

Regular Meeting  
No. 6

June 2, 2020  
9:00 AM

Commissioners of Brazoria Drainage District No. 4 convened in session June 2, 2020 with the following Commissioners present:

\*Jeffrey H. Brennan

\*Dan Keller

\*Harrison Rogers

\*via conference call

Others Attending:

See Attached List

Following the invocation and Pledge of Allegiance, the Board considered the following items:

**II. PUBLIC COMMENTS:**

None

**III. APPROVAL OF MINUTES:**

Regular Meeting – May 5, 2020

Motion to approve: Commissioner Brennan; Second: Commissioner Keller; To approve the minutes as submitted. Motion carried unanimously.

**IV. APPROVAL OF CHECKS:**

Expenses for June and July 2020

Motion to approve: Commissioner Brennan; Second: Commissioner Rogers; To approve the checks numbered 38434 – 38506. Motion carried unanimously.

**V. NEW BUSINESS:**

**A. Discussion, Consideration & Possible Action** – To accept the Single Audit Report for the Mykawa drainage project as prepared by McGrath & Co., PLLC – CPAs.

Motion to approve: Commissioner Brennan; Second: Commissioner Keller; To accept the Single Audit Report for the Mykawa drainage project as prepared by McGrath & Co., PLLC – CPAs. Motion carried unanimously.

- A. Discussion, Consideration & Possible Action** – To authorize the Superintendent to negotiate, make an offer, and sign all documents for the purchase of 20.03 acres of land located on Clear Creek at Countryplace Ditch.

Motion to take from the Reserves fund \$2.2 million to purchase the land: Commissioner Brennan; Second: Commissioner Keller; To authorize the Superintendent to negotiate, make an offer, and sign all documents for the purchase of 20.03 acres of land located on Clear Creek at Countryplace Ditch. Motion carried unanimously.

- B. Discussion, Consideration & Possible Action** – To authorize the Superintendent to negotiate, make an offer, and sign all documents for the purchase of 14.2487 acres of land on Clear Creek, west of Roy Road and East of Sheldon Road.

Motion to use money from our current budget under Land Acquisition: Commissioner Brennan; Second: Commissioner Rogers; To authorize the Superintendent to negotiate, make an offer, and sign all documents for the purchase of 14.2487 acres of land on Clear Creek, west of Roy Road and East of Sheldon Road. Motion carried unanimously.

**B. VARIANCE REQUESTS:**

- A. Charleston Ultimate Detention – BDD4 #20149 – Variance Request – Odyssey Engineering Group – North of SH 6; 2 miles west of CR 48 on the Brazoria County/Fort Bend County border and only the portion that is within the jurisdiction of Brazoria Drainage District No. 4.

1. Variance Request #1: A deviation from our standard sheet size of 22"x34" to 24"x36".

Motion to approve: Commissioner Brennan; Second: Commissioner Rogers; To approve a Variance Request to allow a deviation from our standard sheet size of 22"x34" to 24"x36" requested by Odyssey Engineering group based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Motion carried unanimously.

2. Variance Request #2: The allowance of a tree buffer along the eastern edge of the detention pond maintenance pond due to an executed development agreement with the City of Pearland.

Motion to approve: Commissioner Brennan; Second: Commissioner Rogers; To approve a Variance Request to allow a tree buffer along the eastern edge of the detention pond due to an executed development agreement with the City of Pearland requested by Odyssey Engineering group based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Motion carried unanimously.

3. Variance Request #3: The allowance for 3:1 slopes instead of our required 4:1 slopes in the wet portion of the detention basin only.

Motion to approve: Commissioner Brennan; Second: Commissioner Keller; To approve a Variance Request to allow 3:1 slopes instead of our required 4:1 slopes in the wet portion of the detention basin only requested by Odyssey Engineering group based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Motion carried unanimously.

- B. Development Plat of Segenhof – BDD4 #20145 – Variance Request – Kristofer Schoeffler – Immediately west of the intersection of Roy Rd. & Hickory Slough.
  - 1. Variance Request: To allow a 30’ drainage easement from the centerline of Hickory Slough instead of the required 170’.

Commissioner Rogers recuses himself. Commissioner Keller expressed his appreciation to staff for bringing this to the board for approval and the business-like way this has been handled by staff.

Motion to deny: Commissioner Brennan; Second: no second; Motion failed.

Motion to table: Commissioner Keller; Second: Commissioner Brennan; To table the Variance Request for the reduction of the required 170’ drainage easement to a 30’ drainage easement requested by Kristofer Schoeffler based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Motion carried by majority.

#### **C. PLATS & PLAN:**

- A. Manvel Town Center Waterline Interconnect – BDD4 #20122 – Final Drainage Plan – BGE, Inc. – Northwest intersection at SH 288 and SH 6.
- B. C-Store (JT Plaza III) – BDD4 #20160 – Final Plat – Doshi Engineering & Surveying Co. – 7514 Fite Rd.; between Oak Rd. & CR 389.
- C. Menon Enclave – BDD4 #20153 – Final Plat – Windrose Land Services – South of Amie Ln., west of McLean Rd.
- D. Southern Colony II Phase I Detention – BDD4 #20101 – Final Drainage Plan – LJA Engineering, Inc. – Near FM 521, south of SH 6; directly north of Southern Colony Development; only the portion within the jurisdiction of Brazoria Drainage District No. 4.
- E. Greenspace Self Storage – BDD4 #20161 – Final Drainage Plan – GPD Group – Southeast corner of Kingsley Dr. & Shadow Creek Pkwy.

Motion: Commissioner Brennan; Second: Commissioner Rogers; To approve the plats and plans as submitted based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Motion carried unanimously.

**D. ADJOURN:**

No further business, the meeting adjourned at 9:36 A.M., June 2, 2020.

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Jeffrey H. Brennan, Chairman

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Dan Keller, Secretary

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Harrison Rogers



4813 W. Broadway  
Pearland, Texas 77581  
(281) 485-1434



Fax (281) 485-0065  
www.bdd4.org

***Brazoria Drainage District No. 4***

*A Political Subdivision of the State of Texas*

JUNE 02, 2020

Attending Regular Meeting No. 6, held by Commissioners of Brazoria Drainage District No. 4, via telephone conference.

NAME	BUSINESS AFILIATION
Jeff Brennan	Commissioner
Harrison Rogers	Commissioner
Dan Keller	Commissioner
John Genaro	BDD4
Leigh Blumer	BDD4
Jarrood Aden	Lentz Engineering/BDD4
Colette Garcia	McGrath & Co.
Adrian Gengo	BDD4

*Dan Keller*  
*Commissioner*

*Jeffrey Brennan*  
*Commissioner*

*Harrison Rogers*  
*Commissioner*

## **BRAZORIA DRAINAGE DISTRICT NO. 4**

### **Minutes of Meeting of the Board of Commissioners June 18, 2020**

A meeting of the Board of Commissioners (“Board”) of Brazoria Drainage District No. 4 (“District”) was held June 18, 2020, in accordance on with the duly posted notice of the meeting, with a quorum of commissioners present, as follows:

Jeffrey H. Brennan, Chairman  
Dan Keller, Secretary  
Harrison Rodgers

and the following absent:

None.

Also present were Mr. John Genaro, Mr. Leigh Blumer, and Mr. Wm. Scott Smith.

The meeting was called to order and declared open for such business as might regularly come before it.

1. Chairman Brennan announced that the Board would enter executive session pursuant to Section 551.071, Texas Government Code to consult with the District’s Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. The Board entered executive session at 9:01 am.

2. The Board exited executive session at 10:07 am and took no further action.

There being no further business to come before the Board, the meeting was adjourned.

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Secretary

4813 W. Broadway  
Pearland, Texas 77581  
(281) 485-1434



Fax (281) 485-0065  
www.bdd4.org

## Brazoria Drainage District No. 4

*A Political Subdivision of the State of Texas*

JUNE 18, 2020

Attending Special Meeting No. 1 held by Commissioners of Brazoria Drainage District No. 4.

NAME	BUSINESS AFFILIATION
LEILIA BLUMER	BDD4
Adrian Gentry	BDD4
TOM DANIEL	BDD4
JOHN GOUARO	BDD4
SCOTT SMITH	
JEFF BRENNAN	COMMISSIONER
DAN KELLER	COMMISSIONER
HARRISON ROGERS	COMMISSIONER

Dan Keller  
Commissioner

Jeffrey Brennan  
Commissioner

Harrison Rogers  
Commissioner

## **Brazoria Drainage District No. 4**

### **Order Adopting Records Control Schedule**

The Board of Directors (“Board”) of Brazoria Drainage District No. 4 (“District”) met on July 7, 2020, with a quorum of directors present, as follows:

Jeff Brennan, Chairman  
Dan Keller, Secretary  
Harrison Rogers, Member

and the following were absent:

None.

when the following business was transacted:

The Order set out below was introduced for consideration of the Board. It was then duly moved and seconded that said Order be adopted; and, after due discussion, said motion carried by the following vote:

Ayes: All directors shown present.

Noes: None.

The Order thus adopted is as follows:

WHEREAS, Title 6, Subtitle C, Local Government Code (Local Government Records Act), provides that each local government must establish an active and continuing records management program; and

WHEREAS, the District desires to adopt a plan for that purpose and to prescribe policies and procedures for Records (as herein defined) consistent with the Local Government Records Act and in the interests of cost-effective and efficient recordkeeping; and

WHEREAS, all documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by the District or any of its Consultants, Officers or Employees (Consultants, Officers or Employees are collectively referred to herein as “Custodian”) pursuant to law or in the transaction of public business are hereby declared to be the Records of the District (“Records”) and shall be created, maintained, and disposed of in accordance with the provisions of the Local Government Records Act, and

summarized in the records control schedules compiled by the Texas State Library Archives Commission (“Commission”), as may be amended by changes in law or procedures authorized by the Commission, and in no other manner; and

WHEREAS, records retention periods apply to records in any medium. If records are stored electronically, they will remain available and accessible for the retention period assigned; and

WHEREAS, all Records are hereby declared to be the property of the District. No official or employee of the District has, by virtue of his or her position, any personal or property right to such Records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such Records is prohibited; and

WHEREAS, it is hereby declared to be the policy of the District to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all Records of the District through a comprehensive system of integrated procedures for the management of Records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice; and

WHEREAS, the Board hereby declares that, unless designated by separate order, the District Superintendent is hereby designated the Records Management Officer to ensure that the maintenance, destruction, electronic storage, or other disposition of the Records of this office are carried out in accordance with the requirements of the Local Government Records Act.

NOW, THEREFORE, be it ordered by the Board of Directors of Brazoria Drainage District No. 4 that:

Section 1. All statements and facts set forth in the preamble to this Order are true and correct.

Section 2. The District hereby adopts the records control schedules that comply with the minimum requirements established on records retention schedules issued by the Commission (“Schedules”), as promulgated by the Commission and subject to periodic amendment by the Commission.

Section 3. The District’s Records Management Officer has reviewed the Schedules for Records created or received by the District and any and all Records no longer created or received by the District that are in the District’s possession. Any destruction of

Records of the District will be in accordance with the Schedules and the Local Government Records Act, as amended.

Section 4. The Board hereby directs the Records Management Officer of the District to file a Declaration of Compliance with the Director and Librarian of the Commission.

Section 5. No District record shall be destroyed unless:

(a) the period of time for its retention as contained in the Schedules, as amended, has expired,

(b) the Record is permitted to be destroyed pursuant to applicable Texas laws and/or regulations, or

(c) the Commission approves a request for authority to destroy unscheduled records as required by the Act and the applicable Rules of the Commission.

Section 6. The District hereby requires each Custodian of its Records to heed the requirements contained herein implementing the District's declared policy of records management.

Section 7. This Order supersedes all prior Orders or Resolutions with respect to the subject matter hereof.

PASSED AND ADOPTED THIS July 7, 2020.

JEFF BRENNAN  
President

ATTEST:

DAN KELLER  
Secretary

I, the undersigned Superintendent of Brazoria Drainage District No. 4, hereby certify that the foregoing is a true and correct copy of the Order Adopting Records Control Schedule adopted by said Board at its meeting of July 7, 2020 and of the minute entry of that date showing the adoption thereof, the original of which order appears in the minute book of said Board, on file in the District's office.

I further certify that said meeting was open to the public, and that notice was given in compliance with the provisions of Tex. Gov't. Code Ann. § 551.001 et seq. as adopted, and as suspended in part by the Governor of Texas on March 16, 2020.

Witness my hand and the seal of said District, this \_\_\_\_\_.

\_\_\_\_\_  
Superintendent



**SLRM**  
STATE AND LOCAL  
RECORDS  
MANAGEMENT

# Form SLR 504 – Designation of Local Government Records Management Officer For non-elected offices in Texas

*Submitted pursuant to Local Government Code §203.025*

Before filling out this form, ensure that the Records Management policy approved by your governing body under Local Government Code, §203.026 has designated your position as the Records Management Officer (RMO). If the position in the policy has changed, or if the policy names an individual who is no longer serving as RMO, a new policy must be filed with this form.

## Records Management Officer (RMO) Contact Information:

Name of Local Government: Brazoria Drainage District No. 4

Position/Title Designated in Policy: Superintendent

Name of Individual Designated as RMO: John Genaro

Mailing Address: 4813 W Broadway

City: Pearland Zip Code: 77581

Business email: jgenaro@bdd4.org Phone: 281/485-1434

☐ Please subscribe me to The Texas Record for news and training information. <https://www.tsl.texas.gov/slrmblog/>

RMO Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please mail original, signed form within 30 days of RMO change to:

State and Local Records Management Division  
Texas State Library and Archives Commission  
P.O. Box 12927  
Austin, TX 78711-2927

Access and download forms, publications and retention schedules  
on our website: <https://www.tsl.texas.gov/slrmblog/>

For more assistance: 512-463-7610  
[slrminfo@tsl.texas.gov](mailto:slrminfo@tsl.texas.gov)





# Form SLR 508 – Declaration of Compliance with the Records Scheduling Requirement of the Local Government Records Act

## Part 1: Contact Information

Name of Local Government: Brazoria Drainage District No. 4

Mailing Address: 4813 W Broadway

City: Pearland

ZIP code: 77581

## Part 2: Local Government Certification

As records management officer for the local government named, I hereby declare records control schedules have been prepared for all records as required by Local Gov. Code §203.041(a) for use in our records management program. I certify that the schedules:

- Comply with the minimum requirements established on records retention schedules issued by the Texas State Library and Archives Commission (as checked below), including retention periods; and
- No retention period on the records control schedules is less than a retention period prescribed by a state or federal law, regulation, or rule of court.

As records management officer, I understand that I shall:

- Assist in establishing and developing policies and procedures for the records management program for the local government;
- Ensure compliance with other duties of records management officer pursuant to Local Gov. Code, §203.023;
- Ensure compliance with Electronic Standards and Procedures, 13 TAC 7, pursuant to Local Gov. Code, §205.002; and
- Ensure compliance with Microfilming Standards and Procedures, 13 TAC 7, pursuant to Local Gov. Code, §204.002.

I declare that this local government will comply with the retention schedule:

☒ Schedule GR (Records Common to All Governments)

I declare compliance with the following additional retention schedules issued by the commission:

(check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Schedule CC (Records of County Clerks)                    | <input type="checkbox"/> Schedule PS (Records of Public Safety Agencies)               |
| <input type="checkbox"/> Schedule DC (Records of District Clerks)                  | <input checked="" type="checkbox"/> Schedule PW (Records of Public Works and Services) |
| <input type="checkbox"/> Schedule EL (Records of Elections and Voter Registration) | <input type="checkbox"/> Schedule SD (Records of Public School Districts)              |
| <input type="checkbox"/> Schedule HR (Records of Public Health Agencies)           | <input checked="" type="checkbox"/> Schedule TX (Records of Property Taxation)         |
| <input type="checkbox"/> Schedule JC (Records of Public Junior Colleges)           | <input checked="" type="checkbox"/> Schedule UT (Records of Utility Services)          |
| <input type="checkbox"/> Schedule LC (Records of Justice and Municipal Courts)     |  |

RMO Name and Title: John Genaro, Superintendent

RMO Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Part 3: Acceptance by Texas State Library and Archives Commission (*internal use only*)

This Declaration of Compliance has:

- ☐ been accepted for filing pursuant to Local Gov. Code §203.041(a)(2). A record appearing on a valid records control schedule may be disposed of at the expiration of its retention period without additional notice to the director and librarian as described in §202.001(a)(1), subject to the provisions of §203.041(d).
- ☐ been accepted for filing subject to the conditions stated in the accompanying letter.

Name and Title: Megan Carey, RMA Manager

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## MEMORANDUM

TO: Brazoria Drainage District No. 4  
FROM: Smith, Murdaugh, Little & Bonham, L.L.P.  
RE: Senate Bill 2; Texas Property Tax Reform and Transparency Act of 2019  
DATE: July 22, 2019

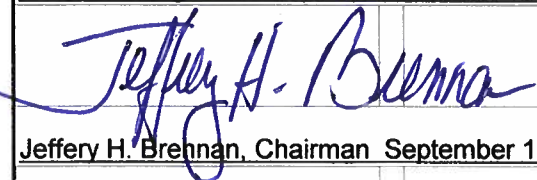
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For many years the District has been required to calculate the “effective tax rate” and the “rollback tax rate” based on the value of the average homestead in the District. If the District set a tax rate in excess of 1.08 times the effective tax rate, the District would be subject to a petition requiring a rollback election. If the election passed, the District’s operation and maintenance tax rate would be rolled back to 1.08 times the previous year’s maintenance tax rate.

Senate Bill 2 is effective January 1, 2020. In 2020, we will do similar calculations to the effective tax rate and rollback tax rate calculations but the rates will be referred to as the “no-new-revenue rate” and “voter-approval rate”. The calculations will be essentially the same as in previous years but the limitations will change and exceeding the limitations may result in an automatic election without the necessity of a petition, depending on which of three categories the District falls into. The following are the three categories established the legislature. From my understanding of the District, I believe it qualifies as a “Developing District” but so far there is little guidance on how to interpret this.:

- a) SPECIAL TAXING UNITS (TWC 49.23601) are taxing units that levy a maintenance tax of 2.5 cents or less. Special Taxing Units will continue to be subject to the 8% increase limit and if the limit is exceeded an election to approve the tax rate as set is automatic. If the election fails, the maintenance tax rate would be rolled back so that the total tax rate is equal to the voter-approval rate;
- b) DEVELOPED DISTRICTS (TWC 49.23602) are districts that have financed, completed and issued bonds to pay for all land, works, improvements, facilities, plants, equipment and appliances necessary to serve at least 95% of the projected build-out of the District. If the District is a Developed District, the tax rate increase limit is 3.5% and exceeding the limit results in an automatic election to approve the tax rate as set. If the rollback election fails, the maintenance tax rate would be rolled back so that the total tax rate is equal to the voter-approval rate;
- c) DEVELOPING DISTRICTS (TWC 49.23603) are districts that are not a Special Taxing Unit or a Developed District. The tax rate increase limit remains 8% and exceeding the limit is subject to an election to approve the tax rate as set upon petition of three percent (3%) or more of the qualified voters in the District. If a petition is received and the election fails, the maintenance tax rate would be rolled back so that the total tax rate is equal to the voter-approval rate.

The taxpayers continue to have the legal right to an injunction prohibiting the District from adopting a tax rate for failure to comply with these requirements, and the District will continue to have a defense in an action for injunction that the failure to comply was in good faith.

<b>Brazoria Drainage District No.4</b>			
<b>Budget 2019 - 2020</b>			
<b>October 1, 2019 thur September 30, 2020</b>			
	<b>Budget Amt</b>	<b>Reserves</b>	<b>Total Budget</b>
Labor - Gross	4,825,000		4,825,000
Employee Benefit	2,700,000		2,700,000
Liability/WC Insurance	280,000		280,000
Legal	50,000		50,000
Capital Equipment M/R	300,000		300,000
Fuel & Oil	390,000		390,000
Tools & Shop	280,000		280,000
Office & Misc	150,000		150,000
Utilities	75,000		75,000
Audit Expense	35,000		35,000
County Services	150,000		150,000
Equipment Replacement	1,100,000	140,000	1,240,000
Capital Improvement	100,000		100,000
Emergency Funding	300,000		300,000
Flood Control/Engineering	6,465,000	306,000	6,771,000
Land Acquisition	1,000,000		1,000,000
Totals	18,200,000	446,000	18,646,000
<b>Adopted Budget for 2019-2020 0.146000 / \$100 - Tax Rate for Year 2019</b>			
			
Jeffery H. Brennan, Chairman September 10, 2019			

May 26, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: Segenhof  
Variance Request  
BDD 4 Ref ID#: 20145  
LE-20004

Dear Commissioners:

We are in receipt of the attached request for variance from Kristofer Schoeffler.

The variance cites the District's requirement for the dedication of a 170 foot total width drainage easement for Hickory Slough. Due to the Slough's location along the West side of Roy Road, the Applicant would have to dedicate the 170 foot drainage easement in it's entirety.

The Applicant is seeking approval from the Board reducing the requirement to a 30 foot drainage easement as measured from the centerline of the creek and an additional (adjacent) 20 foot access easement.

The Applicant states his hardship(s) in detail in the attached request for variance.

District staff and I have researched this issue, visited the site, and met with Mr. Schoeffler in person.

Based upon our findings and discussions with District personnel, we would support a Board decision to reduce the required drainage easement width from 170 feet in total width to a 85 foot drainage easement as measured from the existing centerline of Hickory Slough.

Sincerely,  
Lentz Engineering, LLC

Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel

May 21, 2020

Jarrold -

Thank you again for spending time with me on Tuesday. I appreciate the questions you answered and the offer that was made by DD4 staff with your support.

