

4813 W. Broadway
Pearland, Texas 77581



(281) 485-1434
info@bdd4.org

Brazoria Drainage District No. 4

A Political Subdivision of the State of Texas

Regular Meeting
No. 7

July 11, 2023
9:00 AM – Called to Order by Commissioner Brennan

Commissioners of Brazoria Drainage District No. 4 convened in session July 11, 2023 with the following Commissioners present:

Jeffrey H. Brennan

Scott Feules

Jim Mooney

Others Attending:

See Attached List

Following the Invocation led by Commissioner Mooney and Pledge of Allegiance led by Commissioner Feules, the Board considered the following items:

II. PUBLIC COMMENTS

1 – Clayton Weishuhn spoke about Variance Request Item VI.E.

III. APPROVAL OF MINUTES

A. Regular Meeting – June 6, 2023

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

B. Workshop – June 7, 2023

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

IV. APPROVAL OF CHECK NUMBERS

June & July 2023

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE CHECKS NUMBERED 41483 – 41563.

MOTION CARRIED UNANIMOUSLY.

V. NEW BUSINESS

A. Discussion, Consideration & Possible Action – To adopt resolution #2023-002 approving the revised Rules, Regulations & Guidelines to become effective August 8, 2023.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO ADOPT RESOLUTION #2023-002 APPROVING THE REVISED RULES, REGULATIONS & GUIDELINES TO BECOME EFFECTIVE AUGUST 8, 2023.

AMENDED MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;

TO AMEND THE PREVIOUS MOTION TO INCLUDE THAT ANY PLANS THAT ARE WITHIN THE REVIEW CYCLE BEFORE AUGUST 8, 2023 WILL FALL UNDER THE OLD RULES AND ANY PLANS FIRST SUBMITTED AFTER AUGUST 8, 2023 WILL FALL UNDER THE NEW RULES.

MOTION CARRIED UNANIMOUSLY.

B. Discussion, Consideration & Possible Action – To authorize the Superintendent to negotiate, make an offer, sign papers, etc. for the purchase of 0.77-acres adjacent to Joe Martin Ditch and Rayburn Ln.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO AUTHORIZE THE SUPERINTENDENT TO NEGOTIATE, MAKE AN OFFER, SIGN PAPERS, ETC. FOR THE PURCHASE OF 0.77-ACRES ADJACENT TO JOE MARTIN DITCH AND RAYBURN LN.

AMENDED MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;

TO AMEND THE PREVIOUS MOTION TO INCLUDE A NOT TO EXCEED PURCHASE PRICE OF \$133,592.

MOTION CARRIED UNANIMOUSLY.

C. Discussion, Consideration & Possible Action – To authorize the Superintendent to sign an Application for Crossing Agreement with the Gulf Coast Water Authority (GWCA).

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO AUTHORIZE THE SUPERINTENDENT TO SIGN AN APPLICATION FOR CROSSING AGREEMENT WITH THE GULF COAST WATER AUTHORITY.

MOTION CARRIED UNANIMOUSLY.

D. Discussion, Consideration & Possible Action – To authorize the Superintendent to sign a Joint Contract for Election Services with Brazoria County.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO AUTHORIZE THE SUPERINTENDENT TO SIGN A JOINT CONTRACT FOR ELECTION SERVICES WITH BRAZORIA COUNTY CONTINGENT UPON FINAL REVIEW AND APPROVAL BY THE DISTRICT'S ATTORNEY.

MOTION CARRIED UNANIMOUSLY.

VI. VARIANCE REQUESTS

A. Discussion, Consideration & Possible Action – Massey Oaks Pond 5, 6, and 8 – BDD4 #23-000163 – Kevin Mourssavi – South of Old Massey Ranch Road, East of Harkey Rd, North of Hastings Cannon Road.

