

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

February 12, 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. at 1111 Kenney Street, Brookshire, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

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

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

Also attending the meeting were Buddy Brand, Assistant General Manager of the District; Wendy Sidwell, District Administrator; Rod Pinheiro, P.E., Steve Berckenhoff, P.E., and Michael McCarthy, P.E., of Quiddity Engineering ("Quiddity" or "Engineer"); Blair Bozoarth, P.E., of Sunterra and Grange Tract Developments; Andrew P. Johnson, III, and William Petrov, attorneys, and Mirna Croon, paralegal, of Johnson Petrov, LLP ("Johnson Petrov" or "Attorney"); Jennifer Curtis of META Planning + Design, LLC; Brett Hanrahan, P.E., of ALJ Lindsey, LLC; and Jack Duran of Blueline Architects ("Blueline").

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 JANUARY 8, REGULAR BOARD MEETING AND JANUARY 22, 2024
SPECIAL BOARD MEETING

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 January 8, 2024 and January 22, 2024 Board meetings.

Agenda Item No. 5
DECLARE EPSON WF 3640 DESKTOP PRINTER AS SURPLUS

Upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board declared the EPSON WF 3640 Desktop as surplus property.

- (a) Upon motion by Supervisor Keeling, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved Permit Application for Drainage Impact Assessment for Maple Grove Phase I: ID:24-00106, as recommended by Quiddity in the letter attached hereto as Exhibit "A".
- (b) Upon motion by Supervisor Keeling, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board (i) approved Permit Application for Tract Development with Platting for Brookshire-Katy Drainage District New Administration Building – Final Plat and Drainage Plans – Permit No. 2024-63; as recommended by Quiddity in the letter attached hereto as Exhibit "A-1"; (ii) authorized waiver of fees for Permit No. 2024-63; and (iii) authorized the New Administration Building project to be advertised for bids in Katy Times for two (2) consecutive weeks starting February 22, 2024, as recommended by Blueline.
- (c) – (d) Upon motion by Supervisor Welch, 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 Dewberry Hills Section 1 – Preliminary Plat and Drainage Plans: ID: 24-00097, as recommended by Quiddity in the letter attached hereto as Exhibit "A-2"; and (ii) Permit Application for Tract Development with Platting for Dewberry Hills Section 2 – Preliminary Plat and Drainage Plans: ID: 00190, as recommended by Quiddity in the letter attached hereto as Exhibit "A-3".
- (e) Upon motion by Supervisor Keeling, 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 Maple Grove Section 3 – Preliminary Plat and Drainage Plans: ID: 00201, as recommended by Quiddity in the letter attached hereto as Exhibit "A-4".
- (f) Upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved Permit Application for Tract Development with Platting for Sunterra Northeast Commercial Development –Preliminary Plat and Drainage Plans: ID: 00149, as recommended by Quiddity in the letter attached hereto as Exhibit "A-5".
- (g) Upon motion by Supervisor Keeling, 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 Pederson Road West Business Park Partial Replat –Preliminary Plat and Drainage Plans: ID: 00199, as recommended by Quiddity in the letter attached hereto as Exhibit "A-6".
- (h) Upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board (i) approved the Quiddity proposal for Professional Engineering Services in connection with the Texas Water Development Board Flood Infrastructure Fund Application at a cost not to exceed \$5,000, a copy of which is attached hereto as Exhibit "A-7"; and (ii)

voted that the \$5,000 originally allocated for the stream gauges project be redirected to the TWDB abridged application fund.

- (i) Mr. Bozoarth stated that Phase 5 of the Sunterra development has commenced. He mentioned that more than 100 homes were sold in January 2024, and a total of 1283 homes were sold in Sunterra in 2023.
- (j) Mr. Bozoarth proceeded to give progress reports on the Grange development, mentioning that the ongoing tasks include the extraction and replacement of concrete pipelines. Additionally, governmental bodies are currently assessing the proposed designs for the upcoming wastewater treatment plant and water plant.

Agenda Item No. 7

GENERAL MANAGER'S REPORT

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

Agenda Item No. 8

FINANCIAL REPORT

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

Upon motion by Supervisor Keeling, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved paying the January 2024 bills.

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

ADJOURNMENT

With no additional matters to discuss, upon motion by Supervisor Keeling, seconded by Supervisor Welch, the Board adjourned the meeting at 8:43 p.m.

[EXECUTION PAGE FOLLOWS]

SIGNED this 11th day of March 2024.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

- Exhibit "A" Quiddity Recommendation for Permit No. 24-00106
- Exhibit "A-1" Quiddity Recommendation for Permit No. 2024-63
- Exhibit "A-2" Quiddity Recommendation for Permit No. 2024-00097
- Exhibit "A-3" Quiddity Recommendation for Preliminary Plat No. 00190
- Exhibit "A-4" Quiddity Recommendation for Preliminary Plat No. 00201
- Exhibit "A-5" Quiddity Recommendation for Preliminary Plat No. 00149
- Exhibit "A-6" Quiddity Recommendation for Preliminary Plat No. 00199
- Exhibit "A-7" Quiddity Proposal for TWDB Abridged Application
- Exhibit "B" General Manager's Report
- Exhibit "C" Financial Report



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February 7, 2024

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

Reference: Maple Grove Phase 1 – Drainage Impact Assessment
Waller County, Texas
Application ID No. 24-00106
Quiddity Job No. R0002-1003-79.005

Dear Mr. England:

The referenced Maple Grove 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 Development, adjacent properties, or downstream facilities in accordance with the District's R&R.

Technical Review & Findings:

The ultimate development for Maple Grove includes approximately 273 acres of land for primarily future single-family residential use and is located north of Morton Road, east of Neuman Road, west of FM 2855, and south of Prairie Grass Lane. The Development is comprised of approximately 160 acres and located on the southern and western portions of the tract.

The existing drainage conditions for the Development generally sheet flow to the southeast to the Morton Road ditch. This flow is directed both to the east and west along the Morton Road ditch. Approximately 28 acres of land in the northwest corner of the Development drain to the southwest into the District's existing 40-ft wide drainage easement, which is located adjacent to Neuman Road.

The Development includes construction of three (3) on-site detention ponds (Ponds A, B, and C) and an inundation area in the northwest corner of the tract that is contained by a berm with 1-ft of freeboard provided from top of berm. The inundation area is designed to capture the overflow and runoff from offsite sheetflow to the north with a controlled discharge into Pond A. The combined total detention storage volume for the Development is 134.69 acre-feet and the detention storage rate is 0.84 ac-ft/ac. Ponds A, B, and C are proposed to be wet bottom detention ponds with a normal water surface elevation of 162.2 ft, and maximum water surface elevation of approximately 168.6 ft.



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The Development includes two outfall locations. The first outfall is located at Detention Pond B, which discharges flow into the District's existing 40-ft wide drainage easement along Neuman Road via a proposed 18-inch reinforced concrete pipe (RCP). The second outfall is located at Detention Pond C. The outflow from Pond C discharges into the Morton Road ditch to the south via proposed dual 36-inch RCPs with one of the 36-inch RCPs being plugged in Phase 1 to restrict the discharge rate. The subsequent final drainage plans will include extreme event spillways that will be sized to convey the peak 100-yr release flow from the site at the two outlet locations.

District Ultimate ROW

Along the Development's western border, there is an existing 60-ft Neuman Road right-of-way (ROW) and a 40-ft District drainage easement, for a combined total ROW of 100 ft. The ultimate ROW for Neuman Road and the District channel is 85 ft and 100 ft, respectively, resulting in a total ROW of 185 ft. The Development proposes to dedicate 42.5 ft of additional ROW along its western boundary to satisfy their 50-percent share of the additional ROW dedication.

The referenced ROW dedications to Waller County and the District will be included in the subsequent permit applications and final plats for the Development that will be submitted to the District for review and approval.