I have formulated my variance request and it is as follows:

Whereas, I am being required to re-plat property that has been a homestead of my family since 1976 because I wish to replace the existing home with a new home; and,

Whereas, the City of Pearland has declined to recognize my existing plat because we were annexed into the city limits in 1997 and the existing plat predates that annexation; and,

Whereas, I have been informed by DD4 staff that the current statutes require that I cede a 170' easement along Hickory Slough to DD4 that should be in addition to the 40' ROW dedication required by the City of Pearland; and,

Whereas, DD4 staff has offered to support a reduction of the easement requirement to be 85' total width measured from the center of the stream; and,

Whereas, the current bed of Hickory Slough lies completely upon my property and extends west from the center of the stream approximately 30' at its widest; and,

Whereas, to my knowledge, DD4 does not have contiguous easement and cannot likely gain contiguous easement to the south of my property along the same waterway; and,

Whereas, my neighbors, the Post family, were not required to dedicate easement to DD4 for the same purpose despite the same statutes being in effect and thus now have a new home within the 85' proposed easement; and,

Whereas, permanent structures that are still in use on my property are located within the 85' proposed easement and there is no established time-frame to remove those structures; and,

Whereas, DD4 has plans and is actively pursuing funding to divert water away from the portion of Hickory Slough that currently lies upon my property; and,

Whereas, Hickory Slough has remained unchanged for decades and has functioned as such; and,

Whereas, due to encumbrances placed upon my property by the City of Pearland and DD4, more than 30% of my acreage will be unsuitable for improvement and use as I see fit; and,

Whereas, this amounts to an unreasonable and unfair requirement to be placed upon a single home-owner, especially given the heirloom status of the property in question;

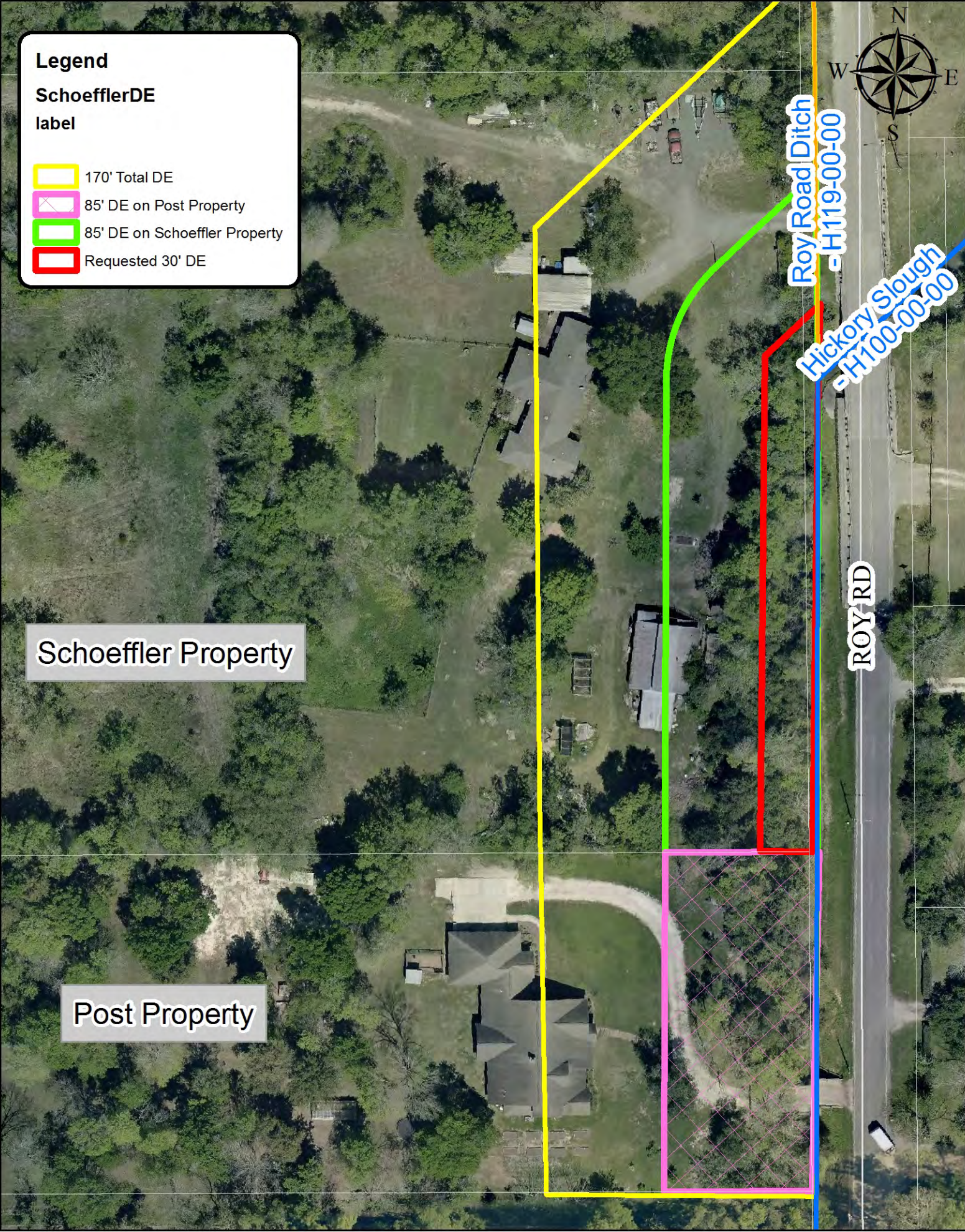
Therefore, I request that DD4 accept an easement of 30' measured from the center of the stream and an additional 20' access easement onto the property for bank maintenance.

Please let me know if this will suffice or if you have any questions. Thank you again.

Kris Schoeffler

*Deus caritas est.*





**Legend**

**SchoefflerDE  
label**

- 170' Total DE
- 85' DE on Post Property
- 85' DE on Schoeffler Property
- Requested 30' DE

Schoeffler Property

Post Property

Roy Road Ditch  
- H119-00-00  
Hickory Slough  
- H100-00-00

ROY RD



June 9, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: Clover Skies Lot 14  
Variance Request  
BDD 4 Ref ID#: 19177  
LE-20004

Dear Commissioners:

We are in receipt of the attached request for variance from Antonius Widjokongko.

The variance cites the District's requirement for detention. The applicant is requesting a waiver of this requirement.

The following additional information may be useful in determining whether or not this request should be granted:

1. In his request, the Applicant refers to prior approvals / permits issued by BDD # 4 and Brazoria County.
2. In his request, the Applicant makes reference to 18 constructed hangars which rely on the current detention system.
3. In our review of the District's records, we did not find any written agreement with regard to detention for this part of the airport. The most recent plan we found never received Board approval. Additionally, that plan appeared to cite a shortage of detention in the area.
4. District staff and I have made several trips to the area in recent months and noted significant deficiencies with the detention pond and the ditch in the vicinity of Lot 14. Although the pond was recently mowed, there are still issues on site.

Based upon these findings we cannot recommend approval of this request.

Sincerely,  
Lentz Engineering, LLC

Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel  
Mr. Stephen Alexander – Pearland Airport

May 29, 2020

Brazoria County Drainage District #4  
4813 W Broadway  
Pearland, TX 77581

Re: 17990 Airfield Lane, Pearland, TX 77581

Clover Skies Lot 14

BDD 4 Ref ID# 19177

In response to letter from Lentz Engineering, dated March 27, 2020, item no. 1 and 2.

We are proposing to build a boxed hangar, similar in design and size of existing hangars located on Clover Skies, South West of Pearland Regional Airport. This site is adjacent to an area labeled, RESTRICTED RESERVE "A". A reserved area for Drainage, Utility and Detention uses.

The project of building this hangar based on previous hangar buildings approvals/permits issued by the BDD 4, approved by the following BDD 4 former and current management:

- Mr. Michael D. Yost, Superintendent
- Ms. Andrea Broughton, PE, CFM, District Engineer
- Mr. Tom Daniel, CFM, Senior Engineering Technician

Also, from the Brazoria County:

- Mr. Joe Ripple, Floodplain Director

At this time, there are eighteen hangars built which relied on the current existing retainage system on the Clover Skies Development.

With this letter, we are respectfully requesting a variance that the detention on the Clover Skies Development remains adequate in accordance to previous agreement(s) between the developer and BDD#4, as noted on the Developer's plan. Because no previous calculations are available to us from your files concerning run off from taxi way and adjacent lot, we are only able to provide the calculations for an unrestricted flow to the retention area.

We have determined the capacity for run-off water from our site is sufficient to flow to the adjacent existing Detention Area inside the area of RESTRICTED RESERVE "A".

We thank you for considering our request on this matter. Please let us know if you have any question or need further information.

Sincerely,



Antonius Widjokongko  
Owner



March 27, 2020

Mr. Mike Scanlon, P.E.  
Norex Engineering  
1220 East Main Street  
League City, Texas 77573  
cc: mikescanlon@norexengineering.net

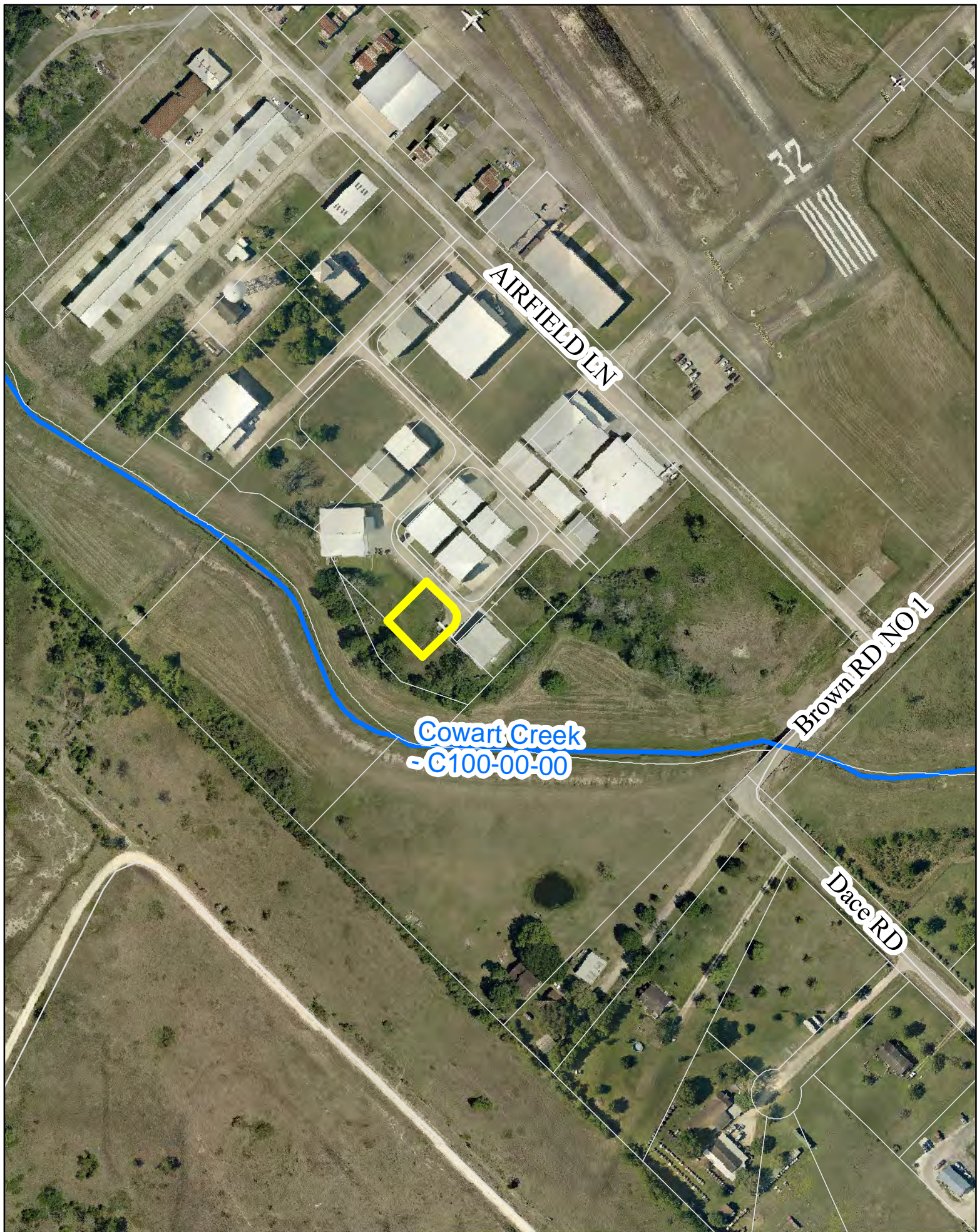
RE: Clover Skies Lot 14  
Drainage Plan (3)  
BDD 4 Ref ID#: 19177  
LE-20004

Dear Mr. Scanlon:

On behalf of Brazoria Drainage District No. 4, we have reviewed the second submittal of the Drainage Plan as submitted for the above-mentioned project and offer the following comments:

1. Provide the drainage area map of receiving system if discharging to existing storm sewer system. [IV.A.16, page 13] Your calculations appear to account only for the flows from the subject tract and not the other offsite areas that drain through these pipes / ditches. Additionally, account for the cumulative flows from area A, B, and C. *You still have not shown plans or calculations for the existing drainage system that you are connecting to. Since the time of our last plan review and our meeting with your customer, District personnel have visited the site and determine that the existing detention and drainage is in very poor condition. The detention and drainage system need to be repaired and restored before any additional projects are allowed to drain into them.*
2. Provide a detention statement on the plan and supporting documentation demonstrating that on site detention is not required. Alternatively, provide detention. [V.A.29, page 20] The District does not have any record of the Board approving the previous plan by Daniel Scott Engineering. *We acknowledge that your customer does not own the detention pond. Your project has to provide detention or support a claim for detention in another operation system. Only the Board can approve a request for variance. The Applicant, not District staff and consultants, must make the request.*
3. Please resubmit the plan for preliminary review and approval. *Based upon the outstanding comments, we still do not recommend giving this project preliminary drainage plan approval.*







June 30, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: LPGPC  
Variance Request  
BDD 4 Ref ID#: 20144  
LE-20004

Dear Commissioners:

We are in receipt of the attached request for variance from Donna Eckels of Pro-Surv on behalf of the Owner.

The variance cites the District's requirement for the dedication of a 290 foot total width (145 feet from centerline) drainage easement for Coward Creek. The applicant is requesting a waiver of this requirement. In their request, the applicant cites hardship of the basis that they placed a building before they were aware of the dedication requirement.

The following additional information may be useful in determining whether or not this request should be granted:

1. The proposed encroachment is less than 5 feet.
2. Representatives from Lentz Engineering and BDD # 4 met with the Owner on site. The proposed encroachment is minor in nature and should not impact routine maintenance activities.
3. The building is side by side modular units with a common roof constructed over the top. It would be very expensive to relocate the building.
4. The Owner is aware of the fact that the District could ask the buildings to be moved at any such time that the District deems it necessary.

Based upon these findings and the applicant's hardship, we would support a Board decision to grant this variance request.

Sincerely,  
Lentz Engineering, LLC

Jarrold D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel



## ***Brazoria Drainage District No. 4***

*A Political Subdivision of the State of Texas*

### **Variance Request Form**

Pecuniary hardship to the developer, standing alone, shall not be deemed to constitute undue hardship. The variance shall not have the effect of nullifying the intent and purpose of the Rules, Regulations & Guidelines.

Applicant Name: PRO-SURV /DONNA ECKELS

Applicant Phone Number: 281-996-1113

Project Name: LPGPC

Project Number: 20144

The specific rule or requirement that the Applicant wants to deviate from:

Section 9: Easements & Fee Strips; rule #4: "Buildings, fences, other structures, and permanent landscaping shall not be erected in drainage easement, fee strips, or access paths."

The hardship created by the rule or requirement:

The building was placed on site before we were aware of the requirement to dedicate the drainage easement. The two modular units have been set on site and are now joined by a common roof. The undue hardship would be created by having to spend such a large amount of money to move the modular buildings just a few feet.

The deviation that is requested:

I am requesting permission for the encroachment of the modular building on the proposed drainage easement. I understand that an encroachment agreement will be provided to me and that the District will have the right to ask me to remove the building from the easement at such time that it is necessary for the District to perform construction or maintenance activities on the creek.



## CONSENT TO ENCROACHMENT

THE STATE OF TEXAS  
  
COUNTY OF BRAZORIA

§  
§  
§

WHEREAS, the property described in Exhibit "A" is subject to an easement created by a separate instrument in favor of BRAZORIA DRAINAGE DISTRICT NO. 4, a political subdivision of the State of Texas ("Grantor" or the "District"), for the construction, operation, and maintenance of drainage facilities across, over, along, upon, and under said property ("Easement"); and

WHEREAS, LINDA PARNELL, ("Grantee") has constructed or intends to place a building within or encroaching upon the area of said Easement and has requested that the District give its consent to said encroachment.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the District hereby consents to the placement and/or maintenance by the Grantee of a building at the locations described in Exhibit "A" which is now or will be an encroachment upon the area of said Easement.

In consideration of the consent hereinabove granted by the District to the Grantee, and in consideration of the use of said portion of said Easement areas the Grantee obtains hereby, the Grantee hereby binds itself, its successors, assigns and grantees, to indemnify and hold the District, its successors and assigns, harmless from all claims for injury to or death of any person or for damage to property arising out of or in any way connected with the construction and use of said building on said portion of said Easement areas, for which injuries, death or damages would not have occurred but for the presence of said building within the Easement areas, except where such injuries, death or damages are to the extent caused by the negligence or willful misconduct of the District, its agents, employees, successors and assigns.

The Grantee agrees for itself, its successors, assigns and grantees, that if the District shall at any time in its reasonable discretion determine that it is necessary to do so for the purpose of properly maintaining its drainage facilities, it shall be privileged to remove or alter the above-mentioned building, or any part thereof, all at the Grantee's cost; and the Grantee further agrees to pay the cost of all additional expenses incurred by the District in the proper construction, maintenance, and repair of its drainage facilities, which additional expenses have occurred in whole or in part because of the presence of said building within the Easement. The Grantee for itself, its successors, assigns and grantees, hereby releases the District, its successors and assigns, from any and all liability for damage caused to the above-mentioned structures by any such removal or alteration permitted hereunder and further agrees to pay the District, its successors and assigns, the cost of removing or altering and restoring such building upon receipt of its billing (with reasonable documentation) therefor. The Grantee for itself, its successors, assigns and grantees, hereby further releases the District, its successors and assigns, from any

and all liability for loss of or damage to such structures which may be caused by, result from or be related to the presence or malfunctioning of its drainage facilities due to such structures or the regular maintenance activities of the District in the Easement Area.

The Grantee further agrees for itself, its successors, assigns and grantees, that if the District, its successors and assigns, shall at any time, and because of the presence of such building within the area of said Easement, be ordered by any public authority having jurisdiction to remove or relocate its drainage facilities, it shall be privileged to comply with such order at the Grantee's cost, unless the Grantee, itself, its successors, assigns and grantees, shall alter or remove said building to the satisfaction of such public authority upon reasonable notice; and if such drainage facilities are removed or relocated by the District, its successors and assigns, the Grantee for itself, its successors, assigns and grantees, agrees to pay the cost thereof upon the receipt of the District's billing (with reasonable documentation) therefor.

The exercise and enjoyment by the Grantee, its successors, assigns and grantees of the rights and privileges to which the District has herein granted its consent shall constitute affirmative acceptance by such successors, assigns and grantees of the terms and conditions herein contained; provided, however, that the District for its successors and assigns, hereby reserves the right to require that any such successor, assign or grantee of Grantee further signify in a recordable instrument acceptance of such terms and conditions, and should any such successor, assign or grantee refuse upon written request to execute such instrument, the rights and privileges herein consented to shall thereupon automatically terminate. This Consent to Encroachment shall not inure to the benefit of any person other than the above-named Grantee, its successors, assigns and grantees, nor any easement other than the above-described Easement.

In the event that all or any portion of the encroachment subject to this consent shall be voluntarily removed by Grantee, its successors, assigns or grantees, the District's consent and covenants contained herein shall terminate in whole or in part to the extent of the encroachment which has been removed.

Grantee represents that it has made its own determination as to the scope of the Easement and whether the Easement permits the placement of the building. Grantor makes no representation as to the scope of the Easement, and this instrument merely provides Grantor's consent to the placement of the building should the scope of said Easement permit Grantee's intended use.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

BRAZORIA DRAINAGE DISTRICT NO. 4

By: \_\_\_\_\_  
Jeffrey H. Brennan,  
Chairman, Board of Commissioners

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF BRAZORIA   §

This instrument was acknowledged before me on \_\_\_\_\_,  
\_\_\_\_\_, by Jeffrey H. Brennan, the Chairman of the Board of Commissioners of Brazoria  
Drainage District No. 4, on behalf of said district.

\_\_\_\_\_  
Notary Public, State of Texas

20\_\_\_\_. ACCEPTED AND AGREED TO this \_\_\_\_ day of \_\_\_\_\_,

GRANTEE:

LINDA PARNELL

By: \_\_\_\_\_

Name: Linda Parnell

Title: Owner

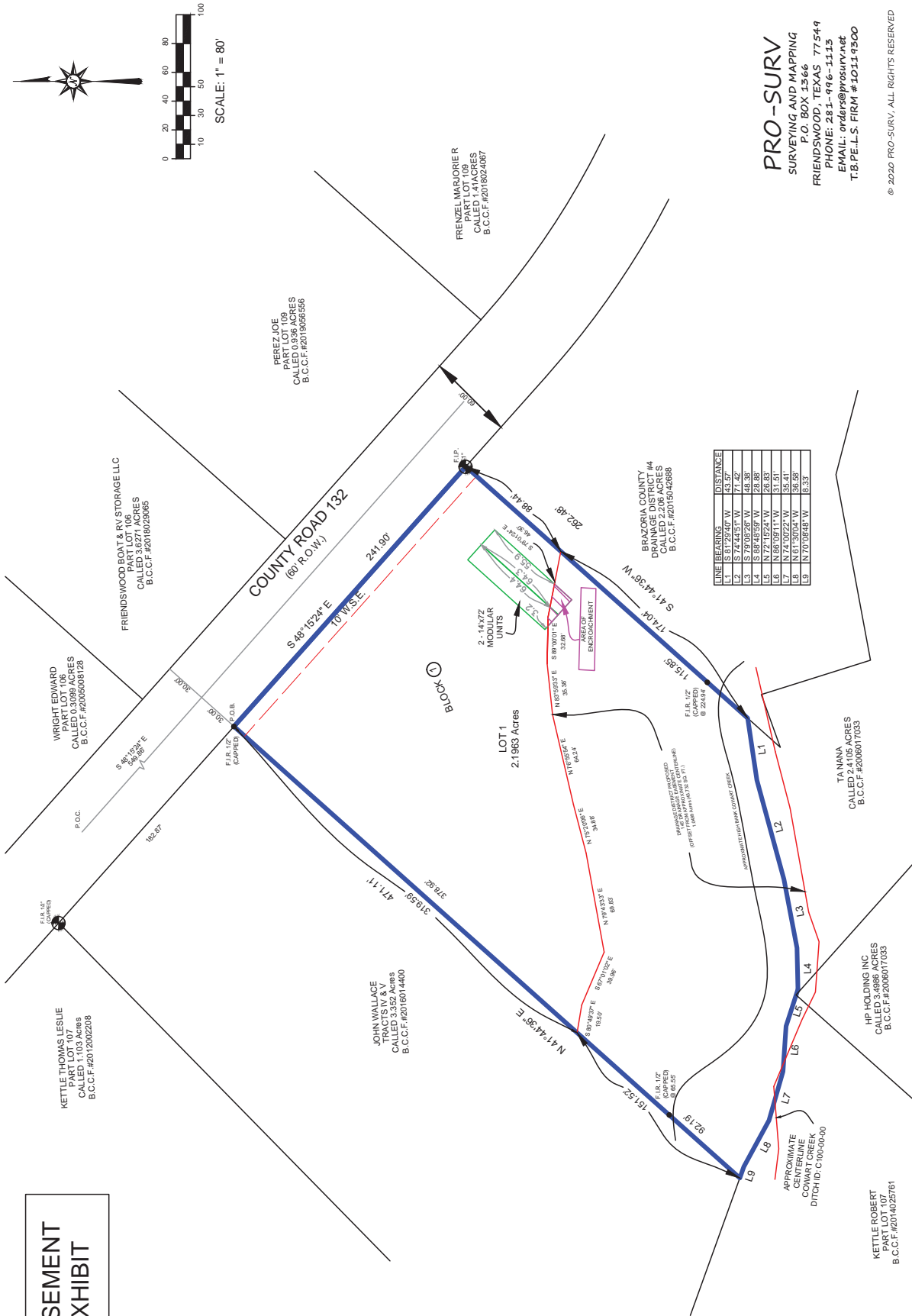
THE STATE OF TEXAS           §  
COUNTY OF BRAZORIA       §

\_\_\_\_\_, 20\_\_\_\_ This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_ by Linda Parnell, an Individual, for purposes intended.

