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Brazoria Drainage District No. 4

A Political Subdivision of the State of Texas

Regular Meeting
No. 5

May 2, 2023

9:00 AM – Called to Order by Commissioner Brennan

Commissioners of Brazoria Drainage District No. 4 convened in session May 2, 2023 with the following Commissioners present:

Jeffrey H. Brennan

Scott Feules

Jim Mooney

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

A. Regular Meeting – April 4, 2023

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE MINUTES FOR THE REGULAR MEETING AS SUBMITTED.
MOTION CARRIED UNANIMOUSLY.

B. Special Meeting – April 24, 2023

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE MINUTES FOR THE SPECIAL MEETING AS SUBMITTED.
MOTION CARRIED UNANIMOUSLY.

IV. APPROVAL OF CHECK NUMBERS

May & June 2023

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE CHECKS NUMBERED 41344 – 41413.
MOTION CARRIED UNANIMOUSLY.

V. NEW BUSINESS

- A. Discussion, Consideration & Possible Action** – To ratify the District’s previous action opposing State Senate Bill 2558 and House Bill 5387, and amend the Fiscal Year 2023 budget to add \$17,000 under the new line item titled Legislative Lobbying for the 88th Texas Legislative Session.

MOTION: COMMISSIONER MOONEY; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE ENGAGEMENT LETTER WITH SCHWARTZ, PAGE & HARDING AS PREPARED; ACCEPT THE TEXAS ETHICS COMMISSIONER FORM 1295 PRESENTED WITH SUCH ENGAGEMENT LETTER AND AUTHORIZE STAFF TO ACKNOWLEDGE SAME; AUTHORIZE COMMISSIONER FEULESS TO DIRECT THE DISTRICT’S LOBBY EFFORTS ON BEHALF OF THE BOARD; AMEND THE DISTRICT’S OPERATING BUDGET TO REFLECT \$17,000 IN LEGISLATIVE ADVOCACY SPENDING FOR THE CURRENT FISCAL YEAR; AND HEREBY RATIFY ALL PREVIOUS ACTION TAKEN BY THE BOARD IN REGARDS TO SAME.

MOTION CARRIED BY MAJORITY: COMMISSIONER MOONEY – AYE
COMMISSIONER FEULESS – AYE
COMMISSIONER BRENNAN – PRESENT

VI. VARIANCE REQUESTS

- A. Discussion, Consideration & Possible Action** – Dickerson’s Field – BDD4 #23-000092 – Todd Slaton – West side of Herridge Road at Brazos Valley Irrigation Company Canal.
Variance Request: Request for waiver of drainage plan requirement with a request for Plat review and approval.

1ST MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO DISCUSS THE REQUEST FOR WAIVER OF A DRAINAGE PLAN REQUIREMENT WITH A REQUEST FOR PLAT REVIEW AND APPROVAL.

2ND MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO DENY THE REQUEST FOR WAIVER OF DRAINAGE PLAN REQUIREMENT WITH A REQUEST FOR PLAT REVIEW AND APPROVAL.

MOTION CARRIED UNANIMOUSLY; REQUEST DENIED BY BOARD.

- B. Discussion, Consideration & Possible Action** – Wake Nation – BDD4 #23-000099 – Stormwater Solutions, LLC – At the northeast intersection of 288 Frontage Road and CR 418 (Shaw Road).

Variance Request: Request for variance on District’s sand pit policy requiring soil borings and slope stability analysis.

1ST MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO DISCUSS THE REQUEST FOR VARIANCE ON DISTRICT’S SAND PIT POLICY REQUIRING SOIL BORINGS AND SLOPE STABILITY ANALYSIS.

2ND MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE REQUEST FOR VARIANCE ON DISTRICT’S SAND PIT POLICY REQUIRING SOIL BORINGS AND SLOPE STABILITY ANALYSIS.

MOTION CARRIED UNANIMOUSLY.

C. Discussion, Consideration & Possible Action – 2109 CR 129 – BDD4 #23-000104 – Clay Rhoden – Northeast of the intersection of CR 127 & CR 129.

Variance Request: Request for variance on the requirement of a Board approved drainage plan prior to development.

1ST MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO DISCUSS THE REQUEST FOR VARIANCE ON THE REQUIREMENT OF A BOARD APPROVED DRAINAGE PLAN PRIOR TO DEVELOPMENT.

2ND MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO DENY THE REQUEST FOR VARIANCE ON THE REQUIREMENT OF A BOARD APPROVED DRAINAGE PLAN PRIOR TO DEVELOPMENT.

MOTION CARRIED UNANIMOUSLY.

D. Discussion, Consideration & Possible Action – Alexander Section 1 – BDD4 #23-000101 – Patrick Lane; north of Bailey Road, west of Main Street.

Variance Request: Request for variance on Section 3.4.1.f of the Districts Rules, Regulations, and Guidelines. Requesting to place a trail on the detention pond maintenance berm.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE REQUEST FOR VARIANCE ON SECTION 3.4.1.F OF THE DISTRICTS RULES, REGULATIONS, AND GUIDELINES. REQUESTING TO PLACE A TRAIL ON THE DETENTION POND MAINTENANCE BERM.

MOTION CARRIED UNANIMOUSLY.

