

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

March 11, 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 a, thus constituting a quorum.

Also attending the meeting were Stan Kitzman, General Manager of the District; Buddy Brand, Assistant General Manager of the District; Wendy Sidwell, District Administrator; Steve Berckenhoff, P.E., and Michael McCarthy, P.E., of Quiddity Engineering ("Quiddity" or "Engineer"); Blair Bozoarth, P.E. of Quiddity Engineering Land Development Group representing Sunterra and Grange Developments; and William Petrov, attorney, 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
MINUTES OF FEBRUARY 12, 2024, REGULAR BOARD MEETING AND FEBRUARY 26, 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 February 12, 2024 and February 26, 2024 Board meetings.

Agenda Item No. 5
ENGINEER'S REPORT

- (a) Update on Master Drainage Plan Phase II – Scope. Mr. McCarthy updated the Board regarding the Scope of the Master Drainage Plan, Phase II.

- (b) Permit Application for Drainage Study Analysis Report for Maple Park; Drainage Impact Analysis - ID 24-00032. Upon motion by Supervisor Keeling, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved Permit Application for Drainage Study Analysis Report for Maple Park; Drainage Impact Analysis - ID 24-00032, as recommended by Quiddity in the letter attached hereto as Exhibit "A-1".
- (c) (d) Permit Application for Tract Development with Platting for Sunterra Section 55 - Final Drainage Plans - ID 24-00046 and Final Plat ID 24-00045; Permit No. 2023-58. Upon motion by Supervisor Chisum, 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 Sunterra Section 55 - Final Drainage Plans - ID 24-00046 and Final Plat ID 24-00045; Permit No. 2023-58, as recommended by Quiddity in the letter attached hereto as Exhibit "A-2".
- (e) Permit Application for Tract Development with Platting for Love's Katy Travel Plaza - Preliminary Plat; ID: 24-00081. 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 Love's Katy Travel Plaza - Preliminary Plat; ID: 24-00081, as recommended by Quiddity in the letter attached hereto as Exhibit "A-3".

[Supervisor Welch left the meeting before the discussion and vote on Permit No. 2023-48 took place, and therefore did not participate in the deliberation or decision-making process for this agenda item.]

- (f) Permit Application for Tract Development Without Platting for Brookshire Parking - aka Lockrig; ID 00161; Permit No. 2023-48. Upon motion by Supervisor Chisum, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved with a vote of 3-Ayes and 0-Nays on Permit Application for Tract Development Without Platting for Brookshire Parking - aka Lockrig; ID 00161; Permit No. 2023-48, as recommended by Quiddity in the letter attached hereto as Exhibit "A-4".

[Supervisor Welch entered the meeting.]

- (g) Update on Sunterra Development. Mr. Bozoarth updated the Board regarding Phase 5 of the Sunterra development.
- (h) Update on Grange Development. Mr. Bozoarth proceeded to give progress reports on the Grange development and reported on the status for the upcoming wastewater treatment plant and water plant.

Agenda Item No. 6

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.

FINANCIAL REPORT

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

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

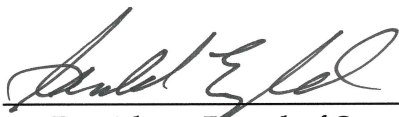
Ms. Sidwell then presented to and reviewed with the Board the Financial Report, a copy of which is attached hereto as Exhibit "C". Upon motion by Supervisor Welch, seconded by Supervisor Chisum, after full discussion and with all Supervisors present voting aye, the Board approved the Financial Report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

ADJOURNMENT

With no additional matters to discuss, upon motion by Supervisor Keeling, seconded by Supervisor Chisum, the Board adjourned the meeting at 8:21 p.m.

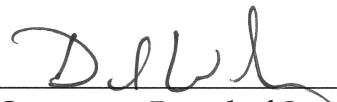
[EXECUTION PAGE FOLLOWS]

SIGNED this 8th day of April 2024.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

- Exhibit "A-1" Quiddity Recommendation for Drainage Impact Analysis - ID 24-00032
- Exhibit "A-2" Quiddity Recommendation for Final Drainage Plans: ID 24-00046 and Final Plat, Permit No. 2023-58
- Exhibit "A-3" Quiddity Recommendation for Preliminary Plat: ID 24-00081
- Exhibit "A-4" Quiddity Recommendation for Permit No. 2023-48
- Exhibit "B" General Manager's Report
- Exhibit "C" Financial Report



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March 6, 2024

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

Reference: Maple Park – Drainage Impact Assessment
Waller County, Texas
Application ID No. 24-00032
Quiddity Job No. R0002-1020-01.002

Dear Mr. England:

The referenced Maple Park (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 Development is comprised of approximately 155.5 acres of land for primarily future single-family residential use and is located west of Neuman Road, east of FM 362, south of Morton Road, and north of Stella Road.

The existing drainage conditions for the Development generally sheet flow to the south and southeast to the TxDOT channel (BKDD maintained) and roadside ditch along the western right-of-way (ROW) of Neuman Road, respectively. At both outlets, the flow is directed to the southeast and ultimately outfalls into Brookshire Creek. There is no offsite sheetflow impacting the Development as identified within the Report.

The Development includes construction of two (2) on-site detention ponds (North Pond and South Pond) with a combined total detention storage volume of 146.75 acre-feet and the detention storage rate for the Development is 0.94 ac-ft/ac. The North and South ponds are proposed to be wet bottom detention ponds with a normal water surface elevation of 155 ft, and maximum water surface elevation of approximately 163 ft with a minimum of 1-ft of freeboard. The detention ponds will be connected by a 4-ft x 4-ft reinforced concrete box that will serve as an equalizer pipe to maintain the design water surface elevations between both ponds.



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

The Development includes a single 36-inch outfall with a 12-inch restrictor located in the South Pond, which transitions to a 24-inch reinforced concrete pipe (RCP) that discharges flow into the District's existing 50-ft wide drainage easement along Neuman Road. The subsequent final drainage plans will include an extreme event spillway at the South Pond that will be sized to convey the peak 100-yr release flow from the site into the District's easement.

District Ultimate ROW

Along the Development's eastern border, there is an existing 60-ft Neuman Road 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 140 ft, respectively, resulting in a total ROW of 225 ft. The Development proposes to dedicate 62.5 ft of additional ROW along its eastern 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 and water surface elevations at the referenced outfall location, 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-, 25-, and 100-year peak flow rates and water surface elevations within the receiving District easement. Table D and Table 10 from the Report indicate that the peak discharge rate and max water surface elevations 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 Park 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
March 6, 2024
Page 3

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/R0002-1020-01.002 Maple Park DIA/3.0 - LETTERS/Maple Park DIA Letter.docx>

Enclosures

cc: Mr. Andrew Loessin – Maple Development Group via email andrew@mapledevelopmentgroup.com
Mr. Kenneth Sheblak, PE – WGA Consulting Engineers via email ksheblak@wga-llp.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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March 7, 2024

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

Reference: Astro Sunterra, LP
Sunterra Section 55 - **Final Plat and Drainage Plans**
Application ID No. 24-00045 (FP) and 24-00046 (FDP)
Permit No. 2023-58
Quiddity Job No. R0002-1019-01.003

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: Intersection of Beckendorff Road and future Bartlett Road

Survey: H.T.&C. Railroad Company Survey Section 129, Abstract 204, Waller County, Texas

Description: The District received a Permit Application for the Final Plat of Sunterra Section 55 (Development). This proposed single-family residential development encompasses 11.53 acres and includes 32 lots, 2 reserves, and 1 block.

The drainage from the site contains two outfall locations. The first outfall connects to the Section 53 storm sewer system at the intersection of the future Sea Turtle Drive and Emerald Ocean Drive. The drainage for Sunterra Section 53 will connect to Detention Pond V, which was included in the plans titled "Sunterra Phase 3 North Detention and Mass Grading" and approved under Permit No. 2022-02 on April 11, 2022. The second outfall connects to a drainage channel north of Section 55, which will then outfall into Detention Pond V.

Detention Pond V will outfall into Detention Pond O, which will then outfall into Detention Pond N. Detention Pond O and Pond N were included in the plans titled "Sunterra Mass Grading and Detention Phase IIB," which were approved under Permit No. 2021-34 on September 13, 2021.