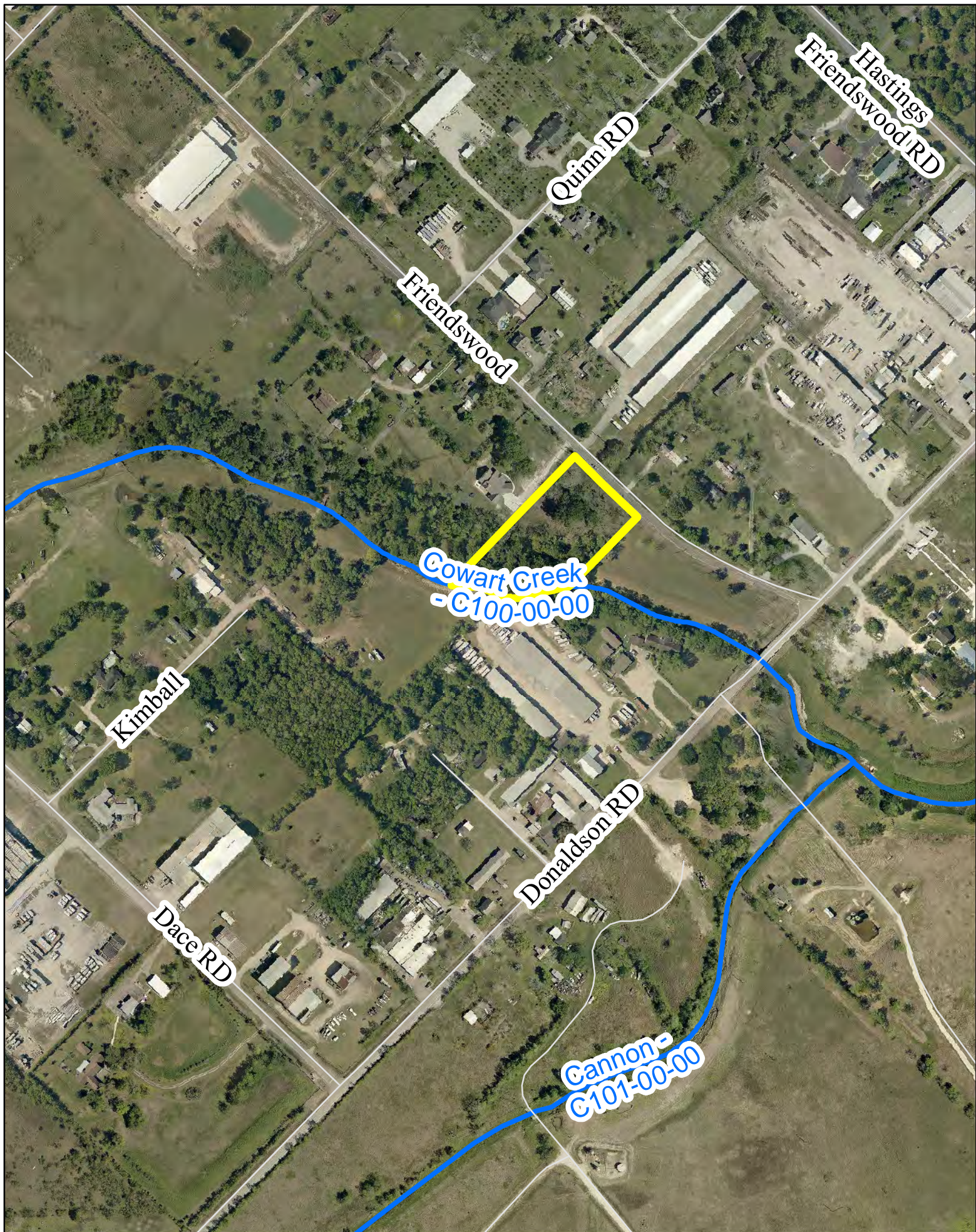
\_\_\_\_\_  
Notary Public, State of Texas

After recording, return to:  
Brazoria Drainage District No. 4  
4805 West Broadway  
Pearland, Texas 77581-3934

# DRAINAGE EASEMENT VARIANCE EXHIBIT









June 26, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: Detention to Serve  
Mustang Bayou SWTP  
Variance Request  
BDD 4 Ref ID#: 19195  
LE-20004

Dear Commissioners:

We are in receipt of the attached request for variance from Kevin Kiniry of Freese and Nichols.

The variance cites the District's requirement for the outfall pipe to be placed one foot above the flowline and static water level in the receiving ditch. The applicant is requesting permission to set the outfall pipe at the static water level of Mustang Bayou. The hardship is created by the City's lack of available space to construct the pond.

The following additional information may be useful in determining whether or not this request should be granted:

1. The static water level in Mustang Bayou is very consistent and not expected to deviate in a significant manner.
2. The outfall pipe is substantially higher than 1 foot from the bottom of Mustang Bayou.
3. The pond bottom will have slopes which meet or exceed the requirements of the District.

Based upon these findings and the applicant's hardship, we would support a Board decision to grant this variance request.

Sincerely,  
Lentz Engineering, LLC



Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel



# LETTER FOR VARIANCE REQUEST



Innovative approaches  
Practical results  
Outstanding service

10497 Town and Country Way, Suite 500 + Houston, Texas 77024 + 713-600-6800 + FAX 817-735-7491

www.freese.com

**PROJECT:** City of Pearland – Surface Water Treatment Plant (BDD4 Ref ID: 19195) **DATE:** June 23, 2020

**TO:** Jarrod Aden, Brazoria Drainage District No. 4 (BDD4)

**ADDRESS:** Brazoria Drainage District #4  
4813 W. Broadway  
Pearland, TX 77581

**FROM:** Kevin Kiniry, Freese and Nichols, Inc. (FNI)

**CC:** Rolando Ayala, FNI  
Somnath Chilukuri, FNI

FNI appreciates BDD4's review comments provided on May 26, 2020. FNI is formally requesting an approved variance for the subject project, as it relates to Comment No. 21. The original comment is shown below, with the specific variance request communicated in the **red/bold/italicized** text.

21. The Standard DISTRICT Details require the downstream end of the outfall pipe to be one foot higher than the existing flowline of the ditch and one foot higher than the static water level. Demonstrate compliance.

***FNI recognizes that BDD4 requires for the bottom of manicured detention ponds to be graded to include:***

- A pilot channel with a minimum flowline slope of 0.002 feet per foot; and***
- Bottom slopes that are graded towards the low-flow pilot channel with a minimum slope of 1%.***

***To satisfy these criteria for grading the bottom of the detention basin, FNI is requesting for approval to set the invert of the detention basin outfall pipe 6 inches above the static Water Surface Elevation (WSE) of Mustang Bayou.***

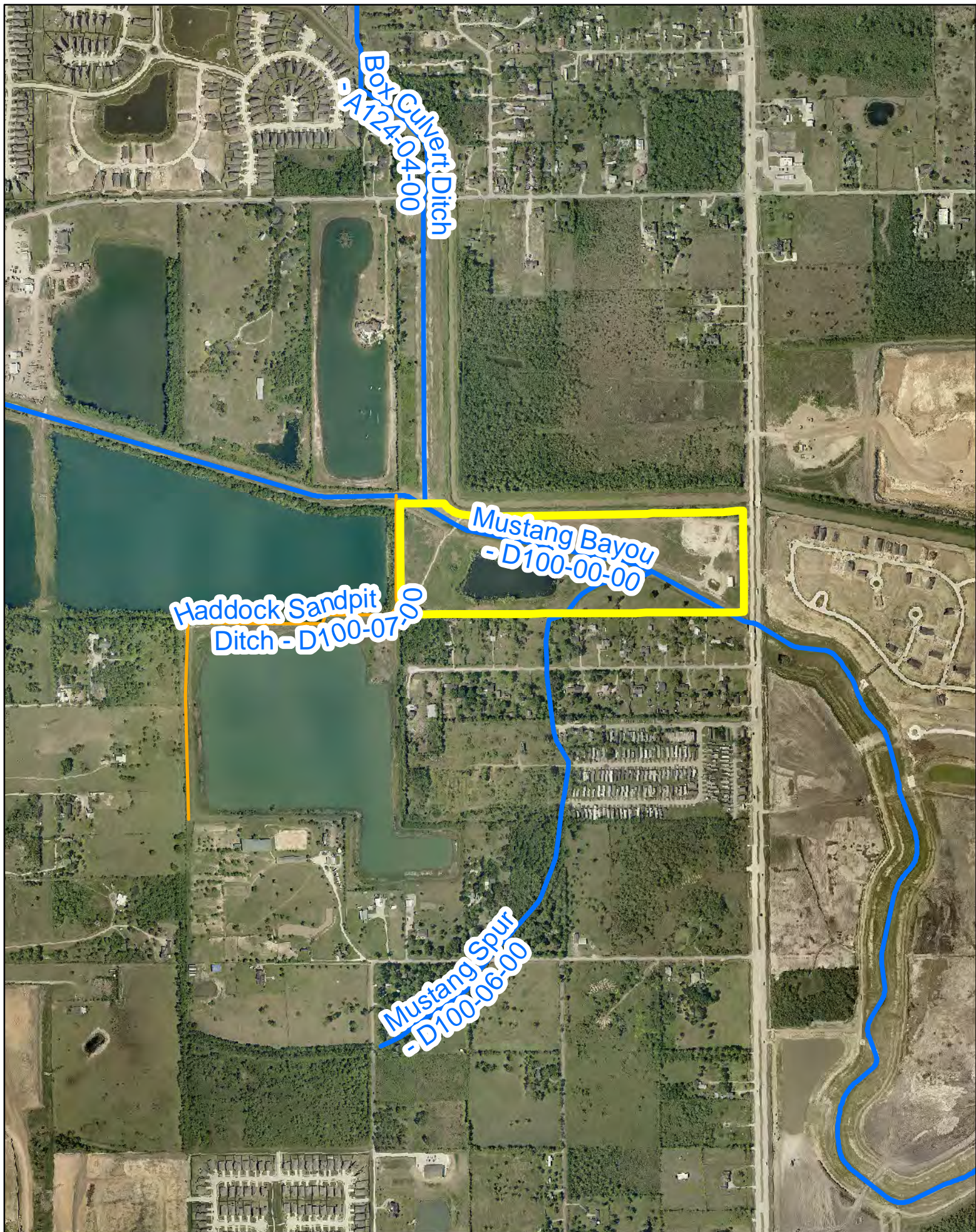
***Based upon a review of survey data, as well as observations from past engineering site visits, the static WSE of Mustang Bayou at the location of the proposed outfall pipe is approximately elevation 57.00 feet. FNI is specifically requesting for approval to set the downstream end of the outfall pipe at elevation 57.50 feet.***

Thank you for your consideration regarding this variance request,

A handwritten signature in blue ink that reads 'Kevin Kiniry'.

Kevin Kiniry, P.E.  
Freese and Nichols, Inc.  
10497 Town and Country Way, Suite 500  
Houston, Texas 77024  
(713) 600-6849 (direct)







June 26, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: Charleston Development  
Variance Request  
BDD 4 Ref ID#: 20149  
LE-20004

Dear Commissioners:

We are in receipt of the attached request for variance from Mark Hodges of Odyssey Engineering Group.

The variance cites the District's requirement for a concrete lined extreme event overflow swale with 6:1 side slopes. The applicant is requesting permission to use grass lined 4:1 side slopes. In their request, the applicant cites hardship of the basis that they are limited to an existing 25 foot wide storm sewer easement.

The following additional information may be useful in determining whether or not this request should be granted:

1. The extreme event overflow swale does not discharge into a BDD # 4 facility.
2. The Applicant will utilize the requisite lined overflow within the detention reserve where the flow first leaves the detention pond.
3. The Applicant correctly points out that the project has substantially more detention than our criteria requires due to the fact that Fort Bend County requires a design based upon NOAA 14 rainfall. As a result, the detention pond is less likely to be have an extreme event release than most ponds within the District.

Based upon these findings and the applicant's hardship, we would support a Board decision to grant this variance request.

Sincerely,  
Lentz Engineering, LLC



Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel  
Mr. Mark Hodges, P.E.



## ***Brazoria Drainage District No. 4***

*A Political Subdivision of the State of Texas*

### **Variance Request Form**

Pecuniary hardship to the developer, standing alone, shall not be deemed to constitute undue hardship. The variance shall not have the effect of nullifying the intent and purpose of the Rules, Regulations & Guidelines.

Applicant Name: **MARK C. HODGES (ODYSSEY ENGINEERING GROUP)**

Applicant Phone Number: **281-306-0240 x109**

Project Name: **CHARLESTON ULTIMATE DETENTION**

Project Number: **BDD4 #20149**

The specific rule or requirement that the Applicant wants to deviate from:

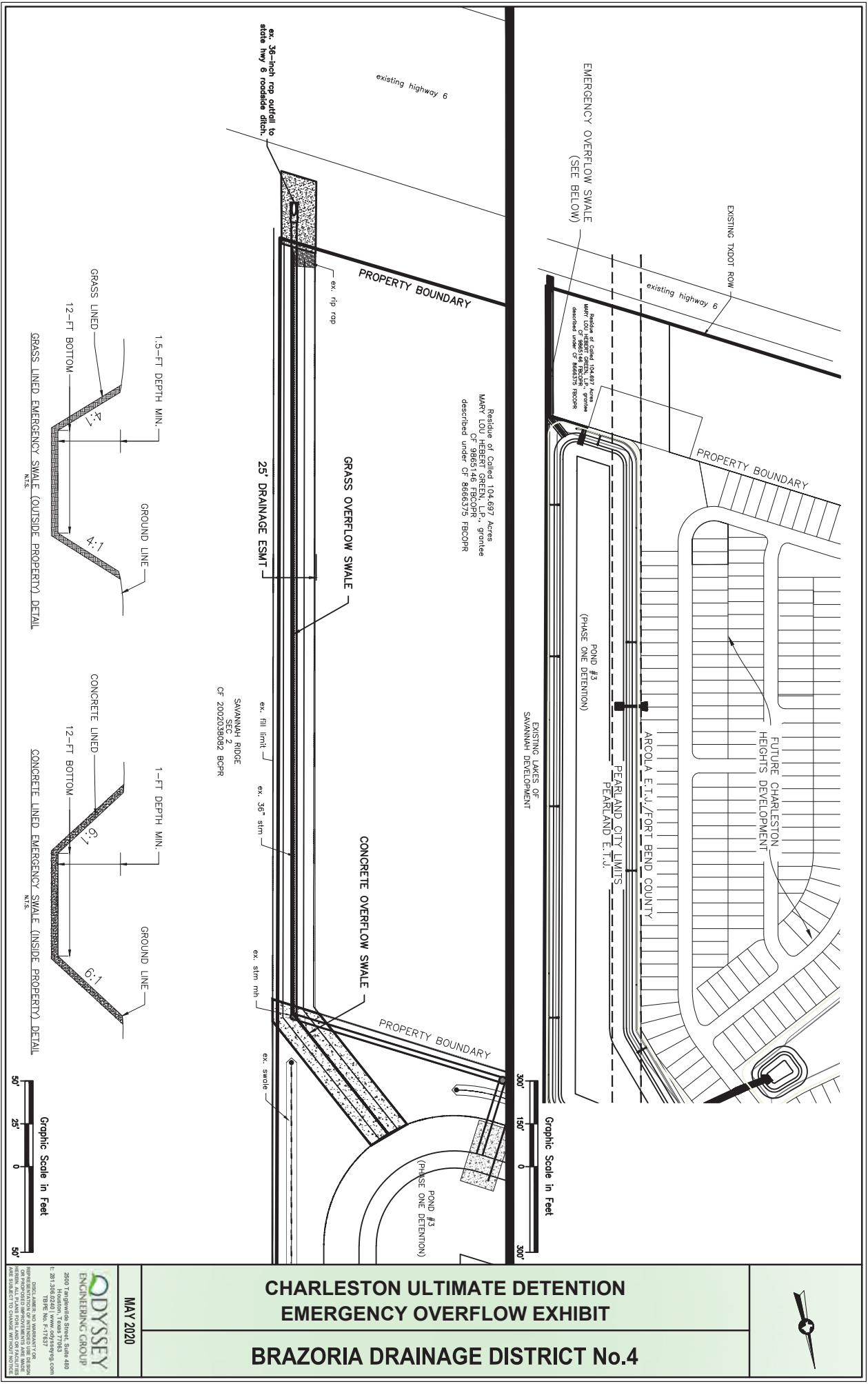
Section 3.4.5, Page 63: A concrete lined extreme event overflow swale shall be provided where this event enters and exits the detention pond. The swale shall be constructed as per the DISTRICT details.

The hardship created by the rule or requirement:

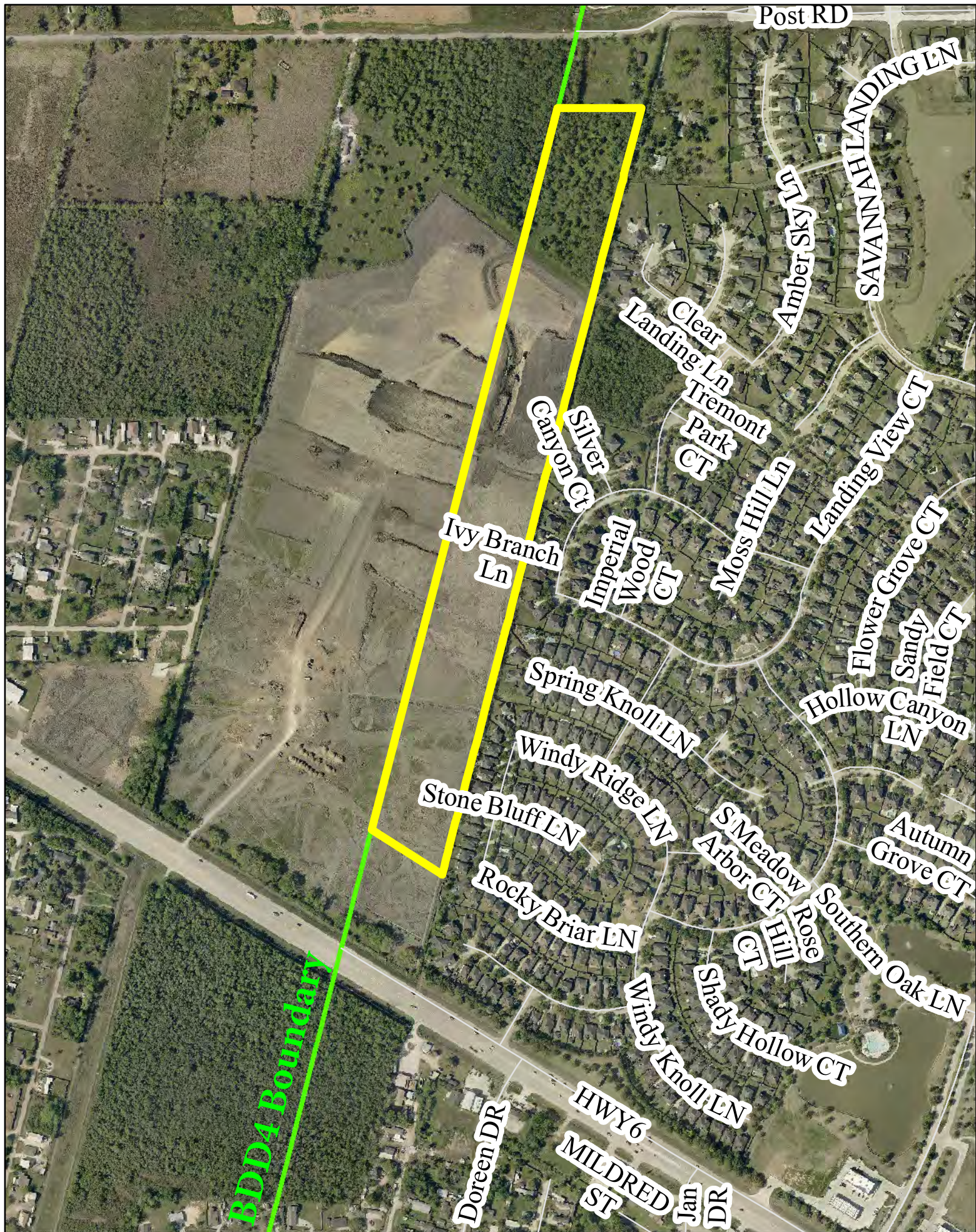
The Subject Project's detention system outfall consists of a storm sewer conduit which traverses an adjacent property, via a 25-ft storm sewer easement, to an existing TxDOT roadside ditch. The proposed emergency overflow swale is constructed along the same alignment. An exhibit is attached to this request which depicts the outfall and emergency overflow swale configuration. The portion of the overflow swale located within the owner's property limits is proposed to meet and exceed District standards. However, we do not have permission to concrete line the portion of the swale located outside of the owner's property and are restricted to the 25-ft width of the storm sewer easement to accommodate the swale geometry.

The deviation that is requested:

I am requesting approval to construct a grass lined emergency overflow swale with 4:1 side slopes. Please note, we are also proposing a bottom width of 12-FT and 1.5-FT of depth which meets and exceeds the geometry provided in the approved drainage report. Furthermore, the detention system reduces the likelihood of emergency overflows by providing an effective storage rate of 0.97 AC-FT/AC, an additional 0.16 AC-FT/AC per the 0.81 AC-FT/AC stipulated in the approved drainage report.









June 19, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: Blake Cmajdalka  
2644 Miller Ranch Road  
Request for Temporary Encroachment  
LE-20004

Dear Commissioners:

We are in receipt of the attached request to a temporary encroachment from Blake Cmajdalka.

We offer no objection to this request subject to the District retaining the ability to terminate the agreement and remove the fence at any time for any reason.

Sincerely,  
Lentz Engineering, LLC

Jarrold D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel



To: John Genaro  
Superintendent  
Brazoria Drainage District No. 4

From: Blake Cmajdalka  
2644 Miller Ranch Rd  
Pearland, TX 77584

Date: June 1, 2020

Re: Request for temporary fence encroachment

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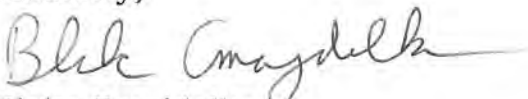
I would like to put up a fence along the easement so that my wife and our daughters can continue their runs around the lake without having to worry about intruders along the easement. It wouldn't be as worrisome if it were in the day but they run in the morning around 5:30 before they go to work and school.

I am requesting permission to temporarily encroach on the drainage easement with a fence. This will result in a reduction in the unobstructed maintenance berm from 30' to 22'.

I am aware that BDD4 is not responsible for any damage to the fence. Additionally, I understand that BDD4 may at any time may deem it necessary to remove the fence and terminate the temporary encroachment agreement.

Thank you for your consideration of this request.

Sincerely,

  
Blake Cmajdalka

## CONSENT TO ENCROACHMENT

THE STATE OF TEXAS  
  
COUNTY OF BRAZORIA

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§  
§

WHEREAS, the property described in Exhibit "A" is subject to an easement created by a separate instrument in favor of BRAZORIA DRAINAGE DISTRICT NO. 4, a political subdivision of the State of Texas ("Grantor" or the "District"), for the construction, operation, and maintenance of drainage facilities across, over, along, upon, and under said property ("Easement"); and

WHEREAS, BLAKE CMAJDALKA, ("Grantee") has constructed or intends to construct a fence within or encroaching upon the area of said Easement and has requested that the District give its consent to said encroachment.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the District hereby consents to the construction and/or maintenance by the Grantee of a fence at the locations described in Exhibit "A" which is now or will be an encroachment upon the area of said Easement.

In consideration of the consent hereinabove granted by the District to the Grantee, and in consideration of the use of said portion of said Easement areas the Grantee obtains hereby, the Grantee hereby binds itself, its successors, assigns and grantees, to indemnify and hold the District, its successors and assigns, harmless from all claims for injury to or death of any person or for damage to property arising out of or in any way connected with the construction and use of said fence on said portion of said Easement areas, for which injuries, death or damages would not have occurred but for the presence of said fence within the Easement areas, except where such injuries, death or damages are to the extent caused by the negligence or willful misconduct of the District, its agents, employees, successors and assigns.

The Grantee agrees for itself, its successors, assigns and grantees, that if the District shall at any time in its reasonable discretion determine that it is necessary to do so for the purpose of properly maintaining its drainage facilities, it shall be privileged to remove or alter the above-mentioned fence, or any part thereof, all at the Grantee's cost; and the Grantee further agrees to pay the cost of all additional expenses incurred by the District in the proper construction, maintenance, and repair of its drainage facilities, which additional expenses have occurred in whole or in part because of the presence of said fence within the Easement. The Grantee for itself, its successors, assigns and grantees, hereby releases the District, its successors and assigns, from any and all liability for damage caused to the above-mentioned structures by any such removal or alteration permitted hereunder and further agrees to pay the District, its successors and assigns, the cost of removing or altering and restoring such fence upon receipt of its billing (with reasonable documentation) therefor. The Grantee for itself, its successors, assigns and grantees, hereby further releases the District, its successors and assigns, from any

and all liability for loss of or damage to such structures which may be caused by, result from or be related to the presence or malfunctioning of its drainage facilities due to such structures or the regular maintenance activities of the District in the Easement Area.

