



6611 W. Cross Creek Bend Lane, PO Box 279
Fulshear, Texas 77441
Phone: 281-346-1796 ~ Fax: 281-346-2556
www.FulshearTexas.gov

CITY COUNCIL:

MAYOR: Aaron Groff	MAYOR PRO-TEM: Joel Patterson	COUNCIL MEMBER: Kent Pool
COUNCIL MEMBER: Jason Knape	COUNCIL MEMBER: Abhijeet Utturkar	COUNCIL MEMBER: Debra Cates
	COUNCIL MEMBER: Christina Baron	COUNCIL MEMBER: Sarah B. Johnson

STAFF:

ACTING CITY MANAGER: Zachary Goodlander	CITY SECRETARY: Mariela Rodriguez	CITY ATTORNEY: Byron Brown
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SPECIAL CITY COUNCIL MEETING

May 14, 2024

NOTICE IS HEREBY GIVEN OF A SPECIAL CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **Tuesday, May 14, 2024 AT 4:30 PM** IN THE CITY OF FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LANE, FULSHEAR, TX 77441 FOR CONSIDERING THE FOLLOWING ITEMS. THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY MATTERS LISTED ON THE AGENDA, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE, INCLUDING, BUT NOT LIMITED TO, SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATIONS ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), 551.087 (ECONOMIC DEVELOPMENT), 418.175.183 (DELIBERATIONS ABOUT HOMELAND SECURITY ISSUES) AND AS AUTHORIZED BY THE TEXAS TAX CODE, INCLUDING, BUT NOT LIMITED TO, SECTION 321.3022 (SALES TAX INFORMATION).

Incidental Meeting Notice: A quorum of the City of Fulshear City Council, Planning and Zoning Commission, City of Fulshear Development Corporation (Type A), Fulshear Development Corporation (Type B), Parks and Recreation Commission, Historic Preservation and Museum Commission, Zoning Board of Adjustment, Charter Review Commission, or any or all of these, may be in attendance at the meeting specified in the foregoing notice, which attendance may constitute a meeting of such governmental body or bodies as defined by the Texas Open Meetings Act, Chapter 551, Texas Government Code. Therefore, in addition to the foregoing notice, notice is hereby given of a meeting of each of the above-named governmental bodies, the date, hour, place, and subject of which is the same as specified in the foregoing notice.

Notice Pertaining to Social Distancing Requirements: In accordance with the Texas Open Meetings Act, Chapter 551, Government Code, this meeting shall be open to the public, except as provided by said Act. However, any members of the public who attend the meeting are individually responsible for complying with any applicable proclamation or order issued by the governor or any local official which may be in effect at the time of the meeting, including but not limited to any restrictions which may require such members of the public to implement social distancing, to minimize social gatherings, or to minimize in-person contact with people who are not in the same household.

I. CALL TO ORDER

II. QUORUM AND ROLL CALL

III. CITIZEN'S COMMENTS

THIS IS AN OPPORTUNITY FOR CITIZENS TO SPEAK TO COUNCIL RELATING TO AGENDA AND NON-AGENDA ITEMS. SPEAKERS ARE ADVISED THAT COMMENTS CANNOT BE RECEIVED ON MATTERS WHICH ARE THE SUBJECT OF A PUBLIC HEARING ONCE THE HEARING HAS BEEN CLOSED. SPEAKERS ARE REQUIRED TO REGISTER IN ADVANCE AND MUST LIMIT THEIR COMMENTS TO THREE (3) MINUTES.

IV. BUSINESS

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2024-1458, AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION OF THE CITY OF FULSHEAR, TEXAS, HELD ON MAY 4, 2024, FOR THE PURPOSE OF ELECTING THREE (3) COUNCIL MEMBERS TO FILL DISTRICT 2, DISTRICT 3, AND AT-LARGE POSITIONS AND MAYOR TO THE CITY COUNCIL OF THE CITY OF FULSHEAR**
- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2024-1457, ORDERING A RUNOFF ELECTION TO BE HELD ON SATURDAY, THE 15TH DAY OF JUNE 2024, FOR THE PURPOSE OF ELECTING THE MAYOR OF THE CITY OF FULSHEAR, TEXAS; APPOINTING AN EARLY VOTING CLERK; STATING THE EARLY VOTING CLERK'S OFFICIAL MAILING ADDRESS; DESIGNATING AN EMAIL ADDRESS FOR RECEIPT OF AN APPLICATION FOR A BALLOT TO BE VOTED BY MAIL; STATING THE MAIN EARLY VOTING POLLING LOCATION AND THE REGULAR DATES AND HOURS THAT EARLY VOTING WILL BE CONDUCTED; AND PROVIDING FOR SEVERABILITY**
- C. NOTATION OF THE COMPLETION OF THE CANVASS BY MAYOR GROFF**
- D. ELECTION CEREMONY WITH OFFICERS-ELECT**
 - ISSUE CERTIFICATES**
 - ISSUE ANTIBRIBERY STATEMENTS**
 - ISSUE OATHS OF OFFICE**
- E. PRESENTATION OF THE CURRENT CAPITAL IMPROVEMENT PLAN UPDATE**
- F. DISCUSSION THE CITY OF FULSHEAR'S PARTICIPATION IN THE WATER PROVIDER PARTICIPATION PROGRAM THROUGH THE NORTH FORT BEND WATER AUTHORITY, AND TO CONSIDER ESTABLISHING A LEADERSHIP WATER CONSERVATION COMMITTEE OF CITY COUNCIL MEMBERS TO COMPLY WITH THE CORE INITIATIVES OF THE WATER PROVIDER CONSERVATION PROGRAM**

G. DISCUSSION OF THE UPDATE TO THE DROUGHT CONTINGENCY PLAN AND RECEIVE POSSIBLE DIRECTION FOR FINALIZING THE PLAN

V. EXECUTIVE SESSION

- A. CLOSED SESSION IN ACCORDANCE WITH SECTION 551.071 OF THE TEXAS OPEN MEETINGS ACT (CHAPTER 551, GOVERNMENT CODE), CONSULTATION WITH ATTORNEY. A GOVERNMENTAL BODY MAY NOT CONDUCT A PRIVATE CONSULTATION WITH ITS ATTORNEY EXCEPT: (1) WHEN THE GOVERNMENTAL BODY SEEKS THE ADVICE OF ITS ATTORNEY ABOUT: (A) PENDING OR CONTEMPLATED LITIGATION; OR (B) A SETTLEMENT OFFER; OR (2) ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH CHAPTER 551, GOVERNMENT CODE**
- **DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND CENTURY LAND HOLDINGS OF TEXAS, LLC**
 - **UTILITY AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND CENTURY LAND HOLDINGS OF TEXAS, LLC ON BEHALF OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 174**
 - **DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, POSITIVE DEVELOPMENTS LLC, AND GRANDES RICOS, LLC**

VI. ACTION FROM EXECUTIVE SESSION

VII. ADJOURNMENT

NOTE: IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICE MUST BE MADE AT LEAST 48 BUSINESS HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT 281-346-1796 FOR FURTHER INFORMATION.

I, MARIELA RODRIGUEZ, CITY SECRETARY OF THE CITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING AND AGENDA FOR THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS WAS POSTED ON FRIDAY, MAY 10, 2024 BY 5:00P.M. IN PLACE CONVENIENT AND READILY ACCESSIBLE AT ALL TIMES TO THE GENERAL PUBLIC, IN COMPLIANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

MARIELA RODRIGUEZ, CITY SECRETARY

**AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF FULSHEAR, TEXAS**

AGENDA OF: 5/14/2024

ITEMS: IV.A.

**DATE
SUBMITTED:** 5/8/2024

DEPARTMENT: Administration

PREPARED BY: Katie Lewis

PRESENTER: Mariela Rodriguez

SUBJECT: CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2024-1458, AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION OF THE CITY OF FULSHEAR, TEXAS, HELD ON MAY 4, 2024, FOR THE PURPOSE OF ELECTING THREE (3) COUNCIL MEMBERS TO FILL DISTRICT 2, DISTRICT 3, AND AT-LARGE POSITIONS AND MAYOR TO THE CITY COUNCIL OF THE CITY OF FULSHEAR

Expenditure Required:

Amount Budgeted:

Funding Account:

Additional Appropriation Required:

Funding Account:

EXECUTIVE SUMMARY

RECOMMENDATION

Staff recommends the City Council accept and approve Ordinance No. 2024-1458 and the Official Canvass for the election held on May 4, 2024.

**AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF FULSHEAR, TEXAS**

AGENDA OF: 5/14/2024 **ITEMS:** IV.F.
DATE 5/1/2024 **DEPARTMENT:** Public Works
SUBMITTED:
PREPARED BY: Sharon Valiante Director of Public **PRESENTER:** Sharon Valiante Director of Public
Works & Maribel Tapia, Utility Works & Maribel Tapia, Utility
Services Supervisor Services Supervisor

SUBJECT: DISCUSSION THE CITY OF FULSHEAR'S PARTICIPATION IN THE WATER PROVIDER PARTICIPATION PROGRAM THROUGH THE NORTH FORT BEND WATER AUTHORITY, AND TO CONSIDER ESTABLISHING A LEADERSHIP WATER CONSERVATION COMMITTEE OF CITY COUNCIL MEMBERS TO COMPLY WITH THE CORE INITIATIVES OF THE WATER PROVIDER CONSERVATION PROGRAM

Expenditure Required: NA

Amount Budgeted:

Funding Account:

Additional Appropriation Required:

Funding Account:

EXECUTIVE SUMMARY

The City of Fulshear is a participant in the North Fort Bend Water Authority's (NFBWA) Ground Water Reduction Plan. An important aspect of the plan is water conservation. The NFBWA, by Resolution, adopts water conservation initiatives that are extended to participants. Participants in the water conservation program can receive a \$0.10/1000 gallons water pumped provided the program criteria are met. The City of Fulshear historically has participated in this program and has received the rebates.

However, this past year, the program changed somewhat, and the water conservation committee now has a focus on Leadership involvement, i.e., City Council members.

The discussion will center around the criteria for this core initiative and how the City of Fulshear can provide the necessary members for the Leadership Committee, what that entails, and the requirements of the committee meetings.

If Council determines this is a viable program, then an Ordinance will be prepared to acknowledge participation in the program with the City's participation choices, create a Leadership Water Conservation Committee, appointing the member, and establishing the meeting schedule.

RECOMMENDATION

City Council provide direction to staff:

1. Participate in the Water Provider Conservation Plan or not.
2. If so, then create a Leadership Water Conservation Committee
3. Determine meeting schedule

ATTACHMENTS:

Description	Upload Date	Type
NFBWA Resolution Establishing 2024 Water Provider Conservation Program	5/1/2024	Exhibit
Interest Form WPCP	5/7/2024	Backup Material
May Reporting Form.LeadershipWCC	5/7/2024	Exhibit

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTIES OF FORT BEND AND HARRIS §

I, the undersigned officer of the Board of Directors of the North Fort Bend Water Authority, do hereby certify as follows:

1. The Board of Directors of the North Fort Bend Water Authority convened in regular session on the 21st day of December, 2023, and the roll was called of the members of the Board:

- | | |
|-----------------------|--------------------------|
| Peter Houghton | President |
| Robert Patton | Vice President |
| Dana Hollingsworth | Secretary |
| Robert Darden | Assistant Vice President |
| Bruce Fay | Assistant Secretary |
| Donald Abrahamson, II | Assistant Secretary |
| Michael Rusk | Assistant Secretary |

and all of said persons were present except Director(s) Houghton, Patton, & Rusk, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

RESOLUTION ESTABLISHING THE 2024
WATER PROVIDER CONSERVATION PROGRAM

was introduced for the consideration of the Board. It was then duly moved and seconded that the resolution be adopted; and, after due discussion, the motion, carrying with it the adoption of the resolution, prevailed and carried unanimously.

2. A true, full, and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; the action approving the resolution has been duly recorded in the Board's minutes of the meeting; 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 was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid meeting, and that the resolution would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; the meeting was open to the public as required by law; and public notice of the time, place, and subject of the meeting, was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

SIGNED AND SEALED the 21st day of December, 2023



[Handwritten Signature]
Secretary, Board of Directors

(SEAL)

1152445

“Program”) consisting of various water conservation initiatives which participants (“Participants”) may choose to participate in to qualify for eligibility for a water conservation rebate payment;

WHEREAS, the Board desires to continue the Program for the calendar year 2024, as detailed below;

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF NORTH FORT BEND WATER AUTHORITY THAT:

Section 1. Findings. Each of the recitals stated in this Resolution are hereby adopted as a finding of the Board.

Section 2. Program Term. This Resolution shall govern the Program for the period from January 1, 2024, through December 31, 2024 (the “2024 Program Term”).

Section 3. Program Enrollment. The 2024 Program Guide, attached hereto as **Exhibit A** (the “2024 Program Guide”), contains detailed descriptions of the Program Initiatives that the Authority is offering for the 2024 Program Term, as well as the Initiative completion requirements for successfully finishing the Program. Participants desiring to participate in the Program shall review the 2024 Program Guide and submit the interest form, which shall be made available on the Authority’s website, to the Authority by March 31, 2024.

