

Regular Meeting
No. 7

July 7, 2020
9:00 AM

Commissioners of Brazoria Drainage District No. 4 convened in session July 7, 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:

Mr. Clarence J. Henderson resident at 2725 Shauntel St. – Expressed concern about Mary’s Creek bank erosion near his house. Mr. Henderson would like the District to remedy the erosion.

III. APPROVAL OF MINUTES:

Regular Meeting – June 2, 2020

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

Executive Session – June 18, 2020

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

IV. APPROVAL OF CHECKS:

Expenses for July and August 2020

Motion: Commissioner Brennan; Second: Commissioner Keller; To approve the checks numbered 38507 – 38585. Motion carried unanimously.

V. NEW BUSINESS:

- A. Discussion, Consideration & Possible Action** – To accept an Order Adopting Records Control Schedule updating the District records management program.

Motion: Commissioner Brennan; Second: Commissioner Keller; To accept an Order Adopting Records Control Schedule updating the District records management program. Motion carried unanimously.

- B. Discussion, Consideration & Possible Action** – To determine classification of the District pertaining to Senate Bill 2 in regards to the Truth in Taxation provisions.

Motion: Commissioner Brennan; Second: Commissioner Keller; To declare BDD4 a “Developing District” thus falling under Texas Water Code 49.23603. Motion carried unanimously.

- C. Discussion, Consideration & Possible Action** – To amend the 2019-2020 annual budget.

Motion: Commissioner Brennan; Second: Commissioner Keller; To amend the 2019-2020 annual flood control budget in the amount of \$4.5M utilizing funds from reserve monies. Motion carried unanimously.

VI. VARIANCE REQUESTS:

- A. Discussion, Consideration & Possible Action** – Development Plat of Segenhof – BDD4 #20145 – Variance Request – Kristofer Schoeffler – Immediately west of the intersection of Roy Rd. & Hickory Slough.

1. Variance Request: Variance from District Rules, Regulations & Guidelines for the plat from the Development of Segenhof.

Commissioner Rogers recuses himself.

Motion to table: Commissioner Keller; Second: Commissioner Brennan;

Commissioner Keller: Aye; Commissioner Brennan: No. Motion to table failed.

Motion to approve 85’ Drainage Easement width based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Commissioner Brennan; Second: No second. Motion failed.

Commissioner Brennan asked staff to continue to work with Mr. Schoeffler. Mr. Schoeffler requested this item to be added to the August 4th agenda.

- B. Discussion, Consideration & Possible Action** – Clover Skies Lot 14 – BDD4 #19177 – Variance Request – Antonius Widjokongko – Lot 14 at Pearland Regional Airport near Cowart Creek.

1. Variance Request: To develop Lot 14 of Clover Skies without any requirement to provide additional detention capacity.

Motion: Commissioner Brennan; Second: Commissioner Keller; To deny the variance for the development of Lot 14 in the Clover Skies subdivision without providing any additional detention capacity. Motion carried unanimously.

C. **Discussion, Consideration & Possible Action** – LPGPC – BDD4 #20144 – Variance Request – PRO-SURV – On CR 132 just west of CR 128.

1. Variance Request: To allow a temporary encroachment of a portion of an existing building within the drainage easement as defined by the standard District Consent to Encroach Agreement and authorize the Chairman to sign said agreement.

Motion: Commissioner Brennan; Second: Commissioner Rogers; To allow a temporary encroachment of a portion of an existing building within the drainage easement as defined by the standard District Consent to Encroach Agreement and authorize the Chairman to sign said agreement based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Motion carried unanimously.

D. **Discussion, Consideration & Possible Action** – Surface Water Treatment Plant (City of Pearland) – BDD4 #19195 – Variance Request – Freese and Nichols, Inc. – On Mustang Bayou near CR 48.

1. Variance Request: To allow the outfall pipe to be 6” above the static water surface elevation instead of the required 12”.

Motion: Commissioner Brennan; Second: Commissioner Rogers; To allow the outfall pipe to be 6” above the static water surface elevation instead of the required 12” based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Motion carried unanimously.

E. **Discussion, Consideration & Possible Action** – Charleston Ultimate Detention – BDD4 #20149 – Variance Request – Odyssey Engineering Group – North side of SH 6 on the western boundary of BDD4 (approving only portions within BDD4 jurisdiction).

1. Variance Request: To allow a grass lined emergency overflow swale as opposed to the required concrete lined swale.

Motion: Commissioner Brennan; Second: Commissioner Rogers; To allow a grass lined emergency overflow swale as opposed to the required concrete lined swale with a 4:1 slope based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Commissioner Brennan & Commissioner Rogers: Aye; Commissioner Keller: No. Motion carried by majority.

F. **Discussion, Consideration & Possible Action** – Cmajdalka Estates – BDD4 #19183 – Variance Request – Blake Cmajdalka – 2644 Miller Ranch Rd.

1. Variance Request: To allow a temporary encroachment of a fence within the drainage easement as defined by the standard District Consent to Encroach Agreement and authorize the Chairman to sign said agreement.

Motion: Commissioner Brennan; Second: Commissioner Keller; To allow a temporary encroachment of a fence within the drainage easement as defined by the standard District Consent to Encroach Agreement and authorize the Chairman to sign said agreement based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Motion carried unanimously.

G. Discussion, Consideration & Possible Action – Del Bello Lakes – BDD4 #19203 – Variance Request – LJA Engineering, Inc. – Between future Manvel Pkwy. and SH 288; west of the American Canal.

1. Variance Request #1: To allow the outfall pipe to be 6” above the static water surface elevation instead of the required 12”.

