Final Drainage Plans Approval Ltr 040724.docx>

cc: Ms. Samantha Beevers – Gessner Engineering, Inc. via email sbeevers@gessnereng.com
Mr. Johnnie L. Price, Jr. – Gessner Engineering, Inc. via email jprice@gessnereng.com
Mr. Andrew Lange, PE - Gessner Engineering, Inc. via email alange@gessnereng.com
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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October 21, 2024

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

Reference: Landmark Industries
Texas Heritage Market Place Detention Basins – **Final Drainage Plans**
Application ID No. 00140
BKDD Permit No. 2024-37
Quiddity, Inc. Job No. R0002-1032-01.002

Dear Mr. England:

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

Applicant: BGE, Inc.

Permit Type: Tract Development without Platting – Final Drainage Plans

Location: North of Kingsland Blvd., south of IH 10, and west of Peterson Road

Previous Approvals: The Board accepted the Texas Heritage Market Place DIA Amendment No. 1 on July 22, 2024. (24-00098)

Description: The proposed Texas Heritage Market Place Detention Basins (Development) encompasses approximately 128.4 acres of detention service area for future commercial development. The Development is located on the southeast corner at the intersection of I-10 and Pederson Road.

The Development includes construction of one dry bottom detention pond. The total detention storage volume for the Development is 94.1 acre-feet and the detention storage rate is 0.73 ac-ft/ac. The detention pond includes a maximum water surface elevation of approximately 148.7 ft, minimum of 1-ft of freeboard, and minimum 20-ft wide maintenance berms. The detention pond is located on the north side of Willow Fork of Buffalo Bayou. The detention pond includes five (5) inflow pipes of varying diameters and a 6-ft wide concrete pilot channel that collects the inflow from each pipe and directs it to the detention pond outfall. The detention pond includes a two-tier controlled outfall that consists of a 36-inch reinforced concrete pipe (RCP) low flow outfall and a 36-inch RCP high flow outfall set at flowlines of 135.6 ft and 143.4 ft, respectively. The low flow outfall includes a 33-inch restrictor. Both outfalls discharge into a manhole which then discharges flow into Willow Fork of Buffalo Bayou via a 4-ft x 4-ft reinforced concrete box.

The Development also includes the expansion to an existing mitigation pond located south of Willow Fork of Buffalo Bayou to offset proposed fill within the floodplain of Willow Fork. The proposed total fill within the floodplain is 22.0 acre-feet and the expansion to the existing mitigation pond will add 31.7 acre-feet of mitigation volume. The mitigation pond



Mr. Arnold England, President

October 21, 2024

Page 2

includes minimum 20-ft wide maintenance berms, a 6-ft wide concrete pilot channel, and an emergency overflow spillway. The mitigation pond includes a 24-inch RCP inflow pipe that takes flow from Willow Fork and eventually discharges back into Willow Fork via an existing 24-inch outfall pipe.

Based on our review, it appears the proposed drainage and detention facilities were designed in accordance with the Drainage Impact Analysis for the Development titled, "161-acre Texas Heritage Marketplace", dated June 25, 2024, and approved by the District on July 22, 2024.

Variance Request: A completed variance request form was submitted with this application for the Board's consideration. A copy of the variance request form is enclosed.

DFMA: A Detention Facilities Maintenance Agreement (DFMA) is required for the proposed drainage and detention facilities located within the Development. The DFMA will be considered for Board approval once recommended by the District's Legal Counsel.

District Ultimate ROW: There is an existing 70-ft wide District drainage easement that encompasses Willow Fork of Buffalo Bayou. The Applicant utilized the ultimate right-of-way (ROW) findings from Fort Bend County Drainage District which required an ultimate ROW width of 200-ft just downstream of this Development. Therefore, as a conservative measure, the Development proposes to dedicate an additional 130-ft of drainage easement to the District, which exceeds their required 50-percent share of the ultimate ROW.

Additionally, the Development proposes a 25-ft wide shared maintenance berm with the District along Willow Fork of Buffalo in the interim condition. The shared maintenance berm will be maintained by Willow Creek Farms Municipal Utility District. Following improvements of the channel to its ultimate cross section, the channel will include 4:1 side slopes and a 45-ft wide shared maintenance berm.

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, **contingent upon the District's approval and execution of the Variance Request for the Development.**

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 submitted have been prepared, dated, signed, and sealed by a Professional Engineer. They are licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.



Mr. Arnold England, President

October 21, 2024

Page 3

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.

The District requires the engineer, project owner, and contractor to implement temporary drainage measures during construction to prevent any negative impacts. These measures are crucial to managing stormwater and maintaining site stability throughout construction.

Please note: 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 permits** from all applicable governing entities 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/R0002-1032-01.002 Texas Heritage Marketplace Detention Basins/2.0 - Letters/Texas Heritage Market Place Detention Basins FDP Approval Ltr 102124.docx>

cc: Mr. Kent Brotherton – Landmark Industries via email kolsen@newquest.com
 Mr. E. Benton Schmaltz, PE – BGE, Inc. via email bschmaltz@bgeinc.com
 Mr. Jaime Soria, Jr., PE – BGE, Inc. via email jsoria@bgeinc.com
 Mr. Ross McCall, PE - Waller County Engineer via email engineering@wallercounty.us
 Mr. David Kasper, PE – City of Katy Engineer via email david.kasper@arkkengineers.com
 Mr. Andrew Johnson, III - Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



RULES AND REGULATIONS VARIANCE REQUEST FORM

SECTION 1 - APPLICANT INFORMATION

Rules and Regulations Variance

- No variance will be granted unless requested in writing and approved by the Board.
- In the instance an Applicant can justify and fully support that a requirement or criteria listed within the District's Rules and Regulations cannot be satisfied, a Variance Request Form can be submitted for review.
- Each submittal will be evaluated by the District's Engineer and Brookshire-Katy Drainage District Board on a case-by-case basis.
- All incomplete Variance Request Forms or requests that do not provide sufficient technical support documentation will be rejected.
- The Applicant must submit a completed Variance Request Form and fee (see Fee Schedule Worksheet) with accompanying documentation to support the desired request for approval 30 days prior to the desired Board meeting date. Additional questions and documentation may be required upon further review by the District.
- All supplemental documentation required to support the variance request shall be submitted for the District's review.
- Submittal of a variance request **does not** in any way guarantee approval of the variance. The Board reserves the option to deny any variance request.
- Any variance granted will only be applicable to the specific site and conditions for which the variance was granted. It will not modify or change any standards as they apply to other sites or conditions.

Mark Type of Variance (required)

- | | |
|---|---|
| ☐ Utility, Pipeline, and Cable Crossings | ☐ Tract Development Without Platting |
| ☐ Private and Public Road Crossings | ☐ Tract Development With Platting |
| ☐ Drainage Connection Without Land Use Changes | ☒ Master Drainage Plan |

Specific Section and Rule within District Rules & Regulations that is associated with the variance request
(Ex: Article 1. Sect. 1.A): Article 6. Section 5.B.2

Project Information

Project Address/Legal Description: Southwest of IH-10 and Pederson Road Intersection

BKDD Permit No.: 2024-037

Owner/Applicant Information

Owner's Name: Landmark Industries

Date: 05/01/2024

Applicant's Engineer Firm Name: BGE, Inc.

Engineer of Record Name: Benton Schmaltz

Signature: *E. Benton Schmaltz*

Email: bschmaltz@bgeinc.com

Phone: 713-488-8239



RULES AND REGULATIONS VARIANCE REQUEST FORM

SECTION 2 - ENGINEERING JUSTIFICATION

Engineering Reason For Variance Request (specify details)

Provide a statement of what the variance request is and why the selected criteria listed within the District's Rules and Regulations should be varied or are not applicable to the development. Justification shall not include cost or reference to cost. If the space provided is not adequate, continue/provide on a separate document and attach as needed.

Variance(s) Requested:

Requesting a variance from the 30' maintenance berm requirement. The current design provides 20' maintenance berms on the north, east, and west side of the detention pond. A 25' maintenance berm is proposed on the south side of detention pond running along Willow Fork Creek. In the interim condition the 25' maintenance berm will have a 4 to 1 transition into the ultimate drainage easement, but in the ultimate condition the 25' maintenance berm will increase to a 45' shared maintenance berm transitioning down to the creek creating more drainage capacity, see attached exhibit. The MUD has accepted current design and will ultimately take responsibility of the operations and maintenance of the proposed detention pond, see attached acceptance letter.

SECTION 3 - BKDD REVIEW

For The District Use Only

Recommendation/Reason(s) if not approved:

- ☐ Approved as Submitted
☐ Approved as Noted
☐ Not Approved For Reason(s) Stated
☐ Not Applicable

BKDD President

Date: ____ / ____ / ____

BKDD General Manager

BKDD District Engineer

Attention:

The approval of this variance in no way affects the responsibilities and liability of the Owner or Design Professional responsible for the project and for the associated plan sheets and design. No representation or warranty of any kind is made by the District for any purposes whatsoever.



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

December 6, 2024

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

Reference: Sunterra Lakes Detention Reserves and Street Dedication – **Final Plat and Final Drainage Plans**
Application ID No. 00580 (FP)
Application ID No. 00608 (FDP)
Permit No. – 2024-140
Quiddity Job No. R0002-1036-01.009

Dear Mr. England:

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

Applicant: Quiddity Engineering, LDS

Permit Type: Tract Development with Platting – **Final Plat and Final Drainage Plans**

Location: North of Stockdick Road, south of FM 529, east of FM 362, and west of FM 2855

Survey: H.&T.C. Railroad Company Survey, Section 48 Abstract 142, Waller County, Texas

Description: The proposed Sunterra Lakes Detention Reserves and Street Dedication (Development) encompasses approximately 33.05 acres of land with 2 reserves. The Development is located within the Sunterra Lakes development.

The drainage for the site is conveyed through curb and gutter inlets, which connects to an underground public storm sewer system. The storm sewer system will convey runoff to two existing outfalls that discharge flow into the Sunterra Lakes Phase 1 detention facilities. The first outfall is located on the northern end of the Development along Moonrise Drive and discharges runoff into Pond 4. The second is located on the southern end of the Development along Moonrise Drive and discharges runoff into Pond 3. Pond 4 outfalls into Pond 3, which outfalls into Pond 1, which then outfalls into the District's drainage channel to the east of the Development. Flow is directed south before ultimately discharging into Brookshire Creek. The existing outfalls and Ponds 4, 3, and 1 are included in the construction plans titled "Sunterra Lakes Phase 1 Mass Grading and Detention Facilities" that was approved by the District under Permit No. 2024-103 on October 28, 2024. Additionally, the drainage impact assessment (DIA) for Sunterra Lakes Phase 1 development has been reviewed and accepted by the District on July 15, 2024. The drainage and detention components outlined in the plans for the Development are in accordance with the DIA.



Mr. Arnold England, President

December 6, 2024

Page 2

DFMA: The referenced detention facilities are included in an executed Detention Facilities Maintenance Agreement (DFMA) with the District.

Technical Review: Based on our review of the final plat and 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, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are 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, the Owner shall implement temporary drainage and detention facilities as necessary during construction of the Development to avoid adverse impacts on neighboring properties or downstream facilities. It is recommended all permanent drainage and detention facilities be constructed and functional prior to construction of the impervious improvements associated with the scope of the Development.

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 6, 2024

Page 3

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

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/R0002-1036-01.009 Sunterra Lakes Street Dedication Section 2/3.0 - Letters/Sunterra Lakes Detention Reserves and Street Ded Final Plat Approval Ltr_120624.docx

cc: Mr. Brian Stidham – Astro Sunterra West, LP via email bstidham@starwoodland.com
Mr. Christian Walker, PE – Quiddity Engineering via email chwalker@quiddity.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.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 6, 2024

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

Reference: Sunterra Lakes Section 1 – **Final Plat and Final Drainage Plans**
Application ID No. 00577 (FP)
Application ID No. 00603 (FDP)
BKDD Permit No. 2024-137
Quiddity, Inc. Job No. R0002-1036-01.007

Dear Mr. England:

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

Applicant: Quiddity Engineering LDS

Permit Type: Tract Development with Platting – **Final Plat and Final Drainage Plans**

Location: North of Stockdick Road, south of FM 529, and east of FM 362

Survey: J.G. Bennet Survey, Abstract 288 and H.&T.C. Railroad Company Survey, Abstract 12, Waller County, Texas

Previous Approvals: The Board approved the Preliminary Plat for Suntera Lakes Section 1 on July 15, 2024.

Description: The proposed Sunterra Lakes Section 1 (Development) encompasses approximately 41.76 acres, 172 lots, and 5 reserves. The Development includes utility, grading, and roadway paving improvements for single-family homes. The Development is located within the Sunterra Lakes Phase 1 development.

