

CERTIFICATE FOR ORDER

STATE OF TEXAS
COUNTY OF WALLER
BROOKSHIRE-KATY DRAINAGE DISTRICT

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We, the undersigned officers of the Board of Supervisors (the "Board") of **BROOKSHIRE-KATY DRAINAGE DISTRICT** (the "District"), hereby certify as follows:

The Board convened in regular session, open to the public, on Monday, January 23, 2023, at 8:30 a.m., at the regular meeting place thereto, and the roll was called of the members of the Board, to-wit:

Arnold England	President
Pat Keeling	Vice President
David Welch	Secretary
Blake Beckendorff	Assistant Secretary
John Chisum	Supervisor

All members of the Board were present except the following: NONE; ALL IN ATTENDANCE, thus constituting a quorum. Whereupon other business, the following was transacted at such Meeting: A written

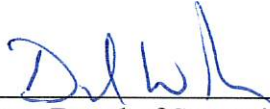
**ORDER AMENDING THE RULES AND REGULATIONS; AMENDING ARTICLE VIII,
PENALTY AND ATTORNEY'S FEES, SECTION I**

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and after full discussion, such motion, carrying with it the adoption of such Order prevailed, carried, and became effective by the following vote:


AYES: 5 **NOES:** 0

A true, full and correct copy of the aforesaid Order adopted at the Meeting described in the above foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in the Board's minutes of such Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such Meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board are duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of such Meeting, and that such Order would be introduced and considered for adoption at such meeting, and each of the officers and members consented, in advance, to the holding of such Meeting for such purpose; and such Meeting was open to the public and public notice of the time, place, and purpose of such Meeting was given, all as required by Chapter 551 of the Texas Government Code and Section 49.063 of the Texas Water Code, as amended.

SIGNED this 23rd day of January, 2023.



Secretary, Board of Supervisors



President, Board of Supervisors

**ORDER AMENDING THE RULES AND REGULATIONS; AMENDING ARTICLE VIII,
PENALTY AND ATTORNEY'S FEES, SECTION I**

STATE OF TEXAS §
COUNTY OF WALLER §
BROOKSHIRE-KATY DRAINAGE DISTRICT §

WHEREAS, the Board of Supervisors (the "Board") of **BROOKSHIRE-KATY DRAINAGE DISTRICT** (the "District"), has previously adopted Rules and Regulations of the District; and

WHEREAS, Section 6603.101 of the Special District Local Laws Code grants the District all the rights, powers, privileges and duties conferred and imposed by general law including Chapter 49 and 53 of the Texas Water Code; and

WHEREAS, Section 49.004 of the Texas Water Code grants the Board the power to set reasonable civil penalties for the breach of any rule of the district that shall not exceed the jurisdiction of a justice court as provided by Section 27.031, Government Code.

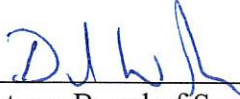
WHEREAS, the Board of Supervisors of the District finds that certain amendments to the District's Rules and Regulations as set forth herein are necessary, proper, and appropriate.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF BROOKSHIRE-KATY DRAINAGE DISTRICT THAT:


1. The recitals set forth above are found to be true and correct.
2. Article VIII, Penalty and Attorney's Fees, Section 1, is hereby amended by increasing the amount for penalties from five thousand (\$5,000) dollars to ten thousand (\$10,000) dollars per violation per day and changing the penalties from criminal to civil.
3. That the Board of Supervisors hereby amends the District Rules and Regulations as set forth in the attached Exhibit "A."
4. That all portions of the District's Rules and Regulations not specifically amended hereby remain in full force and effect.
5. That the amendments contained herein shall be effective immediately after publication of notices as authorized herein.
6. The General Manager, Administrative Assistant, and District Attorney of the District are hereby authorized to publish notice of this amendment to the District's Rules as required by Section 54.207 of the Texas Water Code.

PASSED, APPROVED AND ADOPTED this the 23rd day of January, 2023.

SIGNED this 23rd day of January, 2023.



Secretary, Board of Supervisors



President, Board of Supervisors

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EXHIBIT A

(Addition shown by underline, removal shown by strikethrough)

Article VIII. Penalty and Attorney's Fees, Section 1.

The Board of Supervisors may impose the following civil penalties on Any person violating any provisions of the Rules and Regulations: the violator shall pay the District a fine of up to ten thousand (\$10,000.00) dollars per violation per day. Each day that a violation remains in violation of the Rules and Regulations is treated as a separate violation. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction. ~~shall be guilty of a misdemeanor and shall be fined not more than \$5,000.000 upon conviction of such violation; provided however if such person convicted of an offense under these Rules and Regulations which offense is also a violation of the penal laws of the State of Texas, such person shall be subject to the penalties set out in the penal laws of the State for the offense.~~