

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. 5

May 7, 2024
9:01 AM – Called to Order by Commissioner Brennan

Commissioners of Brazoria Drainage District No. 4 convened in session May 7, 2024 with the following Commissioners present:

Jeffrey H. Brennan, Chairman

Jim Mooney, Secretary

Scott Feules

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

HANNA HORSFIELD SIGNED UP TO SPEAK DURING AN AGENDA ITEM.

III. APPROVAL OF MINUTES

A. Regular Meeting – April 2, 2024

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

IV. APPROVAL OF CHECK NUMBERS

May & June 2024

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE CHECKS NUMBERED 42374 – 42449.
MOTION CARRIED UNANIMOUSLY.

V. NEW BUSINESS

A. **Discussion, Consideration & Possible Action** – To adopt an updated Purchasing Policy for the District.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO ADOPT AN UPDATED PURCHASING POLICY FOR THE DISTRICT.
MOTION CARRIED UNANIMOUSLY.

- B.** To approve and authorize the Chairman to sign an Interlocal Agreement with Brazoria County to update the agreement for the collection of taxes.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;
TO APPROVE AND AUTHORIZE THE CHAIRMAN TO SIGN AN INTERLOCAL AGREEMENT WITH BRAZORIA COUNTY TO UPDATE THE AGREEMENT FOR THE COLLECTION OF TAXES.

MOTION CARRIED BY MAJORITY; COMMISSIONER MOONEY VOTED NO.

- C. Discussion, Consideration & Possible Action** – To accept a 4.044 acre drainage easement from the City of Pearland along Clear Creek and authorize the Chairman to sign all related documents.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE CONDITIONED UPON DISTRICT RECEIPT OF ALL REQUIRED PAPERWORK AND DOCUMENTS IN FORM AND CONTENT ACCEPTABLE TO THE DISTRICT.

MOTION CARRIED UNANIMOUSLY.

VI. VARIANCE REQUESTS

- A. Discussion, Consideration & Possible Action** – Alexander South Detention Pond – BDD4 #24-000072 – KGA Deforest Design - Intersection of Bailey Road and Main Street.

Variance Request: Applicant seeks permission to place a significant quantity of trees on the detention pond maintenance berm.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE PROVIDED THAT THE MAINTENANCE DECLARATION IS AMENDED TO READ THAT PLANTINGS WITHIN THE FACILITY THAT INTERFERE WITH PROPER MAINTENANCE OF THE FACILITY SHALL BE REMOVED.

MOTION CARRIED UNANIMOUSLY.

- B. Discussion, Consideration & Possible Action** – Barry Rose Treatment Plant – BDD4 #24-000088 – Fresse and Nichols – Intersection of Hughes Rd. & Pearland Pkwy.

Variance Request: Applicant seeks permission to use a 15-foot berm for a detention pond.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE AN UNENCUMBERED 15-FOOT MAINTENANCE BERM WITH NO PLANTINGS, STRUCTURES, OR VERTICAL IMPROVEMENTS OF ANY KIND ALLOWED.

MOTION CARRIED UNANIMOUSLY.

- C. Discussion, Consideration & Possible Action** – Barry Rose Treatment Plant – BDD4 #24-000094 – Fresse and Nichols - Intersection of Hughes Rd. & Pearland Pkwy.

Variance Request: Applicant seeks a waiver of the requirements to dedicate a drainage easement.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;

TO RECEIVE A DRAINAGE EASEMENT FROM THE CITY OF PEARLAND ON BOTH SIDES OF BARRY ROSE ROAD AT THE VICINITY BETWEEN CLEAR CREEK AND PEARLAND PARKWAY.

AMENDED MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;

TO GRANT A WAIVER FOR THE 13.6-FEET OF DRAINAGE EASEMENT ON THE CONDITION THAT THE DISTRICT RECEIVE THE REMAINDER OF THE REQUIRED ULTIMATE DRAINAGE EASEMENT ALONG BARRY ROSE DITCH BETWEEN CLEAR CREEK AND PEARLAND PARKWAY.

MOTION CARRIED UNANIMOUSLY.