Mr. Arnold England, President

March 7, 2024

Page 2

Detention Pond N will outfall into the Phase IB Detention Pond. The Phase IB Detention Pond will outfall into the Cane Island Branch of Buffalo Bayou. The Phase IB Detention Pond was included in the plans titled "Sunterra Phase IB Mass Grading and Detention" that were approved under Permit No. 2020-90 on April 26, 2021.

DFMA:

Detention Ponds V, O, N, and Phase IB are a part of the executed addendum to the original Detention Facilities Maintenance Agreement (DFMA).

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 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.



Mr. Arnold England, President

March 7, 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/R0002-1019-01.003 Sunterra Section 55/3.0 - LETTERS/Sunterra Sec 55 Final Plat Approval Ltr_030724.docx

cc: Mr. Shamar O'Bryant – Astro Sunterra, L.P. via email sobryant@landtejas.com
Mr. Blair Bozoarth, PE – Quiddity Engineering via email bbozoarth@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 28, 2024

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

Reference: Love's Katy Travel Plaza – **Preliminary Plat**
Application ID No. 24-00081
Quiddity Job No. R0002-1020-01.014

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 & Preliminary Drainage Plan

Location: Along Pederson Road, north of I-10, and south of Highway 90

Technical Review: Based on our review of the Preliminary Plat of Love's Katy Travel Plaza, 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 28, 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=rOVChc&cid=8ffb1a%2Dc4de%2D4080%2D9ece%2D449cc3845b95&FolderCTID=0x012000E14373EC62ACB040AAD005F19E792685&id=%2Fsites%2FBKDDTeamSite%2FShared%20Documents%2FBKDD%20All%20Permits%2FR0002%2D1020%2D01%2E014%20%20Love%27s%20Travel%20Center%2F3%2E0%20%2D%20LETTERS&viewid=e835bb2%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=a76a4a3f-658d-ee11-8179-0022482b653c

cc: Mr. Steve Walters – Loves Travel Stop & Country Stores – steve.walters@loves.com
Mr. Joshua Cronin – Pape-Dawson Engineers – jcronin@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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March 6, 2024

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

Reference: FC1 Capitol LLC
Brookshire Parking – **Final Drainage Plans (Permit Revision)**
Application ID No. 00161
Permit No. 2023-48
Quiddity, Inc. Job No. R0002-1020-01.024

Dear Mr. England:

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

Applicant: L Squared Engineering, LLC

Permit Type: Tract Development without Platting – Final Drainage Plans

Location: 3485 & 3403 FM Highway 362, Brookshire, Texas 77423

Survey: C. D. Mixon Survey, Abstract 226, Waller County, Texas

Previous Approvals: The District approved the final drainage plans for the detention basin on April 11, 2022 under Permit No. 2018-46. The District approved the final drainage plans for the parking facility on April 11, 2022 under Permit No. 2021-92.

Description: The proposed Brookshire Parking (Development) is located north of Clapp Road, west of FM 362, and south of Gessner Lane. The Development encompasses 18.439 acres and includes the construction of a parking facility, detention pond, and associated drainage infrastructure.

The drainage from the site is routed through the proposed private perimeter swales that collect runoff and convey to the detention pond on the south side of the property, which then discharges to the FM 362 roadside ditch. The detention pond was included in the plans titled "Private Detention Pond Plans for Brookshire Parking Facility", which were approved under Permit No. 2018-46 on August 11, 2022. The parking facility was included in the plans titled "Civil Site Plans for Brookshire Parking", which were approved under Permit No. 2021-92 on August 11, 2022.



Mr. Arnold England, President

March 6, 2024

Page 2

This permit application proposes revisions to Permit Nos. 2018-46 and 2021-92, as further outlined in the below section.

Permit Revision:

The proposed revisions to the final drainage plans include converting the detention pond from a dry bottom pond to a wet bottom pond; removing backslope interceptor structures and extending the proposed backslope swale and modifying flowline elevations; removal of a concrete pilot channel; and removal of the inflow pipes into the detention pond and replacing with a concrete flume structure to provide above-ground only discharge into the detention pond. The proposed outfall elevations and pump station are not proposed to be modified in this scope. It is our understanding the conversion to the wet bottom detention pond was to provide additional detention storage capacity, in addition to supplying fill for the parking facility rather than utilize off-site material.

DFMA:

There is an executed Detention Facilities Maintenance Agreement with the District.

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 who is licensed to practice in the State of Texas, conveying their professional responsibilities and accountability.

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

March 6, 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 the **approved permit** from all 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/R0002-1020-01.024 Brookshire Parking/2.0 - LETTERS/Brookshire Parking - Final Drainage Plans Approval letter_030624.docx

cc: Mr. Cade Foust – FC1 Capitol, LLC via email foustiv@gmail.com
Mr. Levi Love, PE – L Squared Engineering via email Levi@L2Engineering.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

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

February 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	2,720	15	142	\$128.92	\$255.23
JD R15 15' Flex-Wing Cutter	2019	-	-	-	\$0.00	\$0.00
JD 6145M 2019 BOOM MOWER	2019	2,571	0	213	\$0.00	\$5,093.67
JD 6145M 2021 BOOM MOWER	2021	1,188	8	31	\$599.83	\$6,510.56
JD 6150M BOOM MOWER	2015	6,119	12	158	\$3,386.02	\$4,502.27
JD 930M Z-TRAK MOWER	2018	572	5	17	\$8.22	\$58.24

HEAVY EQUIPMENT

EQUIPMENT	YEAR MODEL	LIFETIME HOURS	HOURS THIS MONTH	FISCAL YTD HOURS	EXPENSES THIS MONTH	FISCAL YTD EXPENSES
CAT D6k2 DOZER	2019	2,106	666	838	\$0.00	\$0.00
CAT 323 EXCAVATOR	2018	4,164	119	318	\$3,634.31	\$3,800.46
CAT 416E BACKHOE	2012	3,412	56	245	\$71.63	\$456.33
JD 755A TRACK LOADER	1982	2,632	14	18	\$2,496.68	\$2,605.99
NORAM 65E MOTOR GRADER	2014	2,938	11	30	\$0.00	\$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	15,031	348	2,053	\$6.58	\$672.09
TACOMA SR 4X4 (INSPECTOR)	2020	44,170	771	3,561	\$6.58	\$166.74
F-150 4X4 (INSPECTOR)	2017	86,055	1,377	6,001	\$0.00	\$54.70
F-250 4X4 (CREW)	2016	103,534	207	969	\$6.58	\$101.75
F-750 DUMP TRUCK	2011	44,815	1,249	6,393	\$306.00	\$749.94
FREIGHTLINER HAUL TRUCK	2000	300	51	394	\$2,320.99	\$7,651.11
DODGE RAM 4X4 (2301) (CREW)	2023	3,551	185	1,485	\$0.00	\$27.71
DODGE RAM 4X4 (2302) (FOREMAN)	2023	9,490	781	4,374	\$0.00	\$167.39
TACOMA TDR 4X4 (ASST GM)	2023	6,488	977	6,488	\$0.00	\$315.03
FREIGHTLINER DUMP TRUCK	2020	51,672	743	1,499	\$35.62	\$73.61
KAWASAKI MULE PRO	2024	5	3	5	\$16.75	\$16.75

TRAILERS

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

FEBRUARY 2024 - FINANCIAL REPORT

Exhibit "C"

General Fund	\$3,879,980.71
Payroll Fund	\$164,212.07
Petty Cash	\$1,851.73
Building Fund	\$1,415,230.69
Capital Improvement Fund	\$601,232.74
Texpool Fund	\$3,125.07
Amegy Bank Checking	\$69,600.84
Austin Co. State Bank CD	\$246,067.65
Bank of Shiner CD	\$184,090.06
Bank of Brenham CD	\$249,449.85
Citizens State Bank CD	\$236,590.24
Fayetteville Bank CD	\$180,645.69
First Nat. Bank Bellville CD	\$181,383.65
Industry State Bank CD	\$249,449.85
TOTAL RECONCILED BALANCE	\$7,662,910.84
<i>All accounts are reconciled.</i>	