Section 4. Water Conservation Rebate Payment. In exchange for meeting the goal and data submission requirements for each Initiative, Participants make progress towards eligibility for a water conservation rebate payment in the amount of \$0.10 per 1,000 gallons (the “Water Conservation Rebate Payment”) of water pumped from well(s) or received from the Authority on which an Authority GRP Fee or Surface Water Fee (as such terms are used in the Authority’s Amended Rate Order) would be charged by the Authority, as based on that Participant’s 2024 reported usage for the applicable usage period set forth in the table in Section 6 below. In order to be eligible for the Water Conservation Rebate Payment, each municipal utility district and city Participant must successfully complete (i) three Core Initiatives and (ii) three “Pick Three” Initiatives or one Pick One Initiative (the “Rebate Requirement”). Homeowners Associations and Groundwater Reduction Plan Participants will be evaluated on a case-by-case basis for eligibility requirements. No credit will be awarded for partially meeting the goal and data submission requirements for the Program.

Section 5. Program Participation. In order to qualify for the Water Conservation Rebate Payment, Participants in the Program must use their best efforts to: i) implement the Initiatives in the manner set forth in the 2024 Program Guide, ii) meet the goal requirements set forth for each Initiative in the 2024 Program Guide, and

iii) provide any data required to be submitted to the Authority in conjunction with each Initiative by the deadlines provided in the 2024 Program Guide. Participants must meet the Rebate Requirement set forth in Section 4 during the 2024 calendar year to receive the water conservation rebate payment.

Section 6. Water Conservation Rebate Payment Administration. Each Participant must: i) meet the goal for each Initiative according to the requirements of the 2024 Program Guide, and ii) submit all required data to the Authority by the deadlines set forth in the 2024 Program Guide. Upon receipt of all necessary documentation for Program compliance, the Authority will review the data submitted and determine, in the Authority’s sole and reasonable discretion, whether the Participant has fulfilled the requirements necessary to successfully complete the Rebate Requirement for the 2024 Program Term. The Authority shall make such determination by March 1, 2025. Each Participant is encouraged to maintain regular communication with the Authority throughout the 2024 Program Term to ensure that the Participant is submitting the quality and type of data necessary for the Participant to obtain the Program credit anticipated by the Participant. If a Participant has fulfilled the Rebate Requirement for the 2024 Program Term, the Authority shall use reasonable efforts to award the Water Conservation Rebate Payment to the Participant in four installments on the dates set forth below (each a “Water Conservation Rebate Payment Award Date”):

Usage Period	Water Conservation Rebate Payment Award Date
January 1, 2025-March 31, 2025	June, 2025, Regular Board of Directors Meeting
April 1, 2025-June 30, 2025	September, 2025, Regular Board of Directors Meeting
July 1, 2025-September 30, 2025	December, 2025, Regular Board of Directors Meeting
October 1, 2025-December 31, 2025	March, 2026, Regular Board of Directors Meeting

The Authority reserves the right, in its sole and reasonable discretion, to adjust any Water Conservation Rebate Payment Award Date. While each Participant is encouraged to complete as many Initiatives as desired, Participant shall not receive any additional compensation or payment from the Authority for completing Initiatives in excess of the Rebate Requirement. Participants shall not be eligible for any portion of the Water Conservation Rebate Payment in the event that Participant: i) fails to meet the Rebate Requirement (as determined in the sole and reasonable discretion of the Authority); or ii) withdraws from the Program prior to completion of the 2024 Program Term. The Authority shall have no financial obligation to the Participants for Program participation other than payment of the Water Conservation Rebate Payment and contribution to certain Initiatives as set forth in the 2024 Program Guide and associated agreements detailing the terms and conditions of the Authority’s participation in such Initiative.

Section 7. The President and Secretary of the Board, the Authority's engineers, the Authority's operators, and the Authority's attorneys are authorized and directed to do any and all things necessary and proper in furtherance of the Program.

PASSED AND APPROVED this 21st day of December, 2023.



Asst. Vice President, Board of Directors

ATTEST:



Secretary, Board of Directors

(SEAL)



EXHIBIT A
2024 PROGRAM GUIDE DOCUMENT

North Fort Bend
Water
Authority

2024

Water Provider
Conservation Program Guide



Getting Started

Once you've submitted your interest form for the Water Provider Conservation Program, you'll need to do three things to get started:

- 1 Create a Conservation Committee**
Create a Board of Directors or City Council conservation committee, and appoint a community liaison to help engage the community.
- 2 Send High Water User Notifications**
Send high water user notifications to residents whose monthly water use is higher than average.
- 3 Distribute Conservation Information**
Distribute water conservation materials to residents at least four times a year (materials provided by NFBWA).

To earn a rebate, you'll complete three initiatives from the Pick Three category or one initiative from the Pick One category.
Have an idea for a water conservation program not listed here? Talk to us about our Unique Programming initiative.

PICK THREE



Residential Rebate

Have 0.5% of residents participate in the resident rebate program. NFBWA administers the rebate programs for Participants.



Community Collaboration

Hold a community conservation event, arrange interactive school visits, or participate in the Fort Bend Subsidence District Water Wise program.



Smart Meter Portal

Develop and execute a campaign to increase the use of smart meter portals. This initiative is for Participants who have an AMR/AMI setup.



E.T. Weather Station

Install a new weather station and share data with the NFBWA. NFBWA provides guidance on achieving goals; participation is limited.



W.I.S.E. Guys

Have 2.25% of residents participate in W.I.S.E. Guys, a free irrigation system evaluation for residents.



Integrated Water Management Plan

Evaluate current and planned water systems to consider how reclaimed water can be utilized.



PICK ONE



HOA Water Budgets

Have HOAs create water budgets for annual water usage and strive to stay within the budget parameters for the cumulative year.



Smart Meter Installation

Plan, budget, and begin installation of smart meters for residents, and create a water leak detection plan.



Advanced Irrigation Scheduling

Create a plan for water reduction using best practices and enhanced irrigation central control systems.

Background

The North Fort Bend Water Authority (the “Authority”) strives to promote and educate its constituents on water conservation.

In 2016, the Authority adopted the Larry’s Toolbox Water Conservation Program (“Larry’s Toolbox Water Conservation Program”) to assist in water conservation efforts within the Authority’s boundaries. Participants (“Participants”) could pick from initiatives offered and select initiatives to meet a minimum of 9 points. Upon successful completion, the Participant would receive a rebate for their groundwater pumpage and surface water delivery (the “Incentivized Rate”) the following year in the amount of \$0.10 per 1,000 gallons of water.

To improve upon the initial success of the Larry’s Toolbox Water Conservation Program, the Authority reorganized the program in 2022. To simplify and make the program more transparent, the Larry’s Toolbox Water Conservation Program is now called the Water Provider Conservation Program (the “Program”).

The goals of the Program are to:

- Increase Board of Director/City Council Member involvement;
- Increase water saving potential; and
Increase community awareness.

The Program remains voluntary. Authority support is available to help Participants. Upon successful completion, the Participant will receive the Incentivized Rate the following year in the amount of \$0.10 per 1,000 gallons of water.

Water Provider Conservation Program

As part of the Program, the Authority has created several different conservation initiatives for Participants. To participate in the Program, Participants must successfully complete a set of 3 core initiatives (each a “Core Initiative”), plus one of the following:

1. Three initiatives from the “Pick Three” category; or
2. One complex initiative from the “Pick One” category.

If a Participant successfully completes the initiatives required to fulfill the Program requirements, as outlined in this 2024 Water Provider Conservation Program Guide (the “2024 Program Guide”), then they will receive the Incentivized Rate the following year in the amount of \$0.10 per 1,000 gallons of water. The rebate is based on that Participant’s 2025 reported usage for the applicable usage period set forth in the Authority’s Resolution Establishing the 2025 Water Provider Conservation Program (the “Resolution”).

In accordance with the Resolution, all Participants who choose to participate will be required to submit an interest form for the Program. Interest forms for the 2024 Program are due by March 1, 2024. Interest forms received after March 1, 2024, will not be accepted by the Authority.

Program Initiatives

The 2024 Program initiatives (the “Initiatives”) are set forth below. Many of the Initiatives prior to 2024 were recommended by a water conservation committee made up of volunteer constituents from within the Authority’s boundaries. The Initiatives have been modified since program inception in 2016 to provide the most efficient and economic water conservation practices. **The Initiatives will not change from January 1, 2024, to December 31, 2024 (the “Program Term”).** After each Program Term, if it is determined that an Initiative is not effective, it may be removed from the Program, and new Initiatives may be added.

Each Initiative in the 2024 Program Guide includes a fact sheet detailing:

- Description of the Initiative;
- Guidelines to complete the Initiative successfully;
- Materials and services to be provided by the Authority to the Participant;
- A schedule of deadlines and events; and
- Required documentation and submittals to the Authority for successful completion.

The 2024 Core Initiatives, which must all be completed for participation in the Program, are:

- Leadership Water Conservation Committee;
- Residential Water Conservation Outreach; and
- High Water User Notifications.

The Participant must then successfully complete three initiatives from the “Pick Three” category or one initiative from the “Pick One” category.

The Pick Three category initiatives are:

- Customer Water Conservation Rebates;
- Residential Irrigation System Evaluations (W.I.S.E. Guys);
- Smart Meter Portal;
- Community Collaboration;
- ET Weather Station; and
- Integrated Water Management Plan.

The Pick One category initiatives are:

- HOA Water Budgets;
- Advanced Irrigation Scheduling;
- Smart Meter Installation; and
- Unique Programming Initiative.

Program Participants

The Participant will be required to cooperate with the Authority on the implementation of each Initiative in which they choose to participate. Each Initiative requires a different level of commitment from the Participant, as outlined in the Initiative fact sheets.

To ensure each Initiative is effective in promoting water conservation and management, Participants will be required to provide specific data requested by the Authority regarding the Initiatives. Data will be used to quantify water savings and assist the Authority in performing a cost-benefit analysis.

Data will be collected monthly by the Authority. Progress updates are available from the Authority upon request. If an Initiative has not been completed by December 31, 2024, the Participant will not be awarded credit for completing that Initiative. If all required documentation has not been received by the Authority by December 31, 2024, the Participant will not be granted a variance for late submittals.

Core Initiatives

The Core initiatives must be completed successfully at the end of each Program Term. If any Core Initiative is not successfully completed, then the Participant will not receive the Incentivized Rate the following year.

The 2024 Core Initiatives, which must all be completed for participation in the Program, are:

- Leadership Water Conservation Committee;
- Residential Water Conservation Outreach, and;
- High Water User Notifications.

Core Initiatives: Leadership Water Conservation Committee

Description

The Participant will form a Leadership Water Conservation Committee (the “Committee”), which includes leadership for the community. Board Directors and City Council Members will meet and provide input to make decisions to improve Participant involvement.

Guidelines

1. Participant will establish a Committee that includes two Participant Board Directors or three City Council Members, plus a designated member of the community, such as an HOA or other residential association representative, to serve as a communications liaison to the community (“Community Liaison”). Committees formed in previous Program years are acceptable.
2. The Community Liaison may not be a consultant to the Participant.
3. The Committee will provide updates on a designated Water Conservation Agenda Item at monthly regular meetings. The Committee will report on upcoming activities and planning.
4. The Committee must send four water conservation updates on activities to its Community Liaison within the Program Term.
5. The Committee will send a Committee representative to attend at least one Water Conservation Committee meeting with the Authority and other Participants.

Materials and Services Provided by the Authority

1. The Authority will be available to assist Participants in ideas for the Committee to implement.
2. The Authority will host multiple virtual Water Conservation Committee meetings where representatives from each Committee may discuss activities planned and brainstorm.

Schedule

1. The Participant must establish a Committee by May 31, 2024.
2. A minimum of one representative from the Committee must attend at least one Authority hosted virtual Water Conservation Committee meeting in 2024.
3. The Authority will provide dates and sign-up information on the Water Conservation Committee meetings throughout the Program Term.

Required Documentation and Submittals

1. The list of Committee member names and contact information must be sent to the Authority by May 31, 2024. Previous program term committees are acceptable but contact information must be updated and submitted.
2. Participant must send one meeting agenda and one meeting minutes from its regular Board of Directors or City Council meeting to illustrate there is an active Committee.

3. Correspondence illustrating the Committee is actively engaging the community through its Community Liaison to distribute water conservation information to the community throughout the Program Term.
4. Registration and attendance to at least one of the Authority's Water Conservation Committee meetings.

Core Initiatives: Residential Water Conservation Outreach

Description

The Authority will provide conservation messages and imagery consisting of concise tips that the Participant must distribute. The success of this Initiative will be measured by the disbursement of conservation messages that are provided on Participant platforms. The modification of messages must be approved by the Authority.

Guidelines

1. The Participant may choose four months within the Program Term where messages are published via two outlets, for a total of eight posts.
2. Only one assigned message or image may be published per month.
3. The monthly message must be published in two different Participant outlets. Outlets include, but are not limited to, websites, email, newsletters, SMS or text alert systems, and bill inserts.
4. Participant must also coordinate with its Community Liaison to send imagery and/or messages to social media or other non-Participant platforms. Examples include NextDoor or an HOA newsletter.
5. Participant must also include monthly historical water usage data on customers' monthly water bills a minimum of four times per Program Term.