The drainage for the site is conveyed through curb and gutter inlets, which connects to an underground public storm sewer system that outfalls into Pond 6. Pond 6 outfalls into Pond 4, which outfalls into Pond 3, which outfalls into Pond 1, which then outfalls into the District's drainage channel to the east of the Development. Flow is directed south before ultimately discharging into Brookshire Creek. Ponds 6, 4, 3, and 1 are included in the construction plans titled "Sunterra Lakes Phase 1 Mass Grading and Detention Facilities" that was approved by the District under Permit No. 2024-103 on October 28, 2024.



Mr. Arnold England, President
December 6, 2024
Page 2

Additionally, the drainage impact assessment (DIA) for Sunterra Lakes Phase 1 development has been reviewed and accepted by the District on July 15, 2024. The drainage and detention components outlined in the plans for the Development are in accordance with the DIA.

DFMA:

The referenced detention facilities are included in an executed Detention Facilities Maintenance Agreement (DFMA) with the District.

Technical Review:

Based on our review of the final plat and 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, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are 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, the Owner shall implement temporary drainage and detention facilities as necessary during construction of the Development to avoid adverse impacts on neighboring properties or downstream facilities. It is recommended all permanent drainage and detention facilities be constructed and functional prior to construction of the impervious improvements associated with the scope of the Development.

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 6, 2024
Page 3

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

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/R0002-1036-01.007 Sunterra Lakes Section 1/2.0 - Letters/Sunterra Lakes Section 1 FDP Approval Ltr 120624.docx>

cc: Mr. Brian Stidham – Astro Sunterra West, LP via email bstidham@starwoodland.com
Mr. Christian Walker, PE – Quiddity Engineering via email chwalker@quiddity.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



EXTENSION REQUEST LETTER

DATE: November 19, 2024

TO: Brookshire-Katy Drainage District
1111 Kenney St
Brookshire, TX 77423
PH: 281.375.5430

FROM: EHRA/Michael Turzillo
Planner II

RE: **EXTENSION REQUEST LETTER – Lakes of Cane Island Section 4**

SUMMARY OF EXTENSION NEED:

The preliminary plat for Lakes of Cane Island Section 4 was approved on 6/10/24. We are submitting a request for an extension of this approval. The delay in submitting the final plat is due to the sequencing of the final plat and engineering construction plans. The preliminary plat was submitted before our engineering team was ready to begin construction plan development.

REQUESTED EXTENSION PERIOD:

We would like to request an extension for an additional 180 days. Construction is tentatively scheduled to begin in early July, and the final plats will be submitted later this year, prior to the start of construction.

DOCUMENTATION OF WORK COMPLETED AND REMAINING:

We anticipate the final plat to be submitted within the next month.

Please let me know if you require anything further to facilitate the approval of this extension.

Regards,

A handwritten signature in black ink, appearing to read "M Turzillo".

Michael Turzillo
Planner II
EHRA

BROOKSHIRE-KATY DRAINAGE DISTRICT

MONTHLY EQUIPMENT MILEAGE/HOUR, AND EXPENSE REPORT

NOVEMBER 2024

TRACTORS

EQUIPMENT	YEAR MODEL	LIFETIME HOURS	HOURS THIS MONTH	FISCAL YTD HOURS	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
JD 5100E BAT-WING TRACTOR	2019	3,278	9	70	\$3.15	\$2,620.21
JD 6145M 2019 BOOM MOWER	2019	2,844	1	6	\$0.00	\$0.00
JD 6145M 2021 BOOM MOWER	2021	1,936	48	183	\$0.00	\$153.19
JD 6150M BOOM MOWER	2015	6,828	56	206	\$0.98	\$0.98
JD 930M Z-TRAK MOWER	2018	648	5	6	\$66.54	\$66.54

HEAVY EQUIPMENT

EQUIPMENT	YEAR MODEL	LIFETIME HOURS	HOURS THIS MONTH	FISCAL YTD HOURS	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
CAT 920 WHEEL LOADER	2024	293	46	91	\$16.40	\$266.40
CAT D6k2 DOZER	2019	1,770	2	11	\$0.00	\$1,446.64
CAT 323 EXCAVATOR	2018	4,979	45	157	\$286.40	\$661.75
CAT 416E BACKHOE	2012	3,674	6	16	\$213.36	\$213.36
JD 755A TRACK LOADER	1982	2,632	0	0	\$0.00	\$0.00
NORAM 65E MOTOR GRADER	2014	3,008	11	20	\$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	17,901	345	559	\$15.50	\$15.50
TACOMA SR 4X4 (INSPECTOR)	2020	50,124	487	1,170	\$58.96	\$58.96
F-150 4X4 (INSPECTOR)	2017	97,774	886	2,306	\$0.00	\$0.00
F-250 4X4 (CREW)	2016	104,091	147	192	\$10.98	\$10.98
F-750 DUMP TRUCK	2011	48,401	273	727	\$194.29	\$194.29
FREIGHTLINER HAUL TRUCK	2000	872	6	12	\$109.00	\$230.43
DODGE RAM 4X4 (2301) (CREW)	2023	7,005	538	936	\$0.00	\$0.00
DODGE RAM 4X4 (2302) (FOREMAN)	2023	17,938	647	1,431	\$8.05	\$8.05
TACOMA TDR 4X4 (ASST GM)	2023	15,562	616	1,815	\$0.00	\$0.00
FREIGHTLINER DUMP TRUCK	2020	54,306	168	603	\$528.66	\$1,321.20
KAWASAKI MULE PRO	2024	89	10	14	\$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

NOVEMBER 2024 - FINANCIAL REPORT

Exhibit "C"

General Fund	\$1,079,281.29
Payroll Fund	\$76,235.14
Petty Cash	\$2,071.43
Building Fund	\$2,332,510.12
Capital Improvement Fund	\$765,575.28
Texpool Fund	\$3,250.70
Amegy Bank Checking	\$1,069,600.84
Austin Co. State Bank CD	\$236,201.26
Bank of Shiner CD	\$184,090.06
Bank of Brenham CD	\$249,449.85
Citizens State Bank CD	\$236,590.24
Fayetteville Bank CD	\$185,672.68
First Nat. Bank Bellville CD	\$186,449.93
Industry State Bank CD	\$249,449.85
TOTAL RECONCILED BALANCE	\$6,856,428.67

RESERVES:
\$1,527,903.87

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	\$3,237.20	\$1,572,036.18	\$133,947.41	\$69,600.84	\$2,456,038.28	\$765,481.16
Deposits and Credits	\$13.50	\$149,254.22	\$12.75	\$1,000,000.00	\$293.27	\$94.12
Debits and Withdrawals	\$0.00	\$478,230.86	\$54,661.47	\$0.00	\$124,169.83	\$0.00
Ending Balance 11/30	\$3,250.70	\$1,243,059.54	\$79,298.69	\$1,069,600.84	\$2,332,161.72	\$765,575.28
Less Total Outstanding Drafts/Deposits (Net Amount)	\$0.00	-\$163,778.25	-\$3,063.55	\$0.00	\$348.40	\$0.00
Adjusted Ending Balance 11/30	\$3,250.70	\$1,079,281.29	\$76,235.14	\$1,069,600.84	\$2,332,510.12	\$765,575.28
Monthly Interest Earned	\$13.50	\$188.90	\$12.75	\$0.00	\$293.27	\$94.12

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	\$236,201.26	\$184,090.06	\$236,590.24	\$183,963.17	\$183,963.17	\$249,449.85	\$249,449.85
Deposits and Credits	\$0.00	\$0.00	\$0.00	\$1,709.51	\$1,716.68	\$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	\$236,201.26	\$184,090.06	\$236,590.24	\$185,672.68	\$185,679.85	\$249,449.85	\$249,449.85
Interest/Earned	\$0.00	\$0.00	\$0.00	\$1,709.51	\$1,716.68	\$0.00	\$0.00

ADOPTED BUDGET	
24-25 FY Budget	\$5,294,869.51
YTD Expenses	\$561,269.10
New Equipment	\$113,981.73
Master Drainage Plan Phase 2	\$300,000.00
Total Budgeted Expenses YTD	\$975,250.83

ENFORCEMENT/CIVIL PENALTIES	
Awry Concrete	\$20,000.00 BKDD Received FY 24-25
DI Landholdings	\$27,500.00 BKDD Received FY 24-25

NEW ADMIN BLDG	FYTD EXPENSES	\$270,109.79
MDP PHASE 2	FYTD EXPENSES	\$0.00

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

December 23, 2024

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 23rd day of December, 2024, 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 of the District; Wendy Sidwell, District Administrator; Michael McCarthy, P.E., of Quiddity Engineering ("Quiddity" or "Engineer"); Christian Walker, P.E. of Quiddity Engineering Land Development representing Sunterra Development; William Petrov, attorney, and Mirna Croon, paralegal, of Johnson Petrov, LLP ("Johnson Petrov" or "Attorney"); David Kasper, P.E., the City of Katy Engineer; Glen Beckendorff, a landowner in the District; Clayton Matzek of LDD Blueline; Darrin M. Fentress, P.E. of BGE, Inc. representing the Freeland tract development; John Barnes of Starwood Land Advisors; and Justin Beckendorff, Waller County Precinct 4 Commissioner.

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

Mr. G. Beckendorff addressed the Board regarding the Cane Island Creek advocating for the removal of debris from the area. This matter was discussed later in the meeting under agenda item nos. 8 and 9.

Agenda Item No. 4
UPDATE ON NEW ADMINISTRATION BUILDING

Mr. Kitzman provided an update on the new Administration Building construction, noting that Commercial Construction and Maintenance ("CCM") has assigned more personnel to the project.

Mr. Petrov informed the Board that while the District had received a notice of vendor lien due to CCM's failure to pay a subcontractor, the issue was addressed in a meeting with CCM's project manager. The lien has since been removed, and no further problems have been reported. Mr. Petrov explained that although property owned by a

governmental entity cannot legally have liens filed against it, the lien still needed to be removed from the record.

Agenda Item No. 5

AIA DOCUMENT G702: APPLICATION AND CERTIFICATE FOR PAYMENT FROM COMMERCIAL CONSTRUCTION AND MAINTENANCE OF APPLICATION NO. 005 FOR SERVICES COMPLETED THROUGH NOVEMBER 30, 2024

Upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved Pay Application No. 05 to CCM in the amount of \$198,489.96, a copy of which is attached hereto as Exhibit "A", as recommended by LDD Blueline.

Agenda Item No. 6

PERMIT APPLICATION FOR DRAINAGE STUDY ANALYSIS FOR FREELAND TRACT PHASE 1 - DIA (ID: 24-00014)

Mr. McCarthy reviewed the recommendation letter for Permit ID 24-00014, 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 ID 24-00014, as recommended by Quiddity.

Agenda Item No. 7

PERMIT APPLICATION FOR DRAINAGE STUDY ANALYSIS FOR LAKES OF CANE ISLAND TRACT - 180 ACRES - DIA (ID: 00383)

Mr. McCarthy reviewed the recommendation letter for Permit Application No. (ID: 00383), a copy of which is attached hereto as Exhibit "B-1".

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved Permit ID 00383, as recommended by Quiddity.

Agenda Item No. 8

PERMIT APPLICATION FOR DRAINAGE STUDY ANALYSIS FOR PITTS ROAD DETENTION - DIA (ID: 24-00020)

Mr. McCarthy reviewed the recommendation letter for Permit Application No. 24-00020, a copy of which is attached hereto as Exhibit "B-2". Key points included:

- The development's drainage assessment has been reviewed per District Rules and Regulations;
- The project involves converting an existing sand pit into a regional detention pond;
- While the pond will be owned and maintained by the City of Katy, only structures and discharge within the District's easement require District permits;
- The detention pond design follows City of Katy standards rather than District criteria;
- The project is funded through CDBG MIT funds to help reduce flood risk;
- No adverse impacts are expected to District easements or surrounding properties;

Agenda Item No. 9

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITHOUT PLATTING FOR PITTS ROAD DETENTION (ID: 24-00019), PERMIT NO. 2023-34

Mr. McCarthy reviewed the recommendation letter for Permit Application No. 24-00019, a copy of which is attached hereto as Exhibit "B-3".

Mr. McCarthy addressed Mr. G. Beckendorff's questions about the Cane Island creek debris removal project. He explained that the District has secured a \$700,000 matching grant from Harris County, along with contributing \$300,000 of its own funds, to develop Master Drainage Plan Phase 2. The Cane Island project will be reviewed in the Master Drainage Plan Study. While clearing trees and debris from Cane Island creek is under consideration, some engineers have raised concerns that complete removal could eliminate natural barriers that currently help prevent flooding in the City of Katy. The District aims to implement debris removal in a way that maintains flood protection for residents of the District and the City. Extensive discussion ensued.