RESERVES:
\$1,527,676.99

FUNDS						
	TexPool	Prosperity Bank General Fund	Prosperity Bank Payroll Fund	Amegy Bank Grant - Checking	Prosperity Bank Building Fund	Prosperity Bank Capital Imprvmnts
Fund Balance						
Beginning Balance 2/1	\$3,110.83	\$1,655,740.59	\$230,027.25	\$69,600.84	\$1,432,327.55	\$601,161.29
Deposits and Credits	\$14.24	\$2,556,861.96	\$23.59	\$0.00	\$168.43	\$71.45
Debits and Withdrawals	\$0.00	\$325,615.85	\$62,773.48	\$0.00	\$18,104.79	\$0.00
Ending Balance 2/29	\$3,125.07	\$3,886,986.70	\$167,277.36	\$69,600.84	\$1,414,391.19	\$601,232.74
Less Total Outstanding Drafts/Deposits (Net Amount)	\$0.00	-\$7,005.99	-\$3,065.29	\$0.00	\$839.50	\$0.00
Adjusted Ending Balance 2/29	\$3,125.07	\$3,879,980.71	\$164,212.07	\$69,600.84	\$1,415,230.69	\$601,232.74
Monthly Interest Earned	\$14.24	\$344.28	\$23.59	\$0.00	\$184.82	\$71.45

CERTIFICATES OF DEPOSIT							
	Austin County State Bank	Bank of Shiner	Citizens State Bank	Fayetteville Bank	First National Bank of Bellville	Industry State Bank	Bank of Brenham
Fund Balance							
Beginning Balance 2/1	\$244,392.06	\$182,076.20	\$240,956.67	\$180,140.10	\$180,881.45	\$249,449.85	\$249,449.85
Deposits and Credits	\$1,675.59	\$2,013.86	\$10,633.57	\$505.59	\$502.20	\$0.00	\$0.00
Debits and Withdrawals	\$0.00	\$0.00	\$15,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Ending Balance 2/29	\$246,067.65	\$184,090.06	\$236,590.24	\$180,645.69	\$181,383.65	\$249,449.85	\$249,449.85
Interest/Earned	\$1,675.59	\$2,013.86	\$10,633.57	\$505.59	\$502.20	\$0.00	\$0.00

BUDGET	
23-24 FY Budget	\$4,082,689.56
YTD Expenses	\$1,326,417.41
New Equipment	\$208,579.98
Total Budgeted Expenses YTD	\$1,534,997.39

MINUTES
BROOKSHIRE-KATY DRAINAGE DISTRICT

March 25, 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	Supervisor

and all of the above were present except 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., and Sean Burch, P.E., of Quiddity Engineering Land Development Group representing 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 ON ORDER AUTHORIZING ADDITIONAL 20% PENALTY ON DELINQUENT TAX ACCOUNTS

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board the Order Authorizing Additional 20% Penalty on Delinquent Tax Accounts, a copy of which is attached hereto as Exhibit "A".

Agenda Item No. 5
DISCUSS AND TAKE ACTION ON ORDER DETERMINING AD VALOREM TAX EXEMPTIONS

Upon motion by Supervisor Beckendorff, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved the Order Determining Ad Valorem Tax Exemptions, a copy of which is attached hereto as Exhibit "A-1".

Agenda Item No. 6

RESOLUTION AUTHORIZING PETITION CHALLENGING APPRAISAL RECORDS

Upon motion by Supervisor Welch, seconded by Supervisor Beckendorff, after full discussion and with all Supervisors present voting aye, the Board approved the Resolution Authorizing Petition Challenging Appraisal Records, a copy of which is attached hereto as Exhibit "A-2".

Agenda Item No. 7

FUND ADJUSTMENT FOR FY 22-23 -TRANSFER \$163,496.98 FROM GENERAL FUND TO CAPITAL IMPROVEMENT FUND

Ms. Sidwell discussed and recommended the transfer of \$163,496.98 from the General to the Capital Improvement Fund.

Agenda Item No. 8

FUND ADJUSTMENT FOR FY 22-23 -TRANSFER \$1,336,503.02 FROM GENERAL FUND TO BUILDING FUND

Ms. Sidwell discussed and recommended the transfer of \$1,336,503.02 from the General to the Building Fund.

Upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board authorized (i) the transfer of \$163,496.98 from the General to the Capital Improvement Fund; and (ii) the transfer of \$1,336,503.02 from the General to the Building Fund.

Agenda Item 9

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

Upon motion by Supervisor Welch, 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 Austin County State Bank to the District General Fund to bring the CD amount within the FDIC limit.

Agenda Item Nos. 10 and 11

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITHOUT PLATTING FOR SUNTERRA RETAIL CENTER PAD G - FINAL DRAINAGE PLANS ID: 24-00086, PERMIT NO. 2024-07 AND PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR SUNTERRA COMMERCIAL DEVELOPMENT SECTION 1 FINAL PLAT ID: 00121, PERMIT NO. 2024-07

Upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved the Final Plat and Drainage Plans related to Permit No. 2024-07, as recommended by Quiddity in the letter attached hereto as Exhibit "B".

Agenda Item No. 12

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITHOUT PLATTING FOR JORDAN RANCH PHASE 7 STORM WATER DETENTION FACILITIES - FINAL DRAINAGE PLANS ID: 24-00133, PERMIT NO. 2024-22

Upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved the Final

Drainage Plans related to Permit No. 2024-22, as recommended by Quiddity in the letter attached hereto as Exhibit "B-1".

Agenda Item Nos. 13 and 14

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITHOUT PLATTING FOR PLOW TRACT PHASE I MASS GRADING & DETENTION - FINAL DRAINAGE PLANS; ID: 24-00072, PERMIT NO. 2024-17 AND VARIANCE REQUEST FOR PLOW TRACT PHASE I MASS GRADING & DETENTION - FINAL DRAINAGE PLANS

Upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board (i) approved the Final Drainage Plans related to Permit No. 2024-17, as recommended by Quiddity in the letter attached hereto as Exhibit "B-2"; (ii) approved the Variance Request for Grange Tract Phase I; and (iii) approved and authorized execution of the Detention Facility Maintenance Agreement with the necessary easements, subject to Johnson Petrov's revisions.

Agenda Item No. 15

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR PEDERSON ROAD WEST BUSINESS PARK PARTIAL REPLAT - FINAL PLAT ID: 00231, PERMIT NO. 2024-59

Upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved the Partial Replat - Final Plat related to Permit No. 2024-59, as recommended by Quiddity in the letter attached hereto as Exhibit "B-3".

Agenda Item No. 16

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR BECKENDORFF ROAD STREET DEDICATION AND RESERVES - PRELIMINARY PLAT ID: 00260

Upon motion by Supervisor Beckendorff, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved the Permit Application related to Preliminary Plat ID 00260, as recommended by Quiddity in the letter attached hereto as Exhibit "B-4".

Agenda Item No. 17

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR JORDAN RANCH WALLER COUNTY PLAT - PRELIMINARY PLAT ID: 00312

Upon motion by Supervisor Welch, seconded by Supervisor Keeling, after full discussion and with all Supervisors present voting aye, the Board approved the Permit Application related to Preliminary Plat ID 00312, as recommended by Quiddity in the letter attached hereto as Exhibit "B-5".

Agenda Item No. 18

PERMIT APPLICATION FOR TRACT DEVELOPMENT WITH PLATTING FOR SUNTERRA LIFT STATION NO. 6 - PRELIMINARY PLAT ID: 00295

Upon motion by Supervisor Beckendorff, seconded by Supervisor Welch, after full discussion and with all Supervisors present voting aye, the Board approved the Permit Application related to Preliminary Plat ID 00295, as recommended by Quiddity in the letter attached hereto as Exhibit "B-6".

2371

ADJOURNMENT

With no additional matters to discuss, upon motion by Supervisor Keeling, seconded by Supervisor Welch, and with all Supervisors voting aye, the Board adjourned the meeting at 9:41 a.m.

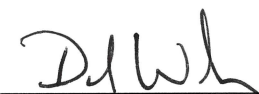
[EXECUTION PAGE FOLLOWS]

SIGNED this 8th day of April 2024.