Materials and Services Provided by the Authority

1. The Authority provides a compilation of water conservation imagery and messages to Participants.

Schedule

1. The Participant must publish a minimum of four messages via two outlets during the Program Term.
2. Participants must send required documentation to the Authority by December 31, 2024.

Required Documentation and Submittals

1. Confirmation that the Participant has asked its Community Liaison to distribute the messages to outlets outside of the Participant's own online platforms.
2. Copy of the posted messages (minimum of 8). This may include screenshots of the posted material.
3. Confirmation that the Participant included monthly historical water usage data on customers' monthly water bills.

Core Initiatives: High Water User Notification

Description

The High Water User Notification Initiative requires the Participant to notify its high water use customers of high water usage. High water users can be classified as either users that consume more than an allotted amount of water per month or users that are the top percentage of water usage within the Participant's boundaries for a given month.

Guidelines

The success of this Initiative will be measured by notifications to customers who consume more than the top gallon threshold amount per month or a decrease in the amount of water the top percentage of users consume per month.

Materials and Services Provided by the Authority

1. The Authority will provide a notification letter template that Participants may utilize to notify the high-water users. The notifications may be distributed either letter, email, and/or door tag.
2. Upon request, the Authority will provide technical assistance to the Participants to determine the gallon threshold or percentage that will be used for notification.

Schedule

1. The Committee must determine the gallon threshold or percentage that will be used for notifications. The methodology must be sent to the Authority no later than May 31, 2024.
2. High water user notifications must be sent to the pre-determined connections through the meter read dates from the months May through November 30, 2024.
3. High water user data must be sent to the Authority by December 31, 2024.

Data Required by Participant

The monthly water usage of the high-water users each month and the number of users notified of their high-water usage.

Pick Three

In addition to the Core Initiatives, Participants may complete a total of three initiatives from the Pick Three category to successfully complete the Program.

The Pick Three category initiatives are:

- Customer Water Conservation Rebates;
- Residential Irrigation System Evaluations (W.I.S.E. Guys);
- Smart Meter Portal;
- Community Collaboration;
- ET Weather Station; and
- Integrated Water Management Plan.

Pick Three: Customer Water Conservation Rebates

Description

The Customer Water Conservation Rebates Initiative provides that if a Participant's customer (commercial or residential) makes Authority-approved upgrades or repairs to their irrigation system or to indoor plumbing fixture(s), they will be eligible for a rebate.

Guidelines

1. Each customer rebate will be for 50% of the cost of the upgrade(s) with limits detailed on the rebate form.
2. To receive the rebate, the customer must submit a rebate form to the Authority with the receipt for the repairs.
3. The Authority will then confirm that the repairs were made and submit the customer's form and receipt to the Participant's operator for payment in the form of a bill credit.
4. Alternatively, a Participant may receive and process its customers' rebate forms on its own, but the Participant must copy the Authority on all rebate-related transactions.
1. A minimum of 0.5% of the community (example: 5 out of 1,000) must participate for successful completion.

Materials and Services Provided by the Authority

1. The Authority will provide the forms for the rebates to all Participants, an electronic submittal option, and a copy of the rebate form on the Authority's website.
2. The Authority will keep track of the rebates issued during the Program Term.
3. The Authority will provide bill inserts electronically and/or physical inserts to promote the Initiative.
1. Schedule Participant must inform the Authority of participation in the initiative on the Program interest form.
2. The Initiative will be active from January 1, 2024, through December 31, 2024.
3. The Authority will begin accepting the online forms after March 1, 2024.

Data Required by Participant

1. Confirmation that each participating eligible customer's bill was credited with the rebate amount.
2. Customer connection count as of January 1, 2024.
3. The number of physical bill inserts needed for distribution to customers or option for electronic bill insert if the Participant would like to promote the Initiative in such manner.

Pick Three: Resident Irrigation System Evaluation

Description

The Resident Irrigation System Evaluation Initiative, commonly referred to as W.I.S.E. Guys, will provide residents with a comprehensive evaluation of their irrigation system to identify leaks and inefficiencies, locate broken or malfunctioning equipment, and provide general irrigation system maintenance information. It will then provide recommendations and general information that can greatly reduce outdoor water usage. There is no obligation to make the repairs recommended by the irrigator.

Guidelines

1. The Resident Irrigation System Evaluation is a separate water conservation program administered pursuant to the terms of a Cost Sharing Agreement between the Authority and the Participant. If a Participant is interested in participating in this Initiative and does not currently have a Cost Sharing Agreement in place, contact the Authority for further information.
2. 2.25% of all residential connections as of January 1, 2024, must receive Resident Irrigation System Evaluations within the Program Term.
3. Residents are allowed one evaluation per calendar year.

Materials and Services Provided by the Authority

1. The Authority will provide bill inserts electronically and/or physical inserts to promote the Initiative.
2. The Authority will track the number of evaluations performed during the Program Term.
3. The Authority will provide monthly tracking information to Participants upon request.

Schedule

The Initiative will be active from January 1, 2024, through December 31, 2024.

Data Required by Participant

1. Residential connection count as of January 1, 2023.
2. The number of physical bill inserts needed for distribution to customers or option for electronic bill insert if the Participant would like to promote the Initiative in such manner.

Pick Three: Smart Meter Portal

Description

The Smart Meter Portal Initiative encourages customers to become more aware of water usage. It is aimed to encourage residents to sign up and utilize Participant customer portals. The Participant will also create a plan to achieve a higher level of participation in the portal's leak notification system.

Guidelines

1. This Initiative is solely for Participants that currently have Automated Meter Reading and Automated Meter Infrastructure technology.
2. The Participant's Customer Portal must provide residents with average usage in their service area, historical water trends, and tips to conserve water.
3. Participants will provide customers with the ability to receive notifications regarding when usage exceeds a set amount, when there might be a leak within their system, and times of high usage.
4. Participants will develop and submit to the Authority a communication plan for leak detection outreach that has annual goals to increase connection participation.
5. Participants will implement the 2024 campaign with a minimum of 5% increase in customer participation in threshold alerts.
6. The Participant must also create information for leak detection notification and threshold settings to customers through community meetings, social media posts, bill inserts, website posts, etc.

Materials and Services Provided by the Authority

1. The Authority will be available to assist Participants in ideas for the outreach notifications to customers.

Schedule

1. The Initiative will be active from January 1, 2024, through December 31, 2024.

Data Required by Participant

1. Written communication plan (Participant specific) that includes methodology for achieving a 5% increase in customer participation by the end of the calendar year 2024 for threshold alerts.
2. Samples of information distributed for leak detection notification.

Pick Three: Community Collaboration

Description

The Community Collaboration Initiative is aimed to inform the community about water conservation. Participants are encouraged to host community conservation events for the public, arrange youth visits, and/or participate in school curriculum programs to encourage water conservation.

Guidelines

1. Community Conservation events must be planned at least two months in advance of the event and be promoted via multiple outlets by the Participant.
2. Youth visits include visiting schools and/or other non-profit organizations (examples include Boy Scouts, Girl Scouts, and YMCA) to provide presentations and/or interactive activities.
3. Participation in school curriculum programs include the Fort Bend Subsidence District Water Wise Program or other Authority approved curriculum programs.
4. The Community Collaboration Initiative is subject to the Authority's approval by individual Participant.
5. The Participant must submit a written report about the promotion, execution, and outcome of the event to the Authority.

Materials and Services Provided by the Authority

1. Authority will offer its mobile learning lab upon a sixty-day written request, subject to availability.
2. Authority will offer presentations and/or interactive activities for all community-based options, subject to availability.

Schedule

1. The Initiative will be active from January 1, 2024, through December 31, 2024.
2. Participant must submit the Community Collaboration written report to the Authority by December 31, 2024.

Data Required by Participant

1. Written report about the promotion, execution, and outcome of the Community Collaboration Initiative.

ET Weather Station

Description

This ET (evapotranspiration) Weather Station Initiative is offered to Participants that wish to support data collection, tabulation, and recommendations to its customers for proper irrigation scheduling. The Initiative will also support the Texas AgriLife Extension Service's Water My Yard Program, which sends residents custom watering recommendations throughout the year.

Guidelines

1. There is limited availability for this initiative. Interested Participants must contact the Authority for inquiries and approval.
2. The Participant must gain approval by Authority for the location of the new weather station.
3. The Participant must follow the weather station suggested models and specifications to participate.
4. If selected, the Participant must install and begin receiving weather data before the Program Term ends.
5. The Authority will have direct access to the Participant's weather data to include it in community suggested irrigation scheduling.

Materials and Services Provided by the Authority

1. The Authority will work with the Participant in defining a location for the weather station.
2. The Authority will provide the Participant with weather station technical support for the purchasing and setup of the weather station.

Schedule

1. Interested Participants will ask the Authority if initiative is available by May 31, 2024.
2. The weather station must be installed and in the data collection period by December 31, 2024.

Data Required by Participant

1. Interest in the Initiative.
2. ET weather station geotechnical specifications.
3. Coordination and access to the weather station by the Authority.

Pick Three: Integrated Water Management Plan

Description

The Integrated Water Management Plan Initiative has been designed to assist Authority GRP Participants in evaluating the feasibility of alternative water resources and water conservation strategies. The information collected will assist the Authority in determining if there are opportunities for reclaimed water usage within its boundaries and identifying potential opportunities for collaboration.

Guidelines

1. The Integrated Water Management Plan option is not available to Participants that are currently utilizing reclaimed water.
2. Participants interested in this Initiative must utilize the most current adopted plan by the Authority.
3. Participants must work with the Participant's engineer, operator, and landscape irrigation company to complete the Initiative.
4. The Participant must coordinate a meeting with the Authority to review findings of the Plan before the Program Term ends.
5. This initiative is only available the year it is implemented and will not be allowed to be used in future years.

Materials and Services Provided by the Authority

1. The Authority will offer support through meetings and collaboration during the Plan decisions.
2. The Authority will have a kickoff meeting with the Participant to review the Integrated Water Management Plan outline.

Schedule

1. Participants that want to participate in this initiative must inform the Authority by May 31, 2024.
2. Post-plan submittal meeting with the Authority must be done before November 30, 2024.

Data Required by Participant

1. Please see the Integrated Water Management Form Outline located at <https://www.nfbwa.com/reclaimed-water-program-guidance> for required information.

Pick One

In addition to the Core Initiatives, Participants may complete one Initiative from the Pick One category to successfully complete the Program instead of the Pick Three category.

The Pick One category Initiatives are:

- HOA Water Budgets;
- Smart Irrigation Scheduling;
- Smart Meter Installation; and
- Unique Programming Initiative

Pick One: HOA Water Budgets

Description

The HOA Water Budget Initiative is designed for Participants to educate landscape irrigation management companies on more efficient watering methods. The Initiative will use historical and onsite environmental parameters to determine how much water landscapes need to effectively thrive.

Guidelines

1. The water budgets must outline an annual water budget for all irrigation meters in the Participant boundaries.
2. Participant must submit the water budget scope and calculation methodology to the Authority for approval.
3. Recommendations on how to assist Participants with obtaining water budget allotments must be outlined.
4. For Participants that have previously had Authority funded or self-funded HOA Water Budgets through the Larry's Toolbox Water Conservation Program, updated water budgets are required.

Materials and Services Provided by the Authority

1. The Authority will provide suggested methodologies on water budget calculations for Participant use upon request.
2. The Authority will be available to guide the Participant in the implementation of the new water budgets.

Schedule

1. Interested Participants must submit water budgets to the Authority by June 1, 2024.
2. Authority will review budgets and provide feedback to the Participant by July 1, 2024.
3. The water budgets are active July 1, 2024, to November 1, 2024.
4. A final report outlining Participant annual progress with suggested steps of improving the budgets must be submitted by December 31, 2024.

Data Required by Participant

1. Monthly outline of water usage per meter in comparison to allocated water budgets.

Pick One: Advanced Irrigation Scheduling

Description

The Advanced Irrigation Scheduling Initiative strives to encourage landscape management companies to better plan watering cycles in common space areas, such as esplanades or HOA recreational areas.

Guidelines

1. A written plan from the Participant must be submitted to the Authority outlining methods to reduce landscape irrigation through:
 - a. Utilization of daily or historical evapotranspiration rates to determine scheduling;
 - b. Utilization of rain/soil sensors;
 - c. Adjusting precipitation rates to actual irrigation zone data;
 - d. Using field zone soil texture properties;
 - e. Setting flow limits on central control systems;
 - f. Utilizing cycle and soak capabilities; and
 - g. Setting multiple programs to adjust timings for plant material and microclimate.
2. Participant must implement the plan for the Program Term by June 1, 2024.
3. The Authority will audit meters through the Program Term to check for compliance.

Materials and Services Provided by the Authority

1. The Authority will be available to guide the Participant in the planning of the written irrigation schedule.

Schedule

1. Interested Participants must submit written plans to the Authority by June 1, 2024.
2. Authority will review plans and provide feedback to the Participant by July 1, 2024.
3. The advanced irrigation schedules are active July 1, 2024, to November 1, 2024.
4. A final report outlining Participant annual progress with suggested steps of improving irrigation scheduling must be submitted by December 31, 2024.