Variance Request: To utilize 20' wide maintenance berms. Section 3.4.1.b of the Districts Rules, Regulations, and Guidelines states that the proposed maintenance berm for a detention pond greater than 10' in depth shall have 30' maintenance berms.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE REQUEST TO UTILIZE 20' WIDE MAINTENANCE BERMS.
MOTION DENIED; ALL COMMISSIONERS OPPOSED.

B. Discussion, Consideration & Possible Action – Massey Oaks Pond 5, 6, and 8 – BDD4 #23-000164 – Kevin Mourssavi – South of Old Massey Ranch Road, East of Harkey Rd, North of Hastings Cannon Road.

Variance Request: To use 3:1 side slopes for the wet portion of detention ponds 5, 6, & 8. Section 3.4.1.a of the Districts Rules, Regulations, and Guidelines states that detention ponds shall have 4:1 side slope.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE REQUEST TO USE 3:1 SIDE SLOPES FOR THE WET PORTION OF
DETENTION PONDS 5, 6, & 8.
MOTION CARRIED UNANIMOUSLY.

C. Discussion, Consideration & Possible Action – Alexander Section 1 – BDD4 #23-000173 – LJA Engineering – 3710 Bartlett Springs Ct.

Variance Request: To allow a pier to be built in the detention pond. Section 3.4.1.f of the Districts Rules, Regulations, and Guidelines states that detention ponds shall not be encumbered by permanent improvements, easements, fee strips, or right of ways.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE REQUEST TO ALLOW A PIER TO BE BUILT IN THE DETENTION
POND.

AMENDED MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER
FEULESS;

TO AMEND THE PREVIOUS MOTION TO INCLUDE APPROVING THE SIDEWALK AND
PIER FOR ALEXANDER SECTION 1 WITH THE REQUIREMENT THAT A MAINTENANCE
DECLARATION BE ADDED TO THIS PROJECT.

MOTION CARRIED UNANIMOUSLY.

D. Discussion, Consideration & Possible Action – Creekside at Highland Glen Section 2 – BDD4 #23-000176 – LJA Engineering – The Lakes at Highland Glen Section 6, Centre at Pearland Parkway.

Variance Request: To allow an emergency access road within the maintenance berm of their detention pond in Section 2 only. Section 3.4.1.f of the Districts Rules, Regulations, and Guidelines states that detention ponds shall not be encumbered by permanent improvements, easements, fee strips, or right of ways.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;

TO APPROVE THE REQUEST TO ALLOW AN EMERGENCY ACCESS ROAD WITHIN THE MAINTENANCE BERM OF THE DETENTION POND IN SECTION 2 ONLY.
MOTION CARRIED UNANIMOUSLY.

E. Discussion, Consideration & Possible Action – Creekside at Highland Glen Section 2 – BDD4 #23-000177 – LJA Engineering – The Lakes at Highland Glen Section 6, Centre at Pearland Parkway.

Variance Request: To utilize 20’ wide maintenance berms. Section 3.4.1.b of the Districts Rules, Regulations, and Guidelines states that the proposed maintenance berm for a detention pond greater than 10’ in depth shall have 30’ maintenance berms.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE REQUEST TO UTILIZE 20’ WIDE MAINTENANCE BERMS.
MOTION DENIED; ALL COMMISSIONERS OPPOSED.

F. Discussion, Consideration & Possible Action – Creekside at Highland Glen Section 2 – BDD4 #23-000178 – LJA Engineering – The Lakes at Highland Glen Section 6, Centre at Pearland Parkway.

Variance Request: To share their maintenance berm with a District drainage easement. Section 3.4.1.e of the Districts Rules, Regulations, and Guidelines states that when a detention facility is constructed adjacent to a street right of way or DISTRICT channel, a minimum 30-foot maintenance berm is required.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE REQUEST TO SHARE A MAINTENANCE BERM WITH A DISTRICT DRAINAGE EASEMENT.
MOTION CARRIED UNANIMOUSLY.

G. Discussion, Consideration & Possible Action – 2503 Covey Lane – BDD4 #23-000172 – Justin Brantley – Covey Lane and Fite Road.