President, Board of Supervisors

ATTEST:



Secretary, Board of Supervisors

- | | |
|---------------|---|
| Exhibit "A" | Order Authorizing Additional 20% Penalty on Delinquent Tax Accounts |
| Exhibit "A-1" | Order Determining Ad Valorem Tax Exemptions |
| Exhibit "A-2" | Resolution Authorizing Petition Challenging Appraisal Records |
| Exhibit "B" | Quiddity Recommendation for Permit No. 2024-07 |
| Exhibit "B-1" | Quiddity Recommendation for Permit No. 2024-22 |
| Exhibit "B-2" | Quiddity Recommendation for Permit No. 2024-17 |
| Exhibit "B-3" | Quiddity Recommendation for Permit No. 2024-59 |
| Exhibit "B-4" | Quiddity Recommendation for Preliminary Plat ID 00260 |
| Exhibit "B-5" | Quiddity Recommendation for Preliminary Plat ID 00312 |
| Exhibit "B-6" | Quiddity Recommendation for Preliminary Plat ID 00295 |

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**ORDER IMPLEMENTING PENALTY ON 2023 DELINQUENT TAXES AND CONTRACTING
WITH WALLER COUNTY TO COLLECT DELINQUENT TAXES**

THE STATE OF TEXAS

§

COUNTY OF WALLER

§

BROOKSHIRE-KATY DRAINAGE DISTRICT

§

We, the undersigned officers of the Board of Supervisors (the "Board") of **BROOKSHIRE-KATY DRAINAGE DISTRICT** (the "District"), hereby certify as follows:

The Board convened in regular session, open to the public, on Monday, March 25, 2024 at 8:30 a.m., at the regular meeting place thereto, and the roll was called of the members of the Board, to-wit:

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

All members of the Board were present except the following: _____, thus constituting a quorum. Whereupon other business, the following was transacted at such Meeting: A written

**ORDER IMPLEMENTING PENALTY ON 2023 DELINQUENT TAXES
AND CONTRACTING WITH THE COUNTY TO COLLECT DELINQUENT TAXES**

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and after full discussion, such motion, carrying with it the adoption of such Order prevailed, carried, and became effective by the following vote:

AYES: _____

NOES: _____

A true, full and correct copy of the aforesaid Order adopted at the Meeting described in the above foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in the Board's minutes of such Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such Meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board are duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of such Meeting, and that such Order would be introduced and considered for adoption at such meeting, and each of the officers and members consented, in advance, to the holding of such Meeting for such purpose; and such Meeting was open to the public and public notice of the time, place, and purpose of such Meeting was given, all as required by Chapter 551 of the Texas Government Code and Section 49.063 of the Texas Water Code, as amended.

SIGNED this 25th day of March, 2024

Secretary, Board of Supervisors

President, Board of Supervisors

**ORDER IMPLEMENTING PENALTY ON 2023 DELINQUENT TAXES
AND CONTRACTING WITH WALLER COUNTY TO COLLECT DELINQUENT
TAXES**

THE STATE OF TEXAS

§

COUNTY WALLER

§

BROOSKHIRE-KATY DRAINAGE DISTRICT

§

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

Section 1: Pursuant to Texas Tax Code, Section 33.11, as amended, on April 1, 2024, all personal property tax accounts which are delinquent for the tax year 2023 will incur additional penalties in the amount of twenty percent (20%) of the sum of the tax, penalty and interest then due, and to be due, in order to help defray the cost of collection of the same. The Tax Collector shall deliver a notice of delinquency and of this additional penalty to the owner of each personal property tax account, at least thirty (30) and not more than sixty (60) days before April 1, 2024.

Section 2: Pursuant to Texas Tax Code, Section 33.01, as amended, on July 1, 2024 all real property tax accounts which are delinquent for the tax year 2023 will incur additional penalties in the amount of twenty percent (20%) of the sum of the tax, penalty and interest then due, and to be due, in order to help defray the cost of collection of the same. The Tax Collector shall deliver a notice of delinquency and of this additional penalty to the owner of each real property tax account, at least thirty (30) and not more than sixty (60) days before July 1, 2024.

Section 3: The Board of Supervisors (the "Board") has retained and contracted with the Waller County Tax Collector to collect delinquent taxes pursuant to Section 6.30(b) of the Property Tax Code, and that it is the intention of this Board to comply in all respects with Sections 33.07 and 33.08 of such Tax Code.

PASSED, ADOPTED, and APPROVED this 25th day of March, 2024.

ATTEST:

SIGNED:

David Welch
Secretary of the Board of Supervisors
of the Brookshire-Katy Drainage District

Arnold England
President of the Board of Supervisors
of the Brookshire-Katy Drainage District

CERTIFICATE OF ORDER DETERMINING AD VALOREM TAX EXEMPTIONS

STATE OF TEXAS
COUNTY OF WALLER
BROOKSHIRE-KATY DRAINAGE DISTRICT

§
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We, the undersigned officers of the Board of Supervisors (the "Board") of **BROOKSHIRE-KATY DRAINAGE DISTRICT** (the "District"), hereby certify as follows:

The Board convened in regular session, open to the public, on Monday, March 25, 2024, at 8:30 a.m., at the regular meeting place thereto, and the roll was called of the members of the Board, to-wit:

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

All members of the Board were present except the following: _____, thus constituting a quorum. Whereupon other business, the following was transacted at such Meeting: A written

ORDER DETERMINING AD VALOREM TAX EXEMPTIONS

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and after full discussion, such motion, carrying with it the adoption of such Order prevailed, carried, and became effective by the following vote:

AYES: _____

NOES: _____

A true, full and correct copy of the aforesaid Order adopted at the Meeting described in the above foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in the Board's minutes of such Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such Meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board are duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of such Meeting, and that such Order would be introduced and considered for adoption at such meeting, and each of the officers and members consented, in advance, to the holding of such Meeting for such purpose; and such Meeting was open to the public and public notice of the time, place, and purpose of such Meeting was given, all as required by Chapter 551 of the Texas Government Code and Section 49.063 of the Texas Water Code, as amended.

SIGNED this 25th day of March, 2024.

 Secretary, Board of Supervisors

 President, Board of Supervisors

ORDER DETERMINING AD VALOREM TAX EXEMPTIONS

STATE OF TEXAS

COUNTY OF WALLER

BROOKSHIRE-KATY DRAINAGE DISTRICT

§
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§

WHEREAS, the Board of Supervisors (the "Board") of **BROOKSHIRE-KATY DRAINAGE DISTRICT** (the "District"), is required to levy and cause to be assessed and collected ad valorem taxes upon all property (real, personal or mixed) subject to taxation within the boundaries of the District; and

WHEREAS, the Board is required to adopt an order determining ad valorem tax exemptions prior to July 1 of each year.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF BROOKSHIRE-KATY DRAINAGE DISTRICT THAT:

- a. Residential homestead exemption to any individual who is disabled or is 65 years of age or older in the amount of \$20,000 as provided in §10.13(d), Tax Code.
- b. Travel trailers, as provided for in §10.132, Texas Tax Code, regardless of whether the vehicle is affixed to real property, that are less than 400 square feet in area and are designed primarily for use as temporary living quarters in connection with recreational, camping, travel, or seasonal use and not as a permanent dwelling.
- c. As specifically described in §10.18 4, Texas Tax Code, buildings, real property, and tangible personal property owned by a qualified charitable organization, that the Texas State Comptroller has determined, after review of the property owner's application, to be eligible to receive such exemption under §10.184, Texas Tax Code, and is an organization organized for, and engages in, those charitable activities as described in §10.18(d), Texas Tax Code.
- d. The Board hereby authorizes the Tax Assessor/Collector for the District to grant the exemption(s) stated above to taxpayers meeting the qualifications therefore and who have filed application for same, all in accordance with Chapter 10 of the Tax Code.
- e. No other tax exemption shall be granted by the District.

PASSED, ADOPTED, and APPROVED this 25th day of March, 2024.

ATTEST:

SIGNED:

David Welch
Secretary of the Board of Supervisors
of the Brookshire-Katy Drainage District

Arnold England
President of the Board of Supervisors
of the Brookshire-Katy Drainage District

**CERTIFICATE OF RESOLUTION AUTHORIZING
PETITION CHALLENGING APPRAISAL RECORDS**

THE STATE OF TEXAS
COUNTY OF WALLER
BROOKSHIRE-KATY DRAINAGE DISTRICT

§
§
§

We the undersigned officers of the Board of Supervisors (the "Board") of **BROOKSHIRE-KATY DRAINAGE DISTRICT** (the "District") hereby certify as follows:

The Board convened in regular session, open to the public, on Monday, March 25, 2024, at 8:30 a.m. at the District's office located within the boundaries of the District and the roll was called of the members of the Board, to-wit:

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

All members of the Board were present with the exception of _____, thus constituting a quorum. Whereupon other business, the following was transacted at such Meeting: A written

RESOLUTION AUTHORIZING PETITION CHALLENGING APPRAISAL RECORDS

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Resolution be adopted; and after full discussion, such motion, carrying with it the adoption of such Resolution prevailed, carried, and became effective by the following vote:

AYES: _____ **NOES:** _____

A true, full and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Resolution has been duly recorded in the Board's minutes of such Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such Meeting pertaining to the adoption of such Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board are duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of such Meeting, and that such Resolution would be introduced and considered for adoption at such meeting, and each of the officers and members consented, in advance, to the holding of such meeting for such purpose; and such Meeting was open to the public and public notice of the time, place, and purpose of such Meeting was given, all as required by Chapter 551 of the Texas Government Code and Section 49.063 of the Texas Water Code, as amended.