Next, upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with Supervisor Beckendorff voting against, the Board approved (i) Permit Application for Drainage Study Analysis for Pitts Road Detention - DIA (ID: 24-00020), as recommended by Quiddity; and (ii) Permit Application for Tract Development Without Platting for Pitts Road Detention (ID: 24-00019), Permit No. 2023-34, as recommended by Quiddity.

Agenda Item No. 10

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR AZALEA SECTION 3 (F/K/A MAPLE GROVE SECTION 3) - FINAL DRAINAGE PLANS (ID: 00342) AND FINAL PLAT (ID: 00400), PERMIT NO. 2024-82

Upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved Permit Application for Tract Development With Platting for Azalea Section 3 (f/k/a Maple Grove Section 3) - Final Drainage Plans (ID: 00342) and Final Plat (ID: 00400), Permit No. 2024-82, as recommended by Quiddity. A copy of the Quiddity's recommendation letter is attached hereto as Exhibit "B-4".

Agenda Item No. 11

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR SOFI LAKES DETENTION PHASE 1 - FINAL DRAINAGE PLANS (ID: 00479) (PERMIT NOS. 2024-58 & 2024-120)

Mr. McCarthy reviewed the recommendation letter for Permit Application Nos. 2024-58 and 2024-120, a copy of which is attached hereto as Exhibit "B-5".

Agenda Item No. 12

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR SOFI LAKES DETENTION RESERVES SECTION 1 - FINAL PLAT (ID: 00505), PERMIT NO. 2024-58

Mr. McCarthy reviewed the recommendation letter for Permit Application No. 2024-58 Final Plat ID 00505, a copy of which is attached hereto as Exhibit "B-6".

Agenda Item No. 13

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR SOFI LAKES DETENTION RESERVES SECTION 2 - FINAL PLAT (ID: 00506), PERMIT NO. 2024-120

Mr. McCarthy reviewed the recommendation letter for Permit Application No. 2024-120 Final Plat ID 00506, a copy of which is attached hereto as Exhibit "B-7".

Agenda Item No. 14

DETENTION FACILITIES MAINTENANCE AGREEMENT BETWEEN BROOKSHIRE-KATY DRAINAGE DISTRICT AND 622 SOFI LAKES, L.P. AND EAST WALLER COUNTY MANAGEMENT DISTRICT FOR SOFI LAKES DETENTION;

Mr. Petrov reviewed with the Board the above-referenced Agreement.

Next, upon motion by Supervisor Beckendorff, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved (i) Permit Application for Tract Development With Platting for Sofi Lakes Detention Phase 1 - Final Drainage Plans (ID: 00479) (Permit Nos. 2024-58 & 2024-120), as recommended by Quiddity; (ii) Permit Application for Tract Development With Platting for Sofi Lakes Detention Reserves Section 1 - Final Plat (ID: 00505), Permit No. 2024-58, as recommended by Quiddity; (iii) Permit Application for Tract Development With Platting for Sofi Lakes Detention Reserves Section 2 - Final Plat (ID: 00506), Permit No. 2024-120, as recommended by Quiddity; and (iv) Detention Facilities Maintenance Agreement between Brookshire-Katy Drainage District and 622 Sofi Lakes, L.P. and East Waller County Management District for Sofi Lakes Detention, as recommended by JP.

Agenda Item No. 15

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR SUNTERRA LAKES SECTION 2 - FINAL DRAINAGE PLANS (ID: 00560), AND FINAL PLAT (ID: 00576), PERMIT NO. 2024-132

Mr. McCarthy reviewed the recommendation letter for Permit Application No. 2024-132, a copy of which is attached hereto as Exhibit "B-8".

Agenda Item No. 16

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR SUNTERRA LAKES SECTION 3 - FINAL DRAINAGE PLANS (ID: 00556), AND FINAL PLAT (ID: 00578), PERMIT NO. 2024-138

Mr. McCarthy reviewed the recommendation letter for Permit Application No. 2024-138, a copy of which is attached hereto as Exhibit "B-9".

Upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved (i) Permit Application for Tract Development With Platting for Sunterra Lakes Section 2 - Final Drainage Plans (ID: 00560), and Final Plat (ID: 00576), Permit No. 2024-132, as recommended by Quiddity; and (ii) Permit Application for Tract Development With Platting for Sunterra Lakes Section 3 - Final Drainage Plans (ID: 00556), and Final Plat (ID: 00578), Permit No. 2024-138.

Agenda Item No. 17

PUBLIC FUNDS COLLATERAL AND PLEDGE AGREEMENT BETWEEN BROOKSHIRE-KATY DRAINAGE DISTRICT AND PROSPERITY BANK ("COLLATERAL AND PLEDGE AGREEMENT")

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved the Collateral and Pledge Agreement, a copy of which is attached hereto as Exhibit "C".

Agenda No. 18

UPDATE ON PERSONNEL MATTERS

Ms. Sidwell reported that Ms. Shipman has resigned from her Permit Coordinator position noting her last day of employment being December 31, 2024.

UPDATE ON ENFORCEMENT ACTION ITEMS;

Mr. Petrov provided the Board with a status update on ongoing enforcement actions including DI Landholdings, LLC, Alfredo Martinez, and AWRY Ready-Mix Concrete.

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 10:14 a.m.

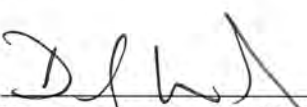
[EXECUTION PAGE FOLLOWS]

SIGNED this 13th day of JANUARY 2025.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

Exhibit "A "	AIA Document G702
Exhibit "B"	Quiddity Recommendation for Permit ID 24-00014
Exhibit "B-1"	Quiddity Recommendation for Permit Application No. (ID: 00383)
Exhibit "B-2"	Quiddity Recommendation for Permit Application No. 24-00020
Exhibit "B-3"	Quiddity Recommendation for Permit Application No. 24-00019
Exhibit "B-4"	Quiddity Recommendation for Permit Application No. 2024-82
Exhibit "B-5"	Quiddity Recommendation for Permit Application (ID: 00479) Permit Nos. 2024-58 & 2024-120
Exhibit "B-6"	Quiddity Recommendation for Permit Application Permit Application No. 2024-58 Final Plat ID 00505
Exhibit "B-7"	Quiddity Recommendation for Permit Application No. 2024-120 Final Plat ID 00506
Exhibit "B-8"	Quiddity Recommendation for Permit Application No. 2024-132
Exhibit "B-9"	Quiddity Recommendation for Permit Application No. 2024-138
Exhibit "C"	Collateral and Pledge Agreement

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AIA Document G702[®] - 1992

Application and Certificate for Payment

TO OWNER:	Brookshire-Katy Drainage District 1111 Kenney Street Brookshire, TX. 77423	PROJECT:	BKDD Admin Building	APPLICATION NO:	005	Distribution to:	☒ OWNER: ☒ ARCHITECT: ☒ CONTRACTOR: ☒ FIELD: ☐ OTHER: ☐
FROM CONTRACTOR:	Commercial Construction and Maintenance 5690 Pine Lane Circle Bessemer, AL 35022	VIA ARCHITECT:	LDDBlueLine	PERIOD TO:	November 30, 2024	CONTRACT FOR:	3,147,189.00
				CONTRACT DATE:	May 30, 2024	PROJECT NOS:	

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
AIA Document G703[®], Continuation Sheet, is attached.

1. ORIGINAL CONTRACT SUM	\$3,147,189.00
2. NET CHANGE BY CHANGE ORDERS	\$0.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$3,147,189.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$1,274,482.61
5. RETAINAGE:	
a. 10.00 % of Completed Work (Column D + E on G703)	\$127,448.26
b. 0 % of Stored Material (Column F on G703)	\$0.00
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$127,448.26
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$1,147,034.35
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$948,544.39

8. CURRENT PAYMENT DUE	\$108,189.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$2,000,154.65

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total approved this Month	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGES by Change Order		\$0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:	By: <u>[Signature]</u>	Date: <u>12/6/24</u>
State of:		
County of:		
Subscribed and sworn to before me this <u>6</u> day of <u>August</u>		
Notary Public:	<u>[Signature]</u>	
My Commission expires:		

Ronda Lynne Komegay
Notary Public, Alabama State At Large
My Commission Expires 03/27/2028

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED	\$108,189.00
(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)	

ARCHITECT:	By: <u>[Signature]</u>	Date: <u>12/9/2024</u>
------------	------------------------	------------------------

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

AIA Document G703, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed Certification is attached. In tabulations below, amounts are stated to the nearest dollar. Use Column I on Contracts where variable retainage for line items may apply.

Corrected column letters to match G702 [1st page]