Variance Request: To utilize a pervious paving system. Districts Rules, Regulations, and Guidelines do not allow or disallow pervious paving systems.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE REQUEST TO UTILIZE A PERVIOUS PAVING SYSTEM.
MOTION CARRIED UNANIMOUSLY.

VII. PLATS & PLAN

A. Discussion, Consideration & Possible Action – Massey Oaks West Lake – BDD4 #23-000134 – Final Plat – Miller Survey / DCCM – South of CR 100, east of FM 1128, and west of Harkey Road.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE MASSEY OAKS WEST LAKE FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

B. Discussion, Consideration & Possible Action – Massey Oaks East Lake – BDD4 #23-000135 – Final Plat – Miller Survey / DCCM – South of CR 100, east of FM 1128, and west of Harkey Road.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE MASSEY OAKS EAST LAKE FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

C. Discussion, Consideration & Possible Action – Massey Oaks Section 3 – BDD4 #23-000136 – Final Plat – Miller Survey / DCCM – South of CR 100, east of FM 1128, and west of Harkey Road.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE MASSEY OAKS SECTION 3 FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

D. Discussion, Consideration & Possible Action – Massey Oaks Section 4 – BDD4 #23-000137 – Final Plat – Miller Survey / DCCM – South of CR 100, east of FM 1128, and west of Harkey Road.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE MASSEY OAKS SECTION 4 FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

E. Discussion, Consideration & Possible Action – Massey Oaks Section 5 – BDD4 #23-000138 – Final Plat – Miller Survey / DCCM – South of CR 100, east of FM 1128, and west of Harkey Road.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE MASSEY OAKS SECTION 5 FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

F. Discussion, Consideration & Possible Action – Magnolia Elation – BDD4 #23-000142 – Final Plat – Gruller Surveying – Magnolia Parkway and Manvel Road (Mary’s Creek).

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE MAGNOLIA ELATION FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

G. Discussion, Consideration & Possible Action – STNL TLE Orchard Lane – BDD4 #23-000161 – Final Plat – LJA Engineering – North of Croix Road, east of Orchard Park, and west of HWY 288.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE STNL TLE ORCHARD LANE FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

H. Discussion, Consideration & Possible Action – 7225 Libby Lane – BDD4 #23-000165 – Final Plat – Survey 1 Inc. – Northwest of the intersection of Wellborne Dr. and Libby Ln.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE 7225 LIBBY LANE FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

I. Discussion, Consideration & Possible Action – Manvel Parkway Elevated Storage Tank – BDD4 #23-000055 – Final Drainage Plan – HDR Engineering – Del Bello Subdivision.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE MANVEL PARKWAY ELEVATED STORAGE TANK FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

J. Discussion, Consideration & Possible Action – JMK5 Liberty – BDD4 #23-000022 – Final Plat – Boundary One Surveyors, LLC – 3801 Liberty Drive, Mary’s Creek is located on the Southeast side of the property.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE JMK5 LIBERTY FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

K. Discussion, Consideration & Possible Action – Del Bello Section 9 – BDD4 #23-000160 – Final Plat – LJA Engineering – West of Del Bello Lane, South of Croix Road, and East of Highway 288.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE DEL BELLO SECTION 9 FINAL PLAT.
MOTION DENIED; ALL COMMISSIONERS OPPOSED.

L. Discussion, Consideration & Possible Action – Pearland Regional Randy Effron – BDD4 #23-000108 – Final Drainage Plan – Daniel Scott Engineering, LLC – CR 130 and Pearland Regional Airport.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE PEARLAND REGIONAL RANDY EFFRON FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

M. Discussion, Consideration & Possible Action – Sharp/Scherer Tract – BDD4 #23-000155 – Drainage Impact Analysis Addendum 1 – LJA Engineering – One mile east of County Road 57 and FM 521 (only approving portions within BDD4 jurisdiction).

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE SHARP/SCHERER TRACT DRAINAGE IMPACT ANALYSIS ADDENDUM 1.
MOTION CARRIED UNANIMOUSLY.