SIGNED this 25th day of March, 2024.

Secretary, Board of Supervisors

President, Board of Supervisors

(DISTRICT SEAL)

ORDER AUTHORIZING PETITION CHALLENGING APPRAISAL RECORDS

**STATE OF TEXAS
WALLER COUNTY**

BROOKSHIRE-KATY DRAINAGE DISTRICT

§
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§

WHEREAS, the Board of Supervisors (the "Board") of the **BROOKSHIRE-KATY DRAINAGE DISTRICT** (the "District") at its regularly scheduled meeting on March 25, 2024, came to be heard a motion to adopt this Resolution Authorizing Petition Challenging Appraisal Records; and

WHEREAS, the Waller County Appraisal District ("WCAD") prepares the appraisal records for the District; and

WHEREAS, the District has authority under the provisions of the Texas Property Tax Code to challenge the appraisal records as prepared by WCAD on certain grounds; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BROOKSHIRE-KATY DRAINAGE DISTRICT THAT:

1. The recitals hereinabove are true and correct to the best of our knowledge.
2. The District's General Manager, District Administrator, and/or District Attorney are hereby authorized to submit a Petition Challenging Appraisal Records to Waller County Appraisal District on behalf of the District on any one or more of the following grounds:
 - a. The level for appraisal for the territory of category of property;
 - b. Exclusion of the property from the appraisal records;
 - c. Grant of exemption to the property;
 - d. Determination that the property qualifies for productivity appraisal; and
 - e. Omission of the property from this unit's appraisal roll.
2. The Board of Supervisors authorizes its President or Vice President to execute, and Secretary or Assistant Secretary to attest this resolution on behalf of the Board and the District.
2. This resolution shall be effective immediately.

PASSED, ADOPTED, and APPROVED this 25th day of March, 2024.

ATTEST:

SIGNED:

David Welch
Secretary of the Board of Supervisors
of the Brookshire-Katy Drainage District

Arnold England
President of the Board of Supervisors
of the Brookshire-Katy Drainage District



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

March 22, 2024

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

Reference: MH Sunterra Holdings, LLC
Sunterra Commercial Development Sec 1 (Sunterra Retail Center Pad G) – **Final Plat & Drainage Plans**
BKDD Permit No. 2024-07
FP: Application ID No. 00121
FDP: Application ID No. 24-00086
Quiddity, Inc. Job No. R0002-1019-01.019

Dear Mr. England:

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

Applicant: ALJ Lindsey, LLC

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

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

Survey: H.&T.C.R.R. Co. Survey Abstract 204, Waller County, Texas

Description: The proposed Sunterra Commercial Development Sec 1 (Development) is located within the Sunterra development and encompasses 2.1618 acres and includes 0 lots, 1 reserve, and 1 block. The Development includes construction of a commercial building, paving, landscape, and associated utilities.

The drainage from the site is conveyed through a proposed internal underground storm sewer system that connects to an existing underground private storm sewer system at the northwest corner of the tract. The existing underground private storm sewer is included in the plans titled, "Civil Plans for Sunterra Shopping Center Infrastructure Improvements" and approved under Permit 2023-55 on February 26, 2024. 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 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



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

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 the 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) 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
March 22, 2024
Page 3

Please note: at least two business days prior to starting construction of any 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/R0002-1019-01.019 Sunterra Pad G/3.0 - LETTERS/Sunterra Pad G FinalPlat Ltr 032124.docx](https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared%20Documents/BKDD%20All%20Permits/R0002-1019-01.019%20Sunterra%20Pad%20G/3.0%20LETTERS/Sunterra%20Pad%20G%20Final%20Plat%20Ltr%20032124.docx)

cc: Mr. Chris Merchant – Malabar Hill Capital, LLC chris@mhcapital.org
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



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

March 22, 2024

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

Reference: Fulshear Municipal Utility District No. 3A
Jordan Ranch Phase 7 Stormwater Detention Facilities – **Final Drainage Plans**
BKDD Permit No. 2024-22
Application ID: 24-00133
Quiddity, Inc. Job No. R0002-1020-01.020

Dear Mr. England:

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

Applicant: IDS Engineering Group

Permit Type: Tract Development w/o Platting – Final Drainage Plans

Location: East of Woods Road, south of Igloo Road and west of Jordan Ranch Boulevard

Survey: H. & T.C.R.R. Co. Survey Section 75, Abstract 155, Waller County, Texas

Previous Approvals: N/A

Description: The proposed Jordan Ranch Phase 7 Stormwater Detention Facilities (Development) is located within the Jordan Ranch development. The Development encompasses approximately 35 acres of land. The ultimate Jordan Ranch development encompasses approximately 1,355 acres of primarily single family residential development.

The Development includes the construction of one wet bottom detention pond, Pond 19A, and six outfalls from future sections within the Jordan Ranch development. Pond 19A includes side slopes ranging from 6:1 to 10:1 slope, minimum 15-ft maintenance berms, and 1-ft of freeboard. The total storage volume for Pond 19A is 174.87 ac-ft and the detention storage rate for the ultimate Jordan Ranch development is 0.82 ac-ft/ac. Additionally, the Master Drainage Impact Analysis was updated in August 2023 to incorporate Atlas 14 rainfall criteria and the ultimate buildout of the Jordan Ranch development. A copy of the updated Master Drainage Impact Analysis was provided as reference material.



Mr. Arnold England, President

March 22, 2024

Page 2

The Jordan Ranch Development is located primarily in Fort Bend County, with only a small area of the Development being located within Waller County and the District's boundaries. The Development will connect to the Jordan Ranch detention system, which will ultimately outfall outside of the District's boundaries and into Willow Fork of Buffalo Bayou that is under Fort Bend County Drainage District's jurisdiction. Fulshear Municipal Utility District No. 3A (FMUD 3A) is the public entity that will own and maintain the proposed detention facilities. The Applicant provided a letter of no objection from the District Engineer of FMUD 3A for the Development.

DFMA:

It is our understanding there is not an existing Detention Facilities Maintenance Agreement in place with the District for the referenced Jordan Ranch detention facilities. The Jordan Ranch development is primarily located within Fort Bend County with outfall into Willow Fork of Buffalo Bayou that is under Fort Bend County Drainage District's jurisdiction.

Technical Review:

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

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

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
March 22, 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 the **approved permit** from the governing entity with jurisdiction.

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

Sincerely,

Michael H. McCarthy, PE

MHM/dme

<https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1020-01.020 Jordan Ranch Ph 7 Stormwater Detention Facilities/3.0 - LETTERS/Jordan Ranch Phase 7 Detention - DP Letter 032124.docx>

cc: Mr. John Herzog, PE – IDS Engineering Group via email jherzog@idseg.com
Mr. Noah Savoie, EIT – IDS Engineering Group via email nsavoie@idseg.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

March 21, 2024

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

Reference: Katy 2855 Development, LLC
Plow Tract (Grange) Phase 1 Mass Grading and Detention – **Final Drainage Plans**
Application ID No. 24-00072
BKDD Permit No. 2024-17
Quiddity, Inc. Job No. R0002-1021-01.010

Dear Mr. England:

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

Applicant: Quiddity Engineering LDS

Permit Type: Tract Development w/o Platting – Final Drainage Plans

Location: North of US-90, east of FM 2855, west of Bartlett Road, and south of Morton Road

Survey: N/A

Description: The proposed Plow Tract (Grange) Phase I Detention and Mass Grading (Development) encompasses approximately 183.4 acres for primarily future single-family residential development. The ultimate Grange development includes approximately 1,129.8 acres of land. The Development is located on the southern and eastern portions of the 1,129.8 acre tract.