Conclusion:

Based on our review of the Report, the Development does not show any adverse impacts from the proposed peak discharge rates at the two referenced outfall locations, including downstream facilities, when compared to those under the existing conditions for storm events up to and including the Atlas 14 100-yr storm event. The Report includes details of the existing and proposed 2-, 10-, and 100-year peak flow rates and water surface elevations within the receiving waterways at each outfall. Table 7 and Table 8 from the Report indicate that the max water surface elevations and peak flow at the outfalls are either the same or lower in the proposed condition when compared to those under the existing conditions for storm events up to and including the Atlas 14 100-yr storm event.

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 Maple Grove Phase 1 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.



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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 any drainage or 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 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/R0002-1003-79.005 Maple Grove Phase I DIA/2.0 - LETTERS/Maple Grove Ph. 1 DIA Letter.docx>

Enclosures

cc: Mr. Andrew Loessin – Maple Development Group via email andrew@mapledevelopmentgroup.com
Mr. Sky Zhang, PhD, PE, CFM – LJA Engineering via email czhang@lja.com
Mr. David Tinney, PE, LEED-AP – LJA Engineering via email dtinney@lja.com
Mr. Chance Vinklerek, PE, CFM – LJA Engineering via email cvinklerek@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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February 9, 2024

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

Reference: Brookshire-Katy Drainage District
Brookshire-Katy Drainage District Offices – **Final Plat & Drainage Plans**
Application ID No. 24-00013
Permit No. 2024-63
Quiddity Job No. R0002-0900-24.001

Dear Mr. England:

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

Applicant: Quiddity Engineering and LDD Blueline

Application Type: Tract Development with Platting – Final Plat & Drainage Plans

Location: 1111 Kenney St., Brookshire, TX 77423

Survey: H.H. Pennington Survey, Abstract 321, Waller County, Texas

Previous Approvals: The District approved the Preliminary Plat for Brookshire-Katy Drainage District Offices on November 13, 2023.

Description: The proposed Brookshire-Katy Drainage District Office (Development) encompasses approximately 11.51 acres, including 1 lot, 1 reserve, and 1 block. The Development is located within the City of Brookshire limits.

The Development includes the construction of a new office building, paving, drainage, and detention facilities. The drainage for the Development will be routed to the west via swales and outfall into a proposed wet bottom detention pond located at the southwestern corner of the tract. The inflow into the detention facility will be armored with flexamat to mitigate erosion concerns. The proposed detention facility is a wet-bottom detention pond with 4:1 side slopes and a single gravity outfall discharge via a concrete stepped weir structure. The total detention storage volume provided is 2.18 ac-



Mr. Arnold England, President

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ft, and the storage rate applied is 0.65 ac-ft/ac. The detention facility discharges into the 4th Street roadside ditch. Flow is then directed south under 4th Street to the North Depot Street ditch, which flows east and ultimately outfalls into Brookshire Creek further downstream. The Development includes regrading of an existing ditch between 4th Street and North Depot Street and the replacement of two 18-inch culverts to establish positive flow downstream of the outfall. No additional improvements are proposed to the existing ditch.

Floodplain Permit:

The Development is located within the floodplain and provides mitigation within the proposed detention facility. The District is not the floodplain manager, and the Applicant must coordinate through the associated floodplain manager in this area to review the floodplain mitigation calculations and obtain the floodplain permit for this Development prior to beginning construction within the floodplain. We performed a cursory review of the floodplain mitigation calculations. Our review shows that the required mitigation volume is provided in the proposed detention pond.

Technical Review:

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

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

At this time, no deviation or variance requests from the District's R&R have been requested or granted. The proposed Development shall be constructed per the District's approved plans and in conformance with the District's R&R. Omissions in this approval do not relieve the Development from complying with the District's R&R or any other regulatory criteria having jurisdiction.



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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 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

RDP/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/General/00 - NEW Building/Approval Letter/Brookshire-Katy Drainage District Offices - Final Plat Apr Letter 020724.docx>

cc: Mr. Chris Schoelzel – Quiddity Engineering via email cschoelzel@quiddity.com
Mr. Chris Kalkomey – Quiddity Engineering via email ckalkomey@quiddity.com
Mr. Jack Duran, AIA – LDDBlueline via email jack.duran@lddblueline.com
Mr. Brett Hanrahan, PE – ALJ Lindsey, LLC via email bhanrahan@aljindsey.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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February 8, 2024

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

Reference: Dewberry Hills Section 1– **Preliminary Plat**
Application ID No. 24-00097
Quiddity Job No. R0002-1003-68.002

Dear Mr. England:

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

Applicant: Pape-Dawson, Engineers

Application Type: Tract Development with Platting – Preliminary Plat

Location: 0 FM 529 - east of FM 362, south of FM 529, west of FM 2855, and north of Morton Road

Technical Review: Based on our review of the Preliminary Plat of Dewberry Hills Section 1, the permit application generally complies with the District's Rules and Regulations; we interpose no objection and recommend its acceptance by the District's Board of Supervisors.

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

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

For the Applicant: The submittal of the Final Drainage Plans and Final Plat for the proposed development shall include the necessary construction plans, drainage calculations, and all engineering supporting related information/ documents for review.



Mr. Arnold England, President

February 8, 2024

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DFMA: If proposing detention facilities, the proposed development will require a Detention Facilities Maintenance Agreement (DFMA) with the District. The submittal of the DFMA shall include all required information/documents for review and coordination with the District's Legal Counsel.

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%20Documents/Forms/AllItems.aspx?csf=1&web=1&e=n8Xnvl&cid=d41053e2%2D22cf%2D4bfb%2Dbf17%2Da14bfa86325d&FolderCTID=0x012000E14373EC62ACB040AAD005F19E792685&id=%2Fsites%2FBKDDTeamSite%2FShared%20Documents%2FBKDD%20All%20Permits%2FR0002%2D1003%2D68%2E002%2Dewberry%20Hills%20Section%201%2F2%2E0%20%2D%20LETTERS&viewid=e835bb2f%2D9a86%2D4d12%2Da613%2Da5d135995f7d>

Portal Application: https://permitportal.crm.dynamics.com/main.aspx?appid=01ee1176-2cc2-ed11-83ff-000d3a98bb9e&pagetype=entityrecord&etn=bp_defaultapplication&id=91f42b3d-658d-ee11-8179-00224821c582

cc: Mr. Chuck Birt – LGI Homes – Texas, LLC via email cbirt@lgihomes.com
Mr. Joshua Bouquet, PE – Pape-Dawson Engineers via email jbouquet@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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February 8, 2024

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

Reference: Dewberry Hills Section 2– **Preliminary Plat**
Application ID No. 00190
Quiddity Job No. R0002-1003-68.004

Dear Mr. England:

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

Applicant: Pape-Dawson, Engineers

Application Type: Tract Development with Platting – Preliminary Plat

Location: 0 FM 529 - east of FM 362, south of FM 529, west of FM 2855, and north of Morton Road

Technical Review: Based on our review of the Preliminary Plat of Dewberry Hills Section 2, the permit application generally complies with the District's Rules and Regulations; we interpose no objection and recommend its acceptance by the District's Board of Supervisors.

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

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

For the Applicant: The submittal of the Final Drainage Plans and Final Plat for the proposed development shall include the necessary construction plans, drainage calculations, and all engineering supporting related information/ documents for review.



Mr. Arnold England, President

February 8, 2024

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DFMA: If proposing detention facilities, the proposed development will require a Detention Facilities Maintenance Agreement (DFMA) with the District. The submittal of the DFMA shall include all required information/documents for review and coordination with the District's Legal Counsel.