This should not be labeled

AIA DOCUMENT G703
APPLICATION NUMBER :
APPLICATION DATE : 11/25/2024
PERIOD FROM : 1/1/2024
PERIOD TO : 1/30/2024

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
DIVISION NO.	AIA Division	SCHEDULED COST	CHANGE ORDERS COST	CHANGE ORDERS OH&P 15%	CHANGE ORDERS TOTAL	TOTAL VALUE	WORK COMPLETED FROM PREVIOUS APPLICATIONS	THIS PERIOD	DEPOSITS/MATERIAL PRESENTLY STORED	TOTAL COMPLETED & STORED TO DATE (J + I + K)	% G/C	BALANCE TO FINISH (G - K)	REFINANCE 10%												
01100	Upfront GR Costs - Permit, Performance Bond, Builders Risk Insurance	\$ 59,463.90	\$ -	\$ -	\$ -	\$ 59,463.90	\$ 59,463.90	\$ 29,504.94	\$ -	\$ 89,729.82	100%	\$ -	\$ 89,729.82												
01310	On-Going General Requirement Costs - Production Coordination	\$ 210,749.61	\$ -	\$ -	\$ -	\$ 210,749.61	\$ 63,220.88	\$ 1,653.77	\$ -	\$ 92,729.82	44%	\$ 118,019.79	\$ 92,729.82												
01500	Temporary Facilities	\$ 11,812.63	\$ -	\$ -	\$ -	\$ 11,812.63	\$ 3,038.79	\$ 1,653.77	\$ -	\$ 4,693.56	40%	\$ 7,119.07	\$ 4,693.56												
01524	Temporary Construction Waste Management	\$ 7,348.87	\$ -	\$ -	\$ -	\$ 7,348.87	\$ 2,204.66	\$ 1,028.84	\$ -	\$ 3,233.50	44%	\$ 4,115.37	\$ 3,233.50												
02230	Site Clearing and Erosion Control	\$ 39,386.48	\$ -	\$ -	\$ -	\$ 39,386.48	\$ 39,386.48	\$ -	\$ -	\$ 39,386.48	100%	\$ 0.00	\$ 39,386.48												
02300	Earthwork, Grading, Pond and Soil Stabilization	\$ 393,899.56	\$ -	\$ -	\$ -	\$ 393,899.56	\$ 393,899.56	\$ -	\$ -	\$ 393,899.56	100%	\$ 0.00	\$ 393,899.56												
02301	Surveying/Layout	\$ 4,899.25	\$ -	\$ -	\$ -	\$ 4,899.25	\$ 2,446.62	\$ 1,446.77	\$ -	\$ 3,810.40	80%	\$ 979.85	\$ 3,810.40												
02395	Concrete Wash Out	\$ 3,810.53	\$ -	\$ -	\$ -	\$ 3,810.53	\$ 1,905.26	\$ 1,905.26	\$ -	\$ 3,810.53	100%	\$ -	\$ 3,810.53												
02391	Termite Control	\$ 2,177.44	\$ -	\$ -	\$ -	\$ 2,177.44	\$ 2,177.44	\$ -	\$ -	\$ 2,177.44	100%	\$ -	\$ 2,177.44												
02466	Drilled Piers	\$ 40,827.07	\$ -	\$ -	\$ -	\$ 40,827.07	\$ 40,827.07	\$ -	\$ -	\$ 40,827.07	100%	\$ -	\$ 40,827.07												
02510	Domestic Water Supply - Water Utilities	\$ 25,258.35	\$ -	\$ -	\$ -	\$ 25,258.35	\$ 7,577.50	\$ -	\$ -	\$ 7,577.50	30%	\$ 17,680.84	\$ 7,577.50												
02530	Sanitary Sewer Supply - Sewer Utilities	\$ 48,992.48	\$ -	\$ -	\$ -	\$ 48,992.48	\$ 48,992.48	\$ -	\$ -	\$ 48,992.48	100%	\$ -	\$ 48,992.48												
02630	Storm Utilities	\$ 74,468.57	\$ -	\$ -	\$ -	\$ 74,468.57	\$ 59,574.86	\$ -	\$ -	\$ 59,574.86	80%	\$ 14,893.71	\$ 59,574.86												
02751	Exterior Concrete Paving & Stippling	\$ 107,239.10	\$ -	\$ -	\$ -	\$ 107,239.10	\$ 52,268.64	\$ 10,723.91	\$ -	\$ 62,992.55	59%	\$ 44,246.55	\$ 62,992.55												
02821	Chain Link Fence and Gates	\$ 9,782.17	\$ -	\$ -	\$ -	\$ 9,782.17	\$ -	\$ -	\$ -	\$ 9,782.17	0%	\$ 9,782.17	\$ 9,782.17												
02920	Irrigation, Landscaping and Pressure Washing	\$ 42,078.00	\$ -	\$ -	\$ -	\$ 42,078.00	\$ -	\$ -	\$ -	\$ 42,078.00	0%	\$ 42,078.00	\$ 42,078.00												
03200	Concrete Reinforcement	\$ 6,364.06	\$ -	\$ -	\$ -	\$ 6,364.06	\$ 4,614.53	\$ -	\$ -	\$ 4,614.53	73%	\$ 1,749.53	\$ 4,614.53												
03300	Cast in Place Concrete - Footings and Slab	\$ 85,434.42	\$ -	\$ -	\$ -	\$ 85,434.42	\$ 67,167.76	\$ -	\$ -	\$ 67,167.76	79%	\$ 18,266.67	\$ 67,167.76												
04720	Cast Stone Materials and Labor	\$ 4,354.89	\$ -	\$ -	\$ -	\$ 4,354.89	\$ -	\$ -	\$ -	\$ 4,354.89	0%	\$ 4,354.89	\$ 4,354.89												
04810	Unit Masonry - Labor - Brick and Block	\$ 35,814.92	\$ -	\$ -	\$ -	\$ 35,814.92	\$ -	\$ -	\$ -	\$ 35,814.92	0%	\$ 35,814.92	\$ 35,814.92												
04861	Natural Stone Veneer - Labor	\$ 18,121.00	\$ -	\$ -	\$ -	\$ 18,121.00	\$ -	\$ -	\$ -	\$ 18,121.00	0%	\$ 18,121.00	\$ 18,121.00												
05121	Structural Steel - PEPM materials and handrails	\$ 121,209.24	\$ -	\$ -	\$ -	\$ 121,209.24	\$ 41,593.23	\$ -	\$ 12,120.92	\$ 53,704.15	44%	\$ 67,505.09	\$ 53,704.15												
05400	Cold-Framed Metal Framing - Materials and Labor	\$ 134,348.28	\$ -	\$ -	\$ -	\$ 134,348.28	\$ -	\$ -	\$ -	\$ 134,348.28	0%	\$ 134,348.28	\$ 134,348.28												
05500	Metal Fabrications/Installation of PEPM	\$ 76,210.53	\$ -	\$ -	\$ -	\$ 76,210.53	\$ -	\$ -	\$ -	\$ 76,210.53	0%	\$ 76,210.53	\$ 76,210.53												
06100	Rough Carpentry	\$ 6,804.51	\$ -	\$ -	\$ -	\$ 6,804.51	\$ -	\$ -	\$ -	\$ 6,804.51	0%	\$ 6,804.51	\$ 6,804.51												
07210	Building Insulation	\$ 47,903.76	\$ -	\$ -	\$ -	\$ 47,903.76	\$ -	\$ -	\$ -	\$ 47,903.76	0%	\$ 47,903.76	\$ 47,903.76												
08111	Steel Doors and Frames	\$ 25,055.60	\$ -	\$ -	\$ -	\$ 25,055.60	\$ -	\$ -	\$ -	\$ 25,055.60	0%	\$ 25,055.60	\$ 25,055.60												
08211	Flush Wood Plastic Laminated Doors	\$ 19,160.16	\$ -	\$ -	\$ -	\$ 19,160.16	\$ -	\$ -	\$ -	\$ 19,160.16	0%	\$ 19,160.16	\$ 19,160.16												
08411	Aluminum-Framed Entrances, Storefronts and Windows	\$ 57,540.95	\$ -	\$ -	\$ -	\$ 57,540.95	\$ -	\$ -	\$ -	\$ 57,540.95	0%	\$ 57,540.95	\$ 57,540.95												
08711	Door Hardware and Install	\$ 21,829.40	\$ -	\$ -	\$ -	\$ 21,829.40	\$ -	\$ -	\$ -	\$ 21,829.40	0%	\$ 21,829.40	\$ 21,829.40												
09253	Gypsum Sheathing, Gypsum Board and Assemblies/Drywall	\$ 171,177.56	\$ -	\$ -	\$ -	\$ 171,177.56	\$ -	\$ -	\$ -	\$ 171,177.56	0%	\$ 171,177.56	\$ 171,177.56												
09310	Floor Coverings	\$ 75,667.26	\$ -	\$ -	\$ -	\$ 75,667.26	\$ -	\$ -	\$ -	\$ 75,667.26	0%	\$ 75,667.26	\$ 75,667.26												
09511	Acoustical Ceilings	\$ 33,750.38	\$ -	\$ -	\$ -	\$ 33,750.38	\$ -	\$ -	\$ -	\$ 33,750.38	0%	\$ 33,750.38	\$ 33,750.38												
09912	Painting	\$ 17,822.38	\$ -	\$ -	\$ -	\$ 17,822.38	\$ -	\$ -	\$ -	\$ 17,822.38	0%	\$ 17,822.38	\$ 17,822.38												
10431	Signage	\$ 2,473.99	\$ -	\$ -	\$ -	\$ 2,473.99	\$ -	\$ -	\$ -	\$ 2,473.99	0%	\$ 2,473.99	\$ 2,473.99												
10532	Walkway Covers/Canopies	\$ 112,356.09	\$ -	\$ -	\$ -	\$ 112,356.09	\$ -	\$ -	\$ -	\$ 112,356.09	0%	\$ 112,356.09	\$ 112,356.09												
10801	Bathroom and Toilet Accessories, Partitions	\$ 18,292.07	\$ -	\$ -	\$ -	\$ 18,292.07	\$ -	\$ -	\$ -	\$ 18,292.07	0%	\$ 18,292.07	\$ 18,292.07												

Hide these four (4) columns

See previous page for corrected column letters to match G702 [1st page]

A DIVISION NO.	B AIA Division	C SCHEDULED COST	D CHANGE ORDERS COST	E CHANGE ORDERS CH&P 15%	F CHANGE ORDERS TOTAL	G TOTAL VALUE	H WORK COMPLETED FROM PREVIOUS APPLICATIONS	I WORK COMPLETED THIS PERIOD	J DEPOSITS/MATERIAL PRESENTLY STORED	K TOTAL COMPLETED & STORED TO DATE (I + J + K)	L % G/C	M BALANCE TO FINISH (G - K)	N RETAINAGE 10%
12494	Roller Shades	\$ 7,078.87	\$ -	\$ -	\$ -	\$ 7,078.87	\$ -	\$ -	\$ -	\$ -	0%	\$ 7,078.87	\$0.00
15100	Mechanical - HVAC materials and labor	\$ 353,174.83	\$ -	\$ -	\$ -	\$ 353,174.83	\$ -	\$ -	\$ -	\$ -	32%	\$ 238,532.42	\$11,464.24
15200	Mechanical - Plumbing materials and labor	\$ 159,466.18	\$ -	\$ -	\$ -	\$ 159,466.18	\$ 63,306.47	\$ -	\$ -	\$ 63,306.47	40%	\$ 96,159.71	\$6,330.65
16100	Electrical - Materials and labor	\$ 189,876.74	\$ -	\$ -	\$ -	\$ 189,876.74	\$ 92,652.85	\$ 37,935.75	\$ -	\$ 130,588.60	69%	\$ 59,050.14	\$13,058.86
16570	Lighting Protection System	\$ 11,734.80	\$ -	\$ -	\$ -	\$ 11,734.80	\$ -	\$ -	\$ -	\$ -	0%	\$ 11,734.80	\$0.00
21100	Fire Water Line	\$ 57,266.77	\$ -	\$ -	\$ -	\$ 57,266.77	\$ 17,180.03	\$ -	\$ -	\$ 17,180.03	30%	\$ 40,086.74	\$1,718.00
21200	Fire Suppression System	\$ 61,240.17	\$ -	\$ -	\$ -	\$ 61,240.17	\$ -	\$ -	\$ -	\$ -	0%	\$ 61,240.17	\$0.00
28100	Fire Alarm System	\$ 15,405.41	\$ -	\$ -	\$ -	\$ 15,405.41	\$ -	\$ -	\$ -	\$ -	0%	\$ 15,405.41	\$0.00
01210.1	Allowance 1 - T&S	\$ 2,500.00	\$ -	\$ -	\$ -	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 2,500.00	\$0.00
01210.2	Allowance 2 - Interior and Exterior Signage Material	\$ 15,000.00	\$ -	\$ -	\$ -	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 15,000.00	\$0.00
01210.3	Allowance 3 - Brick Material	\$ 6,318.62	\$ -	\$ -	\$ -	\$ 6,318.62	\$ -	\$ -	\$ -	\$ -	0%	\$ 6,318.62	\$0.00
01210.4	Allowance 4 - Stone Material	\$ 24,339.15	\$ -	\$ -	\$ -	\$ 24,339.15	\$ -	\$ -	\$ -	\$ -	0%	\$ 24,339.15	\$0.00
01210.5	Allowance 5 - Refrigerator	\$ 2,500.00	\$ -	\$ -	\$ -	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 2,500.00	\$0.00
01210.6	Allowance 6 - Contingency	\$ 87,500.00	\$ -	\$ -	\$ -	\$ 87,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 87,500.00	\$0.00
		\$ 3,147,189.00	\$ -	\$ -	\$ -	\$ 3,147,189.00	\$ 1,063,487.03	\$ 84,222.25	\$ 126,763.33	\$ 1,274,482.61	40%	\$ 1,872,705.39	\$127,448.36

Hide these four (4) columns

Change Orders:		
Acids	Previously Approved	This period
Deducts	\$ -	\$ -
Total	\$ -	\$ -

Division Explanatory Comments for Work Completed in Column I and J Above

- 01310 Represents the On-Going General Requirement Costs for the project
- 01500 Represents the Temporary Facilities costs for the project
- 01524 Represents the Temporary Dumpster costs for the project
- 02230 Represents the Site Clearing and Erosion Control costs for the project
- 02300 Represents the Earthwork, Grading and Detention Pond costs for the project
- 02301 Represents the Surveying/Layout costs for the project
- 02305 Represents the Concrete Wash out costs for the project
- 02510 Represents the Domestic Water Supply - Water Utilities
- 02751 Represents the Exterior Concrete Paving and Striping costs for the project
- 05121 Represents the Structural Steel - PEMB materials and handrails
- 16100 Represents the Electrical costs for the project;

CHANGE ORDER SUMMATION AIA DOCUMENT G701 Modified	OWNER ARCHITECT CONTRACTOR X FIELD OTHER	 COMMERCIAL CONSTRUCTION AND MAINTENANCE, INC.						
PROJECT: BKDD Admin Building		APPLICATION NO: 5						
		APPLICATION DATE: 11/25/2024						
TO CONTRACTOR: Commercial Construction and Main. 5690 Pine Lane Cir. Bessemer, AL, 35022		PERIOD FROM: 11/1/2024 PERIOD TO: 11/30/2024						
The Contract is changed as follows:								
CCM APPROVAL: <u>Taylor Chapman</u> Director of Production								
Not valid until signed by the Owner and Contractor.								
The original Contract Sum: \$ 3,147,189.00								
Net change by previously authorized Change orders: \$ -								
The Contract Sum prior to this month's Change orders was: \$ 3,147,189.00								
The Contract Sum will be (increased) (decreased)(unchanged) by this Change Order in the amount of: \$ -								
The new (Contract Sum) (Guaranteed maximum Price) including this month's Change orders will be: \$3,147,189.00								
The Contract Time will be (increased) decreased) (unchanged) by: 0								
The date of Substantial Completion as of the date of this Change Order therefore is:								
This month's Change Orders included the following:								
<table border="1" style="margin: auto;"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>								
	CONTRACTOR: CCM	OWNER/DEVELOPER						
	ADDRESS: 5690 Pine Lane Cir. Bessemer AL 35022	Address						
	BY: Kevin Pence President	BY						
	DATE: 12/6/2024	DATE						
G701-1987								

Adverse Weather Delays		 COMMERCIAL CONSTRUCTION AND MAINTENANCE, INC.			
PROJECT:	BKDD Admin Building	APPLICATION NO:	5		
		APPLICATION DATE:	11/25/2024		
		PERIOD TO:	11/30/2024		
TO CONTRACTOR:	Commercial Construction and Main. 5690 Pine Lane Cir. Bessemer, AL, 35022				
The Contract is changed as follows:					
CCM APPROVAL:	<i>Taylor Chapman</i> _____ Director of Production				
Not valid until signed by the Owner and Contractor.					
Adverse Weather and Other Delay Days:	Month	Allowable days per contract	Actual	Net - To Claim	
	(Project Start)	Jun-24	2	0	-2
		Jul-24	3	0	-3
		Aug-24	3	0	-3
		Sep-24	2	0	-2
		Oct-24	3	0	-3
		Nov-24	4	6	2
		Dec-24	5	0	-5
		Jan-25	6	0	-6
		Feb-25	7	0	-7
Total Cumulative Days:					-29
CONTRACTOR:		OWNER/DEVELOPER			
CCM		Address			
ADDRESS:		Address			
5690 Pine Lane Cir. Bessemer AL 35022		BY			
BY:		BY			
Paul Pence President		DATE			
DATE:		DATE			
12/6/2024					
G701-1987					

CONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

NOTICE: THIS DOCUMENT WAIVES THE CLAIMANT'S LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS EFFECTIVE ON RECEIPT OF PAYMENT. A PERSON SHOULD NOT RELY ON THIS DOCUMENT UNLESS SATISFIED THAT THE CLAIMANT HAS RECEIVED PAYMENT.