Data Required by Participant

1. Monthly outline of water usage for each meter included in the Participant's approved irrigation plan in comparison to historical water use.

Pick One: Smart Meter Installation

Description

The Smart Meter Installation Initiative is a two-year commitment that includes the planning, budgeting, installation, and implementation of smart meters to customers. It is ultimately designed to provide customers with real time water usage information, the ability to track and notify customers of leaks, and ease Participant operations by no longer utilizing manual monthly water readings.

Guidelines

1. This Initiative is solely for Participants that do not currently have any Automated Meter Reading and Automated Meter Infrastructure technology.
2. The Participant will plan, budget, install, and begin a leak detection notification program by December 31, 2025.
3. Participants will have a written plan to provide customers with the ability to receive notifications regarding when usage exceeds a set amount, when there might be a leak within their system, and times of high usage.
4. Participants implement an action plan to have a water leak detection program implementation by December 31, 2025.
5. Participants in this Initiative are eligible for two years of completion credit, subject to Authority approval for the 2025 Program Term.

Materials and Services Provided by the Authority

1. The Authority is available to answer questions about smart meters and provide references for smart meter vendors.
2. The Authority will be available to assist Participants in written plan timelines for the proposed leak detection notification program.

Schedule

1. The Initiative will be active from January 1, 2024, through December 31, 2025.

Data Required by Participant

1. Written communication plan (Participant specific) that includes methodology for achieving a minimum of 5% customer participation in a leak notification program by the end of the calendar year 2025 for threshold alerts.

Pick One: Unique Programming Initiative

Description

The Unique Programming Initiative is a commitment by a Participant that includes the planning, budgeting, implementation, and reporting of an initiative specifically to its service area. It is ultimately designed to let Participants coordinate different initiatives that are not identified in the Program. This initiative allows the Participant to become creative in making its own conservation program that best fits its connections and water conservation ideology.

Guidelines

1. The Unique Programming Initiative is subject to the Authority's approval.
2. The Participant must submit a written report about the anticipated budget, promotion, execution, and outcome of the planned initiative to the Authority.
3. The Participant must coordinate a meeting with the Authority with a proposition of the Unique Programming Initiative.
4. The Participant must coordinate a meeting with the Authority to review findings of the Unique Programming Initiative before the Program Term ends.

Materials and Services Provided by the Authority

2. The Authority is available to answer questions and provide technical assistance about the different initiatives the Participant is exploring. The Authority will be available to assist Participants in written plan timelines for the proposed Unique Programming Initiative.

Schedule

1. The Initiative will be active from January 1, 2024, through December 31, 2024.
2. The Unique Programming Initiative Plan must be submitted and approved by the Authority before May 31, 2024, for consideration in the initiative.

Data Required by Participant

1. One preliminary report including the anticipated budget, promotion, and execution of the Unique Programming Initiative.
2. A final report that reviews and discusses the actual budget, implementation, and outcome of the Unique Programming Initiative.



**2024 WATER PROVIDER CONSERVATION PROGRAM
INTEREST FORM**

Entity Name: City of Fulshear

Point of Contact Name: Maribel Tapia

Point of Contact Email: mtapia@fulsheartexas.gov

Attorney Email: bbrown@fulsheartexas.gov

Legal Assistant Email: jgreen@fulsheartexas.gov

Operator Email: allen.jenkins@inframark.com

Connections	
Number of residential connections:	8022
Number of commercial connections:	175
Number of HOA connections	256

W.I.S.E. Guys

Do you want to participate in the W.I.S.E. Guys Irrigation System Evaluation initiative for the 2024 Program Term? Yes No

Residential Rebate

Do you want to provide rebates to your customers who make approved upgrades to their landscape, irrigation system, and/or indoor plumbing fixtures? Yes No

Bill Inserts

Indicate physical quantities requested below:

Single side W.I.S.E. Guys	<u>8,500</u>	<input type="checkbox"/> Electronic Only
Single side Residential Rebate	<u>0</u>	<input type="checkbox"/> Electronic Only
Double sided WISE Guys/Residential Rebate	<u>8,500</u>	<input type="checkbox"/> Electronic Only

Please submit to NFBWA@bgeinc.com by March 1, 2024.

**NORTH FORT BEND WATER AUTHORITY
2024 WATER PROVIDER CONSERVATION PROGRAM**

GENERAL INFORMATION

Participant

Contact Information

Please inform us if any contact information has changed from the interest form.



CORE INITIATIVES

LEADERSHIP WATER CONSERVATION COMMITTEE

	Position	Name	Email
	Committee Members		
	Director/City Council #1	<input type="text"/>	<input type="text"/>
	Director/City Council #2	<input type="text"/>	<input type="text"/>
	Director/City Council #3	<input type="text"/>	<input type="text"/>
	Community Liaison	<input type="text"/>	<input type="text"/>

RESIDENTIAL WATER CONSERVATION OUTREACH

No information required for May Submittal.

HIGH WATER USER NOTIFICATION

Selected Threshold (top % or # gallons)

Director involvement in selection process?

Reasoning:

PICK THREE

CUSTOMER WATER CONSERVATION REBATES

No information required for May Submittal.

RESIDENT IRRIGATION SYSTEM EVALUATION (W.I.S.E. GUYS)

No information required for May Submittal.

SMART METER PORTAL

Does Participant currently have a Resident portal?

PICK THREE (CONTINUED)

COMMUNITY COLLABORATION



Approximate Date of Event

Anticipated Event Type

NFBWA Involvement?

NFBWA Learning Lab

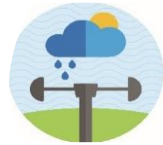
NFBWA Presentation

NFBWA Native Plant

NFBWA Booth

When event date is finalized, please request NFBWA involvement in advance of event to confirm availability. Two months advance notice is preferred. NFBWA involvement is subject to availability and can be requested on our website at: <https://www.nfbwa.com/mobile-learning-lab>.

ET WEATHER STATION



Interested in hosting?

If interest is selected, NFBWA will reach out to confirm specifications with the District.

INTEGRATED WATER MANAGEMENT PLAN



Interested in completing plan?

If interest is selected, the District shall request a meeting with NFBWA by no later than the end of May to review Plan requirements.

Comments:

OR PICK ONE

HOA WATER BUDGETS



Planning to complete?

No

Scope and calculation methodology

Reminder that the HOA Water Budget, including scope and calculation methodology, must be submitted to NFBWA by June 1, 2024 and water budgets must be active between July and November of 2024 for successful implementation of this program.

ADVANCED IRRIGATION SCHEDULING



Planning to complete?

No

Reminder that the written plan for Advanced Irrigation Scheduling must be to NFBWA by June 1, 2024 and active beginning July 2024. Implementation is subject to an unannounced site check by NFBWA to verify successful implementation.

SMART METER INSTALLATION



Participating in this initiative?

No



FOREWORD

This Drought Contingency Plan (DCP) was prepared by Freese and Nichols, Inc., pursuant to Texas Commission on Environmental Quality (TCEQ) rules. Questions regarding this DCP should be addressed to the following:

Adam Conner
Freese and Nichols, Inc.
(512) 617-3173
adam.conner@freese.com

Sharon Valiante
City of Fulshear
(281) 346-1796 x5001
svaliante@fulsheartexas.gov

This DCP is based on the Texas Administrative Code in effect on February 5, 2024. For retail public water suppliers providing water service to 3,300 or more connections, the DCP must be submitted to the TCEQ every five years. Contact information at the TCEQ is the following:

Texas Commission on Environmental Quality
Office of Water
(512) 239-6696



Proposed drought contingency measures, reductions, and initiation/termination triggers for this Plan are as follows:

Drought Stage		Triggers		Response*	
		System Operating Capacity	System Storage Capacity (Single Day)	Demand Reduction Goal	Outdoor Watering Restrictions
Stage 1	Initiation <i>(If average system material portions of the City's distribution system pressures fall below a suitable range 50 psi and/or at least one trigger occurs)</i>	60% (3 consecutive days) 65% (single day)	-	2%	2X per week (voluntary)
	Termination	Conditions cease to exist for 7 consecutive days			
Stage 2	Initiation <i>If material portions of the City's distribution system pressures (If average system pressures remain fall below below a suitable range 45 psi and/or at least one trigger occurs)</i>	70% (3 consecutive days) 75% (single day)	< 5 hours	15%	1X per week (mandatory)
	Termination	Conditions cease to exist for 7 consecutive days			
Stage 3	Initiation <i>(If material portions of the City's distribution system pressures If average system pressures fall remain below a suitable 40 psi range and/or at least one trigger occurs)</i>	80% (3 consecutive days) 85% (single day)	< 3 hours	30%	Outdoor watering prohibited
	Termination	Conditions cease to exist for 7 consecutive days			

**At all stages, mandatory restrictions regarding water waste are in place.*



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APPENDICES

Appendix A	List of References
Appendix B	Texas Commission on Environmental Quality Rules on Drought Contingency Plans <ul style="list-style-type: none">Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter B, Rule §288.20 – Drought Contingency Plans for Municipal Uses by Public Water Suppliers
Appendix C	Letter to Region H Planning Group
Appendix D	Adoption of Drought Contingency Plan



1.0 INTRODUCTION AND OBJECTIVES

The City of Fulshear has prepared this Drought Contingency Plan in accordance with the requirements established by the Texas Commission on Environmental Quality (TCEQ). For retail public water suppliers providing water service to 3,300 or more connections, the drought contingency plan must be submitted to the TCEQ every five years, and this Plan addresses all of the current TCEQ requirements for a drought contingency plan which are included in Appendix B. This Plan replaces the Plan included in Ordinance 2019-1304 dated August 27, 2019.

The measures included in this Drought Contingency Plan are intended to provide short-term water savings during drought or emergency conditions. Water savings associated with ongoing, long-term strategies are discussed in the City’s Water Conservation Plan.

The City owns and operates seven water wells that have a combined pumping capacity of 8,511 gallons per minute (gpm), or 12.3 million gallons per day (MGD). The City will receive surface water in the near future from the North Fort Bend Water Authority (NFBWA). Currently, the combined pumping capacity is more limiting than the total system storage (2.35 million gallons ground and 0.25 million gallons elevated) or firm distribution capacity of Fulshear’s system (approximately 29.52 million gallons per day as of 2024). This might change as system improvements are made and the NFBWA water is integrated into the system.

Currently the City sells water on a wholesale basis to a few entities. Every water supply contract entered into or renewed after official adoption of this Plan, and including any contract extension, will include a requirement that each successive wholesale customer must develop and implement a water conservation and drought contingency plan or water conservation measures. If the customer intends to resell the water, then the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.5 of the TAC.

The purpose of this Drought Contingency Plan is as follows:

- To conserve the available water supply in times of drought, water supply shortage, and emergency.
- To maintain supplies for domestic water use, sanitation, and fire protection.
- To protect and preserve public health, welfare, and safety.



- To minimize the adverse impacts of water supply shortages.
- To minimize the adverse impacts of emergency water supply conditions.
- To satisfy the requirements set forth by TCEQ and other agencies.

Drought is characterized by an extended period of time when an area receives insufficient rainfall to replenish the water supply, causing water supply shortages as well as reduced soil moisture, which can increase demand for irrigation watering. In the absence of drought response measures, water demands tend to increase during a drought due to increased outdoor irrigation. The severity of a drought depends on the degree of depletion of supplies and on the relationship of demand to available supplies.



2.0 DEFINITIONS

1. AQUATIC LIFE means a vertebrate organism dependent upon an aquatic environment to sustain its life.
2. ATHLETIC FIELD means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools, professional sports, and league play sanctioned by the utility providing retail water supply.
3. COMMERCIAL VEHICLE WASH FACILITY means a permanently-located business that washes vehicles or other mobile equipment with water or water-based products, including but not limited to self-service car washes, full service car washes, roll-over/in-bay style car washes, and facilities managing vehicle fleets or vehicle inventory.
4. COMMERCIAL WATER USER means any customer that holds an account within the Commercial Water/Sewer rate classification.
5. CONSERVATION means those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve efficiency in the use of water, or increase the recycling and reuse of water, so that a supply is conserved and made available for future or alternative uses.
6. CUSTOMER means any person, corporation, or organization using water supplied by the City of Fulshear.
7. DESIGNATED OUTDOOR WATERING DAY means a day prescribed by rule on which a person is permitted to irrigate outdoors.
8. DOMESTIC WATER USE means water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.
9. DRIP IRRIGATION is a type of micro-irrigation system that operates at low pressure and delivers water in slow, small drips to individual plants or groups of plants through a network of plastic conduits and emitters; also called trickle irrigation.