D. Discussion, Consideration & Possible Action – Business Center Detention – BDD4 #24-000091 – Gauge Engineering LLC - Northwest corner of Shadow Creek Parkway and Business Center Drive

Variance Request: Applicant seeks permission to use 3:1 side slope.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;

TO GRANT THE 3:1 SIDE SLOPE.

MOTION CARRIED BY MAJORITY; COMMISSIONER MOONEY VOTED NO.

E. Discussion, Consideration & Possible Action – Business Center Detention – BDD4 #24-000093 – Gauge Engineering LLC - Northwest corner of Shadow Creek Parkway and Business Center Drive

Variance Request: Applicant seeks permission to place paving on the detention pond maintenance berm.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER FEULESS;

TO DENY THE REQUEST WHICH ENCUMBERS PRETTY MUCH ALL OF THE MAINTENANCE BERM AREAS WITH A TURN LANE, WALK TRAILS, AND SIDEWALKS SEVERELY IMPACTING THE DISTRICT’S ABILITY TO MAINTAIN THE SMALL DETENTION AREAS. IF THE APPLICANT WILL PROPOSE TO PAVE THE DETENTION AREAS, THEN THE BOARD MAY RECONSIDER THE REQUEST.

MOTION TO DENY CARRIED UNANIMOUSLY; THE VARIANCE REQUEST WAS DENIED.

VII. PLATS & PLAN

A. Discussion, Consideration & Possible Action – Hampton Business Park – BDD4 #23-000225 – Final Drainage Plan – ALJ Lindsey – Southwest corner of County Road 59 and Kirby Dr.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;

TO APPROVE THE HAMPTON BUSINESS PARK FINAL DRAINAGE PLAN.

MOTION CARRIED UNANIMOUSLY.

B. Discussion, Consideration & Possible Action – Pearland Retail Center – BDD4 #24-000040 – Final Drainage Plan – Civil Con Consultants – Northwest corner of 518 and Sunrise Meadow Drive.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;

TO APPROVE THE PEARLAND RETAIL CENTER FINAL DRAINAGE PLAN.

MOTION CARRIED UNANIMOUSLY.

- C. Discussion, Consideration & Possible Action** – Alexander Section 3 – BDD4 #23-000093
– Final Drainage Plan – LJA Surveying Inc. – Southwest of the intersection of SH 35 and Bailey.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE ALEXANDER SECTION 3 FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

- D. Discussion, Consideration & Possible Action** – Alexander Section 3 – BDD4 #24-000017
– Final Plat – LJA Surveying Inc. – Southwest of the intersection of SH 35 and Bailey.

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

- E. Discussion, Consideration & Possible Action** – Alexander Section 2 – BDD4 #24-000041
– Final Plat – LJA Surveying Inc. – Southwest of the intersection of SH 35 and Bailey.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE CONDITIONED UPON DEDICATION OF DRAINAGE EASEMENT BY
SEPARATE INSTRUMENT AND THE REQUIREMENT THAT THE EASEMENT
RECORDATION INFORMATION IS LABELED ON THE PLAT PRIOR TO THE
RECORDING OF THE PLAT.
MOTION CARRIED UNANIMOUSLY.

- F. Discussion, Consideration & Possible Action** – Mission Phase II Storage Yard Addition –
BDD4 #24-000052 – Final Drainage Plan – Mission Building Systems – 5409 W Orange.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE MISSION PHASE II STORAGE YARD ADDITION FINAL DRAINAGE
PLAN.
MOTION CARRIED UNANIMOUSLY.

- G. Discussion, Consideration & Possible Action** – Moosa Cricket Field – BDD4 #23-000167
– Final Drainage Plan – Daram Engineers Inc. – East of the intersection of FM 1128 & CR
100; on the north side of CR 100.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE MOOSA CRICKET FIELD FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

- H. Discussion, Consideration & Possible Action** – Avellino Detention – BDD4 #24-000070
– Final Plat – EHRA – South of Rodeo Palms, West of HWY 288, North of HWY 6.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE AVELLINO DETENTION FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

I. Discussion, Consideration & Possible Action – Avellino Section 1 – BDD4 #24-000069 – Final Plat – EHRA – South of Rodeo Palms, West of HWY 288, North of HWY 6.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE AVELLINO SECTION 1 FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

J. Discussion, Consideration & Possible Action – Valencia Lake G – BDD4 #24-000050 – Final Plat – LJA Engineering – North of SH 6, west of Cooper Ditch (only approving portion within BDD4 jurisdiction).