Identifying Information

Name of Claimant: Commercial Construction & Maintenance, Inc

Name of Customer: Brookshire-Katy Drainage District

Job Location: 1111 Kenney Street Brookshire, TX 77423

Owner: Brookshire-Katy Drainage District

Through Date: 11/30/2024

Conditional Waiver and Release

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job through the Through Date of this document. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. This document is effective only on the claimant's receipt of payment from the financial institution on which the following check is drawn:

Maker of Check: Brookshire-Katy Drainage District

Amount of Check: \$ 198,489.96

Check Payable to: Commercial Construction & Maintenance, Inc

Exceptions

This document does not affect any of the following:

- (1) Retentions.
- (2) Extras for which the claimant has not received payment.
- (3) The following progress payments for which the claimant has previously given a conditional waiver and release but has not received payment:
 Date(s) of waiver and release: _____
 Amount(s) of unpaid progress payment(s): \$ _____
- (4) Contract rights, including (A) a right based on rescission, abandonment, or breach of contract, and (B) the right to recover compensation for work not compensated by the payment.

Signature

Claimant's Signature: 

Claimant's Title: President

Date of Signature: 12/06/2024

UNCONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

NOTICE TO CLAIMANT: THIS DOCUMENT WAIVES AND RELEASES LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID. IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL WAIVER AND RELEASE FORM.

Identifying Information

Name of Claimant: Commercial Construction & Maintenance, Inc.

Name of Customer: Brookshire-Katy Drainage District

Job Location: 1111 Kenney Street Brookshire, TX 77423

Owner: Brookshire-Katy Drainage District

Through Date: 11/30/2024

Unconditional Waiver and Release

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job through the Through Date of this document. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. The claimant has received the following progress payment:

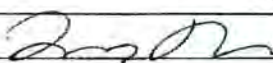
\$ 948,544.39

Exceptions

This document does not affect any of the following:

- (1) Retentions.
 - (2) Extras for which the claimant has not received payment.
 - (3) Contract rights, including (A) a right based on rescission, abandonment, or breach of contract, and (B) the right to recover compensation for work not compensated by the payment.
-

Signature

Claimant's Signature: 

Claimant's Title: President

Date of Signature: 12/06/2024



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

December 22, 2024

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

Reference: Freeland (Houston) ASLI X, LLC
Freeland Tract Phase 1 – **Drainage Impact Assessment**
Application ID No. 24-00014
Permit No. N/A
Quiddity Job No. R0002-1033-77.001

Dear Mr. England:

The referenced Freeland Tract Phase 1 (Development) Drainage Impact Assessment (Report) has been reviewed pursuant to the Brookshire-Katy Drainage District's (District) Rules and Regulations (R&R). A copy of the Report is attached for further information.

This review aims to verify whether the Development's proposed drainage and detention facilities as analyzed within the Report generally comply with the District's R&R and criteria. This review addresses issues regarding hydraulic and hydrologic drainage design criteria only. The subsequent plats and drainage plans for the proposed Development must be submitted to the District for review and approval. Additionally, the Report certifies that no adverse impacts will take place within the receiving waterways, adjacent properties, or downstream facilities in accordance with the District's R&R.

Technical Review & Findings:

The Development includes approximately 168 acres of land for primarily future single-family residential use and is located at the northwestern intersection of FM 2855 and Stockdick Road. The ultimate development for the Freeland Tract encompasses approximately 1,020 acres. The Report aims to analyze the drainage and detention requirements for the Development, using Atlas 14 criteria, and certify no adverse impacts to the Development, adjacent properties, or downstream facilities in accordance with the District's R&R.

The existing drainage conditions for the Development generally sheetflow from west to east towards FM 2855. In post developed conditions, the Development's proposed detention routing system will mirror existing drainage conditions and discharge site runoff to the FM 2855 ditch. The Development is located outside of the 100-yr floodplain, and therefore, will not require floodplain fill mitigation. The Development includes an offsite sheetflow analysis that identifies offsite sheetflow drainage from north to south is mostly blocked by two existing farm roads to the north of the Development. The proposed drainage plan includes a series of interceptor swales and structures that will be implemented in the design to aid in conveying offsite sheetflow to the proposed drainage and detention system.



Mr. Arnold England, President
December 22, 2024
Page 2

The Development includes construction of two (2) onsite wet-bottom detention ponds (Ponds 1 and 2) and approximately 1 mile of dry-bottom detention channels. The combined total detention storage volume for the Development is 169.3 acre-feet and the detention storage rate of 1.0 ac-ft/ac. The proposed detention ponds include a normal water surface elevation of 158.5 ft and 156.9 ft in Ponds 1 and 2, respectively. Both ponds include a 100-yr WSE of approximately 171 ft, a top of bank of approximately 172 ft, and minimum of 1-ft of freeboard. Additionally, each pond includes minimum 25-ft maintenance berms, 4:1 side slopes, and gravity only outfalls. Both ponds will gravity discharge into the proposed peripheral detention channel system.

The 1-mile long peripheral detention channels ponds are interconnected with a series of reinforced box culverts and are utilized for both conveyance and detention capacity. The channels are divided into six (6) detention areas (Channel 1-A, 1-B, 2-A, 3-A, 3-B, and 3-C). Channel 1-A, 1-B, and 2-A will be drained by a pump and gravity outfall, while Channel 3-A, 3-B, and 3-C located downstream will discharge into FM 2855 ditch via a gravity only outfall. The outfall from Channel 3C into FM 2855 ditch includes a single 3-ft x 2-ft reinforced concrete box (RCB) with a 2.2-ft x 2-ft restrictor.

Pond 1 outfalls into Channel 1-A, which outfalls into Channel 1-B, which outfalls into Pond 2. Pond 2 outfalls into Channel 2-A, which outfalls into Channel 3-A via pumped and gravity outfalls. Channel 3-A outfalls into Channel 3-B, which outfalls into Channel 3-C, which then outfalls into FM 2855 ditch. Channel 3-A includes an emergency overflow spillway into FM 2855 for extreme event conditions. Given the FM 2855 ditch is under TxDOT's jurisdiction, the Development's outfall was designed in accordance with TxDOT criteria. The allowable outfall into FM 2855 ditch was calculated to 24 cfs. The proposed discharge in post-developed conditions is 23.3 cfs, with the pumped discharge rate held to 2 cfs. The Development proposes a lift station with 3 pumps of 1 cfs each, with the third pump serving as emergency backup.

The applicant provided correspondence from TxDOT confirming their no objection to the proposed discharge into FM 2855 ditch. The applicant will be required to provide the TxDOT discharge permit prior to the District's approval of the final drainage plans for the Development.

Waller County MUD No. 48 (WCMUD 48) is the public entity that will own and maintain the detention facilities and pump station within the Development.

District Ultimate ROW

The Development's western and eastern borders encompasses an existing 20-ft and 30-ft wide District easement, respectively. The existing 30-ft wide easement is located within TxDOT right-of-way (ROW). Therefore, additional easement is not warranted in this location given TxDOT has jurisdiction over FM 2855 ditch. The 20-ft wide District easement runs north to south along Cardiff Road and travels through the Development and future Freeland Tract Phase 2 development south and undeveloped tracts to the north. The applicant performed an ultimate ROW



Mr. Arnold England, President
December 22, 2024
Page 3

analysis and determined the areas immediately upstream of the Development conveys a significant amount of offsite sheetflow and would require an increase in drainage easement to an approximately 300-ft wide drainage easement, considering the depth limitations within the existing District easement. Additionally, the Development and contributing areas upstream are located within the Snake Creek watershed. As the existing 20-ft wide District easement enters into the Freeland Tract Phase 2 development, the watershed transitions into the Willow Fork watershed per the findings from the District's Master Drainage Plan Phase 1.

In order to avoid impacts from redirecting sheetflow between watersheds, further coordination with the applicant and developer were required to arrive to a solution that best suited the District's Master Drainage Plan and development's site plan. The preliminary solution involves converting a portion of the approximately 250-ft wide undeveloped area located along the northern boundary of the Development, that encompasses multiple existing gas pipelines and a drill site, into future drainage easement that would be dedicated to the District. The applicant provided information to District concerning the existing pipeline easements, pipeline sizes, and approximate depths of the pipelines. The applicant also provided a letter from WCMUD 48 dated November 12, 2024 confirming their reservation of this land for future drainage easement to be dedicated to the District. Additionally, there is potential to utilize the proposed peripheral detention channels within the Development as future District drainage channels once further buildout of District easements occur further downstream to allow for an increase in conveyance and depth within the channels. Such improvements would include a crossing underneath FM 2855 with flow directed to the east along Stockdick Road, and thus removing the need for the proposed stormwater lift station. WCMUD 48 has been informed and generally accepts this preliminary ultimate ROW plan. That being said, continued coordination with WCMUD 48, the pipeline companies, and TxDOT would be required at the time of implementation of the District's Master Drainage Plan. Lastly, this proposed solution will be modeled accordingly in the District's Master Drainage Plan Phase 2 which is set to be completed in the 4th quarter of 2025.

Conclusion:

Based on our review of the Report, the Development does not appear to show any adverse impacts from the proposed improvements. The proposed peak flow discharge is lower in the proposed conditions, when compared to those under the existing conditions for storm events up to and including the Atlas 14 100-yr storm event as summarized in Table 4-8 from the Report.

The permit applications for the subsequent drainage plans must include a certification from a professional engineer licensed to practice in the state of Texas that the future developments will cause no adverse impact to the receiving drainage and detention facilities, including downstream facilities, in full compliance with this Report. At this time, no variance requests from the District's R&R have been requested or granted. We offer no objections to this Freeland Tract Phase 1 Drainage Impact Assessment and recommend the District accept this Report.



Mr. Arnold England, President
 December 22, 2024
 Page 4

Please note that this recommendation does not necessarily mean that the design and calculations provided in the accompanying documentation for the Development 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 submitted Report has been prepared, dated, signed, and sealed by a Professional Engineer licensed to practice in the State of Texas, conveying their professional responsibilities and accountability.

For the Applicant

- DFMA - The property owner will be required to coordinate with the District's legal counsel and execute a Detention Facilities Maintenance Agreement (DFMA) for this Development before the District approves the final drainage and detention plans for the Development. The Board will consider approval of the DFMA once recommended by the District's legal counsel.
- The applicant shall not use this letter to commence any construction activities prior to receiving District approval of the associated final drainage plans and plats for the Development. Additionally, the applicant is responsible to obtain the approved permits from all governing entities with jurisdiction prior to construction.

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

Sincerely,

Michael McCarthy, PE

MHM/

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1003-77.001.01 Freeland Tract Dev Ph I DIA/Letters/Freeland Tract Phase 1 DIA approval ltr 122224.docx>

Enclosures

cc: Mr. Steven Golz, PE, CFM, ENV SP – BGE via email sgolz@bgeinc.com
 Ms. Amie Guan, PE, CFM – BGE via email aguan@bgeinc.com
 Mr. Darrin Fentress, PE – BGE via email dfentress@bgeinc.com
 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 22, 2024

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

Reference: Perry Homes
Lakes of Cane Island Tract – 180 acres – **Drainage Impact Assessment**
Application ID No. 00383
Permit No. N/A
Quiddity Job No. R0002-1033-01.009

Dear Mr. England:

The referenced Lakes of Cane Island Tract – 180 acres (Development) Drainage Impact Assessment (Report) has been reviewed pursuant to the Brookshire-Katy Drainage District's (District) Rules and Regulations (R&R). A copy of the Report is attached for further information.

This review aims to verify whether the Development's proposed drainage and detention facilities as analyzed within the Report generally comply with the District's R&R and criteria. This review addresses issues regarding hydraulic and hydrologic drainage design criteria only. The subsequent plats and drainage plans for the proposed Development must be submitted to the District for review and approval. Additionally, the Report certifies that no adverse impacts will take place within the receiving waterways, adjacent properties, or downstream facilities in accordance with the District's R&R.