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%20Documents/Forms/AllItems.aspx?csf=1&web=1&e=ld0V7X&cid=1a22109a%2Dca0f%2D46f6%2Da7f2%2Ddec0aa1f45d&FolderCTID=0x012000E14373EC62ACB040AAD005F19E792685&id=%2Fsites%2FBKDDTeamSite%2FShared%20Documents%2FBKDD%20All%20Permits%2FR0002%2D1003%2D68%2E004%2Dewberry%20Hills%20Section%202%2F2%2E0%20%2D%20LETTERS&viewid=e835bb2f%2D9a86%2D4d12%2Da613%2Da5d135995f7d>

Portal Application: https://permitportal.crm.dynamics.com/main.aspx?appid=01ee1176-2cc2-ed11-83ff-000d3a98bb9e&pagetype=entityrecord&etn=bp_defaultapplication&id=e9441152-dcaf-ee11-92bd-000d3a0e441d

cc: Mr. Chuck Birt – LGI Homes – Texas, LLC via email cbirt@lgihomes.com
Mr. Joshua Bouquet, PE – Pape-Dawson Engineers via email jbouquet@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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February 8, 2024

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

Reference: Maple Grove Section 3– **Preliminary Plat**
Application ID No. 00201
Quiddity Job No. R0002-1003-79.006

Dear Mr. England:

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

Applicant: Meta Planning & Design, LLC

Application Type: Tract Development with Platting – Preliminary Plat

Location: East of Neuman Road, south of Prairie Grass Lane, west of Cardiff Road, and north of Morton Road

Technical Review: Based on our review of the Preliminary Plat of Maple Grove Section 3, the permit application generally complies with the District's Rules and Regulations; we interpose no objection and recommend its acceptance by the District's Board of Supervisors.

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

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

For the Applicant: The submittal of the Final Drainage Plans and Final Plat for the proposed development shall include the necessary construction plans, drainage calculations, and all engineering supporting related information/ documents for review.



Mr. Arnold England, President

February 8, 2024

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DFMA: If proposing detention facilities, the proposed development will require a Detention Facilities Maintenance Agreement (DFMA) with the District. The submittal of the DFMA shall include all required information/documents for review and coordination with the District's Legal Counsel.

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/:f:/r/sites/BKDDTeamSite/Shared%20Documents/BKDD%20All%20Permits/R0002-1003-79.006%20%20Maple%20Grove%20Section%203_00201?csf=1&web=1&e=ilQGxX

cc: Maple Grove Development via email loreale@mapledevelopment.com
Mr. Ripley Woodard – Meta Planning and Design, LLC via email rwoodard@meta-PD.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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Mr. Arnold England, President
Brookshire-Katy Drainage District
PO Box 608
Brookshire, Texas 77423

Reference: Sunterra Northeast Commercial Development – **Preliminary Plat**
Application ID No. 00149
Quiddity Job No. R0002-1019-01.040

Dear Mr. England:

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

Applicant: Windrose Land Surveying & Land Services, LLC

Application Type: Tract Development with Platting – Preliminary Plat

Location: Northeast corner of Barlett Road and proposed Stockdick School Road

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

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

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

For the Applicant: The applicant's next step is to submit **two** separate applications: **one for the Final Plat**, outlining the development's layout and design, and **another for the Final Drainage Plans**, including construction plans and drainage calculations. Both applications should include all necessary engineering information and documents for a thorough and comprehensive review.



Mr. Arnold England, President

February 8, 2024

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DFMA: If proposing detention facilities, the proposed development will require a Detention Facilities Maintenance Agreement (DFMA) with the District. The submittal of the DFMA shall include all required information/documents for review and coordination with the District's Legal Counsel.

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%20Documents/Forms/AllItems.aspx?csf=1&web=1&e=3d5Kn4&cid=48ab398c%2D4d54%2D4111%2D861f%2D30a0e61976aa&FolderCTID=0x012000E14373EC62ACB040AAD005F19E792685&id=%2Fsites%2FBKDDTeamSite%2FShared%20Documents%2FBKDD%20All%20Permits%2FR0002%2D1019%2D01%2E040%20%20Sunterra%20Northeast%20Commercial%20Development%2F2%2E0%20%2D%20LETTERS&viewid=e835bb2f%2D9a86%2D4d12%2Da613%2Da5d1359957d>

Portal Application: https://permitportal.crm.dynamics.com/main.aspx?appid=01ee1176-2cc2-ed11-83ff-000d3a98bb9e&pagetype=entityrecord&etn=bp_defaultapplication&id=8f7321de-fe95-ee11-a81c-0022484eca9c

cc: Mr. Chris Merchant – M H Sunterra Holdings, LLC via email chris@noblemerchantproperties.com
Ms. Amanda Rabius – Windrose Land Services via email amanda.rabius@windroseservices.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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February 8, 2024

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

Reference: Pederson Road West Business Park Partial Replat – **Preliminary Plat**
Application ID No. 00199
Quiddity Job No. R0002-1020-01.025

Dear Mr. England:

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

Applicant: Gruller Surveying, Inc.

Application Type: Tract Development with Platting – Preliminary Plat

Location: 29921 Medline Lane, Katy, Texas 77494

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

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

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

For the Applicant: The submittal of the Final Drainage Plans and Final Plat for the proposed development shall include the necessary construction plans, drainage calculations, and all engineering supporting related information/ documents for review.



Mr. Arnold England, President

February 8, 2024

Page 2

DFMA:

If proposing detention facilities, the proposed development will require a Detention Facilities Maintenance Agreement (DFMA) with the District. The submittal of the DFMA shall include all required information/documents for review and coordination with the District's Legal Counsel.

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%20Documents/Forms/AllItems.aspx?csf=1&web=1&e=ctvszU&cid=3ac659c1%2Df42e%2D4c60%2D85cd%2D2553ddd6274b&FolderCTID=0x012000F14373EC62ACB040AAD005F19E792685&id=%2Fsites%2FBKDDTeamSite%2FShared%20Documents%2FBKDD%20All%20Permits%2FR0002%2D1020%2D01%2E025%20Pederson%20Road%20West%20Business%20Park%20Partial%20Replat%5F00199%2F2%2E0%20%2D%20LETTERS&viewid=e835bb2f%2D9a86%2D4d12%2Da613%2Da5d135995f7d>

Portal Application: https://permitportal.crm.dynamics.com/main.aspx?appid=01ee1176-2cc2-ed11-83ff-000d3a98bb9e&pagetype=entityrecord&etn=bp_defaultapplication&id=e9a1f8ef-55b9-ee11-92bc-6045bd7c58ff

cc: Mr. Wes Sheffer, PE – Clay Development via email wsheffer@claydevelopment.com
Mr. Kyle Gruller – Gruller Surveying, Inc. via email kyle@grullersurveyng.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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February 9, 2024

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

Re: Proposal for Professional Engineering Services
TWDB Flood Infrastructure Fund Application

Dear Mr. England:

Quiddity Engineering, LLC (Quiddity) appreciates the opportunity to present this proposal for Professional Engineering Services in connection with preparing a grant application to the Texas Water Development Board (TWDB) Flood Infrastructure Fund (FIF) in support of the BKDD Master Drainage Plan Phase 2 (MDPP2).

Project Understanding

Quiddity understands that the Client desires to seek State grant assistance to complete the Master Drainage Plan Phase 2 (MDPP2) for the entirety of the BKDD service area. If successful, the grant will be combined with local BKDD funds as well as funding support already pledged from Harris County Precinct 4 Commissioner Leslie Briones.