The Development includes 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, maximum water surface elevation of approximately 155.6 ft, and minimum of 1-ft of freeboard. 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.



Mr. Arnold England, President

March 21, 2024

Page 2

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 is intended to serve as a low water level outfall and includes a single 24-inch RCP which is set at a flowline elevation of 143.5-ft and discharges into Snake Creek further downstream of the primary outfall. The Development includes two extreme event spillways in Pond 1 that are sized to convey the peak 100-yr release flow from Pond 1 into Snake Creek.

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 Impact Analysis for Plow Realty Tract Phase I", dated January 24, 2024, and approved by the District on February 26, 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 within the Development. It is our understanding the DFMA for this Development is expected to be finalized at a later date. Approval of this permit is contingent upon the approval of the DFMA, including proposed inundation easements, by the District's Legal counsel and Board of Supervisors, including the execution of the DFMA by the District's Board of Supervisors and Owner of the Development.

Temporary Inundation

Easements Agreement:

The Development includes off-site inundation areas to the west, southwest, and northeast corner of the property. 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 Grange'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 offsite sheetflow 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 offsite 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 are required to be placed in inundation easements and the Owner is required to enter into a Temporary Inundation Easement Agreement (Agreement) with the District. The Applicant submitted metes & bounds and exhibits for the referenced inundation easements to the District for review and approval. Additionally, the District's Legal Counsel prepared a draft Agreement and



Mr. Arnold England, President
March 21, 2024
Page 3

sent to the Applicant for review. Approval of this permit is contingent upon approval of the inundation easements and Agreement by the District's Legal counsel and Board of Supervisors, including the execution of the inundation easements and Agreement by all applicable parties, and recordation of the referenced documents.

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 160-ft along their property's eastern boundary. The Development proposes to dedicate an additional 30-ft of drainage easement to the District, which exceeds their required 50-percent share of the ultimate ROW, and proposes to widen this portion of the channel to its ultimate ROW extents to adequately channelize offsite sheetflow from the north. The proposed channel improvements include 4:1 side slopes, with a 20-ft wide maintenance berm to the south and existing Bartlett Road to the north. This is the interim condition of the channel until Bartlett Road is moved to the east as part of Waller County's major thoroughfare plan.

Additionally, Waller County plans to abandon a portion of Bartlett Road ROW in the southeast corner of the Development which will allow for additional ROW to be conveyed to the District for future channel improvements and satisfy ultimate ROW needs.

Lastly, the ultimate ROW analysis for Snake Creek will be further analyzed in the Plow Tract Phase 2 DIA. However, a portion of Snake Creek is located outside of an existing District easement. The Applicant proposes to dedicate 0.88 acres of additional ROW to the District to capture the area of Snake Creek that is located outside of a District easement.

The Applicant submitted metes & bounds and exhibits for the referenced ROW dedications along Bartlett Road and Snake Creek to the District for review and approval. The easement documents will be prepared by the District's Legal Counsel and coordinated with both the District and Owner for execution and recordation at a later date. Approval of this permit is contingent upon the approval of the easement documents by the District's Legal counsel and Board of Supervisors, including execution by all applicable parties, and the recordation of the referenced easements.

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 DFMA, Inundation Easements, Temporary Inundation Easement Agreement, easements along Bartlett Road and Snake Creek, and Variance Request for the Development.**



Mr. Arnold England, President

March 21, 2024

Page 4

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

For the Applicant:

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

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

The Applicant shall not use this letter to commence any construction activities prior to receiving the **approved 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/R0002-1021-01.010 Plow Tract Mass Grading & Detention Phase I/3.0 - LETTERS/Plow Tract \(Grange\) Ph. 1 DP Approval Letter.docx](https://jonesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared Documents/BKDD All Permits/R0002-1021-01.010 Plow Tract Mass Grading & Detention Phase I/3.0 - LETTERS/Plow Tract (Grange) Ph. 1 DP Approval Letter.docx)

Enclosures

cc: Mr. Hayden Dixon, PE – Quiddity Engineering LDS via email hdixon@quiddity.com
Mr. Blair Bozoarth, PE – Quiddity Engineering LDS via email bbozoarth@quiddity.com
Mr. Jacob 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



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.3

Project Information

Project Address/Legal Description: Bartlett Road @ Franz Road (Southeast Corner)
BKDD Permit No.: TBD

Owner/Applicant Information

Owner's Name: Katy 2855 Development, LLC Date: 03/11/2024
Applicant's Engineer Firm Name: Quiddity Engineering, LLC
Engineer of Record Name: Hayden Dixon, P.E.
Signature: *Hayden Dixon*
Email: hdixon@quiddity.com Phone: 832-913-4000



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:

See Exhibit A - Engineering Justification.

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.

EXHIBIT A

Section 2 – Engineering Justification

Engineering Reason for Variance Requested

BKDD Rules & Regulations, Article 6, Section 5.B.3:

30' Minimum Maintenance Berm for detention basins >9.0' depth with side slopes of 4:1

Proposed Variance Request:

We'd like to request a variance for 20-foot wide Maintenance Berms for the majority of the detention ponds and a combined 20-foot wide Maintenance Berm in areas adjacent to public Right-of-ways (ROW) where 10 feet is provided in the detention reserve and 10 feet is provided in the ROW.

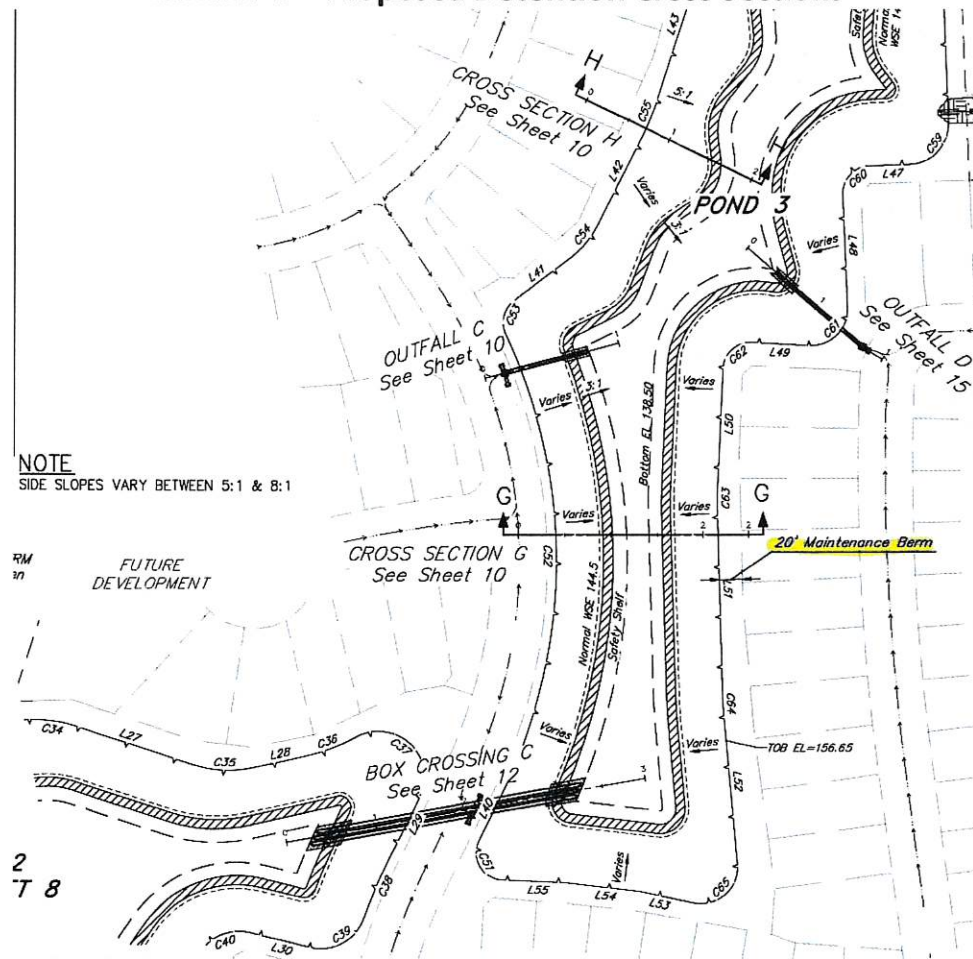
Katy 2855 Development, LLC (Developer) and WCMUD No. 55 have future plans to provide walking trails for the Community to enjoy dual purpose detention/amenity ponds, therefore, the side slopes of the ponds are designed with softer slopes (varying from 5:1 to 8:1) to prevent erosion and are more accessible to pedestrians. We are proposing no backslope swales behind the back of residential lots since only 20 feet of the maintenance berm drains to the pond. This will also allow residents to access the walking trails without having to step or jump over a swale. The entire residential Lot drains towards the street and away from the pond, therefore, not causing excess storm water to run over the top of bank.