Motion: Commissioner Brennan; Second: Commissioner Keller; To allow the outfall pipe to be 6” above the static water surface elevation instead of the required 12” based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Motion carried unanimously.

2. Variance Request #2: To allow a grass lined emergency overflow swale as opposed to the required concrete lined swale.

Motion: Commissioner Brennan; Second: Commissioner Rogers; To allow a grass lined emergency overflow swale as opposed to the required concrete lined swale based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Commissioner Brennan & Commissioner Rogers: Aye; Commissioner Keller: No. Motion carried by majority.

3. Variance Request #3: The reduction of maintenance berm width from the required 30’ to 20’.

Motion: Commissioner Brennan; Second: Commissioner Rogers; The reduction of maintenance berm width on Del Bello detention ponds from the required 30’ to 20’ based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Commissioner Brennan & Commissioner Rogers: Aye; Commissioner Keller: No. Motion carried by majority.

H. Discussion, Consideration & Possible Action – CR 190 Bridge Replacement (Brazoria County) – Variance Request – IEA, Inc. – On CR 190 near intersection of CR 383.

1. Variance Request: A reduction of the low chord requirement relative to the 100-year water surface elevation.

Motion: Commissioner Brennan; Second: Commissioner Rogers; To open for discussion the variance request submitted by IEA, Inc. for the CR 190 Bridge Replacement.

Amended motion: Commissioner Brennan; Second: Commissioner Keller; To table the discussion for the CR 190 Bridge Replacement variance request until a meeting with Brazoria County to further discuss this project based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Motion carried unanimously.

I. **Discussion, Consideration & Possible Action** – CR 58 from Savannah Development to CR 48 (Brazoria County) – BDD4 #19142 – Variance Request – McDonough Engineering Corporation – CR 58 from the Savannah Development to CR 48.

1. Variance Request: To allow a 3:1 pond side slope as opposed to the required 4:1.

Motion: Commissioner Brennan; Second: Commissioner Rogers; To allow a 3:1 pond side slope as opposed to the required 4:1 based on the recommendation of Jarrod Aden, P.E., Lentz Engineering, District Engineer. Motion carried unanimously.

VII. PLATS & PLAN:

A. **Discussion, Consideration & Possible Action** – Cullen RV Resort – BDD4 #19105 – Final Drainage Plan – N Architectural Group – Southwest corner of Bailey Rd. & Joe Dr.

B. **Discussion, Consideration & Possible Action** – Commercial Building – BDD4 #20159 – Final Drainage Plan – AL&B Engineering Services, LLC – 8194 CR 128.

C. **Discussion, Consideration & Possible Action** – LPGPC – BDD4 #20144 – Final Plat – PRO-SURV – On CR 132 just west of CR 128.

D. **Discussion, Consideration & Possible Action** – Shops at Sedona – BDD4 #19199 – Final Drainage Plan – Heights Engineering, LLC – North West intersection of CR 101 & CR 94.

E. **Discussion, Consideration & Possible Action** – Manvel Town Center Wastewater Treatment Plant Phase 1 – BDD4 #18141 – Final Drainage Plans – BGE, Inc. – North West of the intersection of SH 288 & SH 6 in the future Manvel Town Center development.

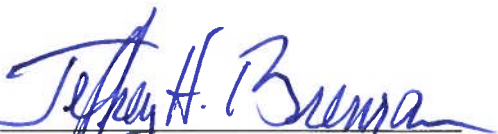
F. **Discussion, Consideration & Possible Action** – Charleston Ultimate Detention – BDD4 #20149 – Final Drainage Plans – Odyssey Engineering Group – North side of SH 6 on the western boundary of BDD4 (approving only portions within BDD4 jurisdiction).

- G. **Discussion, Consideration & Possible Action** – Pomona Wastewater Treatment Plant Phase 3 – BDD4 #19201 – Final Drainage Plan – LJA Engineering, Inc. – Located near Croix Parkway bridge on the south side of Mustang Bayou within the Pomona development.
- H. **Discussion, Consideration & Possible Action** – Surface Water Treatment Plant (City of Pearland) – BDD4 #19195 – Final Drainage Plan – Freese and Nichols, Inc. – On Mustang Bayou near CR 48.
- I. **Discussion, Consideration & Possible Action** – Manvel Town Center Water Plant – BDD4 #18153 – Final Drainage Plan – BGE, Inc. – At the northwest intersection of SH 288 & SH 6 in future Manvel Town Center.
- J. **Discussion, Consideration & Possible Action** – Moore Estates – BDD4 #20168 – Final Plat – Survey 1, Inc. – 7946 Moore Rd.; west of the railroad, north of CR 100.


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

VIII. ADJOURN:


No further business, the meeting adjourned at 10:46 A.M., July 7, 2020.



Jeffrey H. Brennan, Chairman



Dan Keller, Secretary



Harrison Rogers



Brazoria Drainage District No. 4

A Political Subdivision of the State of Texas

JULY 07, 2020

Attending Regular Meeting No. 7 held by Commissioners of Brazoria Drainage District No. 4.

NAME	BUSINESS AFFILIATION
Clarence J. Henderson	Home Owner
Lillian Blumer	BDD4
Adrian Gasso	BDD4
Cristina Colon	BDD4
Clint Gabel	BDD4
LIA PHONE CONF. Jim Mooney	
KRISTOPHER SCHOEFFLER	
TANIA FEDORENKO	
KYKE MOYNIHAN	
DINKON WILBORAL	BDD4
SCOTT FEWLESS	
ROBERT BOOTH	LIA ENGINEERING
HARRISON ROGERS	
RAHUL GUPTA	
SARAH ROEBER	BDD4