The TWDB FIF offers funding assistance with a base grant of 50% and the possibility of up to 100% for studies that are included in the State Flood Plan, which the MDPP2 qualifies for. This unique approach of combining local partnership funds with a State grant, if successful, would stretch BKDD funds further, turning a \$300k local match into \$1.25 million in not just a study but actual constructed benefits to the District as well. The proposed breakdown of funding to fully execute both the MDPP2 and channel improvements agreed to in the Precinct 4 application is as follows:

BKDD Funds (secured)	\$300,000
HC Pct 4 (secured)	\$700,000
<u>TWDB FIF (if selected)</u>	<u>\$250,000</u>
Total	\$1,250,000

The process to apply for the TWDB FIF grant is in two parts. First, an "abridged application" is due to TWDB by April 15, 2024, with high level information about the proposed MDPP2. The application would be scored and ranked along with all other applications and, if selected, BKDD would be invited to submit a "final application" sometime this summer, with funding to become available in the fall. Understanding that BKDD desires to begin the MDPP2 immediately, our recommendation is to do so, and adjust the final application as necessary based on the status of the on-going work.

Quiddity Scope of Services

The effort to prepare and submit a TWDB FIF application for this type of initiative is relatively low, approximately 20 hours of staff time. This includes coordination with BKDD staff a narrative of historical flooding in the area,



Mr. Arnold England, President

Page 2

February 9, 2024

preparation of application materials, obtaining approval from the Board to submit the application (both abridged and final), and responding to TWDB Requests for Information (RFI's).

Project Schedule

Quiddity will assure that the abridged application is submitted to TWDB prior to the April 15, 2024 deadline. After that time, Quiddity will respond to any RFI's as they are received either from TWDB. Preliminary indication of grant award is expected this Summer, whereupon a final application will be prepared.

Compensation

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

Sincerely,

Alan R. Black, P.E.
Vice President

APPROVED BY:

By: _____

Name: _____

Date: _____

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

January 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	2,705	0	127	\$126.31	\$126.31
JD R15 15' Flex-Wing Cutter	2019	-	-	-	\$0.00	\$0.00
JD 6145M 2019 BOOM MOWER	2019	2,571	2	213	\$1,284.02	\$5,093.67
JD 6145M 2021 BOOM MOWER	2021	1,180	2	23	\$5,123.40	\$5,910.73
JD 6150M BOOM MOWER	2015	6,107	0	146	\$0.00	\$1,116.25
JD 930M Z-TRAK MOWER	2018	567	2	12	\$0.00	\$50.02

HEAVY EQUIPMENT

EQUIPMENT	YEAR MODEL	LIFETIME HOURS	HOURS THIS MONTH	FISCAL YTD HOURS	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
CAT D6k2 DOZER	2019	1,440	37	172	\$0.00	\$0.00
CAT 323 EXCAVATOR	2018	4,045	53	199	\$0.00	\$166.15
CAT 416E BACKHOE	2012	3,356	48	189	\$0.00	\$384.70
JD 755A TRACK LOADER	1982	2,618	1	4	\$109.31	\$109.31
NORAM 65E MOTOR GRADER	2014	2,927	2	19	\$13.99	\$13.99

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	14,683	324	1,705	\$649.01	\$665.51
TACOMA SR 4X4 (INSPECTOR)	2020	43,399	795	2,790	\$0.00	\$160.16
F-150 4X4 (INSPECTOR)	2017	84,678	1,393	4,624	\$0.00	\$54.70
F-250 4X4 (CREW)	2016	103,327	383	762	\$47.70	\$95.17
F-750 DUMP TRUCK	2011	43,566	875	5,144	\$0.00	\$443.94
FREIGHTLINER HAUL TRUCK	2000	249	189	343	\$0.00	\$5,330.12
DODGE RAM 4X4 (2301) (CREW)	2023	3,366	427	1,300	\$0.00	\$27.71
DODGE RAM 4X4 (2302) (FOREMAN)	2023	8,709	1,046	3,593	\$0.00	\$167.39
TACOMA TDR 4X4 (ASST GM)	2023	5,511	1,183	5,511	\$0.00	\$315.03
FREIGHTLINER DUMP TRUCK	2020	50,929	746	756	\$37.99	\$37.99
KAWASAKI MULE PRO	2024	2	2	2	\$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

JANUARY 2024 - FINANCIAL REPORT

Exhibit "C"

General Fund	\$1,616,793.48
Payroll Fund	\$207,494.90
Petty Cash	\$1,851.73
Building Fund	\$1,417,315.71
Capital Improvement Fund	\$601,161.29
Texpool Fund	\$3,110.83
Amegy Bank Checking	\$69,600.84
Austin Co. State Bank CD	\$244,392.06
Bank of Shiner CD	\$182,076.20
Bank of Brenham CD	\$249,449.85
Citizens State Bank CD	\$240,956.67
Fayetteville Bank CD	\$180,140.10
First Nat. Bank Bellville CD	\$180,881.45
Industry State Bank CD	\$249,449.85
TOTAL RECONCILED BALANCE	\$5,444,674.96

RESERVES:

\$1,527,346.18

*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 1/1	\$3,096.62	\$1,432,338.07	\$70,386.68	\$69,600.84	\$1,456,762.35	\$601,084.92
Deposits and Credits	\$14.21	\$564,712.74	\$206,023.13	\$0.00	\$184.82	\$76.37
Debits and Withdrawals	\$0.00	\$341,310.22	\$46,382.56	\$0.00	\$24,619.62	\$0.00
Ending Balance 1/31	\$3,110.83	\$1,655,740.59	\$230,027.25	\$69,600.84	\$1,432,327.55	\$601,161.29
Less Total Outstanding Drafts/Deposits (Net Amount)	\$0.00	-\$38,947.11	-\$22,532.35	\$0.00	-\$15,011.84	\$0.00
Adjusted Ending Balance 1/31	\$3,110.83	\$1,616,793.48	\$207,494.90	\$69,600.84	\$1,417,315.71	\$601,161.29
Monthly Interest Earned	\$14.21	\$185.75	\$24.63	\$0.00	\$184.82	\$76.37

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 1/1	\$244,392.06	\$182,076.20	\$240,956.67	\$180,140.10	\$180,881.45	\$246,720.99	\$246,720.99
Deposits and Credits	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,728.86	\$2,728.86
Debits and Withdrawals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ending Balance 1/31	\$244,392.06	\$182,076.20	\$240,956.67	\$180,140.10	\$180,881.45	\$249,449.85	\$249,449.85
Interest/Earned	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

BUDGET

23-24 FY Budget	\$4,082,689.56
YTD Expenses	\$1,012,087.36
New Equipment	\$208,579.98
Total Budgeted Expenses YTD	\$1,220,667.34

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

February 26, 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., 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 Keeling, thus constituting a quorum.

Also attending the meeting were Stan Kitman, General Manager of the District; Wendy Sidwell, District Administrator; Rod Pinheiro, P.E., Steve Berckenhoff, P.E., and Michael McCarthy, P.E., of Quiddity Engineering ("Quiddity" or "Engineer"); Blair Bozoarth, P.E., and Kyle Blank, P.E., of Sunterra and Grange Tract Developments; and Andrew P. Johnson, III, and William Petrov, attorneys, and Mirna Croon, paralegal, of Johnson Petrov, LLP ("Johnson Petrov" or "Attorney").

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
DISCUSS AND TAKE ACTION TO REDUCE THE CERTIFICATE OF DEPOSIT (CD) BELOW FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) LIMITS FOR THE CD HELD AT CITIZENS STATE BANK

Upon motion by Supervisor Chisum, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved transferring \$15,000 from the CD held at Citizens State Bank to the District General Fund to bring the CD amount within the FDIC limit.