Technical Review & Findings:

The Development includes approximately 180 acres of land for primarily future single-family residential use and is located north of Morton Road, east of Bartlett Road, west of Pitts Road, and south of Clay Road. The Report aims to analyze the drainage and detention requirements for the Development, using Atlas 14 criteria, and certify no adverse impacts to the Development, adjacent properties, or downstream facilities in accordance with the District's R&R.

The existing drainage conditions for the Development generally sheetflow from north to south towards Morton Road. In post developed conditions, the Development's proposed detention routing will ultimately discharge site runoff to the south of Morton Road and directly into the Cane Island Section 35 storm sewer system. The Development is located outside of the 100-yr floodplain, and therefore, will not require floodplain fill mitigation. The Development includes an offsite sheetflow analysis that identifies offsite sheetflow primarily drainage from west to east and a small out tract to the north that partially drains into the Development. Any offsite sheetflow that enters the Development will be intercepted within its proposed drainage plan and detention routing system.



Mr. Arnold England, President
December 22, 2024
Page 2

The applicant previously performed a drainage impact assessment for the 836.2-acre Cane Island development, titled "Drainage Impact and Detention Analysis for the Development of Cane Island", dated August 2013 (2013 Study) and accepted by both the District and City of Katy. The 2013 Study incorporated the Development as offsite flow within its analysis; however, the 2013 Study was analyzed using Pre-Atlas 14 rainfall criteria. Therefore, the applicant analyzed Development and existing Cane Island detention systems using Atlas 14 rainfall data. The analysis indicates the resulting water surface elevations (WSE) up to and including the Atlas 14 100-yr storm event will remain within the top of banks for each detention basin.

The Development includes construction of six (6) wet-bottom detention ponds (Ponds A, B, C, D, E, and F). The combined total detention storage volume for the Development is 197.8 acre-feet and the detention storage rate of 1.11 ac-ft/ac. The proposed detention ponds include a normal water surface elevation of 147.3 ft, a 100-yr WSE ranging from 157.06 ft to 157.41 ft, a top of bank ranging from 158.06 ft to 158.41 ft, and minimum of 1-ft of freeboard. Additionally, each pond includes minimum 30-ft maintenance berms, 4:1 side slopes, emergency overflow spillways, and gravity only outfalls. The ponds are interconnected with a series of equalizer pipes that maintain consistent water surface elevations throughout. Pond F connects to Pond E, which connects to Pond D, which connects to Pond C, which connects to Pond B, which connects to Pond A. Pond A which will then discharge flow to the south of Morton Road via a proposed 30-inch reinforced concrete pipe (RCP), which is directed east along Morton Road and connects directly into the existing Cane Island Section 35 storm sewer system. Flow is then routed through the existing Cane Island north detention system before ultimately discharging into Cane Island Branch of Buffalo Bayou. The Report analyzed the capacity within the existing Cane Island drainage and detention systems with the inclusion of additional runoff from the Development. Based on the analysis, it was determined the allocated discharge for the Development is 33.3 cfs which confirmed no adverse impacts within the existing and proposed drainage and detention system. Therefore, there are no required modifications to the existing drainage and detention facilities with the Cane Island development.

Waller County MUD No. 58 (WCMUD 58) is responsible for maintenance of the detention facilities within the Development. The existing storm sewer and detention facilities within Cane Island are maintained by Harris-Waller Counties MUD No. 3 (HWCMUD 3). Morton Road is under City of Katy jurisdiction. The applicant provided a letter of no objection from HWCMUD 3 following their review of the Report. Additionally, the applicant provided an interlocal agreement between WCMUD 58, HWCMUD 3, and the City of Katy for the proposed storm sewer crossing under Morton Road and capacity within HWCMUD 3 drainage and detention facilities.

Mr. Arnold England, President
December 22, 2024
Page 3

District Ultimate ROW

Located adjacent to the Development's eastern border is an existing 40-ft wide District drainage easement that is located within the Lakes of Katy development. The 40-ft wide District easement runs north to south along the Development and connects to an existing 48-ft wide District easement that runs east to west along the northern boundary of the Lakes of Katy development. As previously mentioned, and further outlined in the Report, the offsite sheetflow entering the Development will be intercepted by the proposed drainage plan and detention routing system. Therefore, all existing offsite flow that entered the District's drainage easement will be intercepted by the Development, and no additional District easement at these locations is necessary.

Conclusion:

Based on our review of the Report, the Development does not appear to show any adverse impacts from the proposed improvements. The water surface elevations within Cane Island Branch both upstream and downstream of the Development is lower in the proposed conditions, when compared to those under the existing conditions for storm events up to and including the Atlas 14 100-yr storm event as summarized in Table 16 from the Report.

The permit applications for the subsequent drainage plans must include a certification from a professional engineer licensed to practice in the state of Texas that the future developments will cause no adverse impact to the receiving drainage and detention facilities, including downstream facilities, in full compliance with this Report. At this time, no variance requests from the District's R&R have been requested or granted. We offer no objections to this Lakes of Cane Island Tract – 180 acres Drainage Impact Assessment and recommend the District accept this Report.

Please note that this recommendation does not necessarily mean that the design and calculations provided in the accompanying documentation for the Development 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 submitted Report has been prepared, dated, signed, and sealed by a Professional Engineer licensed to practice in the State of Texas, conveying their professional responsibilities and accountability.



Mr. Arnold England, President
December 22, 2024
Page 4

For the Applicant

- DFMA - The property owner will be required to coordinate with the District's legal counsel and execute a Detention Facilities Maintenance Agreement (DFMA) for this Development before the District approves the final drainage and detention plans for the Development. The Board will consider approval of the DFMA once recommended by the District's legal counsel.
- The applicant shall not use this letter to commence any construction activities prior to receiving District approval of the associated final drainage plans and plats for the Development. Additionally, the applicant is responsible to obtain the approved permits from all governing entities with jurisdiction prior to construction.

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

Sincerely,

Michael McCarthy, PE

MHM/

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1033-01.009 180 Acre Lakes of Cane Island DIA/2.0 - Letters/Lakes of Cane Island DIA approval ltr 122224.docx>

Enclosures

cc: Mr. Ruben J. De La Fuente, Jr., PE, CFM – EHRA via email rdelafuente@ehra.team
Mr. Cam Jackson, PE – EHRA via email cjackson@ehra.team
Mr. Connor Young – Perry Homes via email connor.young@perryhomes.com
Mr. Ross McCall, PE – Waller County Engineer via email engineering@wallercounty.us
Mr. David Kasper, PE – City of Katy Engineer via email david.kasper@arkkengineers.com
Mr. Andrew Johnson, III – Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com



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December 20, 2024

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

Reference: Cane Island Branch – Pitts Road Detention Pond Expansion – **Drainage Impact Assessment**
Application ID No. 24-00020
Permit No. N/A
Quiddity Job No. R0002-1003-89.001.01

Dear Mr. England:

The referenced Cane Island Branch – Pitts Road Detention Pond Expansion (Development) Drainage Impact Assessment (Report) has been reviewed pursuant to the Brookshire-Katy Drainage District's (District) Rules and Regulations (R&R). A copy of the Report is attached for further information.

This review aims to verify whether the Development's proposed regional detention facilities, as analyzed within the Report, generally comply with the District's R&R and criteria. The Report certifies that no adverse impacts will take place within the receiving District easement along the Cane Island Branch of Buffalo Bayou, adjacent properties, or downstream facilities in accordance with the District's R&R.

The subsequent drainage plans for the proposed Development must be submitted to the District for review and approval. **Please note that the design of the regional detention pond will not be included under a District permit. The District's permit will encompass only the structures and discharge within the District's easement.**

The regional detention pond is designed based on the City of Katy's design standards and does not fully meet the District's minimum criteria. Therefore, it is the applicant's responsibility to receive approvals from the City of Katy for the design of the regional detention pond. Additionally, the regional detention pond will be owned and maintained by the City of Katy.

The existing site includes a sand pit used for sand mining operations. The City of Katy received funding via CDBG MIT funds to convert the sand pit into a regional detention pond to alleviate flood risk in the area.

Technical Review & Findings:

The Report outlines a 1D/2D unsteady HEC-RAS model which was used to assess the existing conditions along the Cane Island Branch of Buffalo Bayou. The models were updated to reflect the most current survey data obtained along Cane Island and as-built conditions for the existing regional ponds. The hydrologic models were updated with Atlas 14 rainfall data for the 10 and 100-year storm events. The existing regional detention ponds were designed prior to Atlas 14 criteria (TP-40 rainfall data) and, therefore, do not contain flows from Atlas 14 rainfall within their banks. This revised existing condition was used as the basis for comparison with the proposed improvements associated with the Development.



Mr. Arnold England, President
December 20, 2024
Page 2

Proposed Improvements Outside of District Easement (not included in a District permit – refer to Application ID No. 24-00019 recommendation letter for additional information)

Work outside of the District's easement includes the proposed regional detention pond, which is approximately 8.5 acres in area and has a volume of approximately 95.9 ac-ft. With this Development, the total volume within the regional detention ponds increases from 423.5 ac-ft to 519.37 ac-ft.

The regional detention pond is designed with 4:1 side slopes, min. 12-ft maintenance berms, a static water surface elevation (WSE) of 138.5 ft, 100-yr WSE of 153.04, and a top of the bank ranging from 153.60 to 159.40. The proposed regional detention pond will connect to the large western pond via a proposed 48-inch equalizer pipe. Additionally, the large western pond is connected to both the eastern pond and small western pond via existing equalizer pipes. The large western pond outfalls into the Cane Island Branch via two existing 30-inch reinforced concrete pipes (RCP).

Proposed Improvements within District Easement (included in a District permit – refer to Application ID No. 24-00019 recommendation letter for additional information)

Proposed improvements within the District easement include removal of the existing overflow spillway in the large western pond and replaced with backfill to meet the average bank elevation. The proposed overflow spillway will be located at the northeastern corner of the large western pond and is designed in accordance with the District's standard criteria. Slope paving will be added to one of the existing 30-inch RCP outfalls on the downstream end within the Cane Island Branch.

Conclusion:

Based on our review of the Report, the Development does not appear to show any adverse impacts from the proposed improvements. The peak discharge into the District's easement is lower in the proposed conditions when compared to those under the existing conditions for storm events up to and including the Atlas 14 100-yr storm event, as summarized in Table 2.2 from the Report. Additionally, the Report analyzed the WSE along the Cane Island Branch at Clay Road, Morton Road, Franz Road, 10th Street, and Stockdick Road. The results indicate reductions in WSE for both the 10-year and 100-year storm events at these crossings in the proposed conditions as compared to existing conditions, which are summarized in Table 3 and Table 4.

The permit applications for the subsequent drainage plans must include a certification from a professional engineer licensed to practice in the state of Texas that the future developments will cause no adverse impact to the receiving drainage and detention facilities, including downstream facilities, in full compliance with this Report. At this time, no variance requests from the District's R&R have been requested or granted. We offer no objections to this Cane Island Branch – Pitts Road Detention Pond Expansion Drainage Impact and recommend the District accept this Report.



Mr. Arnold England, President
December 20, 2024
Page 3

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 submitted Report has been prepared, dated, signed, and sealed by a Professional Engineer licensed to practice in the State of Texas, conveying their professional responsibilities and accountability.

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/R0002-1003-89 Pitts Road Detention Pond Permit Rvw/3.0 - LETTERS/City of Katy Pitts Road Detention Pond DIA approval ltr 122024.docx>

Enclosures

cc: Mr. David Kasper, PE – City of Katy via email david.kasper@arkkengineers.com
Mr. Keith Mahon, PE – Costello / Pape Dawson Engineers - via email kmahon@pape-dawson.com
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 20, 2024

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

Reference:

Pitts Road Detention - City of Katy - **Final Drainage Plans**
Application ID No. 24-00019
Permit No. 2023-34
Quiddity Job No. R0002-1003-89.001.01

Dear Mr. England:

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

Applicant: Costello / Pape Dawson Engineers

Permit Type: Tract Development with Platting – Final Drainage Plans

Location: North of Morton Road, south of Clay Road, west of Katy Hockley Road, and east of Pitts Road.

Description: The proposed Pitts Road Detention - City of Katy (Development) encompasses approximately 8.5 acres of land for a proposed regional detention pond. The existing site includes a sand pit used for sand mining operations. The City of Katy received funding via CDBG MIT funds to convert the sand pit into a regional detention pond to alleviate flood risk in the area.

Please note this permit encompasses only the structures and discharge within the Brookshire-Katy Drainage District's (District) easement. The regional detention pond is designed based on the City of Katy's design standards and does not fully meet the District's minimum criteria. Therefore, it is the applicant's responsibility to receive approvals from the City of Katy for the design of the regional detention pond. Additionally, the regional detention pond will be owned and maintained by the City of Katy.