10. DROUGHT, for the purposes of this report, means an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources to be depleted.
11. DROUGHT CONTINGENCY RESPONSE means a strategy or combination of strategies for temporary supply management and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies required by Texas Administrative Code Title 30, Chapter 288, Subchapter B. This is sometimes called a drought contingency plan.
12. EXTRA-TERRITORIAL JURISDICTION (ETJ) means an area outside of the city limits where cities can regulate some activities.
13. FOUNDATION WATERING means an application of water to the soils directly abutting (within 2 feet) the foundation of a building or structure.
14. INDUSTRIAL WATER USE means the use of water in processes designed to convert materials of lower value into forms having greater usability and value.
15. INTERACTIVE WATER FEATURES means water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads that are maintained for recreation.
16. IRRIGATION SYSTEM means a permanently installed, custom-made, site-specific system of delivering water generally for landscape irrigation via a system of pipes or other conduits installed below ground.
17. LANDSCAPE means any plant material on a property, including any tree, shrub, vine, herb, flower, succulent, ground cover, grass, or turf species, that is growing or has been planted out of doors.
18. MAJOR WATER USER means 1) a retail customer whose total water use in the preceding calendar year was within the 20 highest retail customers, 2) a retail customer whose water use is of a critical nature, or 3) any other retail customer deemed to be a Major Water User by Fulshear staff.
19. NEW LANDSCAPE means vegetation (a) installed at the time of the construction of a residential or commercial facility; (b) installed as part of a governmental entity's capital improvement project; or (c) installed to stabilize an area disturbed by construction.



20. NON-ESSENTIAL WATER USE means water uses that are not essential, nor required for the protection of public health, safety, and welfare, including:
- irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
 - use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle, except with a water hose that has a shut-off nozzle; an exception is allowed for Commercial Vehicle Wash Facilities.
 - use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - flushing gutters or permitting water to run or accumulate in any gutter or street;
 - use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
 - use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
 - failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
 - use of water from hydrants for construction purposes, dust suppression, landscape watering or any other purposes other than firefighting or other activities necessary to maintain public health, safety, and welfare.
21. NON-RESIDENTIAL WATER CUSTOMER means all customers receiving water service from the City of Fulshear that are not classified as residential, to include but not limited to irrigation, institutional, commercial, and industrial customers.
22. ORNAMENTAL FOUNTAIN means an artificially created structure from which a jet, stream, or flow of treated water emanates and is not typically utilized for the preservation of aquatic life.



- 23. POND is a still body of water with a surface area of 500 square feet or more, filled with non-potable water and not a swimming pool.
- 24. RETAIL CUSTOMER includes those customers to whom the City of Fulshear provides retail water from a water meter.
- 25. SINGLE FAMILY RESIDENTIAL FACILITY means a site with four or fewer dwelling units.
- 26. SOAKER HOSE means a perforated or permeable garden-type hose or pipe that is laid above ground that provides irrigation at a slow and constant rate.
- 27. SPRINKLER means an above-ground water distribution device that may be attached to a garden hose.
- 28. SWIMMING POOL means any structure, basin, chamber, or tank including hot tubs, containing an artificial body of water for swimming, diving, or recreational bathing, and having a depth of two (2) feet or more at any point.
- 29. SYSTEM OPERATING CAPACITY means the limiting capacity; either total well capacity of Fulshear’s system (approximately 12.3 million gallons per day as of 2024) or the firm distribution capacity of Fulshear’s system (approximately 29.52 million gallons per day as of 2024). This total system operating capacity will increase or decrease with changes to Fulshear’s total well capacity, booster pump availability, or the integration of additional water supplies such as NFBWA.
- 30. WATER PRESSURE means the force of water in the water distribution system’s pipes, measured in pounds per square inch, or psi. A suitable average operating water pressure for the City of Fulshear ranges between 50 and 70 psi depending on time of day, location, and elevation within the distribution system.

Abbreviations

Abbreviation	Full Nomenclature
NFBWA	North Fort Bend Water Authority
TCEQ	Texas Commission on Environmental Quality
TWDB	Texas Water Development Board



3.0 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

The TCEQ rules governing development of drought contingency plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code, a current copy of which is included in Appendix B. For the purpose of these rules, a drought contingency plan is defined as “a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies.”¹

Minimum Requirements

TCEQ’s minimum requirements for drought contingency plans are addressed in the following subsections of this report:

- 288.20(a)(1)(A) – Provisions to Inform the Public and Provide Opportunity for Public Input – Section 4.1
- 288.20(a)(1)(B) – Provisions for Continuing Public Education and Information – Section 4.2
- 288.20(a)(1)(C) – Coordination with the Regional Water Planning Group – Section 4.6
- 288.20(a)(1)(D) – Criteria for Initiation and Termination of Drought Contingency and Water Emergency Response Stages – Section 4.3
- 288.20(a)(1)(E) – Drought Contingency and Water Emergency Response Stages – Section 4.3
- 288.20(a)(1)(F) – Specific, Quantified Targets for Water Use Reductions – Section 4.3
- 288.20(a)(1)(G) – Water Supply and Demand Management Measures for Each Stage – Section 4.3
- 288.20(a)(1)(H) – Procedures for Initiation and Termination of Drought Contingency and Water Emergency Response Stages – Section 4.3
- 288.20(a)(1)(I) - Procedures for Granting Variances – Section 4.4
- 288.20(a)(1)(J) - Procedures for Enforcement of Mandatory Restrictions – Section 4.5
- 288.20(a)(3) – Consultation with Wholesale Supplier – Section 4.3
- 288.20(b) – Notification of Implementation of Mandatory Measures – Section 4.3
- 288.20(c) – Review and Update of Plan – Section 4.7



4.0 DROUGHT CONTINGENCY PLAN

4.1 PROVISIONS TO INFORM THE PUBLIC AND OPPORTUNITY FOR PUBLIC INPUT

The City of Fulshear provided opportunity for public comment on the Drought Contingency Plan at the City Council meeting held on April 16, 2024. The plan was subsequently adopted by City Council at a meeting held on May XX, 2024.

4.2 PROVISIONS FOR CONTINUING PUBLIC EDUCATION AND INFORMATION

The City will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. The City of Fulshear will inform and educate the public about the Drought Contingency Plan by the following means:

- Making the Plan available to the public through the City’s web site (<https://www.fulsheartexas.gov/>).
- Including information about the Drought Contingency Plan on the City’s web site (<https://www.fulsheartexas.gov/>).
- Including information about the Drought Contingency Plan on the City’s Facebook Page.
- Notifying local organizations, schools, and civic groups that staff are available to make presentations on the Drought Contingency Plan (usually in conjunction with presentations on water conservation programs).

At any time that the Drought Contingency Plan is activated or the Drought Contingency Plan changes, Fulshear will notify local media of the issues, the Drought Response Stage or Water Emergency Response Stage (if applicable), and the specific actions required of the public. The information will also be publicized on the City’s web site (<https://www.fulsheartexas.gov/>). Billing inserts will also be used as appropriate, as will reverse 911 calls.

4.3 INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES

Initiation of a Drought Response Stage

The City Manager or his/her official designee may order the implementation of a Drought Response Stage when one or more of the trigger conditions for that stage is met, or at the discretion of the City Manager or his/her official designee. The following actions will be taken when a Drought Stage is initiated:



- The public will be notified through local media and the City’s web site as described in Section 4.2.
- Once the North Fort Bend Water Authority (NFBWA) water supply is online, the City will begin notifying NFBWA by e-mail with a follow-up letter that provides details of the reasons for initiation of the Drought Response Stage.
- If any mandatory provisions of the Drought Contingency Plan are activated, Fulshear will notify NFBWA (once the NFBWA water supply is online) and the Executive Director of the TCEQ within 5 business days.

If Response Stages are initiated by NFBWA, the City of Fulshear will consider implementing the similar stage of this Drought Contingency Plan. For other trigger conditions internal to the City, the City Manager or his/her official designee may decide not to order the implementation of a Drought Response Stage even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for this decision should be documented.

Termination of a Drought Response Stage

The City Manager or his/her official designee may order the termination of a Drought Response Stage when the conditions for termination are met or at his/her discretion. The following actions will be taken when a Drought Response Stage is terminated:

- The public will be notified through local media and the City’s web site as described in Section 4.2.
- Once the NFBWA water supply is online, NFBWA will be notified by e-mail with a follow-up letter.
- If any mandatory provisions of the Drought Contingency Plan that have been activated are terminated, Fulshear will notify NFBWA (once the NFBWA water supply is online) and the Executive Director of the TCEQ within 5 business days.

The City Manager or his/her official designee may decide not to order the termination of a Drought Response Stage even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, or the



anticipation of potential changed conditions that warrant the continuation of the drought stage. The reason for this decision should be documented.

Drought Response Stage Criteria and Response Measures

4.3.1 Stage 1

Initiation and Termination Conditions for Stage 1

The City may initiate Stage 1 if any one of the following conditions are met:

- The City total daily water demand equals or exceeds 60 percent of the current available System Operating Capacity (as defined in Section 2.0) for three consecutive days.
- The City total daily water demand equals or exceeds 65 percent of the current available System Operating Capacity (as defined in Section 2.0) on a single day.
- Water supply system is unable to deliver water or unable to maintain a suitable water pressure due to the failure or damage of major water system components, supply source becoming contaminated, power outage, grid failure, natural disaster, or extreme weather event.
- The City Manager or his/her official designee feels that the initiation of Stage 1 is appropriate based on weather conditions, distribution and water supply system deficiency, and/or unforeseen circumstances.

Stage 1 may terminate when the circumstances that caused the City of Fulshear’s initiation of Stage 1 no longer prevail for a period of seven consecutive days. Stage 1 may terminate if Fulshear’s City Manager or his/her official designee feels that the termination of Stage 1 is appropriate based on weather conditions, distribution and water supply system recovery, and/or unforeseen circumstances.

Goal for Use Reduction and Actions Available under Stage 1

The goal for water use reduction under Stage 1 is a two percent (2%) reduction in the use that would have occurred in the absence of drought contingency measures.

The City Manager or his/her official designee may order the implementation of any or all of the actions listed below, as deemed necessary to achieve a two percent reduction. Fulshear must notify TCEQ within five business days if any mandatory measures are implemented.



- Supply Management Measures:
 - Increase public education efforts on ways to reduce water use.
 - Notify major water users and work with them to achieve voluntary water use reductions.
 - Reduce non-essential city government water use, including street cleaning, vehicle washing, and operation of ornamental fountains.
 - Reduce city government water used for landscape irrigation.
 - Reduce flushing of water mains.
 - Intensify efforts on leak detection and repair.
 - Review the problems that caused the initiation of Stage 1.
 - Identify alternative water sources and/or alternative delivery systems.
 - Consider initiating engineering studies to evaluate alternatives should conditions worsen.
- Mandatory Water Use Restrictions:
 - The following uses of water are defined as nonessential and are prohibited:
 - Washing down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced area;
 - Washing down buildings or structures for purposes other than immediate fire protection;
 - Use of water for dust control;
 - Flushing of gutters or permitting water to run or accumulate in any gutter or street;
 - Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).
 - ~~Installation of new landscaping in residential and non-residential connections (new builds and existing customers) between July 1 and September 30 is prohibited. Customers have the ability to apply for a variance for any of the qualifying conditions cited in Section 4.4.~~
- Voluntary Water Use Restrictions:
 - Residential and non-residential water customers are requested to voluntarily limit outdoor watering between 9:00 AM and 7:00 PM, voluntarily limited to twice per week based on street address (see table below). Excessive pooling and/or run-off from foundation watering is discouraged and is requested to not be allowed to run off of



property and form a stream of water in a street for a distance of 50 feet or greater or pool in a street or parking lot to a depth greater than one-quarter of an inch.

- Water customers are requested to practice water conservation and to minimize or discontinue non-essential water use.
- Encourage the public to wait until the current drought or emergency situation has passed before establishing new landscaping.
- Attended hand-held hoses with positive shut-off devices are allowed at all times.



STAGE 1 WATERING SCHEDULE

Day	Street Address*	
	Even	Odd
Sunday	-	-
Monday	Water	-
Tuesday	-	Water
Wednesday	-	-
Thursday	Water	-
Friday	-	Water
Saturday	-	-

**If address ends with ½, then watering day shall depend on the last digit of the whole address. For example, 101 ½ Main Street should be considered odd. 100 ½ Main Street should be considered even.*

4.3.2 Stage 2

Initiation and Termination Conditions for Stage 2

The City may initiate Stage 2 if any one of the following conditions are met:

- The City total daily water demand equals or exceeds 70 percent of the current available System Operating Capacity (as defined in Section 2.0) for three consecutive days.
- The City total daily water demand equals or exceeds 75 percent of the current available System Operating Capacity (as defined in Section 2.0) on a single day.
- The City total system storage is less than five hours of average daily demand on any given day.
- Water supply system is unable to deliver water or unable to maintain a suitable water pressure due to the failure or damage of major water system components, supply source becoming contaminated, power outage, grid failure, natural disaster, or extreme weather event.
- The City Manager or his/her official designee feels that the initiation of Stage 2 is appropriate based on weather conditions, distribution and water supply system deficiency, and/or unforeseen circumstances.

Stage 2 may terminate when the circumstances that caused the City of Fulshear’s initiation of Stage 2 no longer prevail for a period of seven consecutive days. Stage 2 may terminate if Fulshear’s City Manager or his/her official designee feels that the termination of Stage 2 is appropriate based on weather conditions, distribution and water supply system recovery, and/or unforeseen circumstances.