Agenda Item No. 5
PERMIT APPLICATION FOR DRAINAGE STUDY ANALYSIS REPORT FOR PLOW REALTY TRACT PHASE I - DRAINAGE IMPACT ANALYSIS ID: 00150

Mr. McCarthy reviewed the recommendation letter for approval of the Drainage Study Analysis Report, a copy of which is attached hereto as Exhibit "A". A discussion followed concerning the right-of-way ("ROW") analysis for the District's channel along

Bartlett Road. As per the District's Master Drainage Plan – Phase 1, the ultimate ROW sizing should fall between 100 ft and 150 ft along the development's eastern boundary. The developer intends to add 30 ft of drainage easement to the existing 70 ft wide District drainage easement along the Development's eastern border to fulfill their 50 percent share of the ultimate ROW. Additionally, the Developer is collaborating with the County to secure abandonment of the County easement to ensure achieving the ultimate ROW sizing range. Mr. Johnson suggested that the Developer obtain official approval from the County regarding their intention to abandon the easements to the District before the District approves the drainage plans.

Next, upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved Permit Application for Drainage Study Analysis Report for Plow Realty Tract Phase I – Drainage Impact Analysis ID: 00150.

Agenda Item No. 6

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR GRANGE (PLOW TRACT) WATER PLANT NO. 1 – FINAL PLAT ID: 00169 AND FINAL DRAINAGE PLANS ID: 24-00070: PERMIT NO. 2024-19

Upon motion by Supervisor Beckendorff, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved Permit No. 2024-19, as recommended by Quiddity in the letter attached hereto as Exhibit "A-1".

Agenda Item No. 7

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITHOUT PLATTING FOR SUNTERRA COMMERCIAL DEVELOPMENT GP – FINAL DRAINAGE PLANS: PERMIT NO. 2023-55

Upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved Permit No. 2023-55, and authorized the application fee refund in the amount of \$200 made payable to ALJ Lindsey LLC. A copy of Quiddity's recommendation letter is attached hereto as Exhibit "A-2".

Agenda Item No. 8

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR BECKENDORFF ROAD STREET DEDICATION SECTION 6 – PRELIMINARY PLAT: ID: 24-00125

Mr. McCarthy reviewed the recommendation letter for Preliminary Plat – ID: 24-00125, a copy of which is attached hereto as Exhibit "A-3".

Agenda Item No. 9

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR STOCKDICK ROAD STREET DEDICATION SECTION 6 – PRELIMINARY PLAT: ID: 24-00124

Mr. McCarthy reviewed the recommendation letter for Preliminary Plat – ID: 24-00124, a copy of which is attached hereto as Exhibit "A-4".

Upon motion by Supervisor Beckendorff, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved (i) Preliminary Plat – ID: 24-00124, as recommended by Quiddity; and (ii) Preliminary Plat – ID: 24-00125, as recommended by Quiddity.

Agenda Item No. 10

REVIEW OF STATE AND DISTRICT CONFLICT OF INTEREST RULES

This matter was tabled until later in the meeting.

Election Agenda (Supplemental Agenda)

ORDER DECLARING UNOPPOSED CANDIDATES ELECTED TO OFFICE AND CANCELING ELECTION ("ORDER")

Mr. Petrov explained that the District received three applications for a place on the ballot. However, one of the applications was rejected due to form, content, and procedure. Despite efforts to rectify the errors by contacting the applicant, the revised application was submitted after the deadline of February 16, 2024. Additionally, the Texas Secretary of State concurred with the decision that the application could not be accepted as it lacked essential information, including a supervisor's area number for the candidate's position. Considering the remaining two candidates are unopposed, the election can be cancelled.

Next, upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved the Order canceling the May 4, 2024 Directors Election and declaring Mr. England and Mr. Chisum unopposed and elected to office a copy of the order is attached hereto as Exhibit "B".

Agenda Item No. 10

REVIEW OF STATE AND DISTRICT CONFLICT OF INTEREST RULES

Mr. Petrov reviewed the PowerPoint presentation concerning conflict of interest regulations, attached hereto as Exhibit "C". Subsequently, he addressed inquiries from the Board.

ADJOURNMENT

With no additional matters to discuss, upon motion by Supervisor Chisum, seconded by Supervisor Welch, and with all Supervisors voting aye, the Board adjourned the meeting at 10:13 a.m.

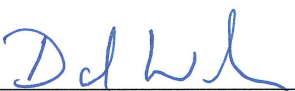
[EXECUTION PAGE FOLLOWS]

SIGNED this 11th day of March 2024.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

- | | |
|---------------|---|
| Exhibit "A" | Quiddity Recommendation for Drainage Impact Analysis ID: 0015 |
| Exhibit "A-1" | Quiddity Recommendation for Permit No. 2024-19 |
| Exhibit "A-2" | Quiddity Recommendation for Permit No. 2023-55 |
| Exhibit "A-3" | Quiddity Recommendation for Preliminary Plat – ID: 24-00125 |
| Exhibit "A-4" | Quiddity Recommendation for Preliminary Plat – ID: 24-00124 |
| Exhibit "B" | Order Declaring Unopposed Candidates Elected to Office |
| Exhibit "C" | PowerPoint Presentation |



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February 22, 2024

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

Reference: Plow Tract (Grange) Phase 1 – Drainage Impact Assessment
Waller County, Texas
Application ID No. 00150
Quiddity Job No. R0002-1003-86.001

Dear Mr. England:

The referenced Plow Tract (Grange) 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 ultimate Development for the Plow Tract (Grange) includes approximately **1,129.8 acres** of land for primarily future single-family residential use and is located north of US-90, east of FM 2855, west of Bartlett Road, and south of Morton Road. The Development is comprised of approximately **183.4 acres** and is located on the southern and eastern portions of the tract.

The existing drainage conditions for the Development are split, with a portion of the tract sheet flowing to the east and outfalls to the District's existing 70 ft wide drainage easement, which is located adjacent to Bartlett Road. The remaining area within the Development generally sheet flows to the south and outfalls into Snake Creek, which includes a 100 ft wide District drainage easement.



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

The Development includes the construction of three (3) on-site detention ponds (Ponds 1, 2, and 3). The combined total detention storage volume for the Development is 448.0 acre-feet, and the detention storage rate is 1.95 ac-ft/ac. Ponds 1, 2, and 3 are proposed to be wet bottom detention ponds with a normal water surface elevation of approximately 144.0 ft, a maximum water surface elevation of approximately 155.6 ft, and a minimum of 1 ft of freeboard. Additionally, each pond includes a minimum of 20-ft maintenance berms, 10-ft safety shelves, and gravity-only outfalls. The ponds are interconnected with a series of equalizer pipes that maintain consistent water surface elevations throughout. Pond 3 connects to Pond 2, which connects to Pond 1, which then discharges into Snake Creek.

The Development includes two outfall locations from Pond 1 into Snake Creek. The primary outfall includes three 48-inch reinforced concrete pipes (RCPs) at a flowline elevation of 145 ft. The second outfall acts as a low water level outfall and includes a single 24-inch RCP set at a flowline elevation of 143.5 ft, discharging into Snake Creek further downstream. The subsequent final drainage plans will include extreme event spillways at Pond 1 that will be sized to convey the peak 100-yr release flow from Pond 1 into Snake Creek at two locations.

Given the proposed drainage and detention improvements, the Development proposes water surface elevation reductions for the 100-yr storm event in Snake Creek, averaging 0.07-ft downstream of the Development, and 0.12-ft reduction in the District's channel along Bartlett Road, with maximum reductions up to 1.47-ft in the District's channel near the southeast corner of the Development. However, the Development proposes a water surface elevation rise up to 0.51 feet within Snake Creek between cross sections 2913 to 5887, as listed in the report, for the 100-yr storm event. The rise in water surface elevation is contained within the top of the bank of Snake Creek and the property boundary owned by the developer. Based on our review of the report, the rises in water surface elevation are contained within the Development's boundary and are not considered to have adverse impacts on neighboring properties or facilities downstream.