Mr. Arnold England, President

December 20, 2024

Page 2

The design components of the proposed regional detention pond are included below for reference information purposes only and will not be covered under the Board's action of this permit. Only the proposed improvements and discharge within the District's easement will be covered under this permit. The proposed improvements within and outside the District's easement are summarized in the following paragraphs. Enclosed is a letter for the City of Katy's attention that summarizes our maintenance and safety-related concerns associated with the proposed regional detention pond based on our review of the final drainage plans.

Proposed Improvements Outside of District Easement

(For reference information purposes only – NOT included in Permit No. 2023-34)

Work outside of the District's easement includes the proposed regional detention pond, which is approximately 8.5 acres in area and has a volume of approximately 95.9 ac-ft. With this Development, the total volume within the regional detention pond increases from 423.5 ac-ft to 519.37 ac-ft.

The regional detention pond is designed with 4:1 side slopes, min. 12-ft maintenance berms, a static water surface elevation (WSE) of 138.5 ft, 100-yr WSE of 153.04, and a top of the bank that ranges from 153.60 to 159.40. The proposed regional detention pond will connect to the large western pond via a proposed 48-inch equalizer pipe. Additionally, the large western pond is connected to both the eastern pond and small western pond via existing equalizer pipes. The large western pond outfalls into the Cane Island Branch via two existing 30-inch reinforced concrete pipes (RCP).

Proposed Improvements within District Easement

(Included in Permit No. 2023-24)

Proposed improvements within the District easement include removal of the existing overflow spillway in the large western pond and replaced with backfill to meet the average bank elevation. The proposed overflow spillway will be located at the northeastern corner of the large western pond and is designed in accordance with the District's standard criteria. Slope paving will be added to one of the existing 30-inch RCP outfalls on the downstream end within the Cane Island Branch.



Mr. Arnold England, President

December 20, 2024

Page 3

Based on our review, it appears the proposed Development was designed in accordance with the Drainage Impact Analysis (DIA) for the Development titled "Cane Island Branch – Pitts Road Detention Pond Expansion Drainage Impact Analysis," dated November 20, 2024. The DIA indicates the peak discharge and water surface elevations into the District's easement are lower in the proposed conditions when compared to those under the existing conditions for storm events up to and including the Atlas 14 100-yr storm event. The DIA will be considered for approval by the District at its December 23, 2024 meeting (24-00020).

DFMA:

N/A – The regional detention ponds, including the Development, will be owned and maintained by the City of Katy.

Technical Review:

Based on our review of the final drainage plans (plans), the permit application for the proposed improvements within the District's easement 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 submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are 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:

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 20, 2024

Page 4

The applicant shall not use this letter to commence any construction activities prior to receiving all **approved permits** from the governing entities 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/R0002-1003-89 Pitts Road Detention Pond Permit Rvw/3.0 - LETTERS/Pitts Road Detention Pond Permit Rvw FP & FDP Ltr_122024.docx

cc: Mr. David Kasper, PE – City of Katy via email david.kasper@arkkengineers.com
Mr. Keith Mahon, PE – Costello / Pape Dawson Engineers - via email kmahon@pape-dawson.com
Mr. Ross McCall, PE – Waller County Engineer - via email engineering@wallercounty.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 19, 2024

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

Reference: Maple Grove Development, LLC
Azalea Section 3 (formerly Maple Grove Section 3) - **Final Plat and Drainage Plans**
Application ID No. 00400 (FP) and 00342 (FDP)
Permit No. 2024-82
Quiddity Job No. R0002-1003-79.006

Dear Mr. England:

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

Applicant: LIA Engineering, Inc.

Permit Type: Tract Development with Platting – Final Drainage Plans

Location: North of Morton Road, south of Prairie Grass Lane, east of Neuman Road, and west of Cardiff Road

Survey: T.S. Reese Survey, Section 67, Abstract 328, Waller County, Texas

Previous Approvals: The District approved the Preliminary Plat for Maple Grove Section 3 (now referred to as Azalea Section 3) on February 12, 2024.

Description: The proposed Azalea Section 3 (Development) encompasses approximately 35.242 acres of single-family residential development and includes 126 lots, 4 blocks, and 10 reserves. The Development is located within the Azalea Phase 1 development, comprising of approximately 160 acres of land.

The drainage for the site is conveyed through curb and gutter inlets, which connects to an underground public storm sewer system that outfalls at three locations into Detention Ponds A, B, and C. Detention Pond B outfalls into Detention Pond A, which outfalls into Detention Pond C, which will then outfall into the northern ditch along Morton Road. Detention Ponds A, B, and C were included in the construction plans titled, "Phase 1 Detention Plan to serve Maple Grove" that was approved by the District under Permit No. 2024-25 on May 13, 2024. Additionally, the drainage impact assessment (DIA) for Maple Grove Phase 1 has been reviewed and accepted by the District on February 12, 2024. The drainage and detention components outlined in the plans for the Development are designed in accordance with the Maple Grove Phase 1 DIA.



Mr. Arnold England, President
December 19, 2024
Page 2

DFMA: The referenced detention facilities are included in an executed Detention Facilities Maintenance Agreement (DFMA) with the District.

Technical Review: Based on our review of the final plat and 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, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are 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.

The District requires the engineer, project owner, and contractor to implement temporary drainage measures during construction to prevent any negative impacts. These measures are crucial to managing stormwater and maintaining site stability throughout construction.

Please note: 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 19, 2024
Page 3

The Applicant shall not use this letter to commence any construction activities prior to receiving the **approved permits** from all applicable governing entities 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/R0002-1003-79.006 Azalea Section 3 \(formerly Maple Grove\)/2.0 - LETTERS/Azalea Section 3 Final Plat & Drg Plans Approval Ltr 121924.docx](https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1003-79.006 Azalea Section 3 (formerly Maple Grove)/2.0 - LETTERS/Azalea Section 3 Final Plat & Drg Plans Approval Ltr 121924.docx)

cc: Mr. Andrew Loessin – Maple Development Group via email andrew@mapledevelopmentgroup.com
Mr. Chance Vinklarek, PE – LJA Engineering, Inc. - via email cvinklarek@lja.com
Mr. Reginald Smith, PE – LJA Engineering, Inc. - via email rsmith@lja.com
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 20, 2024

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

Reference: GardenBure Development
Sofi Lakes Detention Phase 1 – **Final Plat and Drainage Plans**
Application ID No. 00479 (FDP); 00505 (FP); and 00506 (FP)
BKDD Permit No. 2024-58 and 2024-120
Quiddity, Inc. Job No. R0002-1003-21.002 and R0002-1003-21.006

Dear Mr. England:

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

Applicant: R.G. Miller Engineers, Inc.

Permit Type: Tract Development with Platting – Final Plat and Drainage Plans

Location: North of FM 529, east of FM 2855, south of Longenbaugh Rd., and west of Bartlett Rd.

Survey: H. & T.C. R.R. Survey, Block 113, A-173, Waller County, Texas

Previous Approvals: The Board accepted the Sofi Lakes Phase 1 DIA on January 29, 2024 (App. 24-00005).

Description: The proposed Sofi Lakes Detention Phase 1 (Development) encompasses approximately 228.7 acres of detention service area for future single-family residential development. The Development is located within the the Sofi Lakes Phase 1 development. This Development includes the construction of the first phase of the mass grading & detention facilities.

The Development includes mass excavation to construct two wet bottom detention and amenity ponds (Ponds 3 and 4), mass fill for future residential lots and roadway paving within future Sofi Lakes Sec. 1 and Sec. 2, and the construction of one storm pump station. The mass grading will direct runoff to the south to be collected by Ponds 3 and 4. Both detention ponds are located along the southern boundary of the tract and adjacent to FM 529. The total detention storage volume provided by the Development is 247.9 acre-feet, and the detention storage rate is 1.04 ac-ft/ac. Ponds 3 and 4 consist of wet bottom detention components including a normal water surface elevation (WSE) of 163 ft, a 10 ft safety shelf, and minimum 2 ft thick clay liner. Ponds 3 and 4 will also include 6:1 side slopes, 15 ft maintenance berms, 1 ft of freeboard, and backslope swales and interceptor structures. Ponds 3 and 4 also include a maximum water surface elevation of approximately 175.90 ft and a top of bank of 177 ft. The detention ponds are interconnected by an 8-ft x 6-ft reinforced concrete box to maintain their designed normal water surface elevation. Pond 3 outfalls into Pond 4 which then outfalls into the 529 roadside ditch via pumped and gravity outfall pipes. The pump station includes three pumps with one as backup for



Mr. Arnold England, President
December 20, 2024
Page 2

emergency purposes. The pump station also includes an onsite permanent natural gas generator. Pond 4 discharges into the pump station via an 18-inch reinforced concrete pipe (RCP), which is pumped into a diversion vault via a ten-inch pipe. The gravity outfall consists of a 36-inch RCP that connects to a manhole which then connects to the diversion vault via a 36-inch RCP. Flow is then discharged into the FM 529 ditch via a 36-inch RCP with a 29-inch restrictor plate. Ponds 3 and 4 contain an emergency overflow spillway that will direct overflow from the ponds to the south and into the roadside ditch along FM 529. The detention facilities and pump station will be operated by East Waller County Management District in accordance with the Detention Facilities Maintenance Agreement (DFMA) with the District.

Based on our review, it appears the proposed drainage and detention facilities were designed in accordance with the Drainage Impact Analysis for the Development titled, "Drainage Study Report For 218.7-Acre of Sofi Lakes (Formerly as 622 Acre Katy Highland Development) Phase I In Waller County, Texas", dated December 13, 2022, and approved by the District on January 29, 2024 (24-00005).

TxDOT Approval:

The applicant provided the approved TxDOT discharge permit (Permit number 24070015) for the discharge into the FM 529 ditch.

DFMA:

The property owner has provided the executed DFMA to the District's legal counsel that includes the referenced detention facilities. The DFMA will be considered for Board approval under a separate agenda item.

Technical Review:

Based on our review of the final plats and 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, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are 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.



Mr. Arnold England, President

December 20, 2024

Page 3

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, the Owner shall implement temporary drainage and detention facilities as necessary during construction of the Development to avoid adverse impacts on neighboring properties or downstream facilities. It is recommended all permanent drainage and detention facilities be constructed and functional prior to construction of the impervious improvements associated with the scope of the Development.

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 all **approved permits** from the governing entities 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/R0002-1003-21.002 Sofi Lakes Reserve Sec 1 & Sofi Lakes Det Ph 1/2.0 - LETTERS/Sofi Lakes Detention Phase 1 FDP & FP Approval Ltr 121924.docx.docx>

cc: GardenBure Development via email sophiafilfil@gmail.com
Mr. Chrishone Peterson – RG Miller Engineers, Inc. - via email cpeterson@rgmiller.com
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 20, 2024

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

Reference: Astro Sunterra West
Sunterra Lakes Section 2 – **Final Plat and Drainage Plans**
Application ID No. 00560 (FDP) and 00576 (FP)
BKDD Permit No. 2024-132
Quiddity, Inc. Job No. R0002-1036-01.008

Dear Mr. England:

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

Applicant: Quiddity Engineering LDS

Permit Type: Tract Development with Platting – Final Plat and Drainage Plans

Location: North of Stockdick Road, south of FM 529, and east of FM 362

Previous Approvals: The District approved the Preliminary Plat for Sunterra Lakes Section 3, on July 15, 2024.

Description: The proposed Sunterra Lakes Section 3 (Development) encompasses approximately 42.91 acres, 105 lots, 5 blocks, and 6 reserves. The Development includes utility, drainage, grading, and roadway paving improvements to serve single-family homes. The Development is located within the Sunterra Lakes Phase 1 development.

The drainage for the site is conveyed through curb and gutter inlets, which connects to an underground public storm sewer system that outfalls at three locations. The first outfall is located off Blue Mar Drive which connects to an existing storm sewer stub which then discharges into Pond 6. The second outfall is located along Hope Horizon which connects to an existing storm sewer stub which then discharges into Pond 4. The third outfall is located along Graham Way which connects to an existing storm sewer stub which then discharges into Pond 3 further downstream. Pond 6 outfalls into Pond 4, which outfalls into Pond 3, which outfalls into Pond 1, which then outfalls into the District's drainage channel to the east of the Development. Flow is directed south before ultimately discharging into



Mr. Arnold England, President

December 20, 2024

Page 2

Brookshire Creek. Ponds 6, 4, 3, and 1 are included in the construction plans titled "Sunterra Lakes Phase 1 Mass Grading and Detention Facilities" that was approved by the District under Permit No. 2024-103 on October 28, 2024. Additionally, the drainage impact assessment (DIA) for Sunterra Lakes Phase 1 development has been reviewed and accepted by the District on July 15, 2024. The drainage and detention components outlined in the plans for the Development are in accordance with the DIA.