Goals for Use Reduction and Actions Available under Stage 2

The goal for water use reduction under Stage 2 is a reduction of fifteen percent (15%) in the use that would have occurred in the absence of drought contingency measures.

Fulshear’s City Manager or his/her official designee may order the implementation of any or all of the actions listed below, as deemed necessary to achieve the specified percent reduction. Fulshear must notify TCEQ within five business days if any mandatory measures are implemented.

- Supply Management Measures:
 - Reduce or discontinue irrigation of public landscaped areas.
 - Reduce or discontinue flushing of water mains.
 - Implement viable alternative water supply strategies.
 - Increase public education efforts on ways to reduce water use.
 - Increase enforcement efforts, as outlined in Section 4.5.
 - Intensify leak detection and repair efforts.
 - Initiate drought surcharges.
 - In the event that water shortage conditions threaten public health, safety, and welfare, the City Manager is authorized to allocate water according to the following water allocation plan:
 - The allocation to residential water customers residing in a single-family dwelling unit shall be 8,000 gallons per month. Residential water customers shall pay an additional \$1.00 per 1,000 gallons over allocation. Surcharges shall be cumulative.
- Mandatory Water Use Restrictions:
 - Continue or initiate any actions available under the Water Conservation Plan and Stage 1.
 - Prohibit residential and non-residential outdoor watering between 9:00 AM and 7:00 PM, and limit watering to once per week based on street address, per the table below. Excessive pooling and/or run-off from foundation watering is prohibited and shall not be allowed to run off of property and form a stream of water in a street for a distance of 50 feet or greater or pool in a street or parking lot to a depth greater than one-quarter of an inch. Exceptions are as follows:



- New landscaping planted before the initiation of Stage 2, and new plantings of shrubs and trees may be watered for up to 2 hours on any day by attended hand-held hose with positive shut-off device (no open-ended hoses or unattended hoses), a soaker hose, or a dedicated zone using a drip irrigation system.
- Customers such as golf courses using other sources of water supply for irrigation may irrigate without restrictions. The use of treated effluent recycled from the City's wastewater treatment facility (non-potable/reuse water) is permissible.
- Registered and properly functioning ET/Smart irrigation systems and drip irrigation systems may irrigate without restrictions.
- Prohibit the permitting of private pools. Pools already permitted may be completed and filled with water. Existing private and public pools may add water to maintain pool levels but may not be drained and refilled except to maintain structural integrity, proper operation and maintenance or to alleviate a public safety risk.
- Prohibit operation of ornamental fountains.
- Prohibit washing or rinsing of vehicles by hose.
- Irrigation of landscaped areas or commercial plant nurseries is permitted at any time by means of a faucet filled bucket or water can of five (5) gallons or less, a drip irrigation system, soaker hose, or by attended hand-held hose with positive shut-off device (no open-ended hoses or unattended hoses). Excessive pooling and/or run-off from automatic or drip irrigation systems is prohibited and shall not be allowed to run off of property and form a stream of water in a street for a distance of 50 feet or greater or pool in a street or parking lot to a depth greater than one-quarter of an inch.
- Use of water from fire hydrants shall be limited to firefighting activities or other activities necessary to maintain public health, safety, and welfare. Other uses of fire hydrants will be limited to specific fire hydrants identified by the City of Fulshear.
- Use of water to stabilize foundations is prohibited except on designated outdoor watering day(s) and is prohibited on any day between 9:00 AM and 7:00 PM. Watering is permitted by means of an attended hand-held hose with positive shut-off device (no open-ended hoses or unattended hoses); or using a soaker hose or drip irrigation system placed within 24 inches of the foundation that does not produce a spray of water above the ground. Excessive pooling and/or run-off from foundation watering is prohibited and shall not be



allowed to run off of property and form a stream of water in a street for a distance of 50 feet or greater or pool in a street or parking lot to a depth greater than one-quarter of an inch.

- The following uses of water are defined as nonessential and are prohibited:
 - Washing down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced area;
 - Washing down buildings or structures for purposes other than immediate fire protection;
 - Use of water for dust control;
 - Flushing of gutters or permitting water to run or accumulate in any gutter or street;
 - Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).
- Prohibit hydroseeding, hydromulching, and sprigging.
- Existing private and public pools may add water to maintain pool levels but may not be drained and refilled except to maintain structural integrity, proper operation and maintenance or to alleviate a public safety risk.
- Hotels, restaurants, and bars are encouraged to serve drinking water to patrons on an “on demand” basis.
- Hotels are encouraged to implement laundry conservation measures by encouraging patrons to reuse linens and towels.
- Car wash facilities must keep equipment in good working order, which should include regular inspections to be sure there are no leaks, broken or misdirected nozzles, and that all equipment is operating efficiently.
- Attended hand-held hoses with positive shut-off devices are allowed at all times.



STAGE 2 WATERING SCHEDULE

Day	Last Digit of Street Address*				
	1 or 2	3 or 4	5 or 6	7 or 8	9 or 0
Sunday	-	-	-	-	-
Monday	Water	-	-	-	-
Tuesday	-	Water	-	-	-
Wednesday	-	-	Water	-	-
Thursday	-	-	-	Water	-
Friday	-	-	-	-	Water
Saturday	-	-	-	-	-

**If address ends with ½, then watering day shall depend on the last digit of the whole address. For example, 101 ½ Main Street should be considered ~~odd~~ending in 1. 100 ½ Main Street should be considered ~~even~~ending in 0.*

4.3.3 Stage 3

Initiation and Termination Conditions for Stage 3

The City may initiate Stage 3 if any one of the following conditions are met:

- The City total daily water demand equals or exceeds 80 percent of the current available System Operating Capacity (as defined in Section 2.0) for three consecutive days.
- The City total daily water demand equals or exceeds 85 percent of the current available System Operating Capacity (as defined in Section 2.0) on a single day.
- The City total system storage is less than three hours of average daily demand on any given day.
- Water supply system is unable to deliver water or unable to maintain a suitable water pressure due to the failure or damage of major water system components, supply source becoming contaminated, power outage, grid failure, natural disaster, or extreme weather event.
- The City Manager or his/her official designee feels that the initiation of Stage 3 is appropriate based on weather conditions, distribution and water supply system deficiency, and/or unforeseen circumstances.

Stage 3 may terminate when the circumstances that caused the City of Fulshear’s initiation of Stage 3 no longer prevail for a period of seven consecutive days. Stage 3 may terminate if Fulshear’s City Manager or



his/her official designee feels that the termination of Stage 3 is appropriate based on weather conditions, distribution and water supply system recovery, and/or unforeseen circumstances.

Goals for Use Reduction and Actions Available under Stage 3

The goal for water use reduction under Stage 3 is a reduction of thirty percent (30%) in the use that would have occurred in the absence of drought contingency measures.

Fulshear’s City Manager or his/her official designee may order the implementation of any or all of the actions listed below, as deemed necessary to achieve the specified percent reduction. Fulshear must notify TCEQ within five business days if any mandatory measures are implemented.

- Supply Management Measures:
 - Discontinue irrigation of public landscaped areas.
 - Discontinue flushing of water mains.
 - Implement viable alternative water supply strategies.
 - Increase frequency of media releases on water supply conditions.
 - Further accelerate public education efforts on ways to reduce water use.
 - Prohibit wet street sweeping.
 - Continue drought surcharges as described under Stage 2 supply management measures.
- Mandatory Water Use Restrictions:
 - Continue or initiate any actions available under the Water Conservation Plan, Stage 1, and Stage 2.
 - Installation of new landscaping in residential and non-residential connections (new builds and existing customers) between July 1 and September 30 is prohibited. Customers have the ability to apply for a variance for any of the qualifying conditions cited in Section 4.4.
 - Prohibit residential and non-residential landscape watering.
 - Require all commercial water users to reduce water use by a percentage established by Fulshear’s City Manager or his/her official designee.
 - Prohibit the operation of interactive water features such as water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, or splash pads that are maintained for public recreation.



- Landscape watering of parks, golf courses, and athletic fields with potable water is prohibited. Exception for parks, golf course greens and tee boxes, and athletic fields, which may be watered by attended hand-held hose with positive shut-off device (no open-ended hoses or unattended hoses) as needed. Variances may be granted by the water provider under special circumstances.

4.4 PROCEDURES FOR GRANTING VARIANCES TO THE PLAN

The City Manager or his/her official designee may grant temporary variances for existing water uses otherwise prohibited under this Drought Contingency Plan if one or more of the following conditions are met:

- Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person or entity requesting the variance.
- Compliance with this Plan cannot be accomplished due to technical or other limitations.
- Alternative methods that achieve the same level of reduction in water use can be implemented.
- Strict compliance with the provisions at issue adversely affects the health, safety, welfare, or sanitation of the public, the applicant, or the environment.
- Strict compliance with the provisions at issue substantially threatens the applicant's primary source of income, the applicant is employing all reasonable water conservation measures, and approval of the variance will not result in water waste.
- A City-authorized Irrigation Inspector has determined that, due to its site-specific conditions, a site cannot be watered with an average coverage of 0.5 inches within the time limits prescribed, and as applicable, a current irrigation system evaluation is on file with the City.
- Irrigation of athletic fields is necessary to protect the health and safety of players and game officials.
- Person who installs new landscapes may irrigate only during the hours of before 9:00 a.m. and after 7:00 p.m. on any day, for a period of 30 days after installation. Projects that add plant material to existing landscape do not qualify for a variance. Replacing or adding plants or turf to existing, established landscapes will not be granted a variance. Over-seeding existing turf is not considered new landscape and will not be given an exemption.



Variations shall be granted or denied at the discretion of the City Manager or his/her official designee. All petitions for variations should be in writing and should include the following information:

- Name and address of the petitioner(s)
- Purpose of water use
- Specific provisions from which relief is requested
- Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance
- Description of the relief requested
- Period of time for which the variance is sought
- Alternative measures that will be taken to reduce water use
- Other pertinent information.

4.5 PROCEDURES FOR ENFORCING MANDATORY WATER USE RESTRICTIONS

Mandatory water use restrictions may be imposed in each drought response stage. The penalties associated with the mandatory water use restrictions are explained below and included in the ordinance enacting this plan.

Stage 1:

- Violations must be observed by the City Manager or his or her designee. Violations will be documented by electronic photographs and filed for review.
- First-time violations in Stage 1 will be notified of their violation and be warned of the actions that will be imposed after additional violations.
- For the second violation, a \$100.00 administrative fee will be included on the next available water bill. For the third violation, a \$200.00 administrative fee will be included on the next available water bill. For the fourth and subsequent violations in Stage 1, a \$300.00 administrative fee per violation will be included on the next available water bill.
- Unpaid assessed administrative fees related to violations of water use restrictions shall incur late payment penalties and may result in termination of water service.



Stage 2:

- Violations must be observed by the City Manager or his or her designee. Violations will be documented by electronic photographs and filed for review.
- First-time violations in Stage 2 will be assessed a \$100.00 administrative fee on the next available water bill. If that first time violation involved an irrigation system, the \$100.00 administrative fee will be waived or credited after the completion of a free irrigation check-up of the violating system, performed by a licensed irrigator contracted with the City.
- For the second violation in Stage 2, a \$250.00 administrative fee will be included on the next available water bill. For the third violation in Stage 2, a \$300.00 administrative fee will be included on the next available water bill. For the fourth and subsequent violations in Stage 2, a \$400.00 administrative fee will be included on the next available water bill.
- Unpaid assessed administrative fees related to violations of water use restrictions shall incur late payment penalties and may result in termination of water service.

Stage 3:

- Violations must be observed by the City Manager or his or her designee. Violations will be documented by electronic photographs and filed for review.
- First-time violations in Stage 3 will be assessed a \$400.00 administrative fee on the next available water bill.
- For the second violation in Stage 3, a \$600.00 administrative fee will be included on the next available water bill. For the third violation in Stage 3, a \$1,000.00 administrative fee per violation will be included on the next available water bill. For the fourth and subsequent violations in Stage 3, a \$2,000.00 administrative fee per violation will be included on the next available water bill.
- Unpaid assessed administrative fees related to violations of water use restrictions shall incur late payment penalties and may result in termination of water service.

4.5.1 Contesting Administrative Fees

A customer may appeal the assessment of an administrative fee by requesting in writing to the City Manager or his/her designee that the fee be waived, providing all information to support the removal of



the fee. The customer shall bear the burden of proof to show why the administrative fee should not be assessed. The City Manager or his/her designee shall send written notice within three business days after receiving the first packet of information, and that decision shall be final and binding.

4.6 COORDINATION WITH THE REGIONAL WATER PLANNING GROUP

The City of Fulshear’s retail service area is located entirely within the Region H Water Planning Area. The City has provided a copy of this Plan to the Region H Water Planning Group; a copy of the transmittal letter is included in Appendix C.

4.7 REVIEW AND UPDATE OF DROUGHT CONTINGENCY PLAN

As required by TCEQ rules, the City of Fulshear must review the Drought Contingency Plan every five years. The Plan will be updated as appropriate based on new or updated information.



Appendix A
List of References



APPENDIX A

LIST OF REFERENCES

1. Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rules 288.20 and 288.22, downloaded from [https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288), February 2024.



