

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

RESOLUTION NO. 2023-004

RESOLUTION ADOPTING, AUTHORIZING, AND APPROVING REVISED RULES, REGULATIONS AND GUIDELINES REGARDING DRAINAGE AND FLOOD CONTROL

WHEREAS BRAZORIA DRAINAGE DISTRICT NUMBER FOUR (the "District") is lawfully and duly constituted, and operates under applicable articles of the Texas Constitution, applicable state law including, but not limited to, Chapters 49 and 56 of the Texas Water Code, special legislation, and rules and regulations adopted by the District's Board of Commissioners; and

WHEREAS, a need exists for the adoption, promulgation, application, and enforcement of uniform standards, rules, regulations, and guidelines affecting development within the boundaries of the District; and

WHEREAS, the District is empowered to regulate the impact of man-made drainage from any private property into District facilities to ensure that the District's facilities are capable of handling artificial runoff and to avoid harm to the District's facilities and pre-existing property and persons; and

WHEREAS, the District along with the City of Manvel, and the City of Pearland have established similar drainage criteria and regulations, in order to a) assure that development within their overlapping jurisdictions does not circumvent their respective floodplain management and flood damage prevention plans, b) establish consistent application, c) simplify compliance, and d) avoid conflicts in the joint administration of said drainage criteria and regulations within their overlapping jurisdictions; and

WHEREAS, the District, has entered into agreements with the City of Manvel and City of Pearland, as authorized per Chapter 791 of the Texas Government Code, to jointly cooperate and administer their respective drainage criteria and regulations imposed upon all property and development located within their overlapping jurisdictions in an effort to promote and protect public health, safety and welfare, by minimizing public and private losses resulting from flood conditions; and

WHEREAS, the District has heretofore adopted those certain Rules, Regulations & Guidelines effective August 8th, 2023, applicable to development within the boundaries of the District (the "Rules, Regulations, and Guidelines"), copies of which are readily available to the public in the District's offices at 4813 W. Broadway, Pearland, Texas 77581; and

WHEREAS, the Rules, Regulations & Guidelines are a component part of the District's master drainage plan, reasonably relate to the provision of adequate drainage and flood control

of property within the District, have been developed using generally accepted engineering criteria, and contain reasonable enforcement procedures; and

WHEREAS, the Board of Commissioners of the District is desirous of amending said Rules, Regulations & Guidelines to further the District's purposes;

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BRAZORIA DRAINAGE DISTRICT NO. 4 THAT:

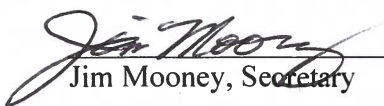
1. The District's Rules, Regulations, and Guidelines be amended as follows:
 - (a) All drainage facilities located within the boundaries of the District shall be constructed and maintained in accordance with the applicable approved drainage plan, regardless of whether that plan was originally approved by the District, the City of Manvel, the City of Pearland, or other authorized overlapping jurisdiction.
 - (b) The District may inspect all drainage facilities located within the boundaries of the District for compliance with the approved drainage plan for the property, including drainage plans approved by any other overlapping jurisdiction, and take enforcement actions related thereto in accordance with the District's Rules, Regulations, and Guidelines.
2. The foregoing amendments be attached to and made a part of the Rules, Regulations & Guidelines, effective as of the date of this Resolution.
3. A copy of the Rules, Regulations & Guidelines, as amended hereby, be made available to the public at the District's offices at 4813 W. Broadway, Pearland, Texas 77581.

PASSED AND ADOPTED the 14th day of November, 2023.

Brazoria Drainage District No. 4


Jeffrey H. Brennan, Chairman

ATTEST:


Jim Mooney, Secretary