DFMA:

The referenced detention facilities are included in an executed Detention Facilities Maintenance Agreement (DFMA) with the District.

Technical Review:

Based on our review of the final plat and 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, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are 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, the Owner shall implement temporary drainage and detention facilities as necessary during construction of the Development to avoid adverse impacts on neighboring properties or downstream facilities. It is recommended all permanent drainage and detention facilities be constructed and functional prior to construction of the impervious improvements associated with the scope of the Development.



Mr. Arnold England, President

December 20, 2024

Page 3

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 all **approved permits** from the governing entities 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/R0002-1036-01.008 Sunterra Lakes Section 2/2.0 - Letters/02 - Sunterra Lakes Section 2 Final Plat & Drainage Plans Approval Ltr_121924.docx

cc: Mr. Brian Stidham – Astro Sunterra West, LP via email bstidham@starwoodland.com
 Mr. Christian Walker, PE – Quiddity Engineering LDS via email chwalker@quiddity.com
 Mr. Christopher Jousan, PE – Quiddity Engineering LDS via email cjousan@quiddity.com
 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 20, 2024

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

Reference: Astro Sunterra West
Sunterra Lakes Section 3 – **Final Plat and Drainage Plans**
Application ID No. 00556 (FDP) and 00578 (FP)
BKDD Permit No. 2024-138
Quiddity, Inc. Job No. R0002-1036-01.004

Dear Mr. England:

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

Applicant: Quiddity Engineering LDS

Permit Type: Tract Development with Platting – Final Plat and Drainage Plans

Location: North of Stockdick Road, south of FM 529, and east of FM 362

Previous Approvals: The District approved the Preliminary Plat for Sunterra Lakes Section 3, on July 15, 2024.

Description: The proposed Sunterra Lakes Section 3 (Development) encompasses approximately 59.25 acres, 221 lots, 6 blocks, and 9 reserves. The Development includes utility, drainage, grading, and roadway paving improvements to serve single-family homes. The Development is located within the Sunterra Lakes Phase 1 development.

The drainage for the site is conveyed through curb and gutter inlets, which connects to an underground public storm sewer system that outfalls into Pond 2. Pond 2 outfalls into Pond 3, which outfalls into Pond 1, which then outfalls into the District's drainage channel to the east of the Development. Flow is directed south before ultimately discharging into Brookshire Creek. Ponds 2, 3, and 1 are included in the construction plans titled "Sunterra Lakes Phase 1 Mass Grading and Detention Facilities" that was approved by the District under Permit No. 2024-103 on October 28, 2024. Additionally, the drainage impact assessment (DIA) for Sunterra Lakes Phase 1 development has been reviewed and accepted by the District on July 15, 2024. The drainage and detention components outlined in the plans for the Development are in accordance with the DIA.



Mr. Arnold England, President
December 20, 2024
Page 2

DFMA: The referenced detention facilities are included in an executed Detention Facilities Maintenance Agreement (DFMA) with the District.

Technical Review: Based on our review of the final plat and 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, the plat and plans submitted have been prepared, dated, signed, and sealed by a Professional Land Surveyor and Professional Engineer, respectively, who are 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, the Owner shall implement temporary drainage and detention facilities as necessary during construction of the Development to avoid adverse impacts on neighboring properties or downstream facilities. It is recommended all permanent drainage and detention facilities be constructed and functional prior to construction of the impervious improvements associated with the scope of the Development.

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 20, 2024
Page 3

The applicant shall not use this letter to commence any construction activities prior to receiving all **approved permits** from the governing entities 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/R0002-1036-01.004 Sunterra Lakes Section 3/2.0 - Letters/Sunterra Lakes Section 3 FDP Approval Ltr 121924.docx>

cc: Mr. Brian Stidham – Astro Sunterra West, LP via email bstidham@starwoodland.com
Mr. Christian Walker, PE – Quiddity Engineering LDS via email chwalker@quiddity.com
Mr. Christopher Jousan, PE – Quiddity Engineering LDS via email cjousan@quiddity.com
Mr. Ross McCall, PE - Waller County Engineer via email engineering@wallercounty.us
Mr. Andrew Johnson, III - Johnson Petrov, LLP via email bkddlegal@johnsonpetrov.com

PUBLIC FUNDS COLLATERAL AND PLEDGE AGREEMENT

This PUBLIC FUNDS COLLATERAL AND PLEDGE AGREEMENT (the "**Agreement**") is dated December 23, 2024 and is by and among the [name of public entity:] Brookshire-Katy Drainage District ("**Public Entity**"), the Federal Home Loan Bank of Dallas ("**Safekeeping Bank**"), and Prosperity Bank, a Texas State Banking Association ("**Prosperity**"), and

WHEREAS, Public Entity has selected Prosperity as a depository for certain of its funds; and

WHEREAS, Safekeeping Bank has agreed to hold securities deposited with it by Prosperity in accordance with the terms hereof to secure deposits by Public Entity with Prosperity in excess of applicable insurance provided by the Federal Deposit Insurance Corporation ("**FDIC**").

NOW THEREFORE, for value received and in consideration of the mutual promises and covenants herein contained, Public Entity, Prosperity, and, as applicable, Safekeeping Bank, agree as follows:

1. Collateral. Prosperity hereby agrees that deposits by Public Entity with Prosperity in excess of applicable FDIC insurance shall hereafter be secured by Prosperity pledging certain investment securities owned by Prosperity, and Prosperity does hereby so pledge, to be held by Safekeeping Prosperity (the "**Collateral**") in an amount which shall at all times, including any accrued interest, be equal to at least 100 % of the amount by which aggregate Public Entity deposits with Prosperity exceed applicable FDIC insurance (the "**Collateral Amount**").

If, at any time, the securities held in pledge have an aggregate market value in excess of the sum on deposit, as increased by accrued interest and decreased by the amount insured by the Federal Deposit Insurance Corporation, then the Prosperity will have the right to withdraw securities equal in amount to the amount of the excess. In the event of withdrawal, the Prosperity will promptly notify the Public Entity.

2. Safekeeping. Except as provided in Section 6, "Default," below, such Collateral shall be subject only to the joint written instructions of at least one authorized individual of both Public Entity and Prosperity. Public Entity and Prosperity will each provide written notice of their respective authorized officers to Safekeeping Bank reasonably prior to any transaction or communication authorized by any such authorized officers. Safekeeping Bank hereby agrees to hold all Collateral deposited with it pursuant to the terms of this Agreement and the Master Transactions Agreement between Safekeeping Bank and Prosperity dated July 19, 2005, including the Terms and Conditions of Custodial Services, and to deliver such Collateral in accordance with the terms hereof and thereof. Additionally, Safekeeping Bank agrees to serve as collateral agent for Public Entity to the extent necessary to allow Public Entity to perfect its security interest granted

herein in the Collateral. Whenever pledged securities are placed by Prosperity with Safekeeping Bank, the Safekeeping Bank shall issue original safekeeping receipts within three (3) business days of such placement to Prosperity.

3. Statements. Contemporaneously with the execution of this Agreement and at the time of the substitution or release of any of the Collateral, Prosperity shall execute and deliver to Public Entity a statement describing the securities constituting the Collateral deposited to or withdrawn from the Collateral held pursuant to this Agreement. Prosperity agrees to furnish to Public Entity a statement listing a description of the securities pledged and held in safekeeping in Safekeeping Bank on at least a monthly basis. The statement will include par value, market value and maturity date of the securities held in safekeeping. The same statement will also be available upon demand of Public Entity. The Safekeeping Bank is not responsible for monitoring the type or amount of the deposits or the securities pledged by Prosperity or whether they comply with the terms of this Agreement.

4. Substitution. Prosperity shall have the right, with the prior written consent of Public Entity, to purchase and sell, and substitute or replace, any and all of the securities pledged pursuant to this Agreement with like securities. A written notice stating the par value, maturity date and market value on the proposed date of substitution must be sent to Public Entity by Prosperity prior to any substitution or exchange. If approved, the substituted securities shall thereafter be subject to all the terms and conditions of this Agreement. Safekeeping Bank shall be under no obligation or duty to confirm whether or not Prosperity has or is complying with the terms of this Section 4 and shall rely on any direction of Prosperity in this regard without any investigation or inquiry.

5. Representations. Prosperity represents to Public Entity:

a. That the Prosperity is the sole legal and actual owner of the securities utilized to collateralize Public Entity deposits;

b. That no other security interest has been, nor will be, granted in the securities utilized to collateralize Public Entity deposits; and

c. That Public Entity's deposits are insured by the FDIC up to \$250,000.00, or such other amount as may be applicable from time to time.

6. Default. Prosperity shall be in default if it fails to pay all or any part of a "collected" demand deposit, a matured time deposit, or a matured certificate of deposit, including accrued but unpaid interest, at the specified maturity date. Prosperity shall also be in default if ruled "bankrupt," "insolvent," or "failed" by federal or state banking regulators, or if a receiver is appointed for the Prosperity.

7. Proceeds. In the event of a default of Prosperity, Public Entity shall give written notice of such default to Prosperity, and Prosperity shall have three (3) business days to cure such default. In the event Prosperity fails to cure such default within such 3 business day period, Public Entity shall then be deemed to have vested full title to all

approved securities pledged pursuant to this Agreement. The investment officer of Public Entity will then certify the uncured default in writing to the Safekeeping Bank, describing the default and failure to cure in detail, with a copy to Prosperity. Safekeeping Bank will then deliver to the investment officer of the Public Entity all securities deposited hereunder without requiring further authorization, release or direction from Prosperity. Public Entity is hereby then empowered to take possession of and transfer or sell any and all securities pledged pursuant to this Agreement. If the security is transferred, ownership of the security will transfer entirely to Public Entity. If the security is liquidated, any proceeds over the value of the defaulted amount of the matured investment, including accrued interest, plus reasonable expenses related to the liquidation transaction, shall be returned to Prosperity. This power is in addition to other remedies which Public Entity may have under this Agreement and without prejudice to its rights to maintain any suit in any court for redress of injuries sustained by Public Entity under this Agreement. Prosperity does hereby release and discharge Safekeeping Bank from any liability for the release of the pledged securities to the Public Entity in accordance with the provisions of this paragraph.

8. Duties.

a. Prosperity shall faithfully do and perform all of the duties and obligations required by the laws of the State of Texas for depositories of Public Entity, and shall upon presentation pay all checks drawn on it by the duly authorized representatives of Public Entity against collected funds of Public Entity on demand deposit, and shall at the expiration of the term for which it has been chosen as depository of Public Entity turn over to its successor all funds, property and things of value coming into its hands as depository.

b. Safekeeping Bank agrees to perform all duties hereof and to indemnify the Public Entity for any reasonable loss, cost, or expense, including reasonable attorney's fees, resulting from its failure to perform the duties imposed upon it by this Collateral and Pledge Agreement unless such loss can be demonstrated by Safekeeping Bank to have been due to a cause or causes beyond the reasonable control of Safekeeping Bank (such as acts of God, acts of the public enemy, insurrections, riots, explosions, or other cataclysmic events) or to have been caused in whole or in part by the error, dishonesty, omission, fraud, embezzlement, theft or negligence of the Public Entity, its employees, its officers, its agents, or its directors.

9. Non-Assignability. This Agreement is not assignable in whole or in part but is binding on the parties hereto, their successors and assigns.

10. Law Governing. The laws of the State of Texas, without regard to its conflicts of law principles, but including without limitation all applicable provisions and requirements governing depositories for public entities, shall govern this Agreement.

11. Director Authorization. Prosperity represents and warrants that this Agreement is made pursuant to and is duly authorized by the Board of Directors of Prosperity.

12. Safekeeping Fees. Any and all fees associated with the safekeeping of securities for benefit of Public Entity which Safekeeping Prosperity shall charge shall be borne by Prosperity.

13. County Agreement Terms. In the event that Public Entity is a County in the State of Texas, the following provision applies: the parties understand and agree that Texas Local Government Code Section 116.021 requires a depository contract of the nature of this Agreement that is for a term of four years to allow the County to establish, on the basis of negotiations with Prosperity, new interest rates and financial terms of the contract that will take effect during the final two (2) years of the four-year contract. The parties agree that, notwithstanding anything else to the contrary in this Agreement, in the event they enter into such negotiations but are unable to come to agreement upon any such new interest rates or financial terms, Prosperity may, at its option, terminate this Agreement upon written notice to the County without cost or penalty.

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WITNESS the execution hereof this 23rd day of December, 2024.

PUBLIC ENTITY: [Name of Public
Entity:] Brookshire-Katy Drainage District

By: _____
Name: Arnold England
Title: Board President

PROSPERITY BANK

By: _____
Name: _____
Title: _____

SAFEKEEPING BANK:

FEDERAL HOME LOAN BANK OF
DALLAS

By: _____
Name: _____
Title: _____