The Grantee further agrees for itself, its successors, assigns and grantees, that if the District, its successors and assigns, shall at any time, and because of the presence of such fence within the area of said Easement, be ordered by any public authority having jurisdiction to remove or relocate its drainage facilities, it shall be privileged to comply with such order at the Grantee's cost, unless the Grantee, itself, its successors, assigns and grantees, shall alter or remove said fence to the satisfaction of such public authority upon reasonable notice; and if such drainage facilities are removed or relocated by the District, its successors and assigns, the Grantee for itself, its successors, assigns and grantees, agrees to pay the cost thereof upon the receipt of the District's billing (with reasonable documentation) therefor.

The exercise and enjoyment by the Grantee, its successors, assigns and grantees of the rights and privileges to which the District has herein granted its consent shall constitute affirmative acceptance by such successors, assigns and grantees of the terms and conditions herein contained; provided, however, that the District for its successors and assigns, hereby reserves the right to require that any such successor, assign or grantee of Grantee further signify in a recordable instrument acceptance of such terms and conditions, and should any such successor, assign or grantee refuse upon written request to execute such instrument, the rights and privileges herein consented to shall thereupon automatically terminate. This Consent to Encroachment shall not inure to the benefit of any person other than the above-named Grantee, its successors, assigns and grantees, nor any easement other than the above-described Easement.

In the event that all or any portion of the encroachment subject to this consent shall be voluntarily removed by Grantee, its successors, assigns or grantees, the District's consent and covenants contained herein shall terminate in whole or in part to the extent of the encroachment which has been removed.

Grantee represents that it has made its own determination as to the scope of the Easement and whether the Easement permits the installation of the fence. Grantor makes no representation as to the scope of the Easement, and this instrument merely provides Grantor's consent to the installation of the fence should the scope of said Easement permit Grantee's intended use.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

BRAZORIA DRAINAGE DISTRICT NO. 4

By: \_\_\_\_\_  
Jeffrey H. Brennan,  
Chairman, Board of Commissioners

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF BRAZORIA   §

      This instrument was acknowledged before me on \_\_\_\_\_,  
\_\_\_\_\_, by Jeffrey H. Brennan, the Chairman of the Board of Commissioners of Brazoria  
Drainage District No. 4, on behalf of said district.

\_\_\_\_\_  
Notary Public, State of Texas

20\_\_\_\_. ACCEPTED AND AGREED TO this \_\_\_\_ day of \_\_\_\_\_,

GRANTEE:

BLAKE CMAJDALKA

By: \_\_\_\_\_

Name: Blake Cmajdalka

Title: Owner

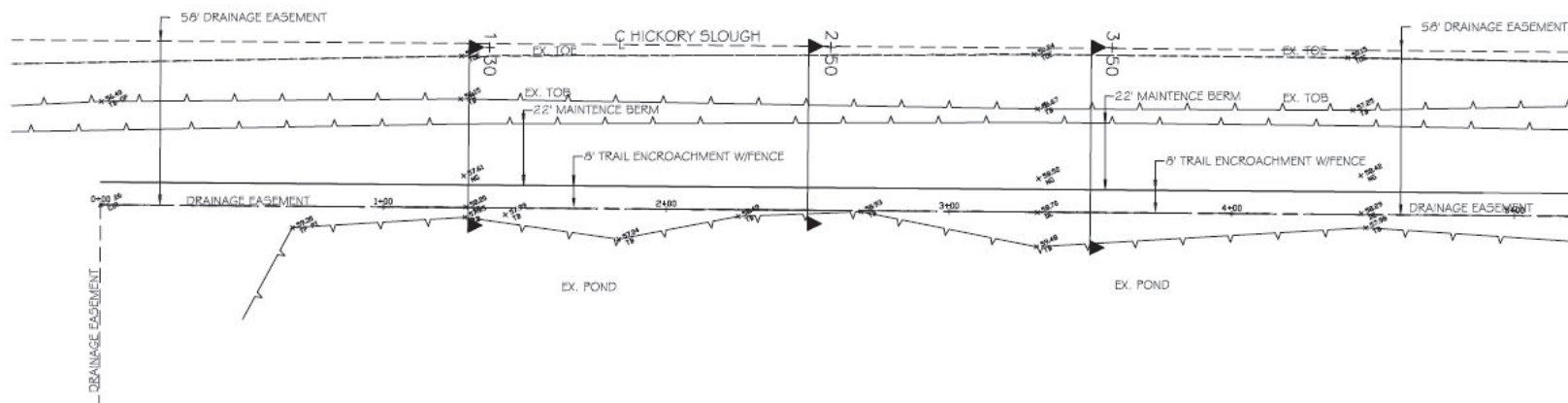
THE STATE OF TEXAS           §  
COUNTY OF BRAZORIA       §

\_\_\_\_\_, 20\_\_\_\_ This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_ by Blake Cmajdalka, an Individual, for purposes intended.

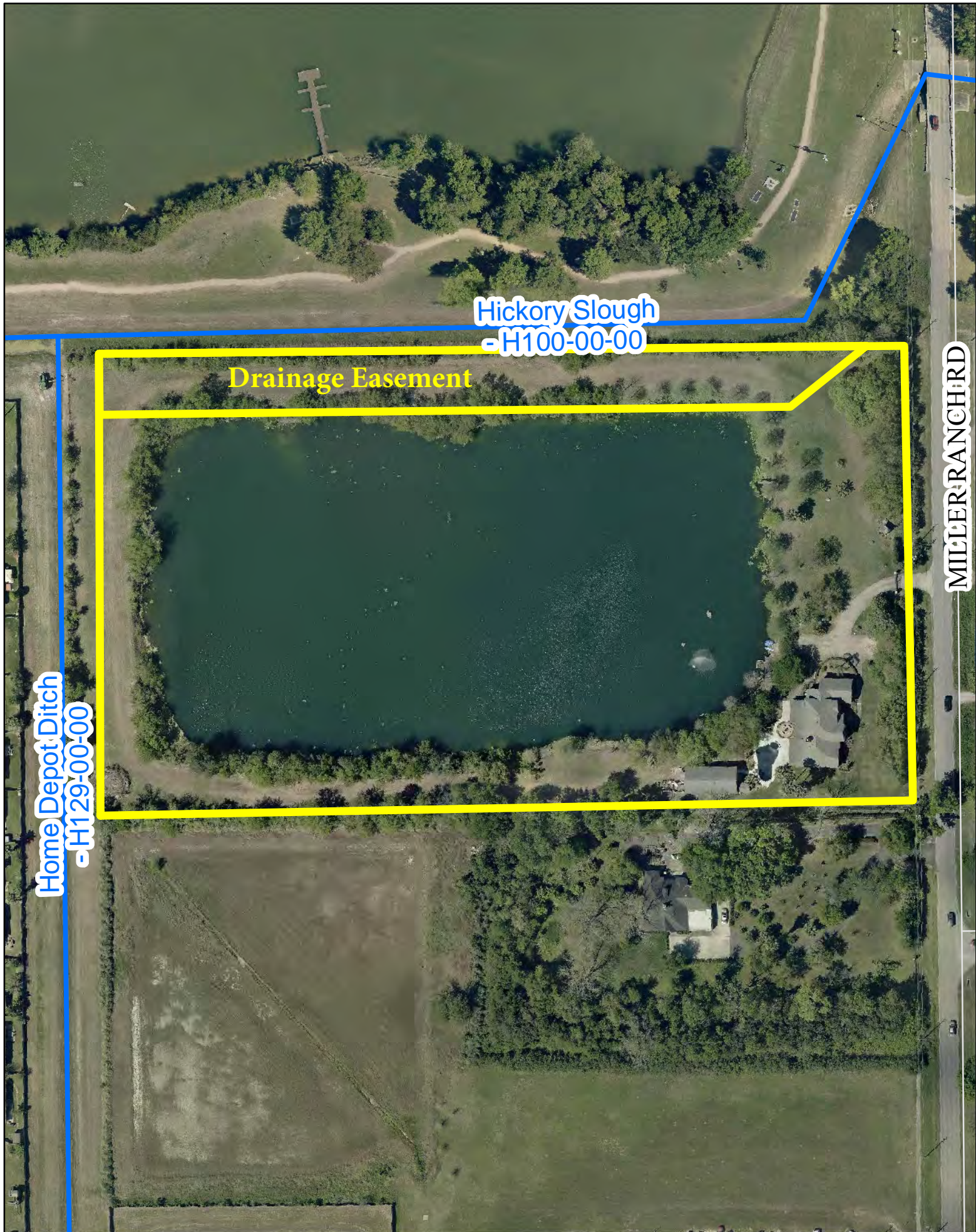
\_\_\_\_\_  
Notary Public, State of Texas

After recording, return to:  
Brazoria Drainage District No. 4  
4805 West Broadway  
Pearland, Texas 77581-3934











June 26, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: Del Bello Lakes  
Detention and Drainage Phase II  
Variance Request  
BDD 4 Ref ID#: 19203  
LE-20004

Dear Commissioners:

We are in receipt of the attached request for variance from Robert Booth of LJA Engineering.

The variance cites the District's requirement for the outfall to be placed one foot above the static water elevation and the flowline of the existing ditch. The applicant is requesting a reduction of the 12 inch requirement to 6 inches. In their request, the applicant cites hardship of the basis that they will be unable to achieve the required detention volume.

The following additional information may be useful in determining whether or not this request should be granted:

1. Previous staff approved the Overall Master Plan and Drainage Study based upon a 6 inch requirement.
2. The District has plans to regrade and demuck Cooper Ditch which should further improve the pond's ability to stay dry.
3. The pond will be maintained by BCMUD 43.

Based upon these findings and the applicant's hardship, we would support a Board decision to grant this variance request.

Sincerely,  
Lentz Engineering, LLC

Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Tom Daniel



## ***Brazoria Drainage District No. 4***

*A Political Subdivision of the State of Texas*

### **Variance Request Form**

Pecuniary hardship to the developer, standing alone, shall not be deemed to constitute undue hardship. The variance shall not have the effect of nullifying the intent and purpose of the Rules, Regulations & Guidelines.

Applicant Name:	Robert Booth, PE
Applicant Phone Number:	713-953-5289
Project Name:	Del Bello Lakes Detention and Drainage Phase II
Project Number:	BDD#4 Ref ID # 19203

The specific rule or requirement that the Applicant wants to deviate from:

"The District's standard details require the downstream end of the outfall pipe to be one foot higher than the existing flowline of the ditch and one foot higher than the static water level. Demonstrate compliance."

The hardship created by the rule or requirement:

Tying into the receiving channel 1' above the receiving ditch's flowline and static water surface elevation will not yield the detention volume calculated in the approved drainage plan and addendum and could result in inadequate detention volume or loss of free board for the development.

The deviation that is requested:

Brazoria County Municipal Utility District No. 43 proposes to tie in 0.5' above the receiving channel's flowline on the northern outfall as was done on the southern outfall in accordance with the approved drainage impact analysis and addendum for this development. BCMUD 43 has regraded Cooper Ditch from the existing structures at Highway 6 up to the southern outfall, and at the time of construction of the northern outfall, the District will regrade the remainder of the ditch to help provide greater separation from the outfall flowline to the flowline of the dry, receiving ditch. The regrading, in addition to slope paving the outfalls, will promote positive drainage as well as mitigate silt entering the storm sewer system.

June 26, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: Del Bello Lakes  
Detention and Drainage Phase II  
Variance Request  
BDD 4 Ref ID#: 19203  
LE-20004

Dear Commissioners:

We are in receipt of the attached request for variance from Robert Booth of LJA Engineering.

The variance cites the District's requirement for a concrete lined extreme event swale to be placed between the detention point and the point of outfall. The applicant is requesting that this requirement be waived. In their request, the applicant cites hardship of the basis that their outfall is on the other side of the elevated fresh water canal.

The following additional information may be useful in determining whether or not this request should be granted:

1. The proposed extreme event flows will be to the north and eventually into Cooper Ditch or to the TxDOT right-of-way.
2. Previous District staff approved this extreme event scheme when they approved the Drainage Impact Study for the overall development.

Based upon these findings and the applicant's hardship, we would support a Board decision to grant this variance request.

Sincerely,  
Lentz Engineering, LLC

Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Tom Daniel





## ***Brazoria Drainage District No. 4***

*A Political Subdivision of the State of Texas*

### **Variance Request Form**

Pecuniary hardship to the developer, standing alone, shall not be deemed to constitute undue hardship. The variance shall not have the effect of nullifying the intent and purpose of the Rules, Regulations & Guidelines.

Applicant Name: Robert Booth, PE

Applicant Phone Number: 713-953-5289

Project Name: Del Bello Lakes - Brazoria County Municipal Utility District No. 43

Project Number: Multiple Del Bello Lakes Projects

The specific rule or requirement that the Applicant wants to deviate from:

"A sheet flow analysis shall be provided to show this extreme event will be conveyed to the detention pond and then to the receiving drainage system. A concrete lined extreme event overflow swale shall be provided where this event enters and exits the detention pond. The swale shall be constructed as per the DISTRICT details."

[Appendix A.3.4.5, page 63]

The hardship created by the rule or requirement:

A concrete lined extreme event overflow swale from the detention pond to the receiving drainage system (Cooper Ditch) is not possible due to geographic constraints. The elevated Gulf Coast Water Authority Canal (GCWA) runs parallel between the detention pond and receiving system, Cooper Ditch. Thus making it unfeasible to sheet flow water from the pond to the receiving drainage system.

The deviation that is requested:

The approved drainage report proves that the detention ponds and the storm sewer outfalls can handle a 100-year storm event. In a situation where a storm event exceeds the 100-year design and comes out of the banks, storm water will be able to drain, via sheet flow, to the north outside of the MUD boundary into Cooper Ditch, or to the west into TXDOT's roadside ditches along SH 288. Extreme event arrows will be shown on future plan submittals indicating route for 100-year events as well as routes for events exceeding 100-year events. Due to the constraints listed above, Brazoria County Municipal Utility District No. 43 would like a variance regarding the concrete lined, extreme event overflow swale.

June 26, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: Del Bello Lakes  
Variance Request  
BDD 4 Ref ID#: 19203  
LE-20004

Dear Commissioners:

We are in receipt of the attached request for variance from Robert Booth of LJA Engineering.

The variance cites the District's requirement for a 30' maintenance berm for ponds that are greater than 10 feet in depth. The applicant is requesting a reduction from 30 feet to 20 feet. In their request, the applicant cites hardship of the basis that their entire development plan was based on an understanding from previous District staff that 20' maintenance berms would be allowed.

The following additional information may be useful in determining whether or not this request should be granted:

1. The previous sections in the Del Bello development were approved with 20 foot maintenance berms.
2. We are not aware of any maintenance issues with the existing ponds in Del Bello which were constructed with 20 foot maintenance berms.
3. The MUD will maintain these detention ponds.

Based upon these findings and the applicant's hardship, we would support a Board decision to grant this variance request.

Sincerely,  
Lentz Engineering, LLC

Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Tom Daniel



## ***Brazoria Drainage District No. 4***

*A Political Subdivision of the State of Texas*

### **Variance Request Form**

Pecuniary hardship to the developer, standing alone, shall not be deemed to constitute undue hardship. The variance shall not have the effect of nullifying the intent and purpose of the Rules, Regulations & Guidelines.

Applicant Name: Robert Booth, PE

Applicant Phone Number: 713-953-5289

Project Name: Del Bello Lakes - Brazoria County Municipal Utility District No. 43

Project Number: Multiple Del Bello Lakes Projects

The specific rule or requirement that the Applicant wants to deviate from:

"Detention pond greater than 10 feet in depth shall have 30' wide maintenance berms.  
[Appendix A.3.4.1.b, page 61]

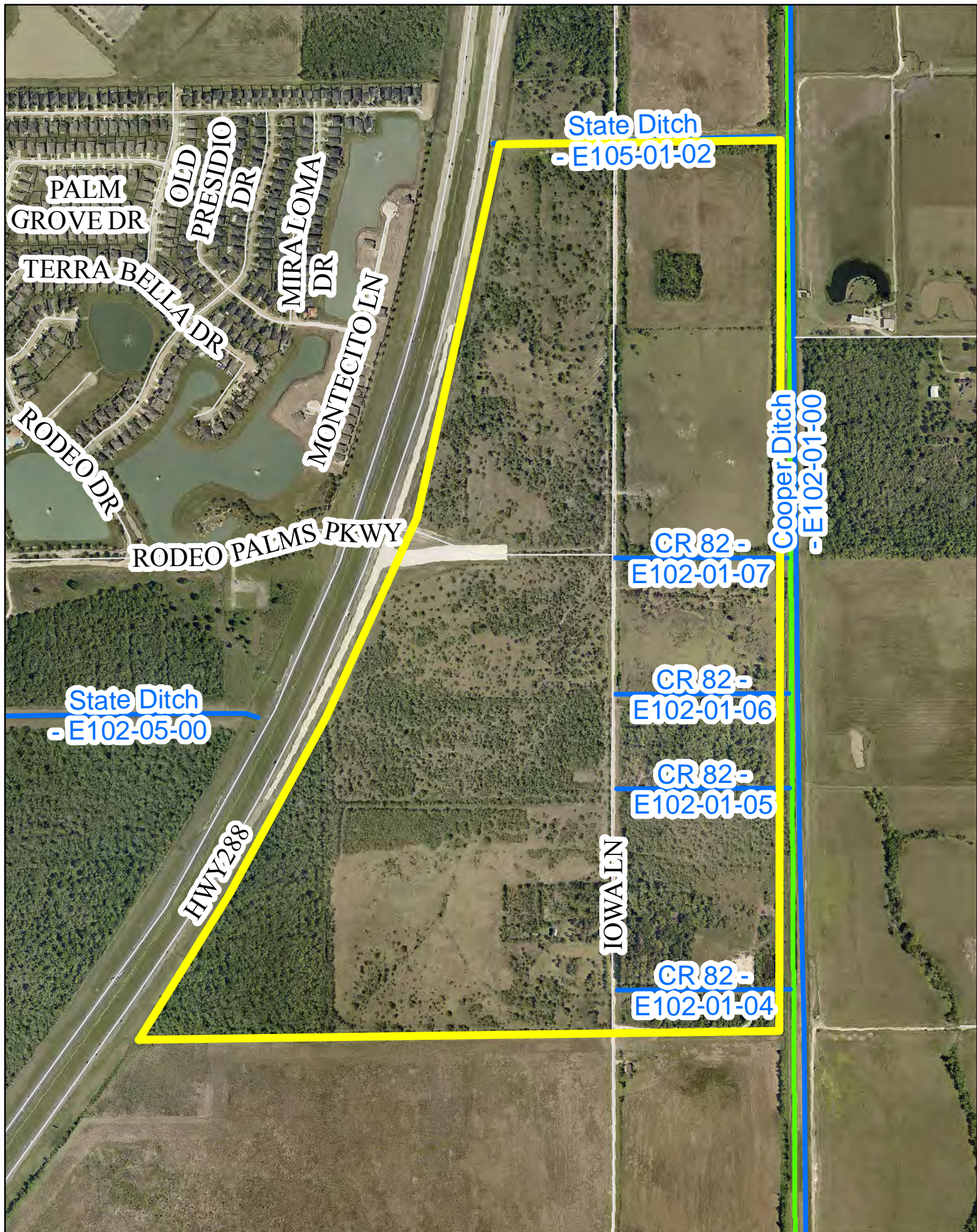
The hardship created by the rule or requirement:

The lot sizes and lot yield from the land plan approved in the PUD and the accompanying drainage report is only viable with the continuation of the maintenance berm widths from the existing southern ponds. This was based on the understanding that the agreements between BCMUD 43 and the previous BDD4 Engineer would be applicable for the entire development. By increasing the width of the maintenance berm to 30', the land plan would need to be revised to provide the required lot depth and size, thus potentially losing 37 lake front lots.

The deviation that is requested:

The existing ponds were approved with a 30' maintenance berm adjacent to all road ROW, thus resulting in a total width from curb to edge of high bank of at least 46'. Adjacent to and behind lots, Brazoria County Municipal Utility District No. 43 constructed a minimum of 20' maintenance berms. BCMUD 43 takes full ownership and maintenance responsibilities of these wet detention ponds. At the time of this variance request, there have been no maintenance or access issues on the existing ponds. On behalf of BCMUD 43 we are requesting the maintenance berms of the north ponds to remain consistent with the south side of the development, allowing a 30' maintenance berm adjacent to road ROW and a 20' maintenance berm adjacent to lots.







July 1, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: CR-190 Bridge Replacement  
Variance Request  
LE-20004

Dear Commissioners:

We are in receipt of the attached request for variance from Kyle Moynihan of IEA Inc.

The variance cites the District's requirement for the low chord of a bridge to be 2 feet above the 100 year water surface elevation. The variance requests a substantial reduction of this requirement.

We do not recommend approval of this request at this time. Staff and I have several concerns regarding this request. We intend to meet with Brazoria County in the near future and work toward a more equitable solution to the challenges associated with meeting this District requirement.

Sincerely,  
Lentz Engineering, LLC

A handwritten signature in blue ink, appearing to read "Jarrod D. Aden", is written over a light blue rectangular background.

Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Tom Daniel

## Memorandum

**To:** John Genaro  
District Superintendent

**Copy:** Trey Haskins, P.E., Jarrod Aden, P.E., Adrian Gengo, Tatyana Fedorenko, pWilson Wong

**From:** Kyle Moynihan, P.E., C.F.M  
IEA, Inc.

**Date:** June 26, 2020

**Re:** CR 190 Bridge Replacement at Drainage Ditch (0.03 mi East of CR 383)  
Design Variance Request

### Overview

IEA has been tasked to provide professional engineering services for CR 190 at Drainage Ditch Bridge Replacement. See location in Figure 1. During preliminary hydrologic and hydraulic analysis, it was found that the Brazoria Drainage District No. 4 drainage requirement of passing the 100-YR design storm with 2-ft of freeboard would not be met. This was due to constrained construction limits and excessive increase in cost to raise the roadway and bridge to meet this requirement. As the bridge is in the vicinity of the CR 190 and CR 383 intersection, raising the profile to provide 2-ft freeboard would result in reconstructing the intersection and increasing fill to floodplain. This memorandum was developed in order to summarize findings and request a design variance for the proposed bridge design.

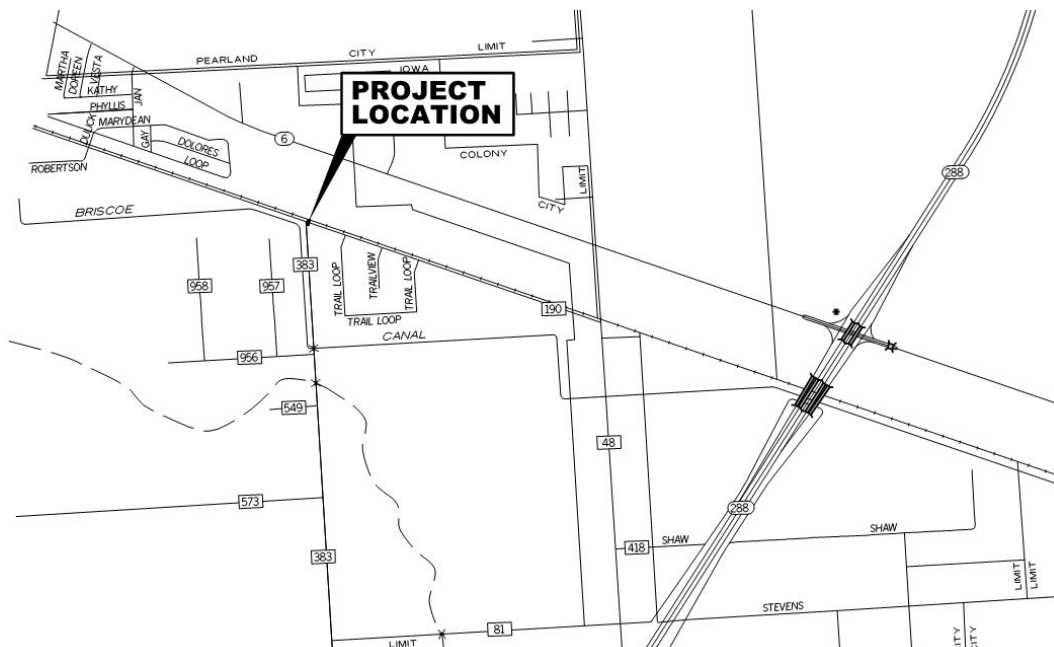


Figure 1: Location Map



## Existing Conditions at CR 190 over Drainage Ditch

The existing bridge crossing at CR 190 of the Drainage ditch is a timber bridge with the following characteristics shown in Table 1.