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE VALENCIA LAKE G FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

K. Discussion, Consideration & Possible Action – Charlotte Street – BDD4 #24-000030 – Final Drainage Plan – LJA Engineering, Inc. – South side of the Valencia development, north of SH 6 (only approving portion within BDD4 jurisdiction).

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE CHARLOTTE STREET FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

L. Discussion, Consideration & Possible Action – Magnolia Marketplace – BDD4 #24-000066 – Revised Final Drainage Plan – Kimley-Horn – Southwest of Magnolia Parkway and Manvel Road; north of Mary's Creek.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE MAGNOLIA MARKETPLACE REVISED FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

M. Discussion, Consideration & Possible Action – Southfork Commercial Tract – BDD4 #24-000054 – Drainage Impact Analysis – ALJ-Lindsey, LLC – Magnolia Parkway at Southfork Parkway, adjacent to Southfork Subdivision.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE SOUTHFORK COMMERCIAL TRACT DRAINAGE IMPACT ANALYSIS.
MOTION CARRIED UNANIMOUSLY.

N. Discussion, Consideration & Possible Action – Creekside at Highland Glen Section 2 – BDD4 #24-000090 – Revised Final Drainage Plan – LJA Engineering – Entrance at Stable Stone Lane, east of Pearland Pkwy., west of Clear Creek.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE CREEKSIDE AT HIGHLAND GLEN SECTION 2 REVISED FINAL DRAINAGE PLAN.
MOTION CARRIED UNANIMOUSLY.

O. Discussion, Consideration & Possible Action – Sterling Lakes North 7 – BDD4 #24-000086 – Final Plat – Elevation Land Solutions – North of Bullard Rd., west of Karsten Blvd., west of SH 288.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE STERLING LAKES NORTH 7 FINAL PLAT.
MOTION CARRIED BY MAJORITY; COMMISSIONER BRENNAN DID NOT VOTE.

P. Discussion, Consideration & Possible Action – Sterling Lakes North 8 – BDD4 #24-000087 – Final Plat – Elevation Land Solutions – North of Bullard Rd., west of Karsten Blvd., west of SH 288.

MOTION: COMMISSIONER BRENNAN; SECOND: COMMISSIONER MOONEY;
TO APPROVE THE STERLING LAKES NORTH 8 FINAL PLAT.
MOTION CARRIED UNANIMOUSLY.

VIII. ENFORCEMENT MATTERS

Including the assessment and collection of civil penalties for violations of District Rules, Regulations, & Guidelines and the holding of a public hearing in connection therewith:

A. CVS Pharmacy located at 2900 Broadway, Pearland, TX.

THE BOARD OF COMMISSIONERS NEXT CONSIDERED THE ENFORCEMENT OF THE DISTRICT'S RULES, REGULATIONS, AND GUIDELINES (THE "RULES") AND THE ASSESSMENT OF CIVIL PENALTIES IN CONNECTION WITH SAME. LEIGH BLUMER, ASSISTANT SUPERINTENDENT, PRESENTED MATERIALS AND FINDINGS TO THE BOARD RELATED TO PROPERTY LOCATED AT 2900 BROADWAY, PEARLAND, TX, INCLUDING EVIDENCE THAT THE PROPERTY OWNER HAD BEEN DULY AND PROPERLY NOTIFIED OF THE VIOLATIONS OF THE RULES, AND WAS GIVEN ADEQUATE NOTICE OF THE PUBLIC HEARING.