Additionally, the Development includes off-site inundation areas to the west, southwest, and northeast corners. The inundation areas to the west and southwest are located outside of the Development's boundaries but are contained within the future development areas of the Plow Tract's ultimate boundary (owned by the same developer) for storm events up to and including the Atlas 14 100-yr storm event. These inundation areas are designed to capture the overflow and runoff from off-site sheet flow to the north and west with a controlled discharge into the proposed detention system and Snake Creek. The inundation area to the northeast is contained within a Hilcorp Energy compressor site and does not exceed 0.16 ft in water surface elevation for the 100-yr storm event, which is a result of concentrated off-site sheet flow that is routed via proposed perimeter swales and outfalls to the District's easement along Bartlett Road. The Applicant provided correspondence from Hilcorp, which confirmed they have no objection to the plans for the Development, including the inundation area that is contained within the Hilcorp site. The inundation areas will be placed within inundation easements before the District approves the final drainage plans for the Phase 1 detention facilities. The Applicant has provided metes & bounds and exhibits of the proposed inundation easements to the District's legal counsel for review.



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

District Ultimate ROW

Along the Development's eastern border, there is an existing 70-ft wide District drainage easement, which increases to an 80-ft wide District drainage easement further downstream. The Applicant performed an ultimate right-of-way (ROW) analysis for the District's channel along Bartlett Road, incorporating the findings from the District's Master Drainage Plan—Phase 1, and determined an ultimate ROW sizing ranging between 100 ft and 150 ft along their property's eastern boundary. The Development proposes to dedicate an additional 30 ft of drainage easement to the District to meet their 50-percent share of the ultimate ROW. The Development proposes to adequately widen a portion of the channel to its ultimate ROW extents in the northeast area of the tract to channel off-site sheet flow from the north. The proposed channel improvements include 4:1 side slopes and 20 ft wide maintenance berms. Additionally, the ultimate ROW analysis for Snake Creek will be further analyzed in the Plow Tract Phase 2 DIA. The referenced ROW dedications to the District will be included in the subsequent permit applications and final plats for the Development that will be submitted to the District for review and approval.

Conclusion:

Based on our review of the report, the Development does not show any adverse impacts from the proposed max water surface elevations into Snake Creek and District easement along Bartlett Road, including downstream facilities, when compared to those under the existing conditions for storm events up to and including the Atlas 14 100-yr storm event. Table 16 from the Report indicates the existing and proposed 2-, 10-, and 100-year water surface elevations within the receiving waterways are either the same or lower in the proposed condition when compared to those under the existing conditions for storm events up to and including the Atlas 14 100-yr storm event.

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 Plow Tract (Grange) Phase 1 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.



Mr. Arnold England, President
February 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.
- Inundation Easements - The Applicant will be required to coordinate with the District's legal counsel and finalize the inundation easements for this Development. The fully executed and recorded inundation easements must be submitted before the District approves the final drainage and detention plans for the Development.
- 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/R0002-1003-86 Plow Realty Tract Phase 1/3.0 - LETTERS/Plow Tract \(Grange\) Ph. 1 DIA Letter.docx](https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1003-86 Plow Realty Tract Phase 1/3.0 - LETTERS/Plow Tract (Grange) Ph. 1 DIA Letter.docx)

Enclosures

cc: Mr. Kyle Blank, PE – Quiddity Engineering LDS via email kblank@quiddity.com
Mr. Kevin Vogelsang, PE – Quiddity Engineering LDS via email kvogelsang@quiddity.com
Mr. Jacon Rice – Katy 2855 Development, LLC via email jacobr@johnsondev.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

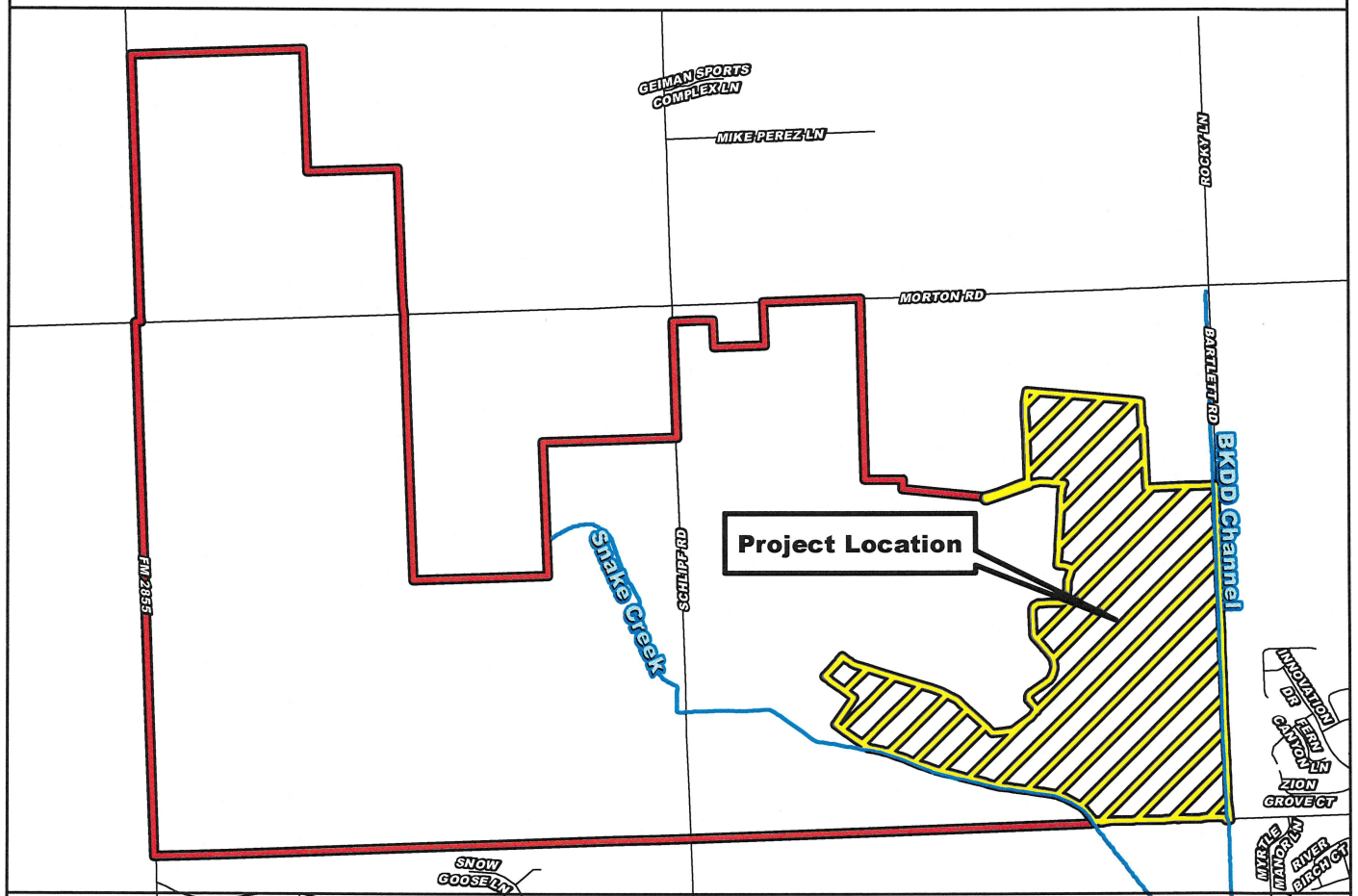
DRAINAGE IMPACT ANALYSIS

FOR

PLOW REALTY TRACT PHASE I

IN

WALLER COUNTY, TEXAS

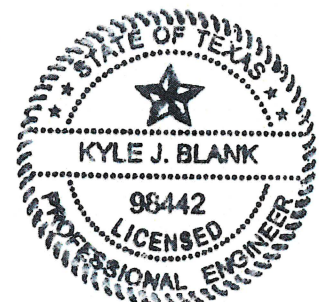


JANUARY 2024
QE Job No. 17281-0011-00



QUIDDITY

Texas Board of Professional Engineers Registration No. F-23290



HL 01/24/2024



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

February 23, 2024

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

Reference: Katy 2855 Development, LLC
Plow Tract Water Plant No. 1 – Phase 1 – **Final Plat & Drainage Plans**
Application ID No. 24-00070
BKDD Permit No. 2024-19
Quiddity, Inc. Job No. R0002-1021-01.009

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 & Drainage Plans

Location: West of Bartlett Road, east of Schlipf Road, south of Morton Road, and north of US Hwy 90.