Table 1: Existing Bridge Characteristics

Low Chord	56.64	ft
Bridge Configuration	3 spans	
Bridge Length	37.8	ft
Stringer Depth	1.5	ft
Bridge Width	29	ft
Approx. Flow Area	192	ft <sup>2</sup>

At approximately 75-ft upstream of the CR 190 bridge crossing, there is an existing Burlington Northern Santa Fe Railroad (RR) bridge. The RR bridge currently acts as a flow restrictor allowing only the flows equal to capacity of the bridge opening to come to the downstream CR 190 bridge crossing. Figure 2 shows the existing 100-YR floodplain in blue. It also shows that the existing top of the RR embankment is located above the 100-YR floodplain while the CR 190 roadway is inundated on the NW and SE sides.

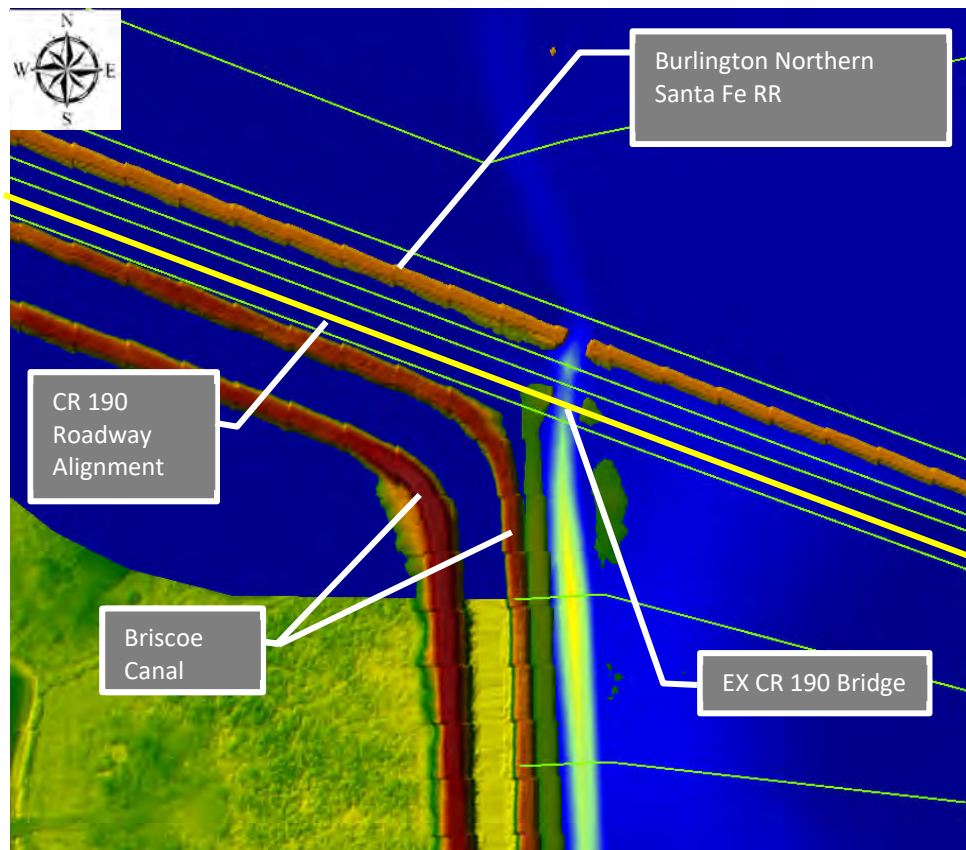


Figure 2: Existing 100-YR Floodplain at Project Site

## Hydraulic Analysis

Currently an alternative analysis has been conducted at the project location to determine the most feasible effective bridge replacement option. During the alternative analysis the bridge was designed to clear span the drainage ditch by widening the bridge opening approximately 10-ft. Additionally, the drainage ditch would be regraded around the bridge opening to account for the larger opening. These improvements lead to slightly improved hydraulic conditions at the bridge. Table 2 below shows the comparison of the upstream WSEL (water surface elevation) for the existing and proposed options examined during the alternative analysis.

Table 2: WSEL Comparison Between Proposed Options

Design Storm	Existing Conditions	Option 1	Option 2	Option 03
	U/S WSEL (ft)	U/S WSEL (ft)	U/S WSEL (ft)	U/S WSEL (ft)
10-YR	55.67	55.44	55.44	55.44
25-YR	56.93	56.75	56.73	56.81
100-YR	57.69	57.64	57.59	57.60

### *100-YR Design Storm*

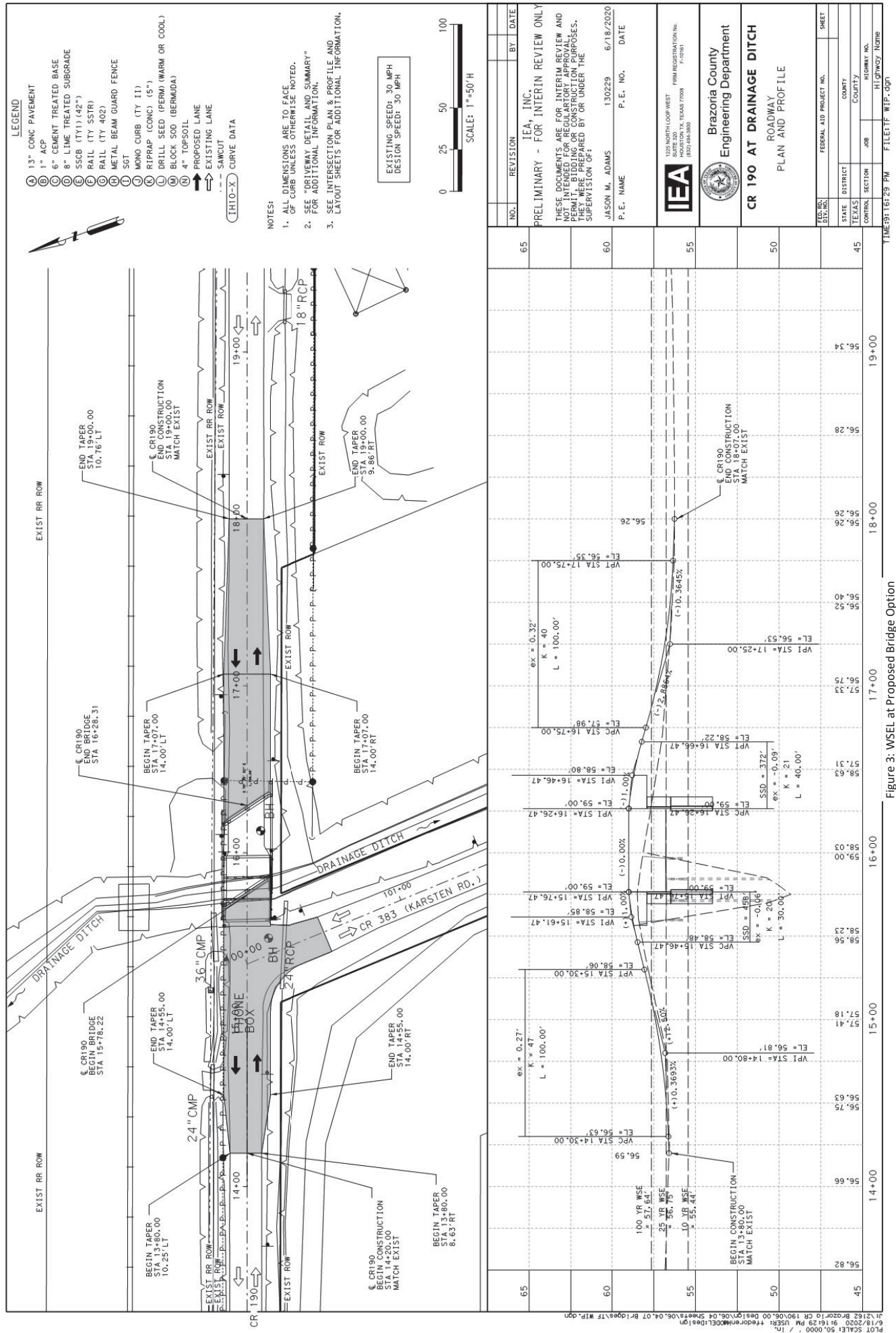
The existing bridge does not pass the 100-YR design storm with design criteria of 2-ft of freeboard below the low chord. Rather the roadway is flooded on both the NW and SE sides of the bridge with the roadway section directly at the bridge crossing perched above the 100-YR WSEL (Roadway Elev. 58.5'). During the alternative analysis, it was found that the proposed options were also unable to meet the 100-YR drainage criteria. This was due to the amount of roadway and intersection reconstruction necessary to raise the CR 190 bridge low chord 2-ft above the 100-YR WSEL. Figure 3 below shows the most feasible bridge option (Option 1) with the 10-, 25- and 100-YR design storm WSEL shown. It can be seen from this figure that the proposed bridge will not meet the required design criteria.

### *25-YR Design Storm*

The 25-YR design storm passes through the existing bridge in a pressure flow condition with overtopping occurring on the NW and SE sides of the bridge. Additionally, the roadway section directly at the bridge crossing is perched above the 25-YR WSEL (Roadway Elev. 58.5'). During the alternative analysis it was found that the bridge low chord elevation would be above the 25-YR design storm WSEL, see Figure 3. This would result in a proposed bridge that passes the 25-YR design storm without pressure flow, but overtopping would continue to occur in the adjacent roadway.

### *10-YR Design Storm*

Lastly, the 10-YR design storm was found to pass below the existing low chord elevation with approximately 0.97-ft of freeboard. Proposed options will allow for slightly more freeboard through the proposed bridge due the lowering of the upstream WSEL from the proposed improvements Figure 3 shows available freeboard between the 10-YR design storm WSEL and the proposed bridge low chord.



## Design Variance

In order to meet the required design criteria of providing 2-ft freeboard above the 100-YR design storm WSEL, the following undue hardships would be encountered.

### *Undue hardships*

1. If bridge and roadway are raised to meet the 100-YR Design Criteria, it will inherently increase the flow area through the bridge and an increase in flow to the downstream area will occur. Additionally, a double barrel siphon located approximately 2,200-ft downstream acts as a restriction to the drainage ditch. Any additional flow allowed to this location is likely to increase flooding WSEL on the downstream side of the CR 190 bridge crossing.
2. In order to raise the bridge above the 100-YR WSEL with freeboard (2-ft), the adjacent roadway will need to be raised from approximately 56.12-ft to approximately 62.14'. This will result in substantial increase to cost from raising the roadway and providing adequate tie-in at the roadside ditches, requiring additional ROW.
3. With the required increase in roadway elevation for CR 190, the intersection of CR 383 and CR 190 would need to be raised approximately 6.02'. Additionally, to prevent the intersection from becoming unsafe due to a steep incline necessary to tie in at the intersection within current construction limits, the proposed construction limits would need to be extended 200-ft south.
4. Lastly, with the increase in roadway elevations at CR 190 and CR 383, fill within the 100-YR floodplain becomes a concern. This fill placed within the floodplain will reduce the available storage and will require mitigation to relieve adverse flooding impacts.

Due to the inability to meet the required design criteria of passing the 100-YR design storm through the proposed bridge structure with 2-ft of freeboard, the IEA Design Team is requesting a design variance for the design of this CR 190 Reconstruction Project.

A hydraulic analysis was conducted to determine the amount of flow that can pass beneath the low chord elevation of the existing bridge. During this analysis it was determined that the existing bridge can pass an estimated 16-YR design storm beneath the low chord of the bridge. The proposed bridge span will be opened an additional 10-ft and the drainage ditch will be regraded around the bridge opening. These improvements help to slightly lower the 25-YR design storm WSEL and the bridge low chord will be placed above the 25-YR design storm.

In summary the IEA Design Team is proposing a design variance for the CR 190 Reconstruction project from a 100-YR design storm with 2-ft of freeboard to a 25-YR design storm without a pressure flow condition. This would improve the existing bridge condition from passing a 16-YR design storm to passing a 25-YR design storm.



July 1, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: CR-58  
Variance Request  
BDD 4 Ref ID#: 19142  
LE-20004

Dear Commissioners:

We are in receipt of the attached request for variance from McDonough Engineering Corporation.

The variance cites the District's requirement for 4:1 side slopes on detention facilities. The applicant is requesting 3:1 side slopes. In their request, the applicant cites hardship of the basis that TxDOT (funding source) is requiring them to provide 6 feet of static water depth.

The following additional information may be useful in determining whether or not this request should be granted:

1. Wet ponds often have additional maintenance associated with them.
2. 3:1 side slopes are not consistently stable in our District.
3. District staff has met with the County to discuss maintenance concerns but the project will not have adequate mitigation using 4:1 side slopes.
4. The District has been approached about mowing this facility.
5. The District will not own this detention pond.

Although using 3:1 side slopes isn't ideal we have not identified a better option that would allow this project to move forward.

Sincerely,  
Lentz Engineering, LLC

A handwritten signature in blue ink, appearing to read "Jarrod D. Aden", is written over a light blue rectangular background.

Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Dillon Wilburn  
Mr. Tom Daniel



McDONOUGH ENGINEERING CORPORATION  
Civil Engineers

June 18, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, TX 77581

RE: CR 58  
Request for a Variance

Dear Commissioners:

On behalf of our Client Brazoria County, please accept this written request for a variance for the referenced project.

Part 1 – Side Slope Requirement

Appendix A, Section 3.4, Page 61 of the Rules, Regulations, and Guidelines requires that detention ponds must have a side slope of 4:1 or greater.

Part 2 – Reduced Side Slope Requirement

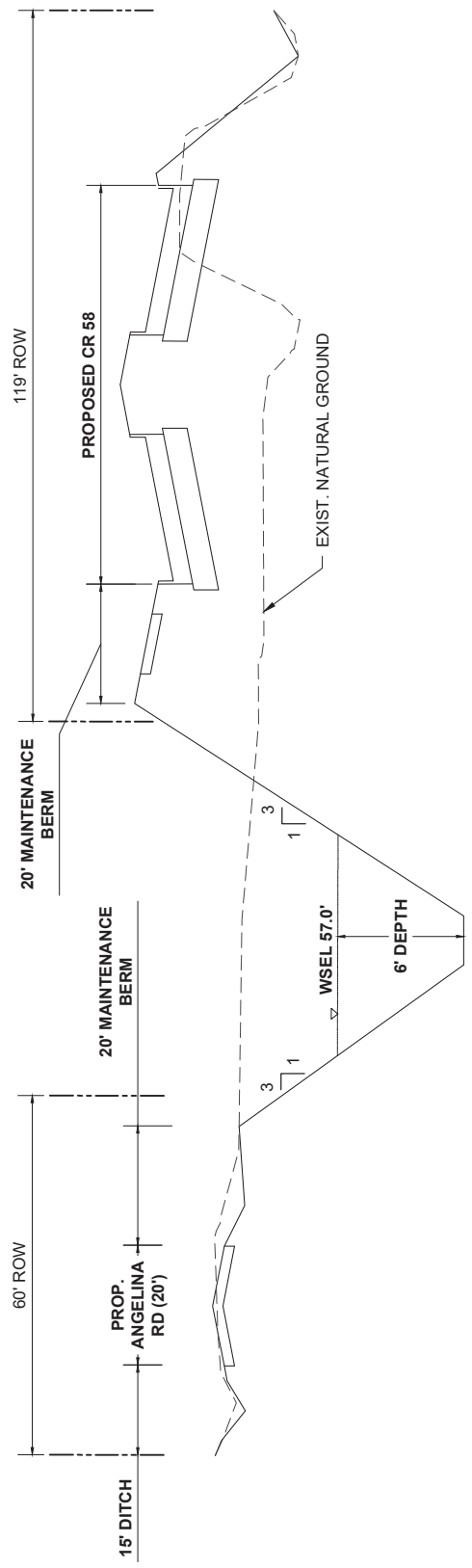
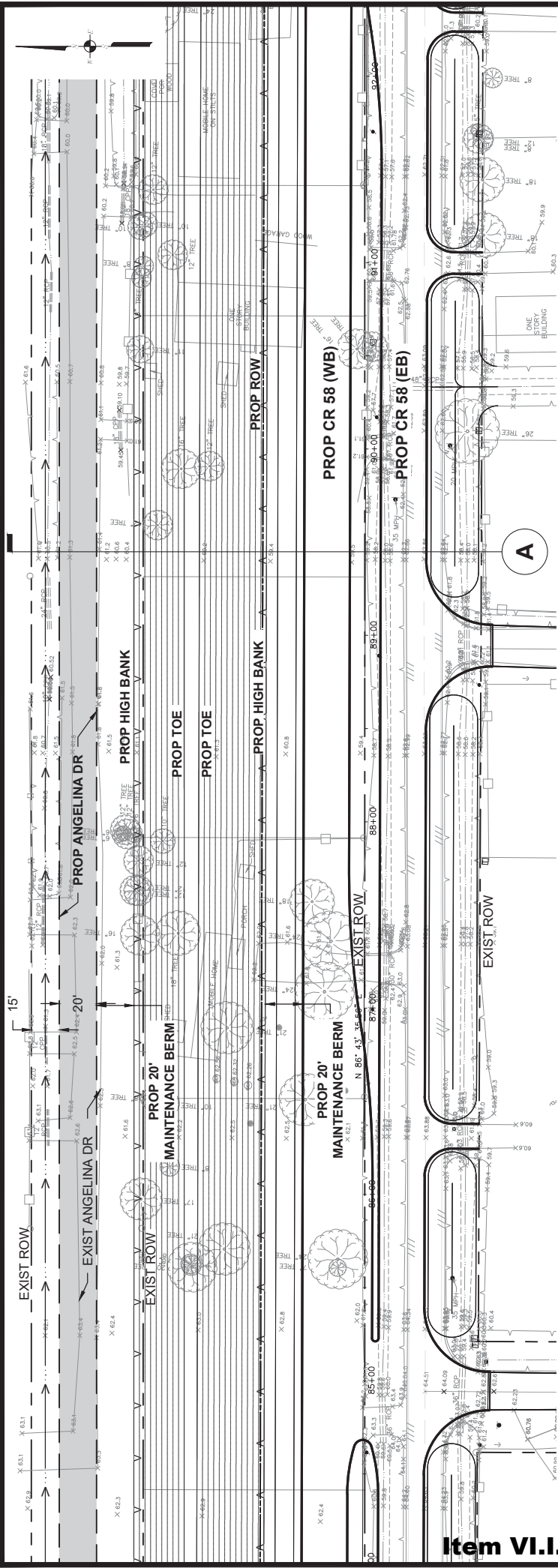
The Client wishes to have a 3:1 side slope for the detention basin to maximize pond depth to achieve a 6-foot wet basin. The basis for this is that the pond site is narrow and a 4:1 side slope does not achieve a 6-foot depth for the wet feature. The 6-foot depth is needed for proper aeration of the basin.

Please contact me at (713) 975-9990 if you have any questions regarding this request.

Sincerely,

Javier M. Casas, P.E.  
Senior Project Manager





**INTERIM REVIEW ONLY**  
 This document is INCOMPLETE and is released for the purpose of INTERIM REVIEW ONLY. It is not to be used for BIDDING, PERMIT or CONSTRUCTION.  
 Engineer: Javier M. Casas, P.E.  
 License No. 65404  
 TX Firm Registration No. F-400340

# CR 58 & BASIN TYPICAL SECTION

**McDONOUGH**  
 Civil Engineers & Project Managers  
 TBPUS Firm Registration No. 10103900  
 TBPPE Registration No. F-400340  
 (713) 975-9990  
 5625 Schumacher Lane  
 Houston, Texas 77057  
 www.mcdonough.com

SECTION A  
N.T.S.

X:\Engineering\2017\17260-CR 58\REFERENCE FILES\CR58\20-0402 POND MODEL\POND\_LAYOUT\_rev0.dwg Alan Pajmala

June 16, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: Fill Plan  
Cullen RV Resort  
Drainage Plan (3)  
BDD 4 Ref ID#: 19105  
LE-20004

Dear Commissioners:

We have reviewed the Final Drainage Plan as submitted for the above-mentioned project and offer the following comments:

1. This Drainage Plan is for the placement of fill material at the existing RV lot located on the South side of Bailey Road and East of Old Chocolate Bayou Road.
2. This project proposes the placement of fill only. No impervious cover is proposed in these plans.
3. BDD4 Special Notes are included on the plans.
4. We find the Drainage Plan to be in accordance with the Rules, Regulations and Guidelines effective May 1, 2013.

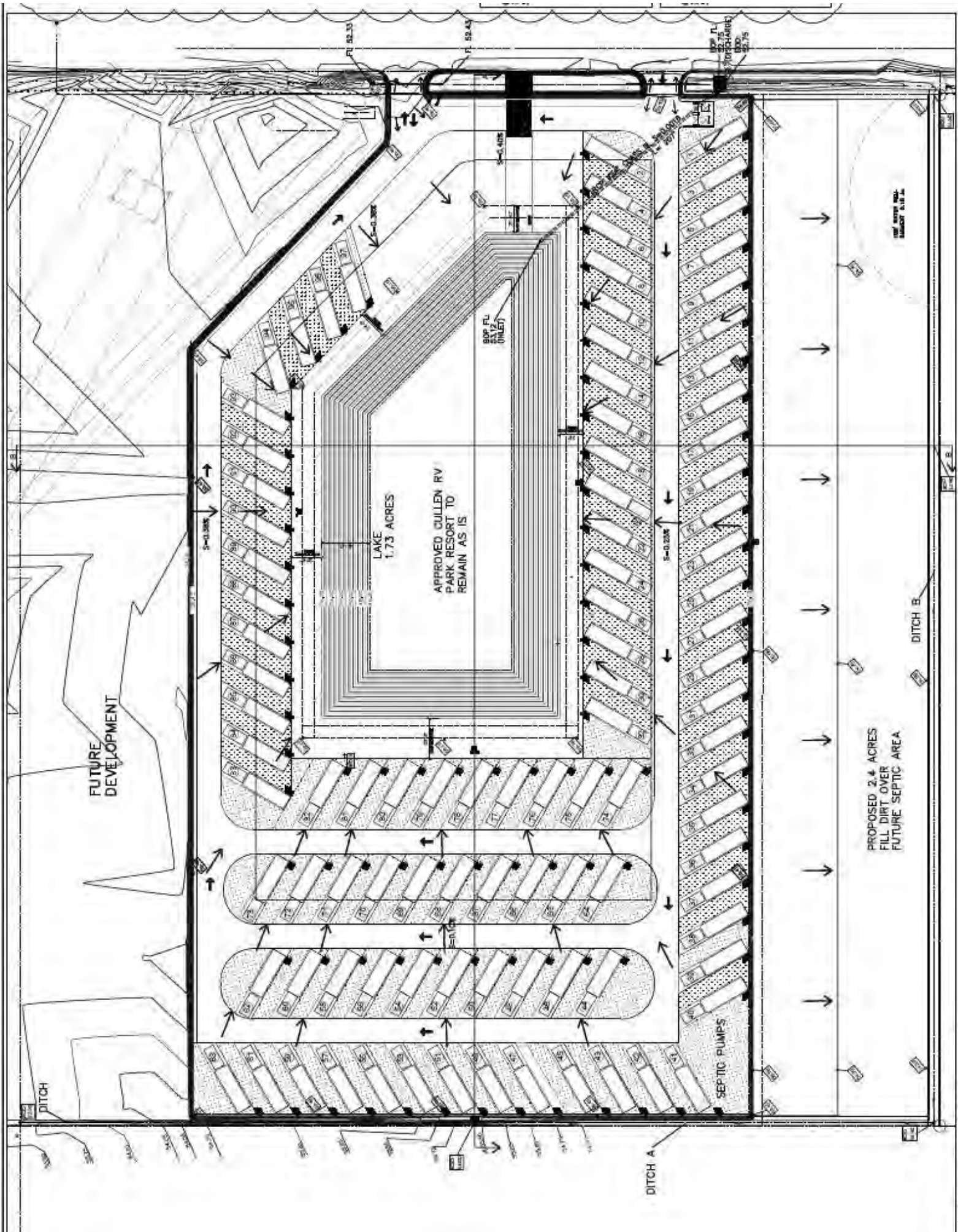
We support a decision by the Board to approve this drainage plan.