THE BOARD OF COMMISSIONERS CONDUCTED A PUBLIC HEARING REGARDING THE ASSESSMENT OF CIVIL PENALTIES FOR TWO VIOLATIONS (1. FAILURE TO CONSTRUCT DETENTION POND IN COMPLIANCE WITH THE APPROVED DRAINAGE PLAN; & 2. FAILURE TO MAINTAIN DETENTION FACILITY IN ACCORDANCE WITH THE APPROVED DRAINAGE PLAN FOR THE PROPERTY) AS APPROVED BY THE DISTRICT. COMMISSIONER BRENNAN CALLED FOR THE PUBLIC HEARING TO OPEN AND ASKED FOR COMMENTS CONCERNING ENFORCEMENT. THE PUBLIC HEARING WAS CLOSED AFTER NO COMMENTS WERE OFFERED.

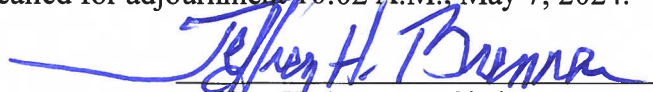
THE BOARD DISCUSSED THE ASSESSMENT OF CIVIL PENALTIES FOR THE PROPERTY LOCATED AT 2900 BROADWAY, PEARLAND, TX, WHEREUPON COMMISSIONER FEULESS MOVED THAT PENALTIES BE ASSESSED IN THE AMOUNT OF \$2,500 PER VIOLATION, PLUS ANY AND ALL ATTORNEYS FEES INCURRED IN CONNECTION WITH THE COLLECTION OF SAME, AND THAT THE DISTRICT'S COUNCIL BE INSTRUCTED TO PROVIDE NOTICE OF SUCH PENALTY AND THE REQUIREMENT TO PAY SAME WITHIN 30 DAYS OF THE DATE OF ASSESSMENT. COMMISSIONER BRENNAN SECONDED THE MOTION WHICH CARRIED BY MAJORITY, WITH COMMISSIONER MOONEY VOTING "NO".

IX. COLLECTIONS

NONE

X. ADJOURN


No further business, Commissioner Brennan called for adjournment 10:02 A.M., May 7, 2024.



Jeffrey H. Brennan, Chairman



Jim Mooney, Secretary



Scott Feules

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Pearland, Texas 77581



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Brazoria Drainage District No. 4

A Political Subdivision of the State of Texas

May 05, 2024

Attending Regular Meeting No. 05, held by Commissioners of Brazoria Drainage District No. 4.

NAME	BUSINESS AFILIATION
Adrian Geyo	BDD4
Jim Mooney	BDD4
Hannah Horsfield	LJA Engineering
JASON DYER	BDD4
Nick Killian	TET
David Greaney	Gauge Engineering
Kaitlin Gile	EHRA
Sheldon Buck	Freese + Nichols
Michael Foster	DHI Engineering
Jennie Edmonson	BDD4

Jim Mooney
Commissioner

Jeffrey Brennan
Commissioner

Scott Feules
Commissioner

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Brazoria Drainage District No. 4

A Political Subdivision of the State of Texas

May 05, 2024

Attending Regular Meeting No. 05, held by Commissioners of Brazoria Drainage District No. 4.

NAME	BUSINESS AFILIATION
<u>Rajendra Shrestha</u>	<u>City of Pearland</u>
<u>Lorenzo Winkler</u>	<u>City of Pearland</u>
<u>THOMAS KNOX</u>	<u>City of PEARLAND</u>
<u>Angel M. Ruvalcaba</u>	<u>KGA DeForest Design.</u>
<u>Clint Goebel</u>	<u>BDD4</u>
<u>Michelle Estes</u>	<u>BDD4</u>
<u>David Zhuang</u>	<u>Mission Building Systems Inc.</u>
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Jim Mooney
Commissioner

Jeffrey Brennan
Commissioner

Scott Feules
Commissioner

BRAZORIA DRAINAGE DISTRICT #4

PUBLIC COMMENT FORM

OPEN MEETING DATE: 5/7/24

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: Hannah Horsfield

Address: 1904 W Grand Pkwy N, Suite 100, Katy, Tx 77449

Phone: 713-380-4425

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

Speak on Charlotte to serve Valencia if needed