Survey: H. & T.C. Railroad Company Survey, Section 123, Abstract 202, Waller County, Texas

Previous Approvals: The District approved the Preliminary Plat for Plow Tract Water Plant No. 1 – Phase 1 on November 12, 2023, under Application ID 23-01005.

Description: The proposed Plow Tract Water Plant No. 1 – Phase 1 (Development) encompasses approximately 4.43 acres and includes 0 lots, 1 block, and 1 reserve.

The Development is located within the future Phase 1 Grange development, comprising 212.71 acres of land. This Development includes the construction of the first phase of Water Plant No. 1.

The drainage for the site includes proposed on-site underground storm sewer and surface swales to convey runoff to the southeast and outfall into an interim detention pond, which will then discharge to Bartlett Road. The interim detention pond plan meets the District's requirements for detention pond sizing, maintenance berms, and associated outfall components. The interim detention pond will be used as a temporary detention facility until the Phase 1 Detention and Mass Grading (Application ID 24-00072) is constructed and operational to serve the Development in accordance with the Phase 1 drainage impact assessment (DIA). Upon completion of the Phase 1 detention facilities, the interim detention pond and associated outfalls will be removed, and the Development will then discharge to the future Pond 3. Pond 3 will discharge into the future Pond 2, which will discharge into the future Pond 1, which will then outfall into Snake Creek. Ponds 3, 2, and 1

Mr. Arnold England, President
February 23, 2024
Page 2

are included in the plans titled, "Plow Tract Phase 1 Mass Grading and Detention" which has been received by the District and is currently in review. Additionally, the Phase 1 DIA (Application ID 00150) is included on the February 26, 2024 agenda for Board consideration and approval.

DFMA

(with contingency):

A fully executed Detention Facilities Maintenance Agreement (DFMA) that includes the Plow Tract Phase 1 drainage and detention facilities will be required prior to District approval of the final drainage plans of the Phase 1 drainage and detention facilities that will serve the Development. Given a DFMA does not exist for the proposed interim detention pond condition, approval of this permit is contingent upon the submittal of the fully executed DFMA of the Phase 1 drainage and detention facilities.

Technical Review:

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

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

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.



Mr. Arnold England, President
February 23, 2024
Page 3

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 permit** from the governing entity with jurisdiction.

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

Sincerely,

Michael McCarthy, PE

MHM/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1021-01.009 Plow Tract Water Plant Phase I/3.0 - LETTERS/Plow Tract WP Ph 1 - Final Plat Letter 022224.docx>

cc: Mr. Jacob Rice – Katy 2855 Development, LLC via email jacobr@johnsondev.com
Ms. Chantelle Jamnik – Quiddity Engineering, LLC. via email cjamnik@quiddity.com
Mr. Hayden D. Dixon, PE – Quiddity Engineering, LLC. via email hdixon@quiddity.com
Mr. Christopher C. Wiggs, PE – Quiddity Engineering, LLC. via email cwiggs@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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February 16, 2024

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

Reference: MH Sunterra Holdings, LLC
Sunterra Commercial Development GP – **Final Drainage Plans**
Application ID No. 24-00080
BKDD Permit No. 2023-55
Quiddity, Inc. Job No. R0002-1019-01.007

Dear Mr. England:

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

Applicant: ALJ Lindsey, LLC

Permit Type: Tract Development without Platting – Final Drainage Plans

Location: North of Stockdick Road, east of future Bartlett Road, south of Tantara Bend Drive, and west of Pitts Road.

Survey: J McCutcheon Survey Abstract 308, Waller County, Texas

Description: The proposed Sunterra Commercial Development GP (Development) is a part of the Sunterra development, comprising of 12.2825 acres of land, and includes 0 lots, 4 reserves, and 1 block.

The Development includes the construction of paving and drainage improvements to serve the future four commercial reserves. The future commercial developments will be required to submit drainage plans to the District for review and approval under a separate permit.

The drainage from the site is conveyed through a proposed internal surface swale and underground private storm sewer system that connects all four commercial reserves. The private storm sewer will tie to the existing public storm sewer system within Tantara Bend Drive. The public storm sewer and paving within Tantara Bend Drive was included in the plans titled "Tantara Bend Drive Street Dedication and Reserves" and approved under Permit No. 2022-17 on September 12, 2022. The flow from Tantara Bend Drive will continue north and outfall directly into Detention Pond P, which then outfalls to



Mr. Arnold England, President
February 16, 2024
Page 2

Detention Pond O, which outfalls to Detention Pond N. The construction of the Detention Ponds P, O, and N were included in the "Sunterra Mass Grading and Detention Phase IIB" plans and approved under Permit No. 2021-34 on September 13, 2021. Detention Pond N outfalls into the Phase IB Detention Pond, which then outfalls into the Cane Island Branch of Buffalo Bayou. The construction of the Phase IB Detention Pond was included in the plans titled "Sunterra Phase IB Mass Grading and Detention," which was approved under Permit No. 2020-90 on April 26, 2021.

DFMA: Detention Ponds P, O, N, and Phase IB are a part of an executed Detention Facilities Maintenance Agreement (DFMA) with the District.

Technical Review: The Sunterra development started before the District Rules and Regulations changed on February 28, 2022, to include and adopt the Atlas 14 flow criteria. However, it was designed to satisfy Atlas 14 flow criteria adopted by Harris County.

Based on our review of the 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 who is licensed to practice in the State of Texas, conveying these professional responsibilities and accountability.

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

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



Mr. Arnold England, President
February 16, 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 H. McCarthy, PE

MHM/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1019-01.007 Sunterra Commercial Development GP/3.0 - LETTERS/Sunterra Commercial Development GP FDP Ltr.docx>

cc: Mr. Chris Merchant – Malabar Hill Capital, LLC chris@mhcapital.org
Mr. Mateus Calix – ALJ Lindsey, LLC via email mcalix@aljindsey.com
Mr. Brett Hanrahan, PE – ALJ Lindsey, LLC via email bhanrahan@aljindsey.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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February 19, 2024

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

Reference: Beckendorff Rd St Ded Sec 6 – **Preliminary Plat**
Application ID No. 24-00125
Quiddity Job No. R0002-1019-01.036

Dear Mr. England:

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

Applicant: Quiddity Engineering, LLC - LDS

Application Type: Tract Development with Platting – Preliminary Plat

Location: Along Stockdick School Road, east of Schlipf Road, south of Beckendorff Road, and west of Pitts Road

Technical Review: Based on our review of the Preliminary Plat of Beckendorff Rd St Ded Sec 6, the permit application generally complies with the District's Rules and Regulations; we interpose no objection and recommend its acceptance by the District's Board of Supervisors.

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

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

For the Applicant: The applicant's next step is to submit **two** separate applications: **one for the Final Plat**, outlining the development's layout and design, and **another for the Final Drainage Plans**, including construction plans and drainage calculations. Both applications should include all necessary engineering information and documents for a thorough and comprehensive review.



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

DFMA: If proposing detention facilities, the proposed development will require a Detention Facilities Maintenance Agreement (DFMA) with the District. The submittal of the DFMA shall include all required information/documents for review and coordination with the District's Legal Counsel.