Backslope swales and interceptor structures have been designed in areas where offsite drainage flows towards the detention pond top of bank so that storm water does not over top the bank.

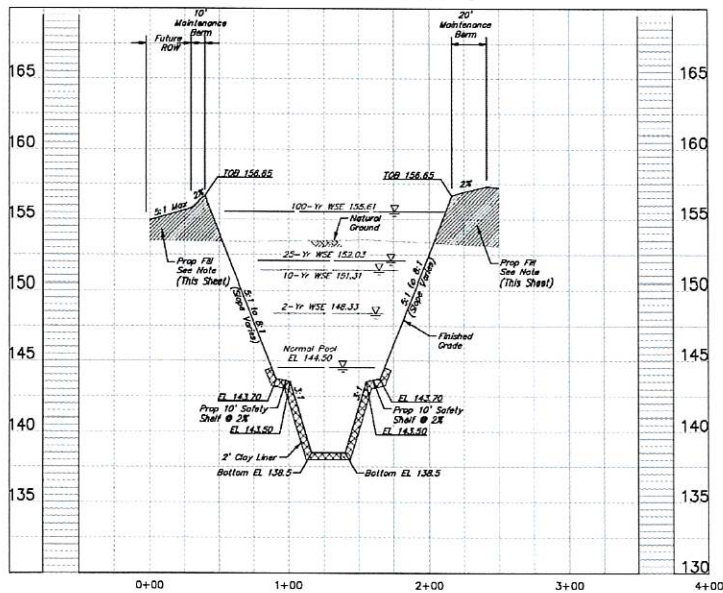
Additionally, Article 6, Section 5.B.C states that Maintenance Berms may be reduced to 15' width if sides slopes between top of bank and the normal pool elevation are increased to a minimum of 6:1 (H:V). The proposed slope design varies between 5:1 and 8:1, therefore, we believe that 20' Maintenance Berms along with the softer varying side slopes are sufficient for erosion protection and meet the intent of the rules.

We have attached a typical cross-section from the construction plans and pictures showing similar maintenance berms and side slopes from other Communities within southeast Texas (See Exhibit B & C). In addition, WCMUD No. 55 is willing to maintain the detention ponds and provided no objection letter to the proposed design (Exhibit D).

EXHIBIT B – Proposed Detention Cross Sections



CROSS SECTION G



CROSS SECTION H

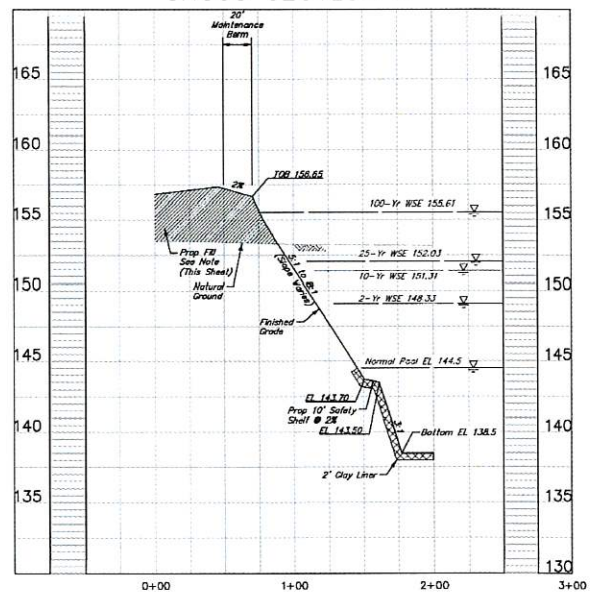


EXHIBIT C – Examples of Similar Detention Basins

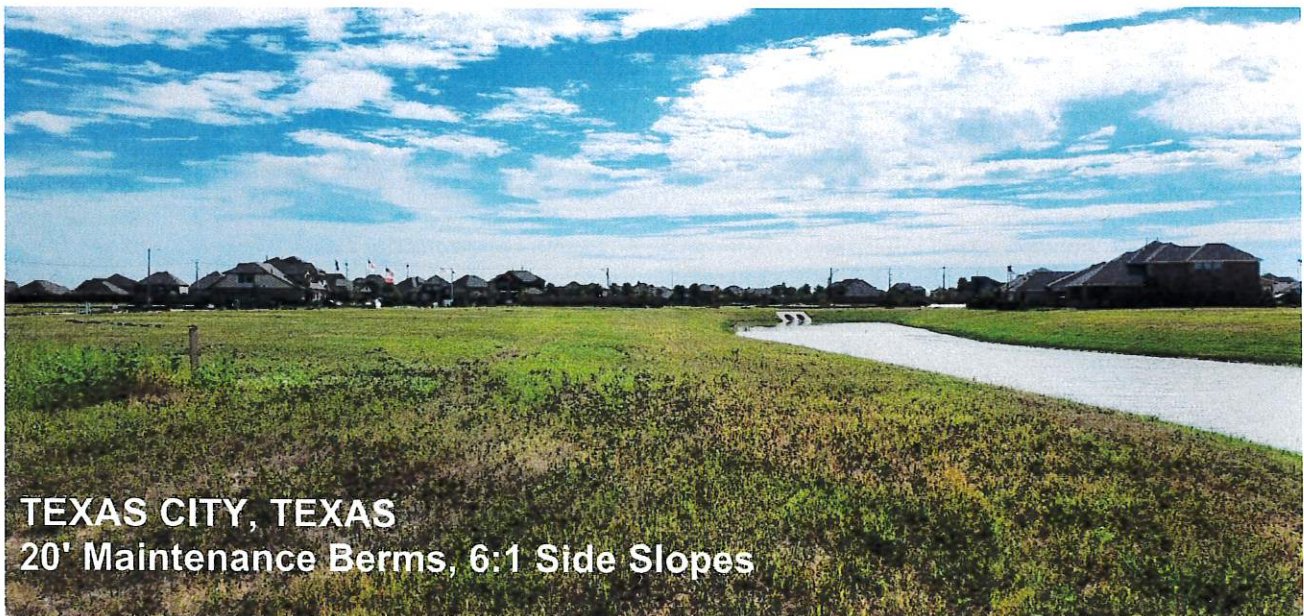
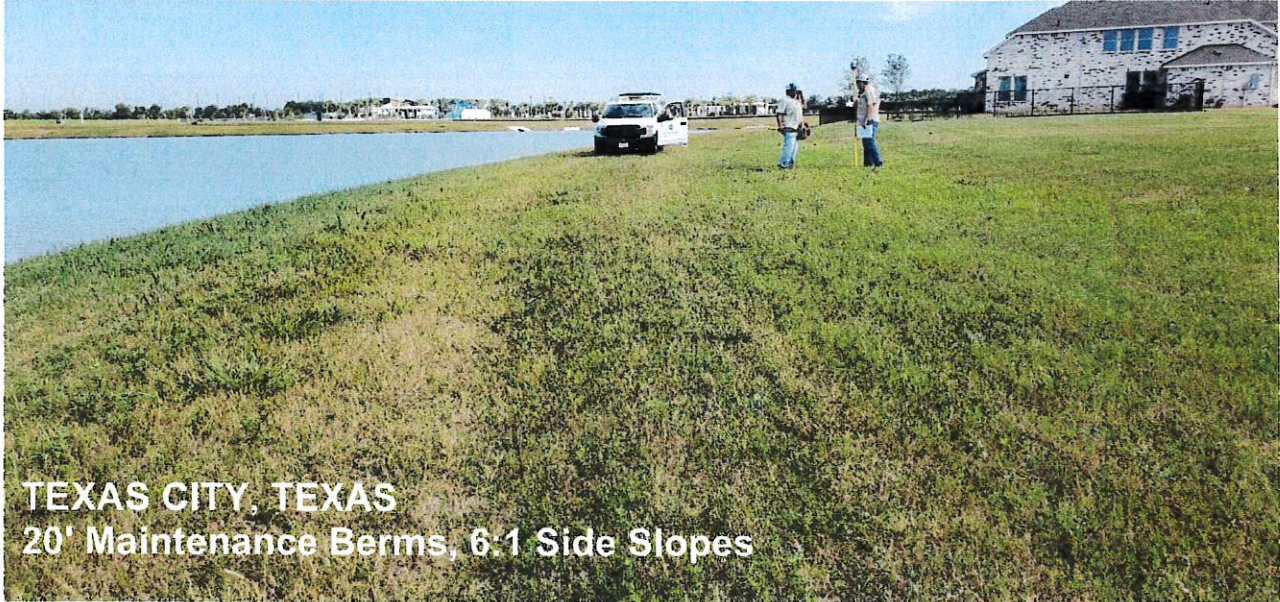