N. Discussion, Consideration & Possible Action – Bailey Road Expansion – BDD4 #22-000227 – Drainage Impact Analysis – GC Engineering – Bailey Road from Veterans Dr. to Highway 35.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE BAILEY ROAD EXPANSION DRAINAGE IMPACT ANALYSIS.
MOTION CARRIED UNANIMOUSLY.

O. Discussion, Consideration & Possible Action – Lew Tract South Section 1 – BDD4 #23-000179 – Revised Final Drainage Plan – RG Miller Engineers – East of Harkey Road, south of the Cowart Diversion Channel.

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

P. Discussion, Consideration & Possible Action – Alexander Section 2 – BDD4 #23-000010 – Final Drainage Plan – LJA Engineering – West of Highway 35 and South of Bailey Road.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE ALEXANDER SECTION 2 FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

Q. Discussion, Consideration & Possible Action – Rodeo Palms Ditch Maintenance – BDD4 #23-000160 – Final Drainage Plan – EHRA Engineering – Rodeo Palms Boulevard.

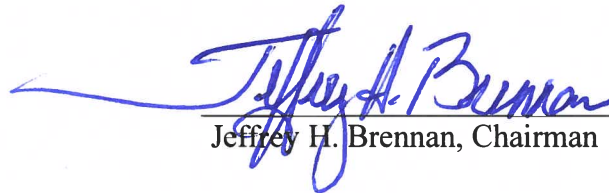
MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE RODEO PALMS DITCH MAINTENANCE FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

R. Discussion, Consideration & Possible Action – Surface Water Treatment Plant – BDD4 #23-000153 – Final Drainage Plan – Cobb, Fendley, & Associate, Inc. – At the northwest intersection of Mustang Bayou and Airline Rd.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE THE SURFACE WATER TREATMENT PLANT FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

VIII. ADJOURN

No further business, Commissioner Brennan called for adjournment 9:57 A.M., July 11, 2023.



Jeffrey H. Brennan, Chairman



Jim Mooney, Secretary



Scott Feules

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A Political Subdivision of the State of Texas

July 11, 2023

Attending Regular Meeting No. 07, held by Commissioners of Brazoria Drainage District No. 4.

NAME	BUSINESS AFILIATION
Lesley Eermann	LJA Engineers
Patrick Newton	LJA
Jason Dyer	BDD4
Jennie Edmonson	BDD4
LEWIS Blumer	BDD4
Adrian Geys	BDD4
ROBERT BOOTH	LJA
Willie Alfaro	DSE
Justin Brantley	\$ Self
Marco Montes	RG Miller

Jim Mooney
Commissioner

Jeffrey Brennan
Commissioner

Scott Feules
Commissioner

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July 11, 2023

Attending Regular Meeting No. 07, held by Commissioners of Brazoria Drainage District No. 4.

NAME

BUSINESS AFILIATION

TERRY A. Collins

G.C.D.D.L.

Clayton Weishuhn

LJA

Jim Mooney
Commissioner

Jeffrey Brennan
Commissioner

Scott Feules
Commissioner

BRAZORIA DRAINAGE DISTRICT #4

PUBLIC COMMENT FORM

OPEN MEETING DATE: 7/11/23

To address the Drainage District Board of Commissioners, this form must be filled out and turned in 5-minutes prior to the beginning of the meeting.

Please provide your name, address, & phone number and fill out the information at the bottom of this page. This request form must be turned into the presiding officer of the meeting or the appointed staff member, no later than 5-minutes before the start of the meeting.

Speaker Request

I wish to address the Board during the Public Comments section and agree to follow the District's rules for Public Comments.

Name: Clayton Weiskuhn

Address: 3600 W San Houston Pkwy S. Suite 600, Houston, TX 77042

Phone: 713-953-5103

Please provide a brief description of the topic you wish to address below:

Variance Item E. Discussion of Projects within BCMUD 28
That is currently being maintained by the MUD with this variance.