E. Discussion, Consideration & Possible Action – Alexander Section 1 – BDD4 #23-000102 – Patrick Lane; north of Bailey Road, west of Main Street.

Variance Request: Request for variance on Section 3.4.1.f of the Districts Rules, Regulations, and Guidelines. Requesting to place City of Pearland waterline within the detention pond maintenance berm.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE REQUEST FOR VARIANCE ON SECTION 3.4.1.F OF THE DISTRICTS RULES, REGULATIONS, AND GUIDELINES. REQUESTING TO PLACE CITY OF PEARLAND WATERLINE WITHIN THE DETENTION POND MAINTENANCE BERM.

MOTION CARRIED UNANIMOUSLY.

VII. PLATS & PLAN

A. Discussion, Consideration & Possible Action – Alexander Section 1 – BDD4 #23-000089 – Final Plat – LJA Surveying, Inc. – West of South Main Street, East of Veterans Drive

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE ALEXANDER SECTION 1 FINAL PLAT ON THE CONDITION THAT BDD4 IS NOT RESPONSIBLE FOR THE WATERLINE AND SIDEWALK.

MOTION CARRIED UNANIMOUSLY.

B. Discussion, Consideration & Possible Action – Valencia Addendum No. 1 – Amended Drainage Impact Analysis – BDD4 #22-000256 – LJA Engineering, Inc. – Both sides of Cooper Ditch and north of SH-6 (only approving portions within BDD4 jurisdiction).

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE VALENCIA ADDENDUM NO. 1 AMENDED DRAINAGE IMPACT ANALYSIS.
MOTION CARRIED UNANIMOUSLY.

C. Discussion, Consideration & Possible Action – Whataburger – BDD4 #22-000206 – Revised Final Drainage Plan – Pape-Dawson – Manvel Town Center; north of HWY 6 and west of SH-288.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE WHATABURGER REVISED FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

D. Discussion, Consideration & Possible Action – Casa De Gartmano – BDD4 #22-000235 – Final Plat – Texas Star Surveying – South of Clover Field Airport and immediately south of Cowart Creek.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE CASA DE GARTMANO FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

E. Discussion, Consideration & Possible Action – Pearland Asian Town Center – BDD4 #22-000198 – Final Drainage Plan – Adico Engineers – North side of Broadway at the entrance to Avalon Terrace.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE PEARLAND ASIAN TOWN CENTER FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

F. Discussion, Consideration & Possible Action – BC MUD 21 WWTP Phase 5 – BDD4 #22-000200 – Final Drainage Plan – LJA Engineering, Inc. – Alvin Sugarland Road and Janet Drive.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE BC MUD 21 WWTP PHASE 5 FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

G. Discussion, Consideration & Possible Action – Lew South Section 1 – BDD4 #23-000070 – Final Drainage Plan – RG Miller Engineers – East of South Harkey Road adjacent to Massey Oaks 4 Subdivision.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE LEW SOUTH SECTION 1 FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

H. Discussion, Consideration & Possible Action – Lew South / Massey Oaks Detention Basin 3 Expansion – BDD4 #23-000003 – Final Drainage Plan – RG Miller Engineers – Massey Ranch Development.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE LEW SOUTH / MASSEY OAKS DETENTION FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

I. Discussion, Consideration & Possible Action – M&M Storage – BDD4 #22-000175 – Final Drainage Plan – Baker & Lawson, Inc – 330 CR 281 Alvin; northwest of the intersection of SH 35 & CR 281.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE M&M STORAGE FINAL DRAINAGE PLAN AS SUBMITTED AND
WAIVE THE ESCROW FEE FOR A PUMPED DETENTION POND.
MOTION CARRIED UNANIMOUSLY.

J. Discussion, Consideration & Possible Action – R West Office Building – BDD4 #23-000073 – Final Plat – Rekha Engineering – East of HWY 35 and south of English Lakes Drive.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE R WEST OFFICE BUILDING FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

K. Discussion, Consideration & Possible Action – CR 58 Waterline & Sanitary Sewer – BDD4 #23-000084 – Final Drainage Plan – LJA Engineering, Inc. – South of Pomona development between Orchard Park Lane and Croix Parkway.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE CR 58 WATERLINE & SANITARY SEWER FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

L. Discussion, Consideration & Possible Action – Argovitz Detention Expansion – BDD4 #22-000171 – Revised Final Drainage Plan – Cobb Fendley – Smith Ranch Road near Smith Ranch 2 Road, east of 288 and north of JC Penney Department Store.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE ARGOVITZ DETENTION EXPANSION REVISED FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

M. Discussion, Consideration & Possible Action – Covenant Glen Church Phase 1 – BDD4 #23-000088 – Revised Final Drainage Plan – TLC Engineering, Inc. – 5243 Savannah Pkwy.; southeast intersection of Savannah Pkwy. & CR 58.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE COVENANT GLEN CHURCH PHASE 1 REVISED FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

VIII. ADJOURN

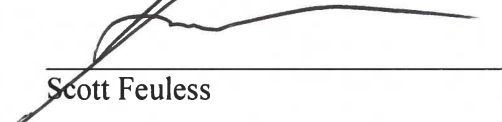
No further business, Commissioner Brennan called for adjournment 10:00 A.M., May 2, 2023.



Jeffrey H. Brennan, Chairman



Jim Mooney, Secretary



Scott Feules