EXHIBIT C – Examples of Similar Detention Basins

RICHMOND, TEXAS

15' Maintenance Berms, 6:1 Side Slopes



RICHMOND, TEXAS

15' Maintenance Berms, 6:1 Side Slopes



[Click to view information about this Street View contributor.](#)

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EXHIBIT D

EXHIBIT C – Examples of Similar Detention Basin Designs



Waller County Municipal Utility District No. 55

March 13, 2024

Brookshire Katy Drainage District
1111 Kenney Street
Brookshire, Texas 77423

Re: Waller County Municipal Utility District No. 55
Plow Tract Phase I Mass Grading & Detention

Dear Brookshire-Katy Drainage District:

The detention ponds being constructed within the Regional District boundaries will be owned and maintained by Waller County MUD No. 55 (the "District"). Pursuant to the recommendations by the District's Engineer, the District has no objection to the ponds as designed and agree to maintain the ponds with the following criteria:

- 20ft Maintenance Berms with a side slope varying between 5:1 and 8:1 without backslope swales.
- 10ft Maintenance Berms where the ponds are adjacent to Public Right-of-Way.

Additionally, the District also has no objection to the 24-inch RCP outfall pipe and manholes within the maintenance berm along Sanke Creek and will maintain this outfall pipe, pursuant to the District Engineer's recommendations.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Vice President



EXHIBIT D

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

February 7, 2024

Mr. Rod Pinheiro, PE
Brookshire Katy Drainage District
1111 Kenney Street
Brookshire, Texas 77423

Re: Waller County Municipal Utility District No. 55
Plow Tract Phase I Mass Grading & Detention

Dear Mr. Pinheiro:

As District Engineer for Waller County Municipal Utility District No. 55 ("District"), we have reviewed the construction drawings and have no objection to the above referenced Project construction plans. Further, we have no objection to the 20ft maintenance berms around the detention basins behind lots and 10ft maintenance berms along right-of-way for future roads. The District also has no objection to the 24-inch RCP outfall pipe and manholes within the maintenance berm.

Waller County MUD No. 55 certifies that the design of this project in full compliance with the Drainage Impact Analysis for Plow Realty Tract Phase 1, dated January 24, 2024.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Blair M. Bozoarth, P.E.
District Engineer

BMB\
K:\28721\28721-0900-24 Waller County MUD 55 - General Consultation 2024\Plan Reviews\Plan Review Letters\WCMUD No. 55 Detention No Objection.docx



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

March 22, 2024

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

Reference: Clay Development and Construction
Pederson Road West Business Park **Partial Replat**
BKDD Permit No. 2024-59
Application ID: 00231
Quiddity Job No. R0002-1020-01.025

Dear Mr. England:

The District has received a permit application as follows:

Applicant: Gruller Surveying, LLC

Permit Type: Tract Development with Platting – **Partial Replat**

Location: 29921 Medline Lane, Katy, TX 77494

Survey: H. & T. C. Railroad Company Survey Section 103, Abstract 169, Waller County, Texas

Previous Approvals: The District approved the Preliminary Plat for Pederson Road West Business Park on February 12, 2024.

Description: This proposed Pederson Road West Business Park Partial Replat (Partial Replat) is a final plat submittal only with no final drainage plans or proposed development included with this permit application. The Partial Replat encompasses 5.8698 acres of land and includes 2 reserves and 1 block.

Revision: This replat is to create two reserves out of Reserve B. This replat does not include proposed modifications or additions to previously approved drainage or detention plans.

Technical Review: Based on our review of the Partial Replat, the permit application generally complies with the District's Rules and Regulations (R&R); we interpose no objection and recommend approval.



Mr. Arnold England, President

Page 2

April 19, 2023

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 prevent Pederson Road West Business Park Partial Replat from complying with the District's R&R or any other regulatory requirements from a different entity with jurisdiction. Moreover, the plat submitted has been prepared, dated, signed, and sealed by a Professional Land Surveyor who is 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 applicant shall not use this letter to commence any construction activities prior to receiving the **approved permits** from all 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/R0002-1020-01.025 Pederson Road West Business Park Partial Replat_00199/2.0 - LETTERS/Pederson Road West Business Park Partial Replat Ltr 032224.docx

cc: Mr. Wesley Sheffer – Clay Development and Construction via email wsheffer@claydevelopment.com
Mr. Chris Gruller, RPLS – Gruller Surveying via email chris@grullersurveying.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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March 20, 2024

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

Reference: Beckendorff Road Street Dedication and Reserves – **Preliminary Plat**
Application ID No. 00260
Quiddity Job No. R0002-1019-01.045

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 and Preliminary Drainage Plan

Location: Along Beckendorff Road, west of Pitts Road, and north of Stockdick School Road

Technical Review: Based on our review of the Preliminary Plat of Beckendorff Road Street Dedication and Reserves, 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.



Mr. Arnold England, President

March 20, 2024

Page 2

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.

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://ionesandcarter.sharepoint.com/sites/BKDDTeamSite/Shared%20Documents/Forms/AllItems.aspx?csf=1&web=1&e=90bLtN&cid=98e87c84%2D0909%2D431b%2D9baf%2D53206b6ecbec&FolderCTID=0x012000E14373EC62ACB040AAD005F19E792685&id=%2Fsites%2FBKDDTeamSite%2FShared%20Documents%2FBKDD%20All%20Permits%2FR0002%2D1019%2D01%2E045%20Beckendorff%20Road%20Street%20Dedication%20%26%20Reserves%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=e52b0c9b-bdd0-ee11-92bd-000d3a7cfcc3

cc: Mr. Shamar O'Bryant - Astro Sunterra, LP, A Texas Limited Partnership via email Sobryant@landtejas.com
Ms. Chantelle Jamnik – Quiddity Engineering via email 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



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

March 20, 2024

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

Reference: Jordan Ranch Waller County Plat – **Preliminary Plat**
Application ID No. 00312
Quiddity Job No. R0002-1020-01.020

Dear Mr. England:

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

Applicant: IDS Engineering Group

Application Type: Tract Development with Platting – Preliminary Plat and Preliminary Drainage Plan

Location: East of Woods Road and west of Jordan Ranch Boulevard

Technical Review: Based on our review of the Preliminary Plat of Jordan Ranch Waller County Plat, 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.



Mr. Arnold England, President

March 20, 2024

Page 2

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.

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

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Portal Application: https://permitportal.crm.dynamics.com/main.aspx?appid=01ee1176-2cc2-ed11-83ff-000d3a98bb9e&pagetype=entityrecord&etn=bp_defaultapplication&id=f6d41ab7-bcd5-ee11-92bd-000d3a7cfcc3

cc: Mr. Noah Savoie – IDS Engineering Group – via email Nsavoie@idseg.com
Mr. John Herzog – IDS Engineering Group – via email jherzog@idseg.com
Mr. Jacob Bullard – IDS Engineering Group – via email jbullard@idseg.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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March 20, 2024

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

Reference: Sunterra Lift Station No. 6 – **Preliminary Plat**
Application ID No. 00295
Quiddity Job No. R0002-1019-01.044

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 and Preliminary Drainage Plan

Location: Along Beckendorff Road, west of Pitts Road, south of FM 529 Road, and east of Bartlett Road

Technical Review: Based on our review of the Preliminary Plat Sunterra Lift Station No. 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.



Mr. Arnold England, President

March 20, 2024

Page 2

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.

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

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Ms. Chantelle Jamnik – Quiddity Engineering via email 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