Sincerely  
Lentz Engineering, LLC

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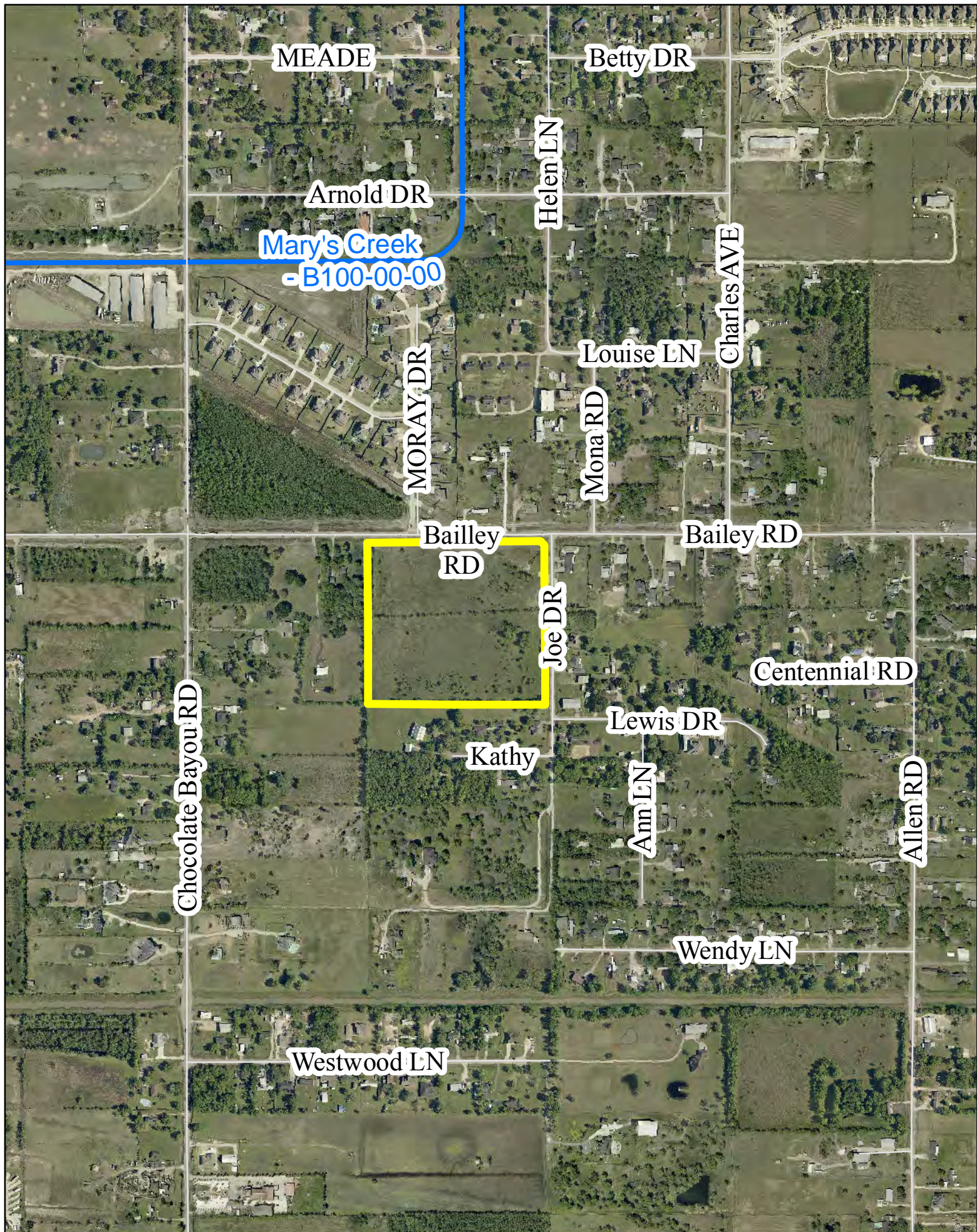
Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel



Item VII.A.







June 23, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: Commercial Building  
Final Drainage Plan  
BDD 4 Ref ID#: 20159  
LE-20004

Dear Commissioners:

On behalf of Brazoria Drainage District No. 4, we have reviewed the second submittal of the Final Drainage Plan as submitted for the above-mentioned project and find it to be in conformance with the Rules, Regulations, and Guidelines of Brazoria Drainage District # 4.

If you have any questions or require any further information, please do not hesitate to call.

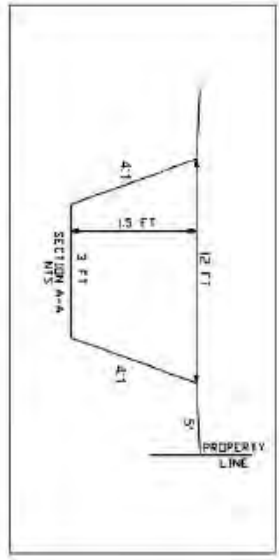
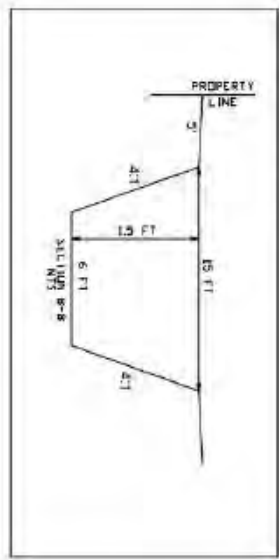
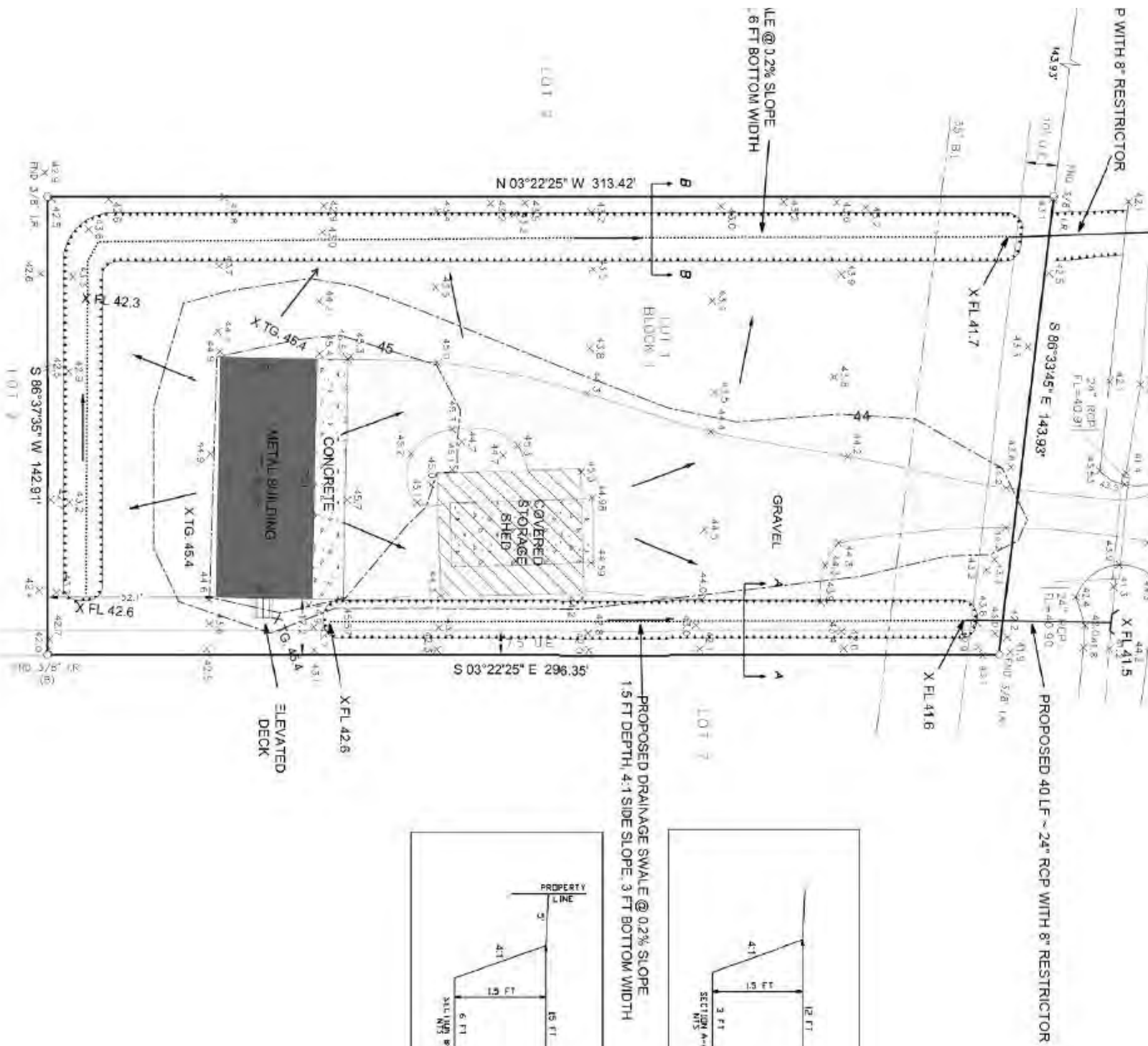
Sincerely,  
Lentz Engineering, LLC

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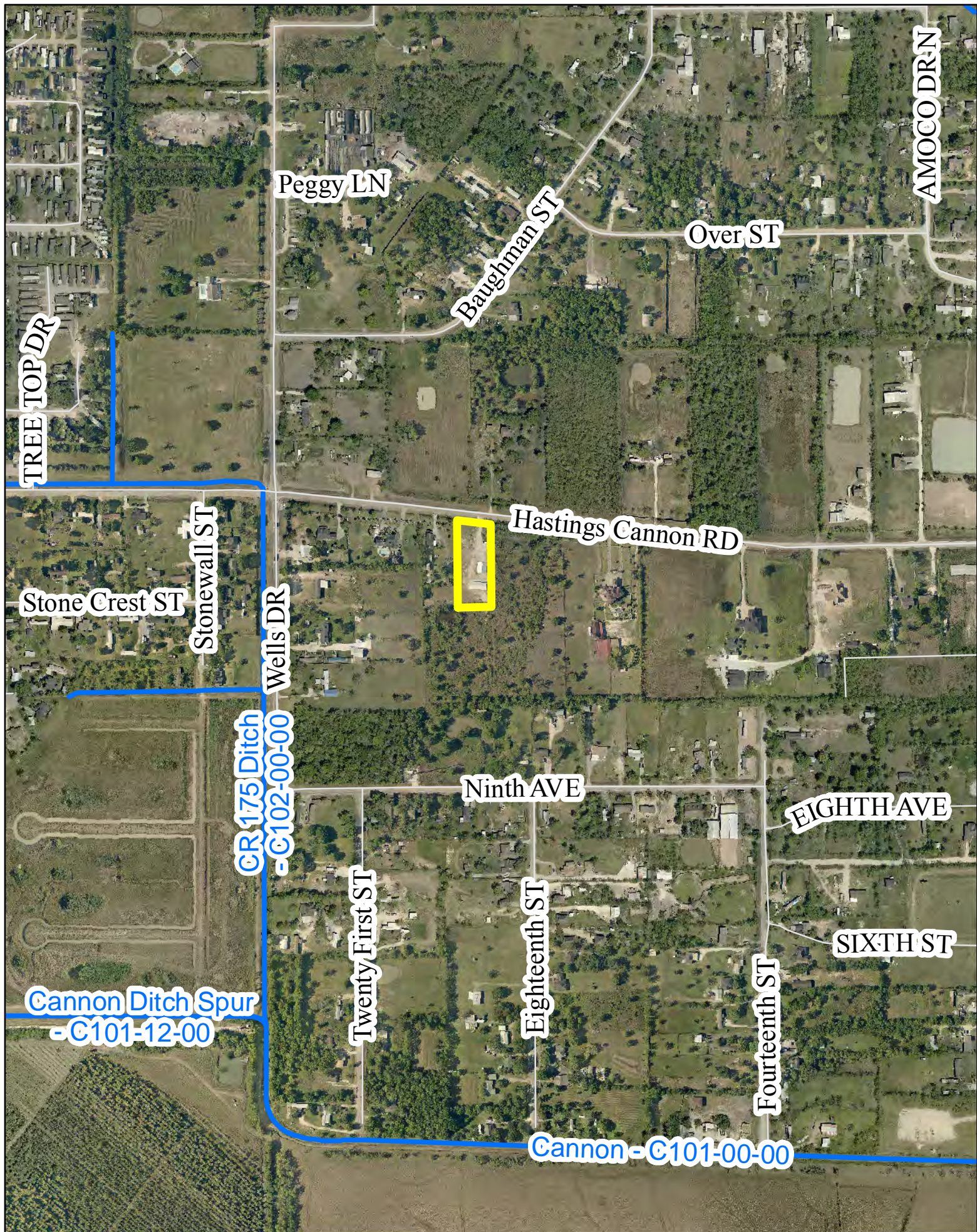
Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel  
Mr. Dong Nguyen, P.E.











June 30, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: LPGPC  
Final Plat  
BDD 4 Ref ID#: 20144  
LE-20004

Dear Commissioners:

We have reviewed the recent submittal of the Final Plat as submitted for the above-mentioned project for the purpose of determining if additional access or drainage easements need to be dedicated in connection with the project.

Additionally, it is our understanding that District staff has visited the site for the purpose of evaluating maintenance and access on or through the tract on a go forward basis.

Finally, District personnel are handling the review of other administrative aspects of the plat which has been submitted to the District office.

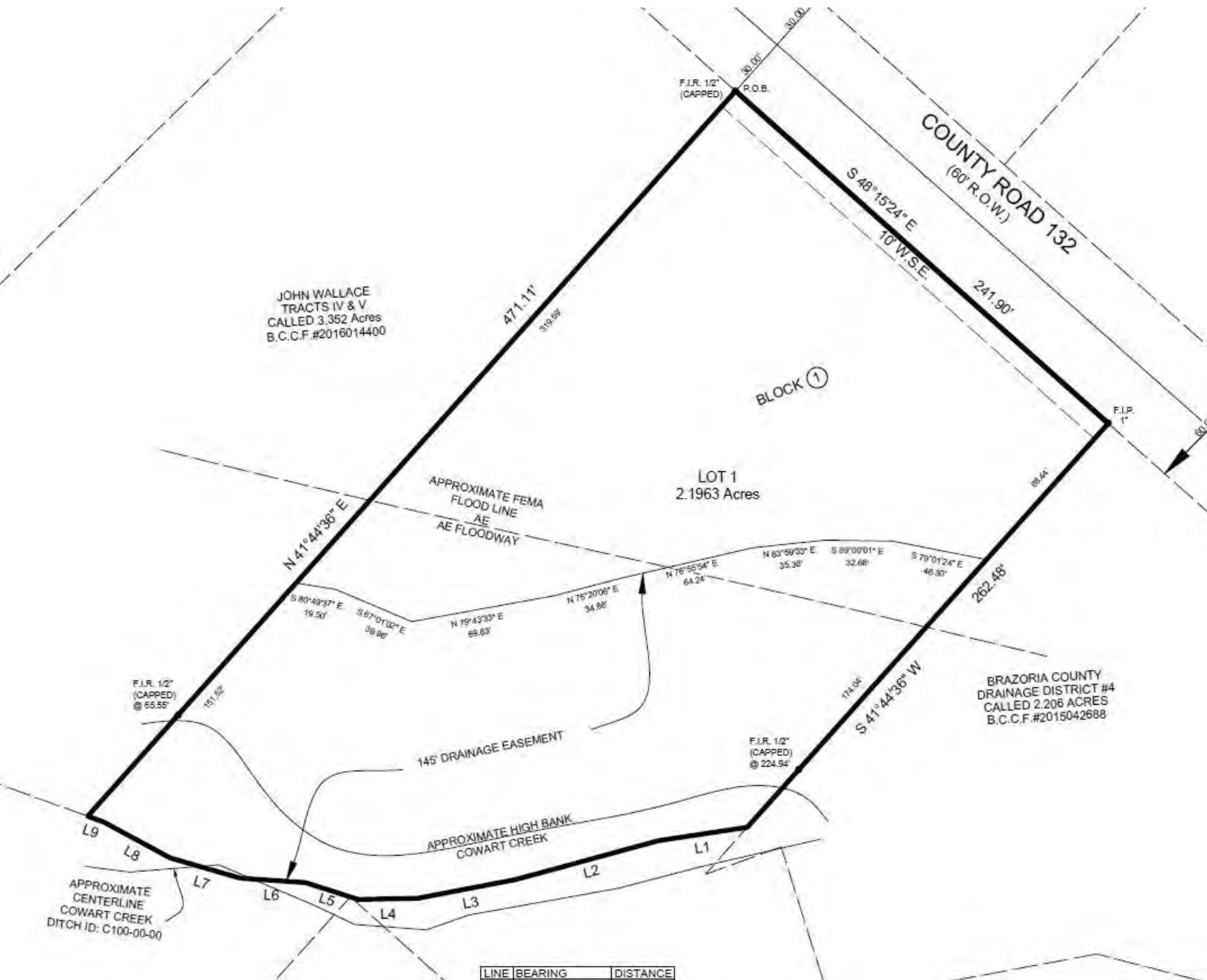
Based upon our findings, we support a decision by the Board to approve the plat (subject to approval of the Applicant's variance request). If you have any questions or require any further information, please do not hesitate to call.

Sincerely,  
Lentz Engineering, LLC

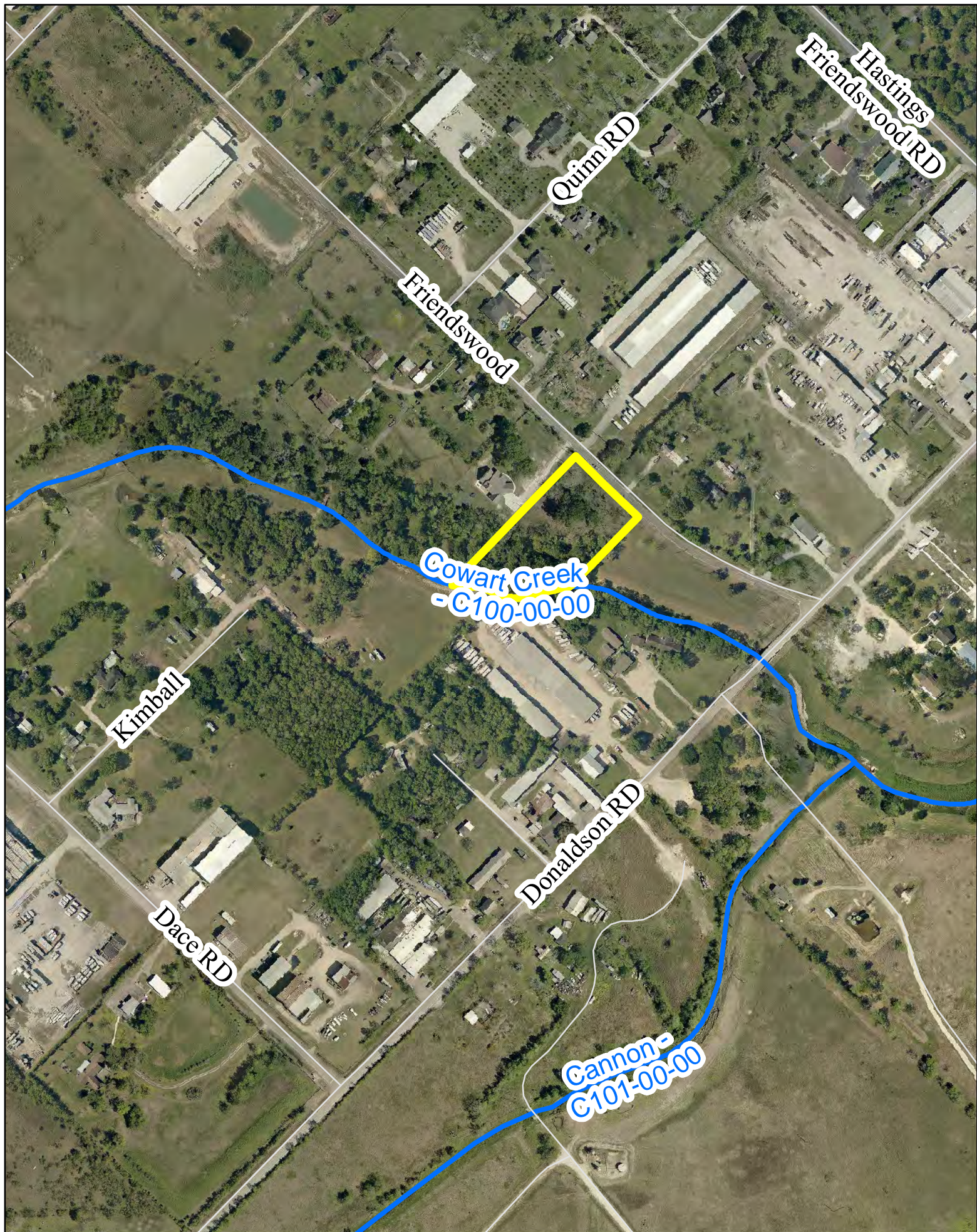
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Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel



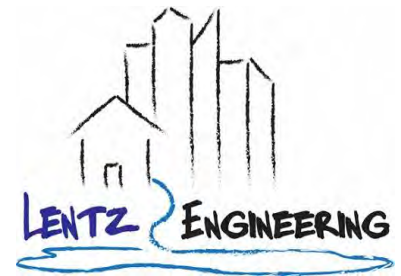






June 26, 2020

Board of Commissioners  
Brazoria Drainage District No. 4  
4813 W. Broadway  
Pearland, Texas 77581  
via email: agengo@bdd4.org



*Engineering Your Satisfaction*

RE: Shops at Sedona  
FINAL Drainage Plan (3)  
BDD 4 Ref ID#: 19199  
LE-20004

Dear Commissioners:

We have reviewed the Final Drainage Plan as submitted for the above-mentioned project and offer the following comments:

1. This Drainage Plan is for a proposed commercial development located on the North side of Bailey Road a short distance East of SH-288 (Across from Sedona Lakes entrance).
2. Sheet C4 of the Drainage Plan shows that 5.29 acre-feet of detention mitigation are provided for the overall 8.13 acre tract is provided within the Sedona Lakes development. The detention rate provided is 0.65 acre-feet / acre.
3. BDD4 Special Notes are included on the plans.
4. We find the Drainage Plan to be in accordance with the Rules, Regulations and Guidelines effective May 1, 2013.