Appendix B

Texas Commission on Environmental Quality Rules on Drought Contingency Plans



APPENDIX B

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES ON DROUGHT CONTINGENCY PLANS

<u>TITLE 30</u>	ENVIRONMENTAL QUALITY
<u>PART 1</u>	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
<u>CHAPTER 288</u>	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
<u>SUBCHAPTER B</u>	DROUGHT CONTINGENCY PLANS
RULE §288.20	Drought Contingency Plans for Municipal Uses by Public Water Suppliers

(a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans must include the following minimum elements.

(A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.

(C) The drought contingency plan must document coordination with the regional water planning groups for the service area of the retail public water supplier to ensure consistency with the appropriate approved regional water plans.

(D) The drought contingency plan must include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.



(E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:

- (i) reduction in available water supply up to a repeat of the drought of record;
- (ii) water production or distribution system limitations;
- (iii) supply source contamination; or
- (iv) system outage due to the failure or damage of major water system components (e.g., pumps).

(F) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

- (i) curtailment of non-essential water uses; and
- (ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.

(I) The drought contingency plan must include procedures for granting variances to the plan.

(J) The drought contingency plan must include procedures for the enforcement of mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.

(2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.



(3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.

(b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.

Source Note: The provisions of this §288.20 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384



Appendix C
Letter to Region H Planning Group



[MONTH] [DAY], 2024

Mr. Mark Evans, Chair
Region H Water Planning Group
c/o North Harris County Regional Water Authority
3648 Cypress Creek Parkway, Suite 110
Houston, TX 77068

Dear Mr. Evans:

Enclosed please find a copy of the recently updated Drought Contingency Plan for the City of Fulshear. I am submitting a copy of this Plan to the Region H Water Planning Group in accordance with the Texas Water Development Board and Texas Commission on Environmental Quality rules. The City Council of Fulshear adopted the Plan on April 16, 2024. The plan was subsequently adopted by City Council at a meeting held on May XX, 2024.

Sincerely,

Sharon Valiante
Public Works Director
City of Fulshear



Appendix D
Adoption of Drought Contingency Plan



FULSHEAR DROUGHT CONTINGENCY PLAN UPDATE – CONSIDERATION OF ADOPTION BY CITY COUNCIL

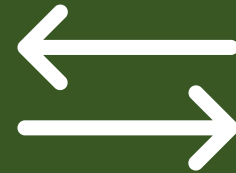
TODAY'S AGENDA



DCP REQUIREMENTS



DROUGHT CONDITIONS



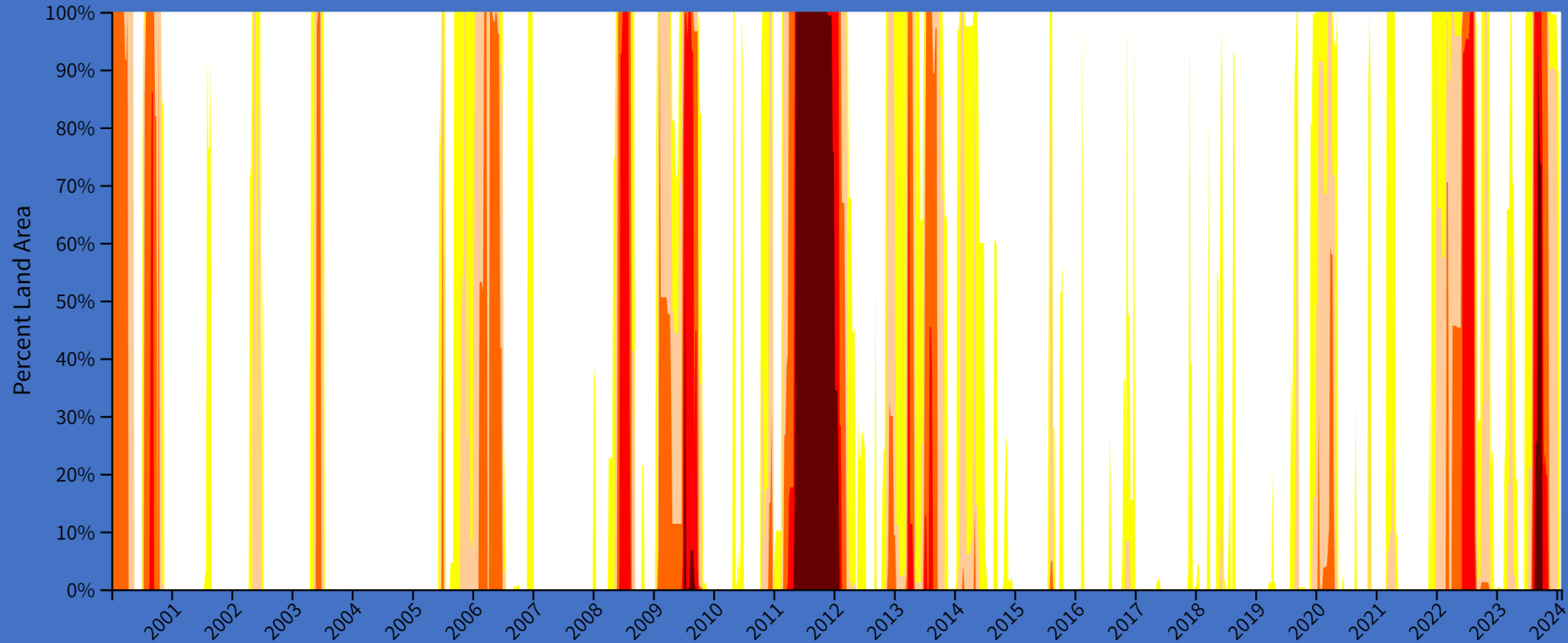
MAJOR REVISIONS TO
DRAFT 2024 DCP

DROUGHT CONTINGENCY PLAN REQUIREMENTS*

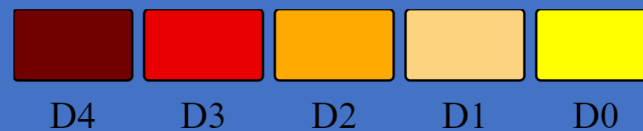
- Provisions for public input
- Coordination with RWPG
- Description of information to be monitored
- Criteria and procedures for initiation and termination of drought stages
- Specific water supply or water demand measures
- Specific, quantified targets for water use reduction (unenforceable)
- Variance procedures
- Procedures for enforcement of mandatory water use restrictions



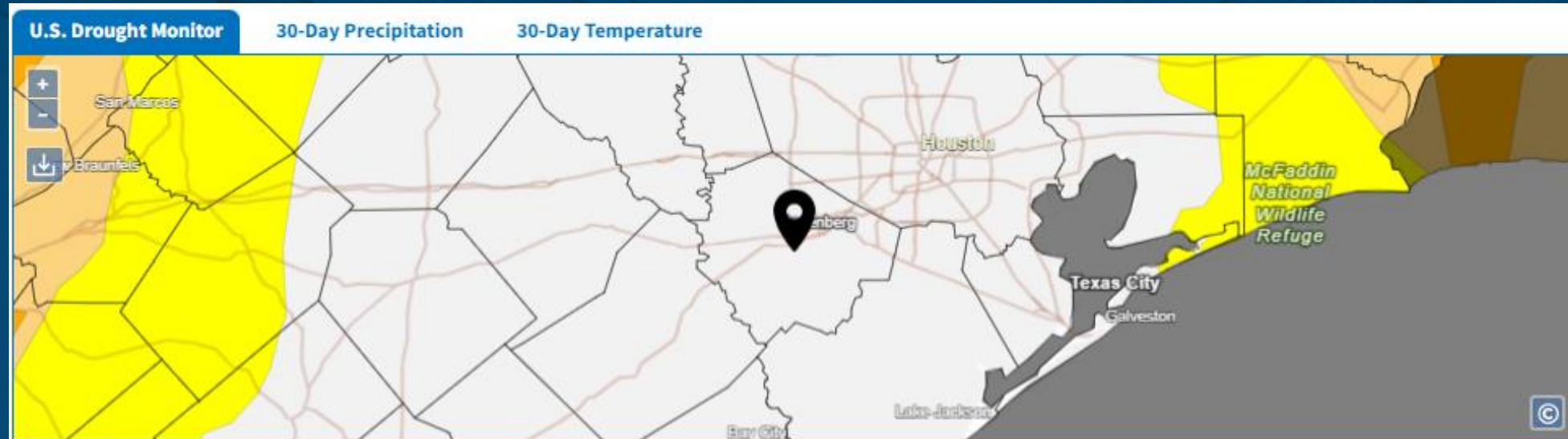
METEOROLOGIC CONDITIONS – 2000-2024



U.S. Drought Monitor
Fort bend County, TX



METEOROLOGIC CONDITIONS – CURRENT








The U.S. Drought Monitor depicts the location and intensity of drought across the country using 5 classifications: Abnormally Dry (D0), showing areas that may be going into or are coming out of drought, and four levels of drought (D1-D4).

The U.S. Drought Monitor is a joint effort of the National Drought Mitigation Center, U.S. Department of Agriculture, and National Oceanic and Atmospheric Administration.

Source(s): [NDMC](#), [NOAA](#), [USDA](#)

Legend

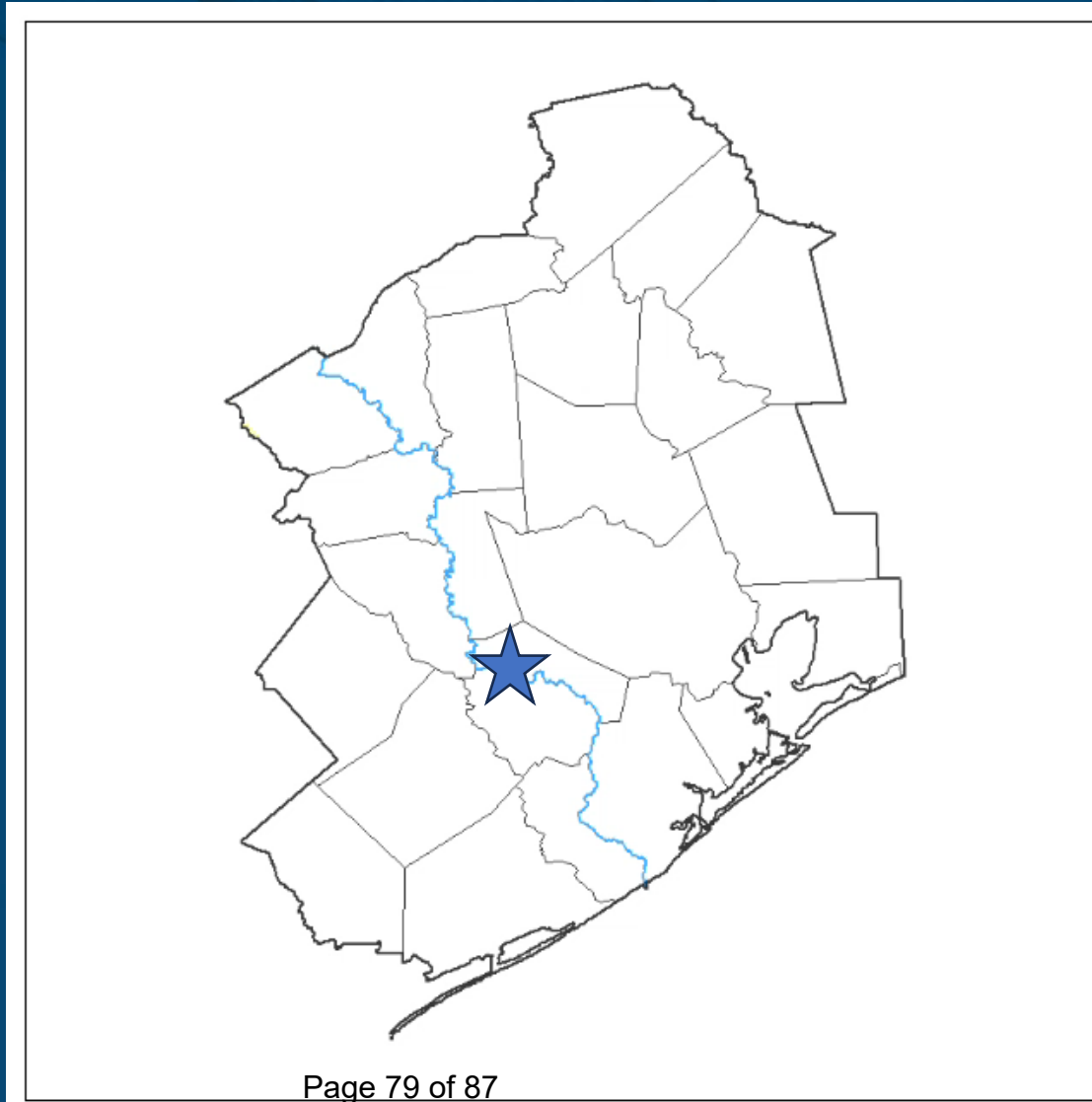
Drought & Dryness Categories

	D0 - Abnormally Dry
	D1 - Moderate Drought
	D2 - Severe Drought
	D3 - Extreme Drought
	D4 - Exceptional Drought
	Total Area in Drought (D1-D4)








