

MEMORANDUM OF UNDERSTANDING

This is a Memorandum of Understanding (MOU) between the CITY OF SUGAR LAND, TEXAS ("CITY") and the FORT BEND COUNTY DRAINAGE DISTRICT ("FBCDD") (collectively "Parties").

WHEREAS, pursuant to Texas Water Code § 15.005 and 31 Texas Administrative Code § 363.408, if the Executive Administrator of the Texas Water Development Board determines that an application for a project has flood control as one of its purposes and that the watershed in which the project is located or is partially located outside the political subdivision making the application, the Executive Administrator requires the applicant to submit a written memorandum of understanding relating to the management of the watershed in which the project is to be located, approved by the governing bodies of the political subdivisions in which the project watershed is located; and

WHEREAS, the CITY has filed an application with the Texas Water Development Board to fund the Oyster Creek Diversion and Detention Channel Design and Construction ("Project") for the purpose of flood control; and

WHEREAS, the CITY has determined that the Brazos River Watershed ("Watershed") in which the Project is located or is partially located is within the jurisdiction of FBCDD, and FBCDD has existing drainage right-of-way easements within the Project limits; and

NOW THEREFORE, in consideration of the benefits to the Parties and the State of Texas, the CITY and FBCDD agree to the following:

1. The CITY will provide progress updates to FBCDD, on an annual basis, as the Project develops and changes.
2. The CITY will notify FBCDD of any potential change which impacts FBCDD within the quarter of the identified change.
3. FBCDD will provide constructive input to the CITY as the Project develops and changes.
4. The CITY and FBCDD will work cooperatively for the management of the Watershed.
5. The Project will ensure no adverse impact to FBCDD drainage right-of-way operations, maintenance responsibilities, and obligations located within the Project limits.

CITY OF SUGAR LAND


 Michael Goodrum, City Manager

Date: 2-15-22

FORT BEND COUNTY DRAINAGE DISTRICT


 K.P. George, County Judge

Date: February 11, 2022



COUNTY ATTORNEY

Fort Bend County, Texas

BRIDGETTE SMITH-LAWSON

County Attorney

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REVIEW FORM

Attorney/Client Privileged Document

On January 18, 2022, the County Attorney's Office reviewed the following:

Memorandum of Understanding between the City of Sugar Land, Texas and the Fort Bend County Drainage District regarding an application filed with the Texas Water Development Board to fund the Oyster Creek Diversion and Detention Channel Project.

Comments: **Approved as to legal form.**

Marcus D. Spencer
First Assistant County Attorney

Contract Request No 22-Dmg-100519.