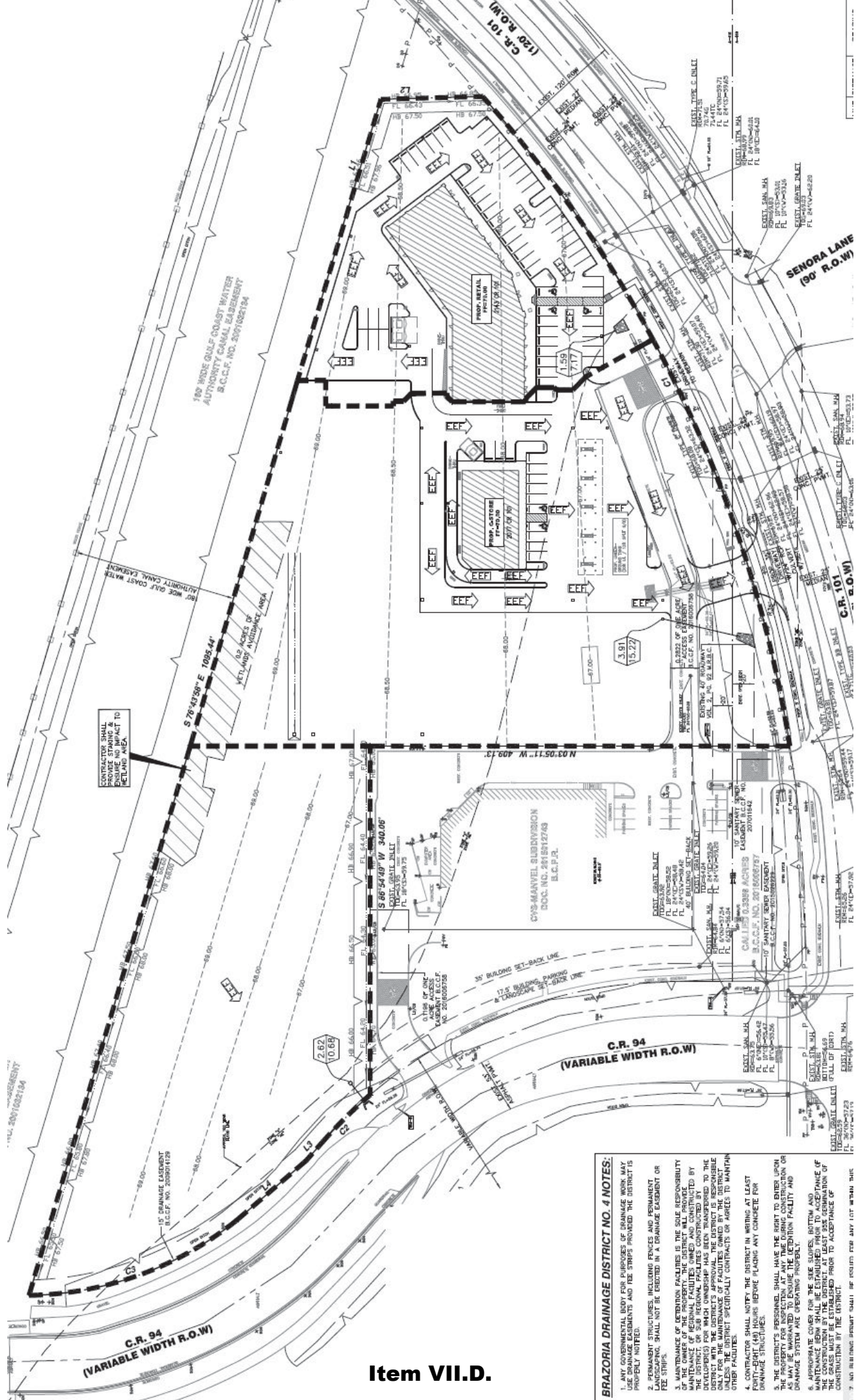
We support a decision by the Board to approve this drainage plan.

Sincerely  
Lentz Engineering, LLC

A handwritten signature in blue ink, appearing to read "Jarrod D. Aden", is written over a light blue horizontal line.

Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel

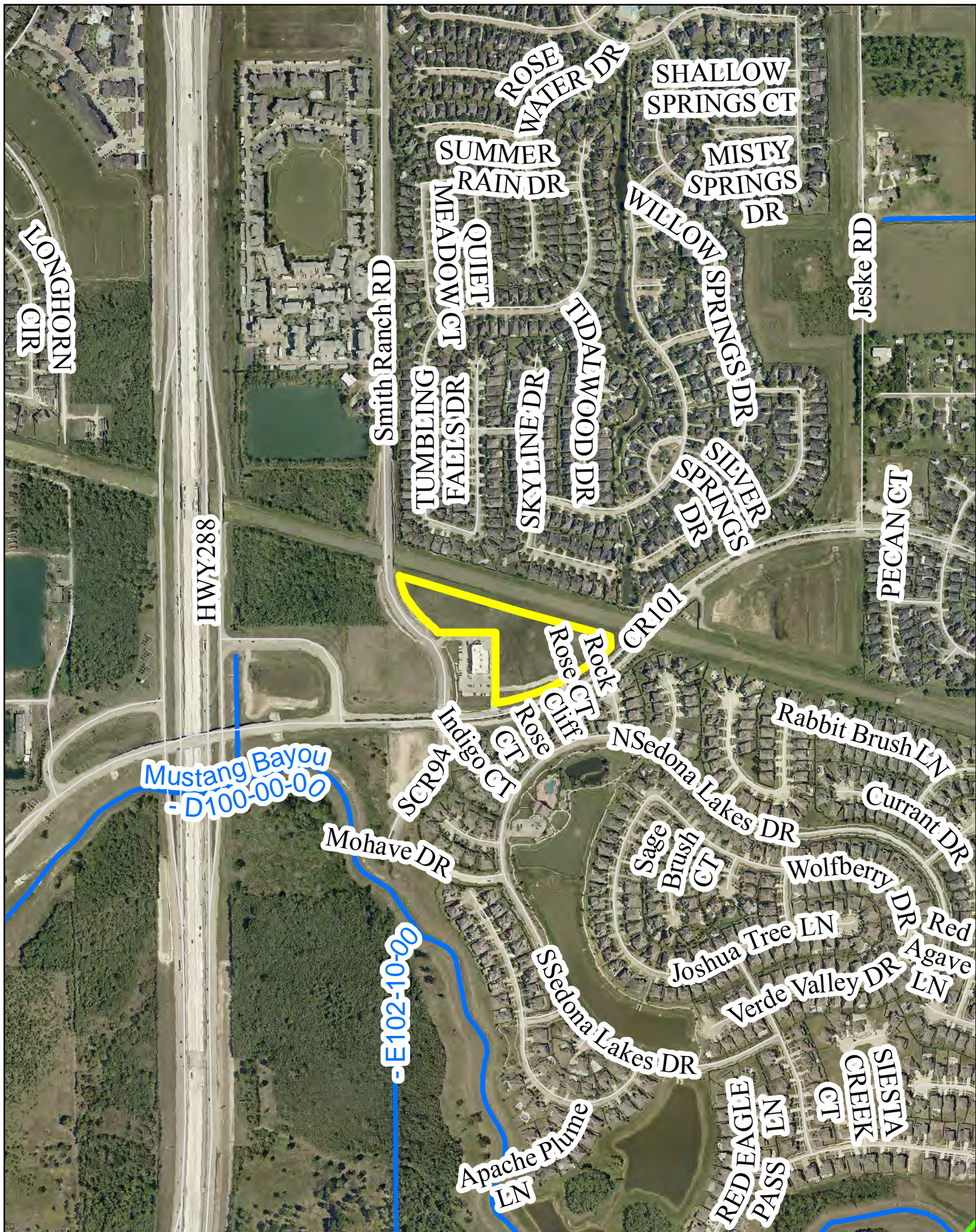


## Item VII.D.

### BRAZORIA DRAINAGE DISTRICT NO. 4 NOTES:

1. ANY CONSTRUCTION, EXCEPT FOR PURPOSES OF DRAINAGE WORK, MAY NOT BE CONSTRUCTED OR MAINTAINED WITHIN THE DISTRICT'S DRAINAGE EASEMENTS AND THE STRIPS ADJACENT TO THE DISTRICT'S PROPERTY NOTIFIED.
2. PERMANENT STRUCTURES, INCLUDING FENCES AND PERMANENT LANDSCAPING, SHALL NOT BE ERECTED IN A DRAINAGE EASEMENT OR FEE STRIPS.
3. MAINTENANCE OF DETENTION FACILITIES IS THE SOLE RESPONSIBILITY OF THE DISTRICT. THE DISTRICT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SUBSIDIARY FACILITIES OWNED AND CONSTRUCTED BY THE DISTRICT OR SUBSIDIARY FACILITIES OWNED AND CONSTRUCTED BY THE DISTRICT WITH THE DISTRICT'S APPROVAL. THE DISTRICT IS RESPONSIBLE ONLY FOR THE MAINTENANCE OF FACILITIES OWNED BY THE DISTRICT OR SUBSIDIARY FACILITIES OWNED BY THE DISTRICT OR MAINTAINED BY THE DISTRICT.
4. CONTRACTOR SHALL NOTIFY THE DISTRICT IN WRITING AT LEAST 48 HOURS BEFORE THE DISTRICT IS REQUIRED TO MAINTAIN ANY CONSTRUCTION.
5. THE DISTRICT'S PERSONNEL SHALL HAVE THE RIGHT TO ENTER UPON THE PROPERTY FOR INSPECTION AT ANY TIME DURING CONSTRUCTION OR MAINTENANCE OF THE DISTRICT'S DRAINAGE FACILITIES AND DRAINAGE SYSTEM ARE OPERATING PROPERLY.
6. APPROPRIATE COVER FOR THE SIDE SLOPES, BOTTOM AND MAINTENANCE ROW SHALL BE ESTABLISHED PRIOR TO ACCEPTANCE OF THE CONSTRUCTION BY THE DISTRICT.
7. NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT WITHIN THIS

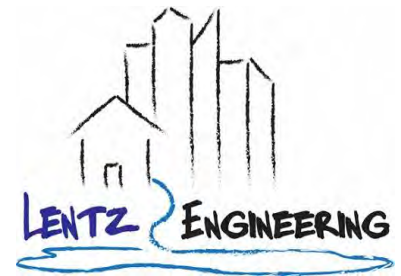






June 26, 2020

Board of Commissioners  
Brazoria Drainage District No. 4  
4813 W. Broadway  
Pearland, Texas 77581  
via email: [agengo@bdd4.org](mailto:agengo@bdd4.org)



*Engineering Your Satisfaction*

RE: Manvel Town Center  
Waste Water Treatment Plant  
FINAL Drainage Plan (2)  
BDD 4 Ref ID#: 18141  
LE-20004

Dear Commissioners:

We have reviewed the Final Drainage Plan as submitted for the above-mentioned project and offer the following comments:

1. This Drainage Plan is for a proposed waste water treatment plan improvements in the Manvel Town Center Development located West of SH-288 and North of Highway 6.
2. Sheet 8 of the Drainage Plan shows that 58.18 ac-ft of detention storage are provided for the 57.60 acres of development. The detention rate provided is 1.01 acre-feet / acre.
3. BDD4 Special Notes are included on the plans.
4. We find the Drainage Plan to be in accordance with the Rules, Regulations and Guidelines effective May 1, 2013.

We support a decision by the Board to approve this drainage plan.

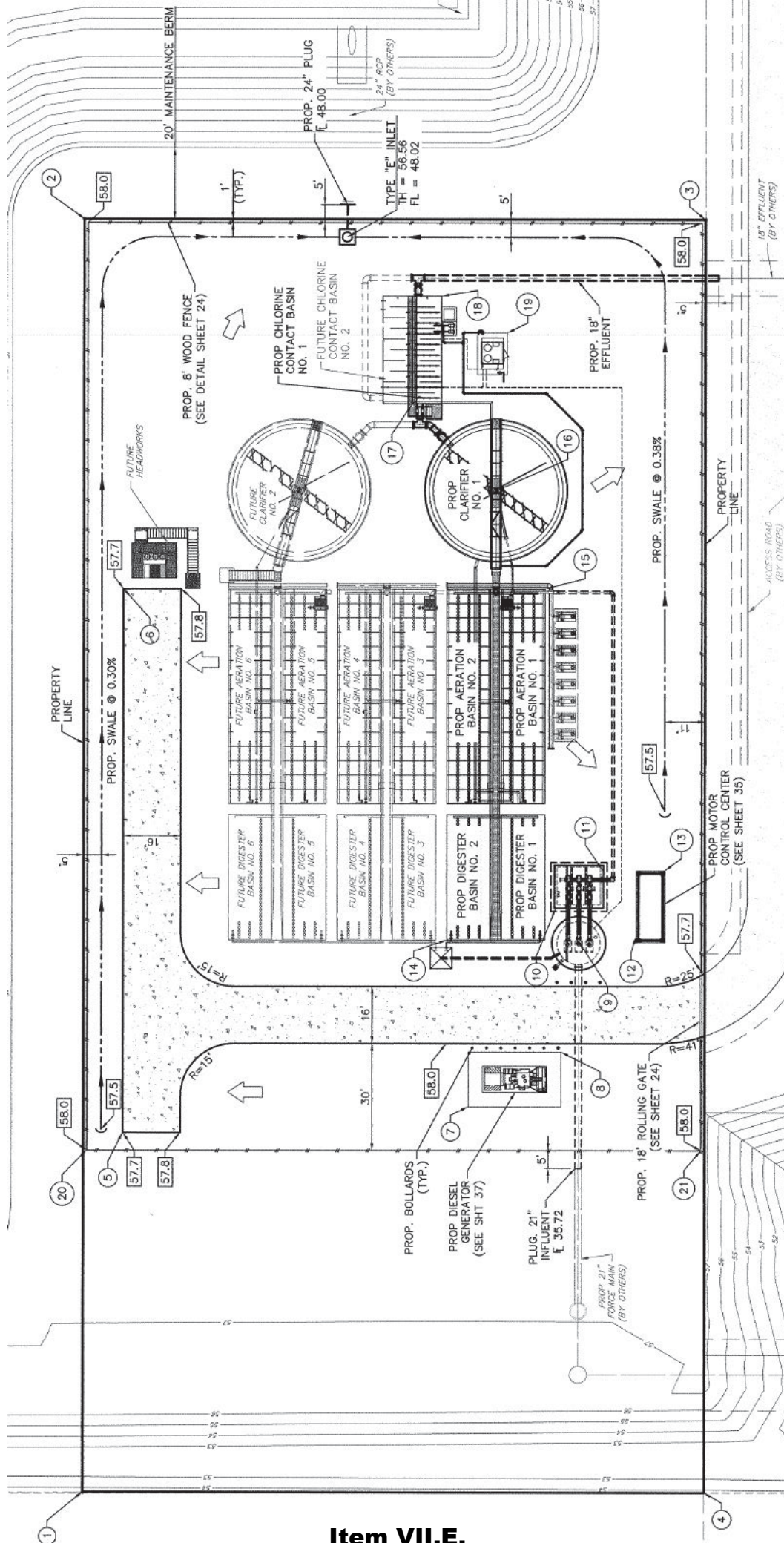
Sincerely  
Lentz Engineering, LLC

A handwritten signature in blue ink, appearing to read "Jarrod D. Aden", is written over a light blue circular stamp.

Jarrod D. Aden, P.E.  
President

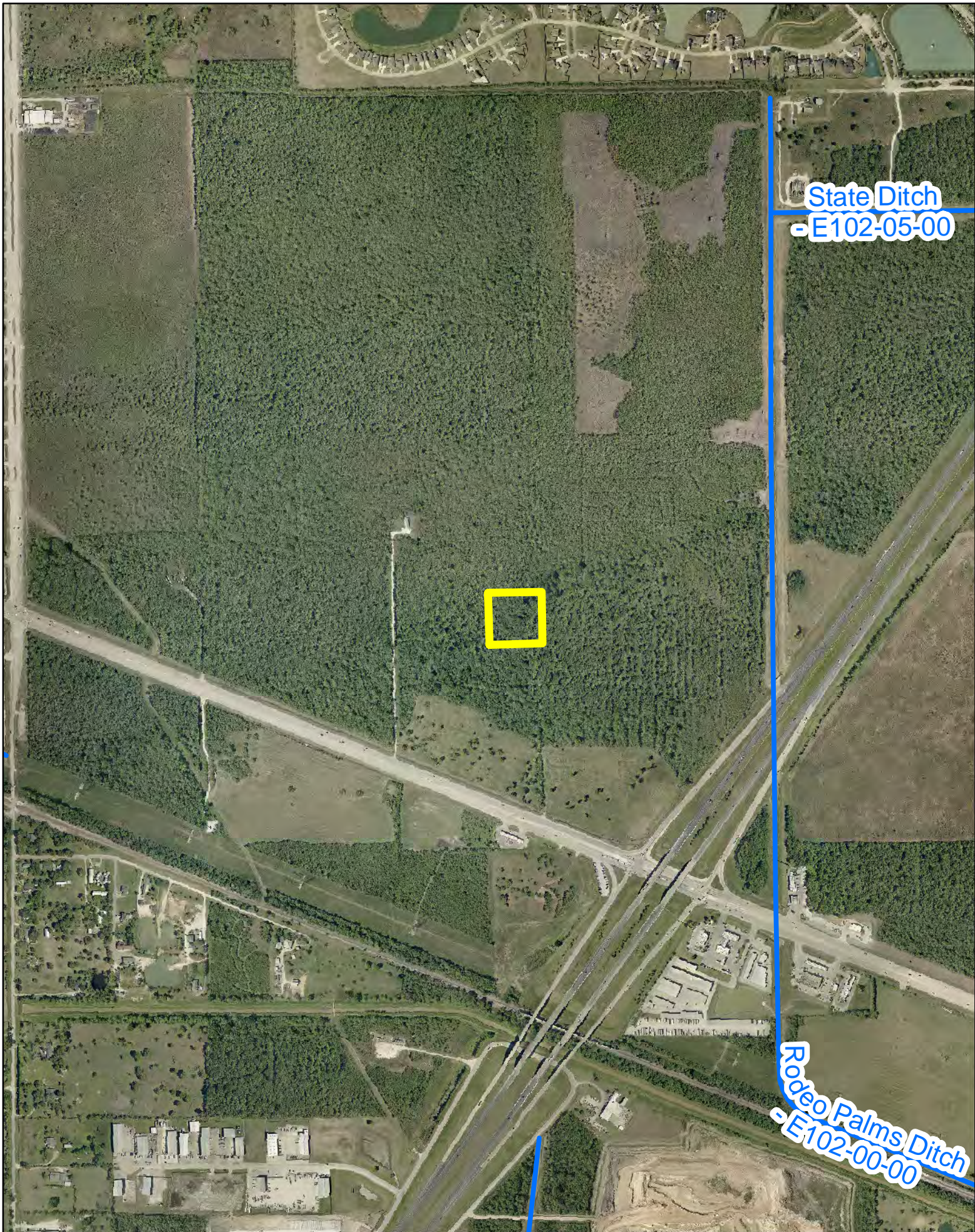
cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel





Item VII.E.

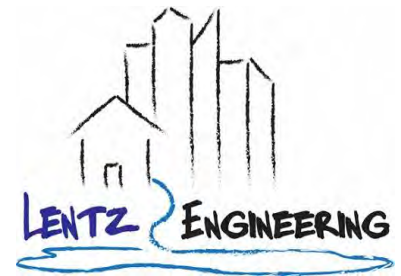






June 26, 2020

Board of Commissioners  
Brazoria Drainage District No. 4  
4813 W. Broadway  
Pearland, Texas 77581  
via email: agengo@bdd4.org



*Engineering Your Satisfaction*

RE: Charleston Ultimate Detention  
FINAL Drainage Plan (5)  
BDD 4 Ref ID#: 19190 / 20149  
LE-20004

Dear Commissioners:

We have reviewed the Final Drainage Plan as submitted for the above-mentioned project and offer the following comments:

1. This Drainage Plan is for a proposed residential development North of Highway 6 and straddling the BDD # 4 West boundary line.
2. Sheet 3 of the Drainage Plan shows that the development will provide 109.6 ac-ft of detention storage for 112.7 acres of development. The detention rate provided is 0.97 acre-feet / acre.
3. BDD4 Special Notes are included on the plans.
4. We find the Drainage Plan to be in accordance with the Rules, Regulations and Guidelines effective May 1, 2013.

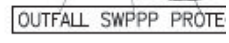
We support a decision by the Board to approve this drainage plan. We recommend approving only the portion of the project within BDD # 4's jurisdiction. The Applicant has provided a note to this effect beneath the BDD # 4 signature block as requested.

Sincerely  
Lentz Engineering, LLC

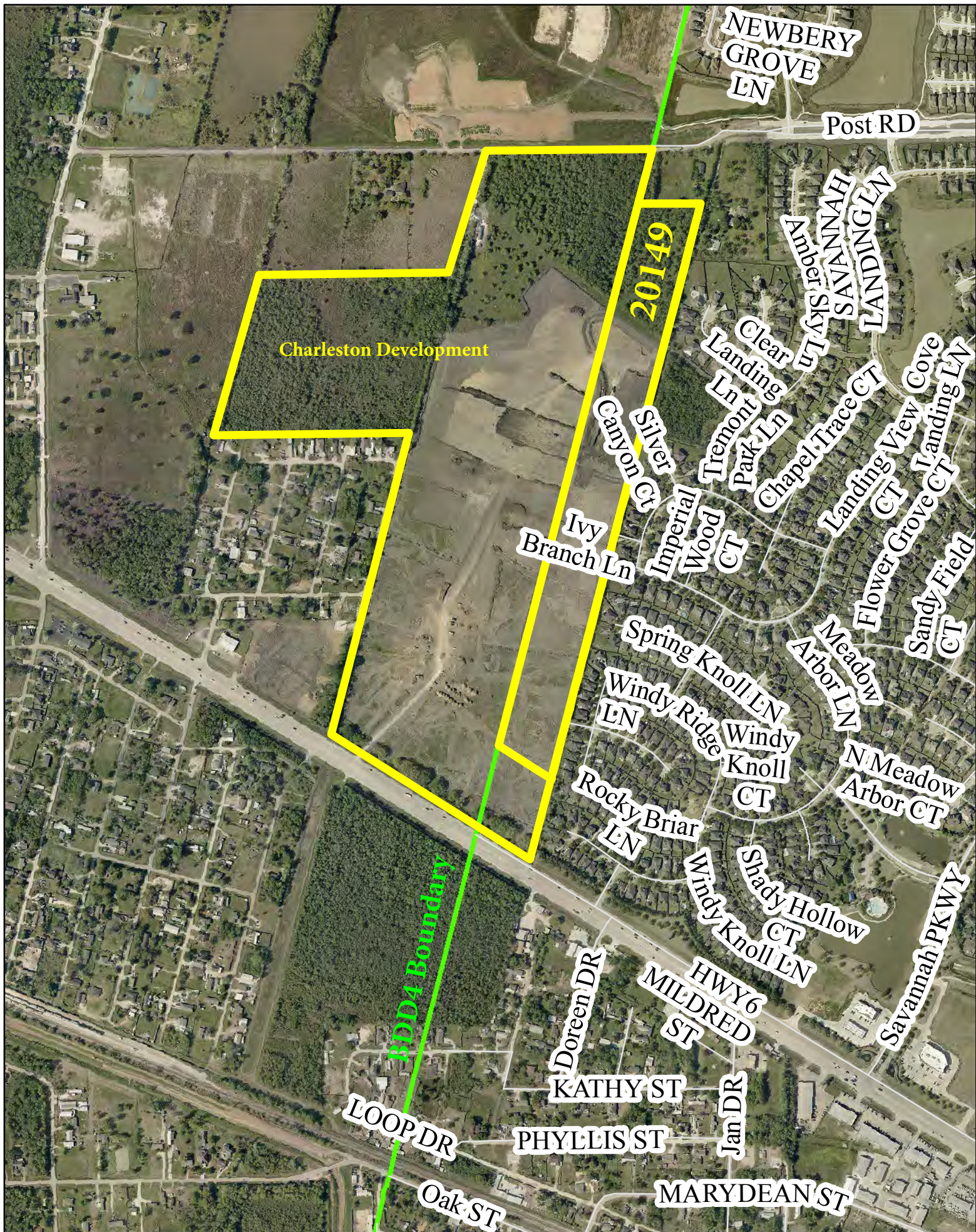
Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel





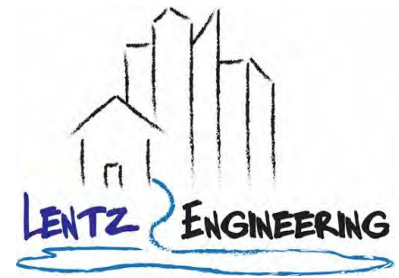






June 26, 2020

Board of Commissioners  
Brazoria Drainage District No. 4  
4813 W. Broadway  
Pearland, Texas 77581  
via email: [agengo@bdd4.org](mailto:agengo@bdd4.org)



*Engineering Your Satisfaction*

RE: Lift Station and  
Phase III WWTP  
Pomona  
Drainage Plan (2)  
BDD 4 Ref ID#: 19201  
LE-19004

Dear Commissioners:

We have reviewed the Final Drainage Plan as submitted for the above-mentioned project and offer the following comments:

1. This Drainage Plan is for a proposed waste water treatment plant improvements located on the West side of Croix Road and South side of Mustang Bayou.
2. Sheet C-1 of the Drainage Plan shows that 5.0 ac-ft of detention mitigation are provided within Pomona for the 7.70 acres of development. The detention rate provided is 0.65 acre-feet / acre.
3. BDD4 Special Notes are included on the plans.
4. We find the Drainage Plan to be in accordance with the Rules, Regulations and Guidelines effective May 1, 2013.