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%20Documents/Forms/AllItems.aspx?ga=1&id=%2Fsites%2FBKDDTeamSite%2FShared%20Documents%2FBKDD%20All%20Permits%2FR0002%2D1019%2D01%2E035%20%20Bartlett%20St%20Dedication%20Sec%205%2F2%2E0%20%2D%20Letters&viewid=e835bb2f%2D9a86%2D4d12%2Da613%2Da5d135995f7d>

Portal Application: https://permitportal.crm.dynamics.com/main.aspx?appid=01ee1176-2cc2-ed11-83ff-000d3a98bb9e&pagetype=entityrecord&etn=bp_defaultapplication&id=75ca1d3d-658d-ee11-8179-00224822f0a9

cc: Mr. Shamar O'bryant - Astro Sunterra, LP, A Texas Limited Partnership - Sobryant@landtejas.com
Mr. Chantelle Jamnik – Quiddity Engineering – Cjamnik@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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February 19, 2024

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

Reference: Stockdick Road Street Dedication Section 6 – **Preliminary Plat**
Application ID No. 24-00124
Quiddity Job No. R0002-1019-01.038

Dear Mr. England:

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

Applicant: Quiddity Engineering, LLC - LDS

Application Type: Tract Development with Platting – Preliminary Plat

Location: Along Stockdick School Road, east of Schlipf Road, south of Beckendorff Road, and west of Pitts Road

Technical Review: Based on our review of the Preliminary Plat of Stockdick Road Street Dedication Section 6, the permit application generally complies with the District's Rules and Regulations; we interpose no objection and recommend its acceptance by the District's Board of Supervisors.

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

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

For the Applicant: The applicant's next step is to submit **two** separate applications: **one for the Final Plat**, outlining the development's layout and design, and **another for the Final Drainage Plans**, including construction plans and drainage calculations. Both applications should include all necessary engineering information and documents for a thorough and comprehensive review.



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

DFMA: If proposing detention facilities, the proposed development will require a Detention Facilities Maintenance Agreement (DFMA) with the District. The submittal of the DFMA shall include all required information/documents for review and coordination with the District's Legal Counsel.

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%20Documents/Forms/AllItems.aspx?ga=1&id=%2Fsites%2FBKDDTeamSite%2FShared%20Documents%2FBKDD%20All%20Permits%2FR0002%2D1019%2D01%2FE038%20%20Stocktick%20Section%206%2F2%2E0%20%2D%20Letters&viewid=e835bb2f%2D9a86%2D4d12%2Da613%2Da5d1359957d>

Portal Application: https://permitportal.crm.dynamics.com/main.aspx?appid=01ee1176-2cc2-ed11-83ff-000d3a98bb9e&pagetype=entityrecord&etn=bp_defaultapplication&id=74ca1d3d-658d-ee11-8179-00224822f0a9

cc: Mr. Shamar O'bryant - Astro Sunterra, LP, A Texas Limited Partnership - Sobryant@landtejas.com
Mr. Chantelle Jamnik - Quiddity Engineering - Cjamnik@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

ORDER CANCELLING ELECTION AND DECLARING UNOPPOSED
CANDIDATES ELECTED TO OFFICE

WHEREAS, subject to the provisions of Chapter 2, Subchapter C of the Texas Election Code, the Board of Supervisors of Brookshire-Katy Drainage District (the "District") has adopted an Order Calling Supervisors Election to be held on May 4, 2024, for the purpose of electing two (2) Supervisors; and

WHEREAS, pursuant to Section 144.005 of the Texas Election Code, the deadline for filing an application to be a candidate for supervisor of the District was 5:00 p.m., February 16, 2024, and the deadline for filing an application to be a write-in candidate for supervisor of the District was 5:00 p.m., February 20, 2024; and

WHEREAS, the Secretary of the Board of Supervisors of the District has certified that the District has received only two (2) candidate applications, no write-in candidate applications, and zero (0) candidate withdrawal request(s) in connection with the two (2) supervisor positions to be placed on the ballot for the May 4, 2024, Supervisors election; and

WHEREAS, pursuant to Section 2.053 of the Texas Election Code, the District shall declare each unopposed candidate for supervisor elected to office in lieu of holding the May 4, 2024, election; Now, therefore,

BE IT ORDERED BY THE BOARD OF SUPERVISORS OF BROOKSHIRE-KATY DRAINAGE DISTRICT THAT:

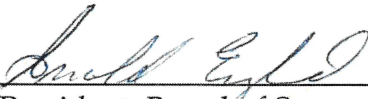
Section 1: The election scheduled to be held on May 4, 2024, is hereby cancelled.

Section 2: Arnold England, the Area No. 1 unopposed candidate for election to the Board of Supervisors, and John Chisum, the Area No. 2 unopposed candidate for election to the Board of Supervisor, are hereby declared elected to office to serve from May 4, 2024, until the Supervisors election on May 6, 2028, or until their successors have been duly elected or appointed and have qualified.

Section 3: Each of said persons shall enter into the duties of office and shall begin to serve his or her term of office upon executing a sworn statement, upon posting a bond in the amount of \$10,000 as required by Section 49.055 of the Texas Water Code, and upon taking the constitutional oath of office.

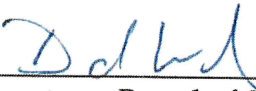
[EXECUTION PAGE FOLLOWS]

PASSED AND APPROVED on February 26, 2024.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors



ETHICAL REQUIREMENTS

BROOKSHIRE-KATY DRAINAGE DISTRICT



BROOKSHIRE KATY DRAINAGE DISTRICT CONFLICT OF INTEREST LAWS

- What laws govern the District's Conflict of Interest?
 - Chapter 573 Government Code
 - Chapter 171 Local Government Code
 - Chapter 176 Local Government Code
 - Chapter 36 Penal Code

CHAPTER 573 GOVERNMENT CODE - NEPOTISM

- **General rule:** A Supervisor can not appoint a relative to the board and can not vote on items before the board affecting a relative
- What constitutes a relative?
 - 3rd Degree by consanguinity
 - 2nd Degree by affinity

CHAPTER 171 – CONFLICTS OF INTEREST

- **General rule** – A Supervisor must file an affidavit with the District and abstain from participation in any action that affects a business in which they have a substantial interest.
- **Penalties** - Penalties for violating the conflict of interest provisions range from having the action voided to the imposition of fines and incarceration.

CHAPTER 176 – DISCLOSURE OF CERTAIN RELATIONSHIPS

- **General rule:** A Supervisor shall file disclosure statement if:
 - There is a family relationship
 - The vendor has given a gift with value of more than \$100
 - There is an employment or other business relationship
- **Penalties:** Penalties for failure to file the disclosure form range from having the action voided to the imposition of fines and incarceration.

TEXAS PENAL CODE CHAPTER 36 – CORRUPT INFLUENCES ACT

- **General rule:** A Supervisor commits an offense if they solicit, accept, agrees to accept any benefit from a person the supervisor knows is interest or is likely to become interested in any contract or other transaction involving the exercise of the Supervisor's discretion.
- **Penalties:** Class A misdemeanor, up to 1 year in jail

TEXAS PENAL CODE CHAPTER 36 – CORRUPT INFLUENCES ACT EXCEPTIONS

- A benefit for which a Supervisor gives legitimate consideration in a capacity other than as a Supervisor
- A gift or other benefit conferred because of a personal or professional relationship, independent of the official status of the director
- An item with a value of less than \$50
- Food, lodging transportation, or entertainment accepted as a guest

TEXAS PENAL CODE CHAPTER 36 – CORRUPT INFLUENCES ACT; BRIBERY

- **General rule:** When a person intentionally or knowingly offers, or agrees to confer on another or agrees to accept from another a benefit as consideration for the Supervisor's recommendation, opinion, vote, or other exercise of power.
- **Penalties:** Second degree felony, up to 20 years in prison and a \$10,000 fine.

DISTRICT CODE OF ETHICS

- Nepotism
- Conflicts of Interest
- Acceptance of Gifts
- Use of District Property

QUESTIONS?