We support a decision by the Board to approve this drainage plan.

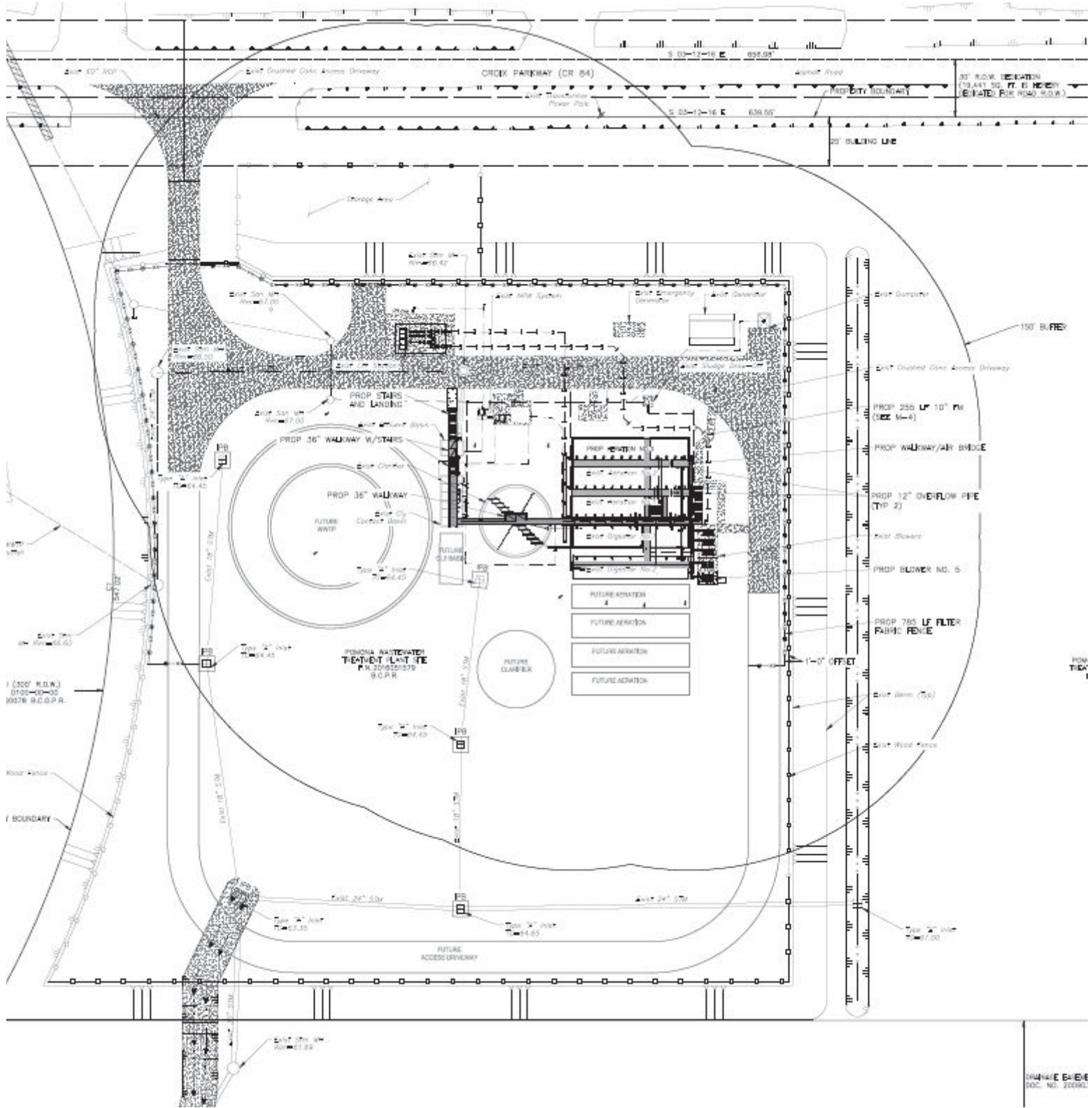
Sincerely  
Lentz Engineering, LLC

A handwritten signature in blue ink, appearing to read "Jarrod D. Aden", is written over a light blue circular stamp.

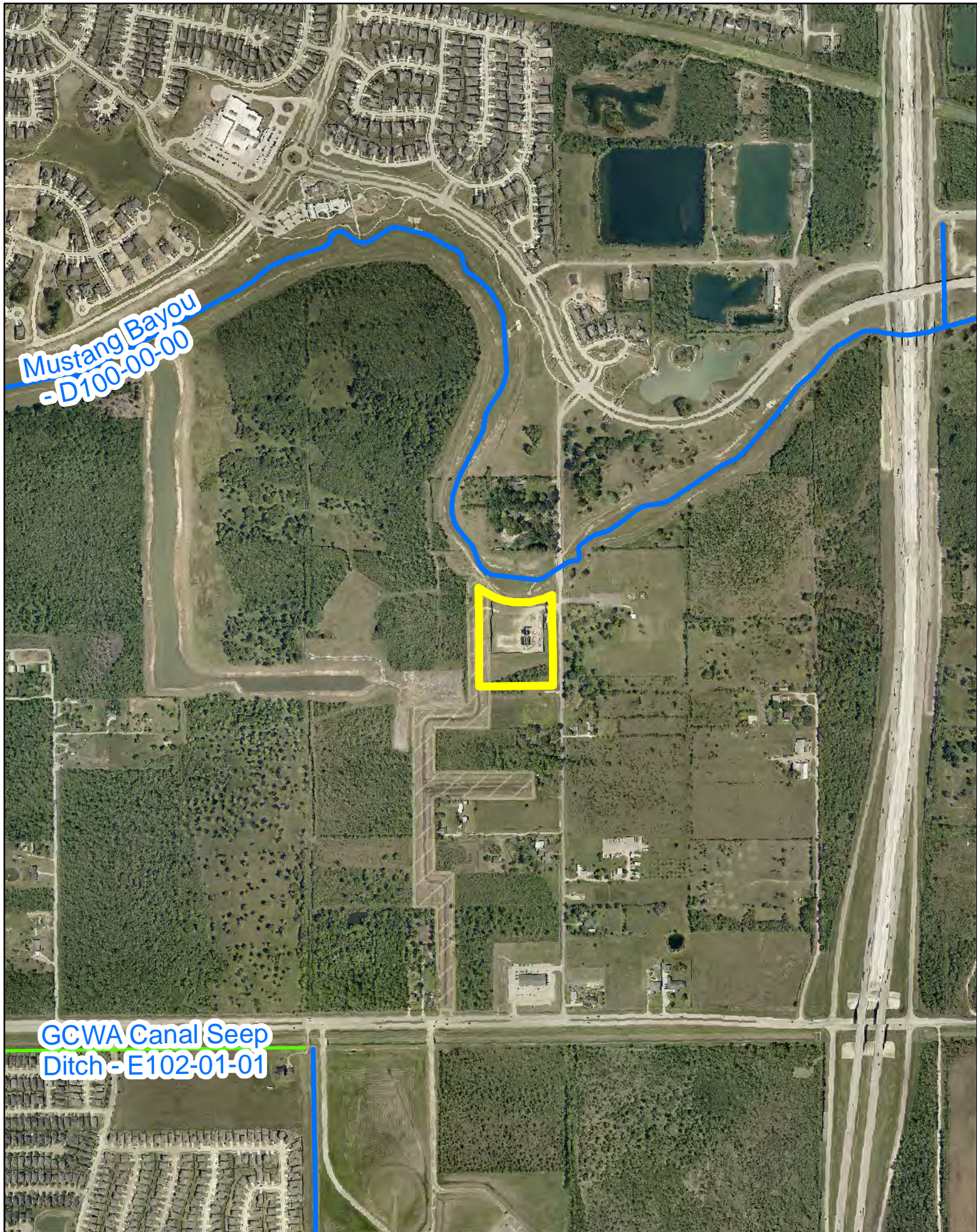
Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel









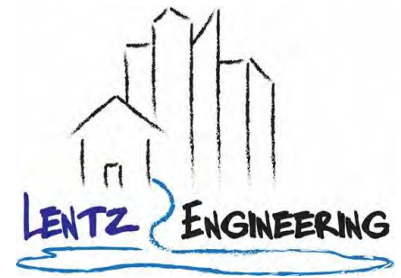
Mustang Bayou  
- D100-00-00

GCWA Canal Seep  
Ditch - E102-01-01



June 26, 2020

Board of Commissioners  
Brazoria Drainage District No. 4  
4813 W. Broadway  
Pearland, Texas 77581  
via email: agengo@bdd4.org



*Engineering Your Satisfaction*

RE: Detention to Serve  
Surface Water Treatment Plant  
Final Drainage Plan (2)  
BDD 4 Ref ID#: 19195  
LE-20004

Dear Commissioners:

We have reviewed the Final Drainage Plan as submitted for the above-mentioned project and offer the following comments:

1. This Drainage Plan is for a detention pond located on the West side of CR-48 and South side of Mustang Bayou.
2. Sheet C-13 of the Drainage Plan shows that 17.07 acre-feet of detention are being provided for the City's Surface Water Treatment Plant across Mustang Bayou.
3. BDD4 Special Notes are included on the plans.
4. We find the Drainage Plan to be in accordance with the Rules, Regulations and Guidelines effective May 1, 2013.

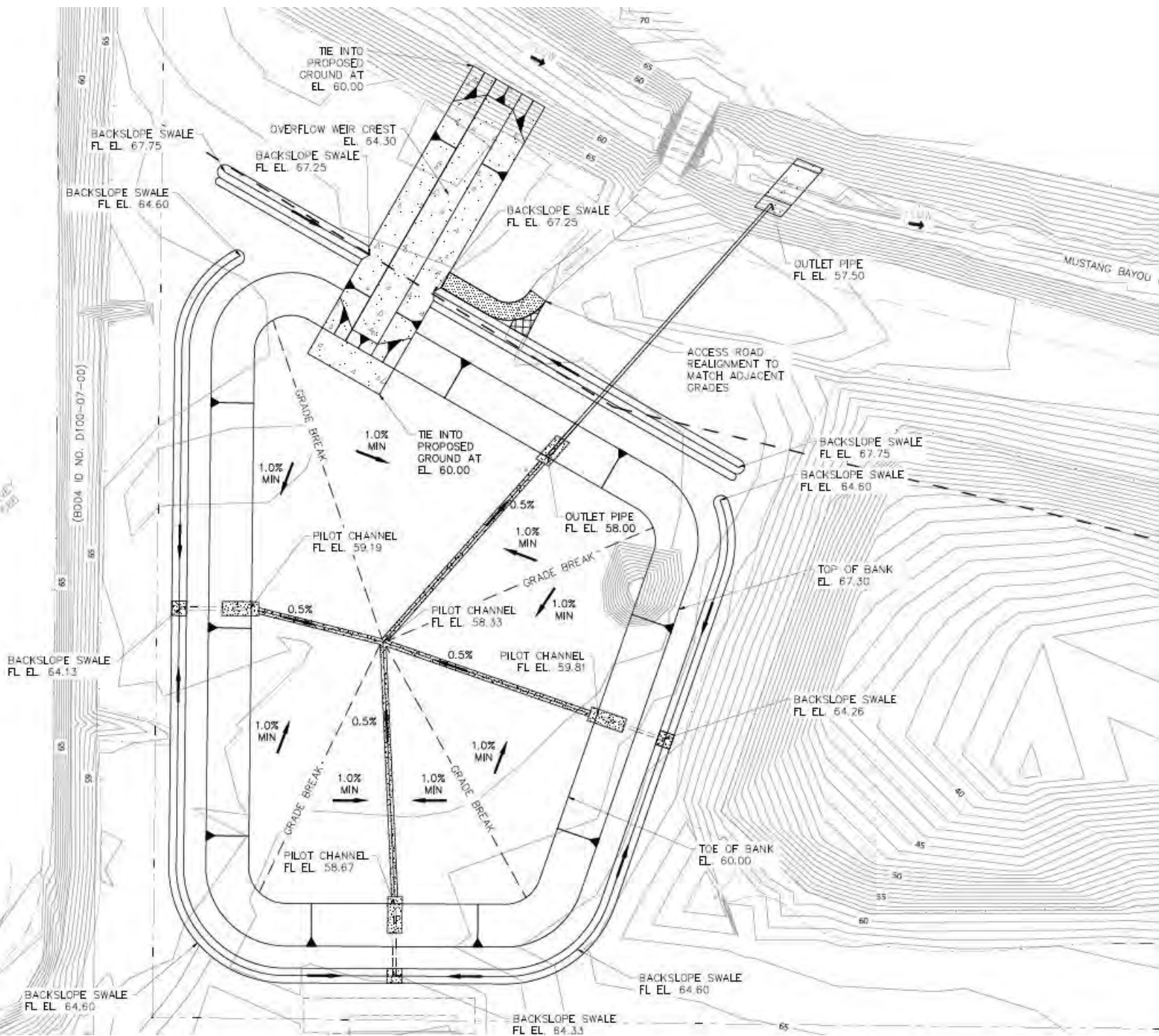
We support a decision by the Board to approve this drainage plan.

Sincerely  
Lentz Engineering, LLC

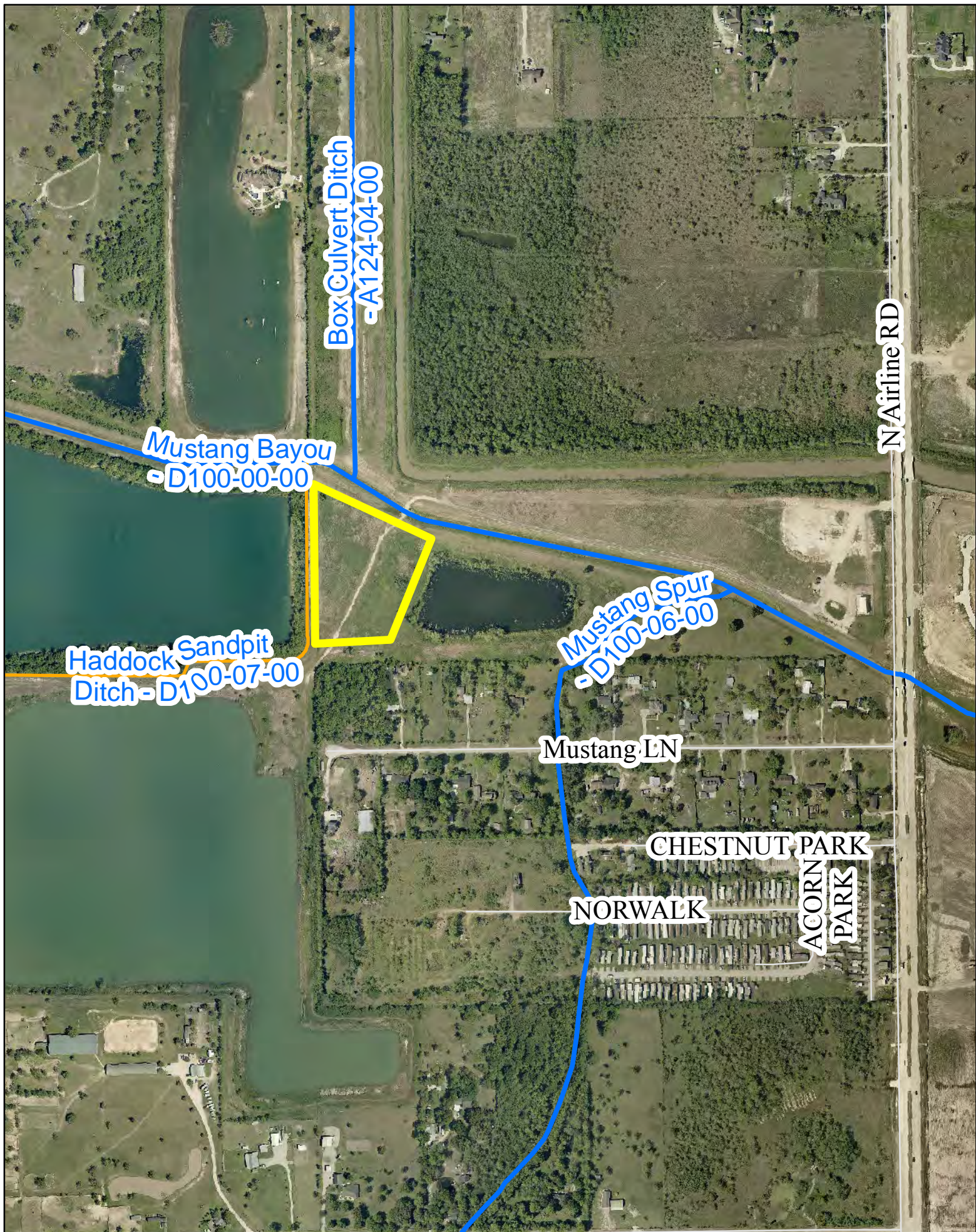
Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel





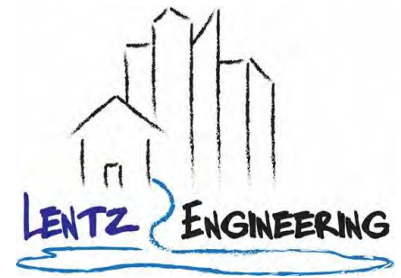






June 30, 2020

Board of Commissioners  
Brazoria Drainage District No. 4  
4813 W. Broadway  
Pearland, Texas 77581  
via email: [agengo@bdd4.org](mailto:agengo@bdd4.org)



*Engineering Your Satisfaction*

RE: Manvel Town Center Water Plant  
Final Drainage Plan  
BDD 4 Ref ID#: 18153  
LE-20004

Dear Commissioners:

We have reviewed the Final Drainage Plan as submitted for the above-mentioned project and offer the following comments:

1. This Drainage Plan is for a proposed water plant located on the West side of SH-288 and North side of Highway 6 (Manvel Town Center Development).
2. Sheet 4 of the Drainage Plan shows that this project is within the service area for the phase 1 detention which will provide 102.71 acre-feet of detention mitigation for 100.70 acres of development. The detention rate provided is 1.02 acre-feet / acre.
3. BDD4 Special Notes are included on the plans.
4. We find the Drainage Plan to be in accordance with the Rules, Regulations and Guidelines effective May 1, 2013.

We support a decision by the Board to approve this drainage plan.

Sincerely  
Lentz Engineering, LLC

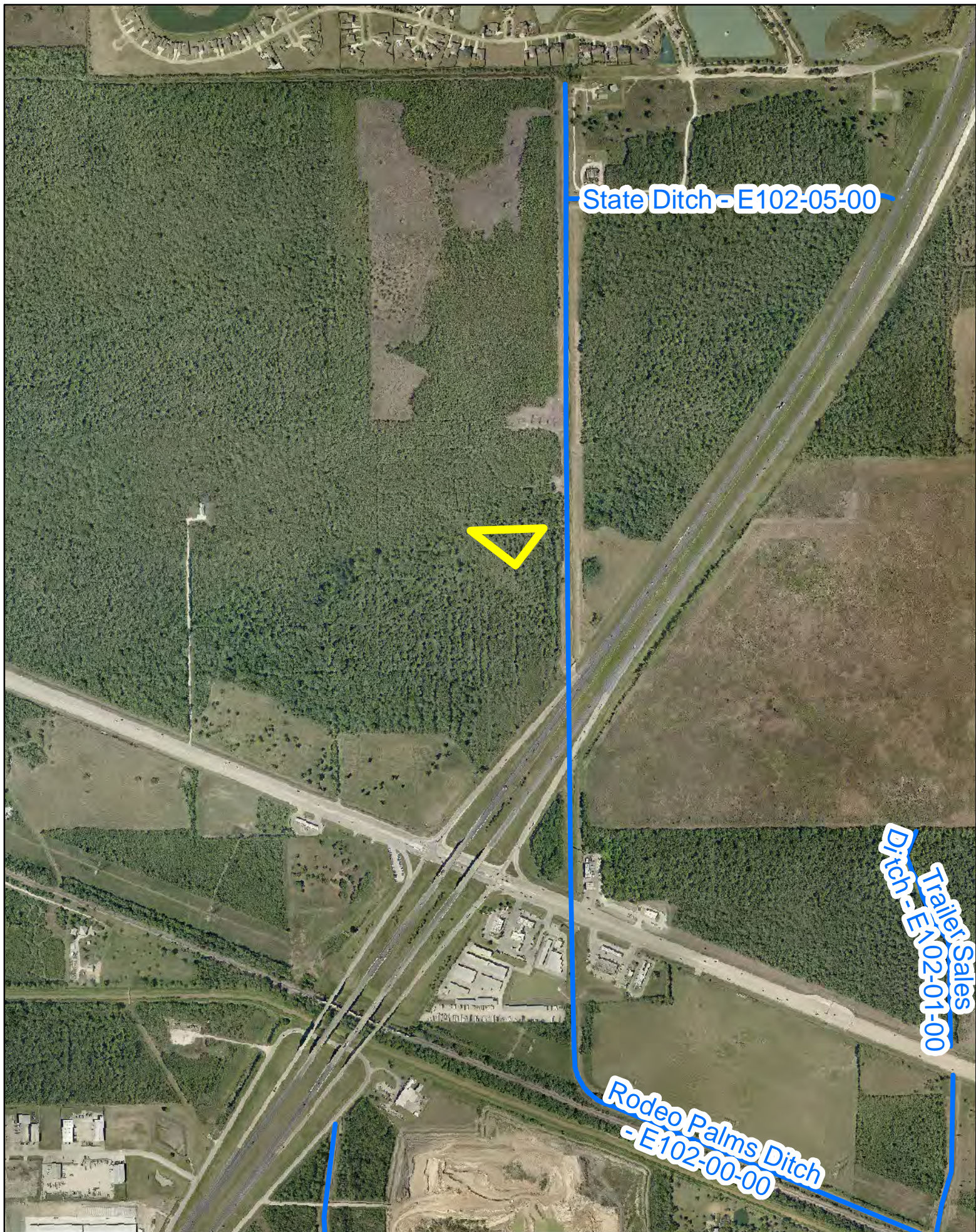
Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel











June 2, 2020

Board of Commissioners  
c/o Adrian Gengo  
Brazoria Drainage District No. 4  
4813 West Broadway  
Pearland, Texas 77581  
cc: agengo@bdd4.org



RE: Moore Estates  
Final Plat  
BDD 4 Ref ID#: 20168  
LE-20004

Dear Commissioners:

We have reviewed the recent submittal of the Final Plat as submitted for the above-mentioned project for the purpose of determining if additional access or drainage easements need to be dedicated in connection with the project.

Additionally, it is our understanding that District staff has visited the site for the purpose of evaluating maintenance and access on or through the tract on a go forward basis.

Finally, District personnel are handling the review of other administrative aspects of the plat which has been submitted to the District office.

Based upon our findings, we support a decision by the Board to approve the plat. If you have any questions or require any further information, please do not hesitate to call.

Sincerely,  
Lentz Engineering, LLC

A handwritten signature in blue ink, appearing to read "Jarrod D. Aden", is written over a light blue rectangular background.

Jarrod D. Aden, P.E.  
President

cc: Mr. John Genaro  
Mr. Leigh Blumer  
Ms. Sarah Roeber  
Mr. Clint Goebel  
Mr. Dillon Wilburn  
Mr. Tom Daniel  
Mr. Richard Fussell, R.P.L.S.



FILE NO.