% of Fort Bend County

0%
0%
0%
0%
0%
0%

DROUGHT CONDITIONS – Q2 2023 – Q1 2024



Drought Classification

-  None
-  D0 (Abnormally Dry)
-  D1 (Moderate Drought)
-  D2 (Severe Drought)
-  D3 (Extreme Drought)
-  D4 (Exceptional Drought)
-  No Data

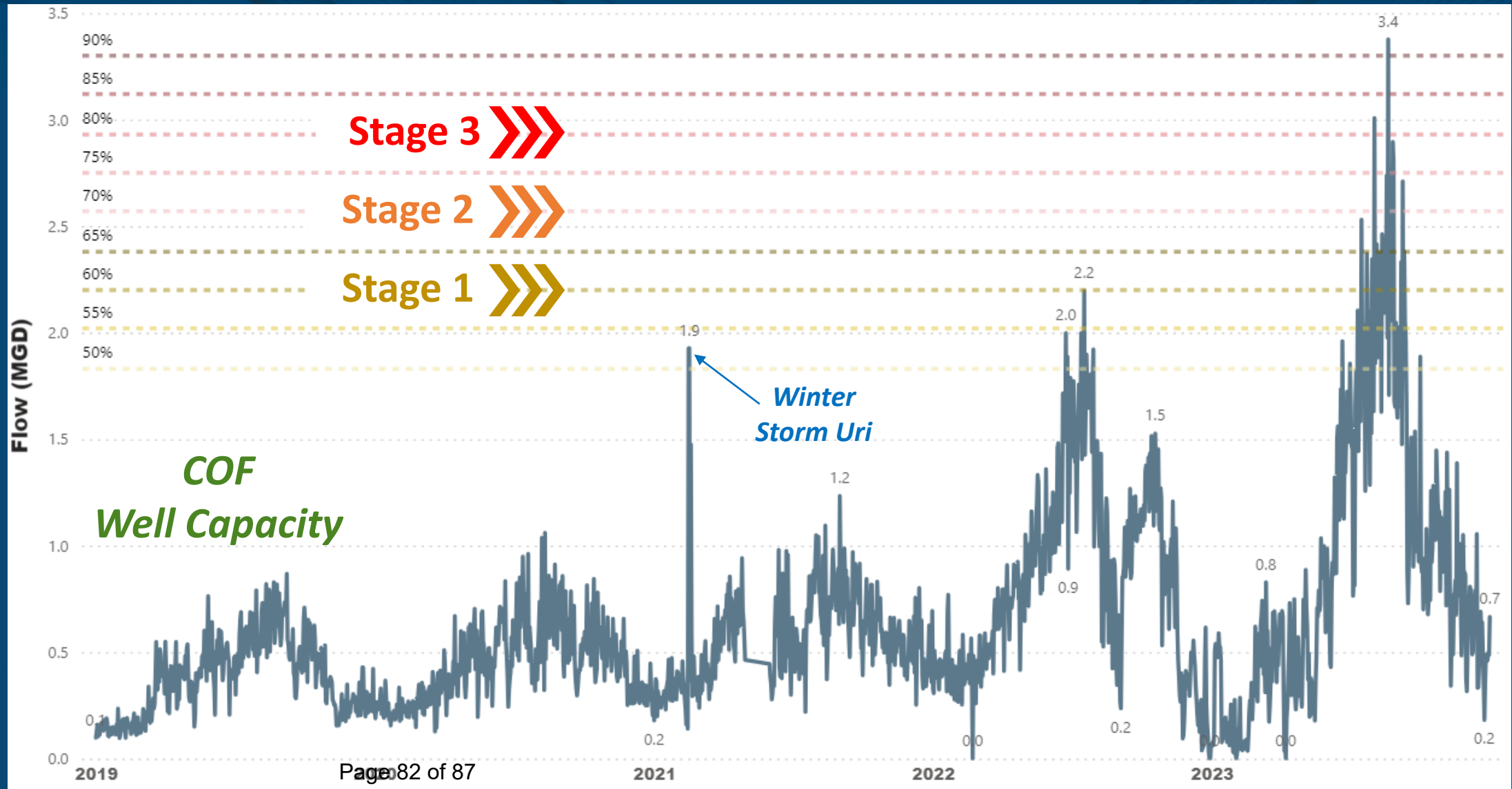
MAJOR REVISIONS TO DRAFT DCP

- Moved the document into a more public-facing format
- Added impactful measures, particularly in Stage 2 and 3
 - Surcharge starting in Stage 2
 - Prohibit summer installation of new landscaping starting in Stage 3
 - Changed Stage 2 from no watering restrictions to no more than once per week
 - Changed Stage 3 from no more than every five days to complete prohibition of watering
 - Requires special permit for developers to use fire hydrants starting in Stage 2
 - Prohibits the permitting of private pools in Stage 2
 - City Manager able to require water usage reduction of commercial customers in Stage 3
 - Prohibits the operation of interactive water features in Stage 3

MAJOR REVISIONS TO DRAFT DCP

- Removed Stage 4
- Defined system operating capacity
- Added clear identification of which Sections adhere to TCEQ requirements
- Strengthened and clarified enforcement language
- Re-evaluated drought triggers and added three consecutive day threshold, as well as trigger related to storage

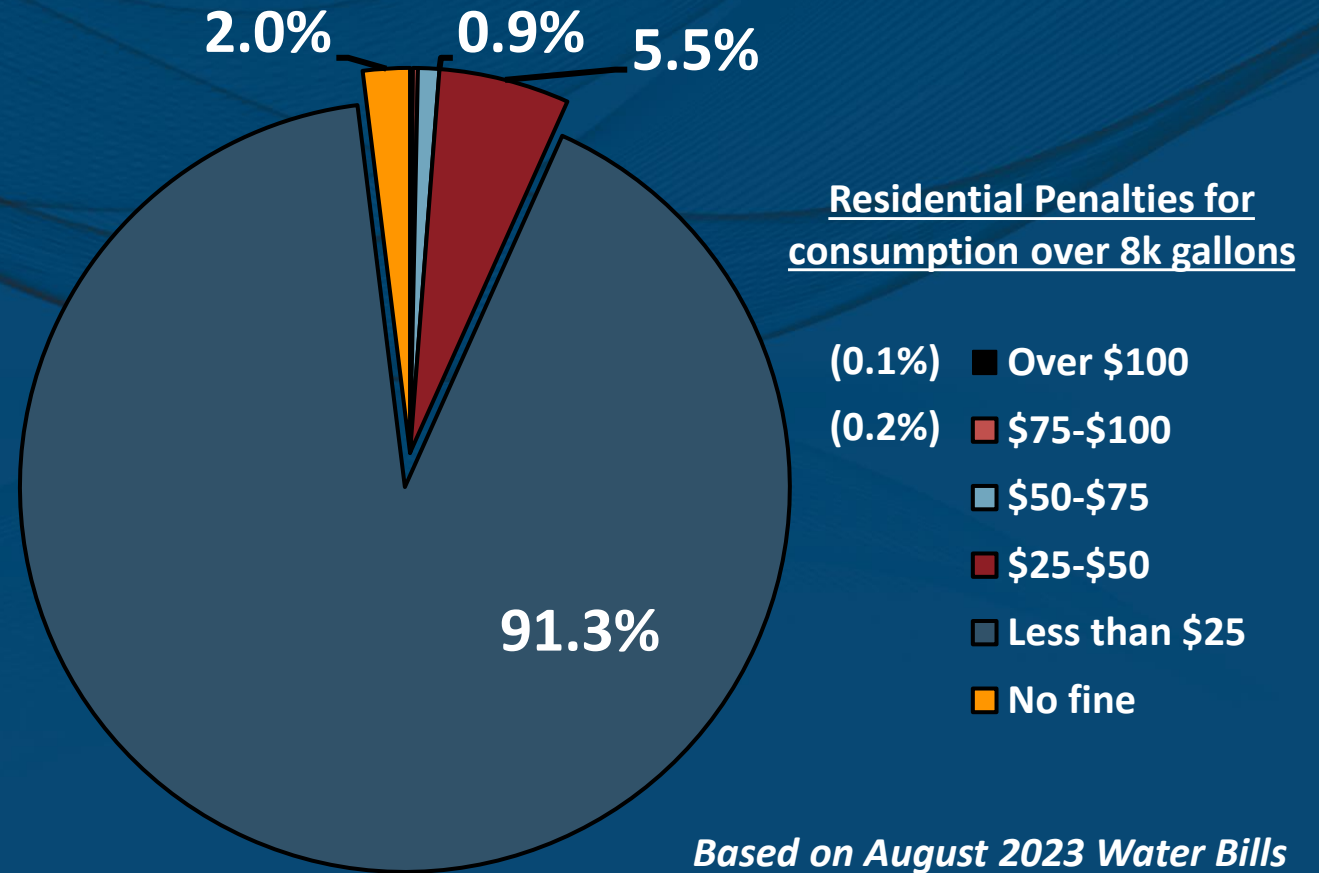
DROUGHT TRIGGER EVALUATION



STAGE 2 DROUGHT SURCHARGES

- 98% of all residential customers would have received a penalty
 - Over 90% of violators would have received a penalty under \$25.
 - Total surcharge fees: ~\$37,000

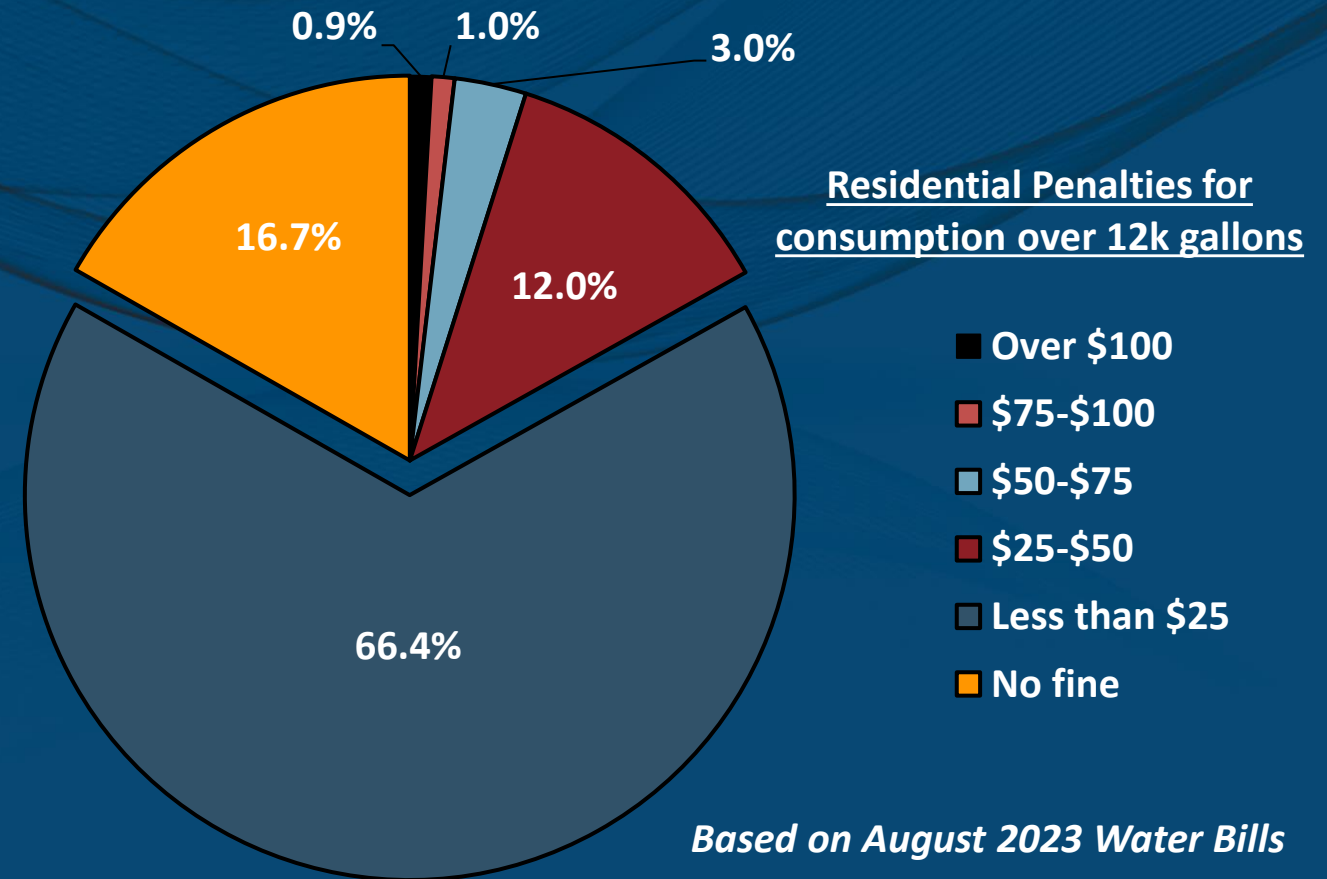
\$1/1,000 gallon surcharge fee after allocation of 8,000 gallons per month is exceeded.



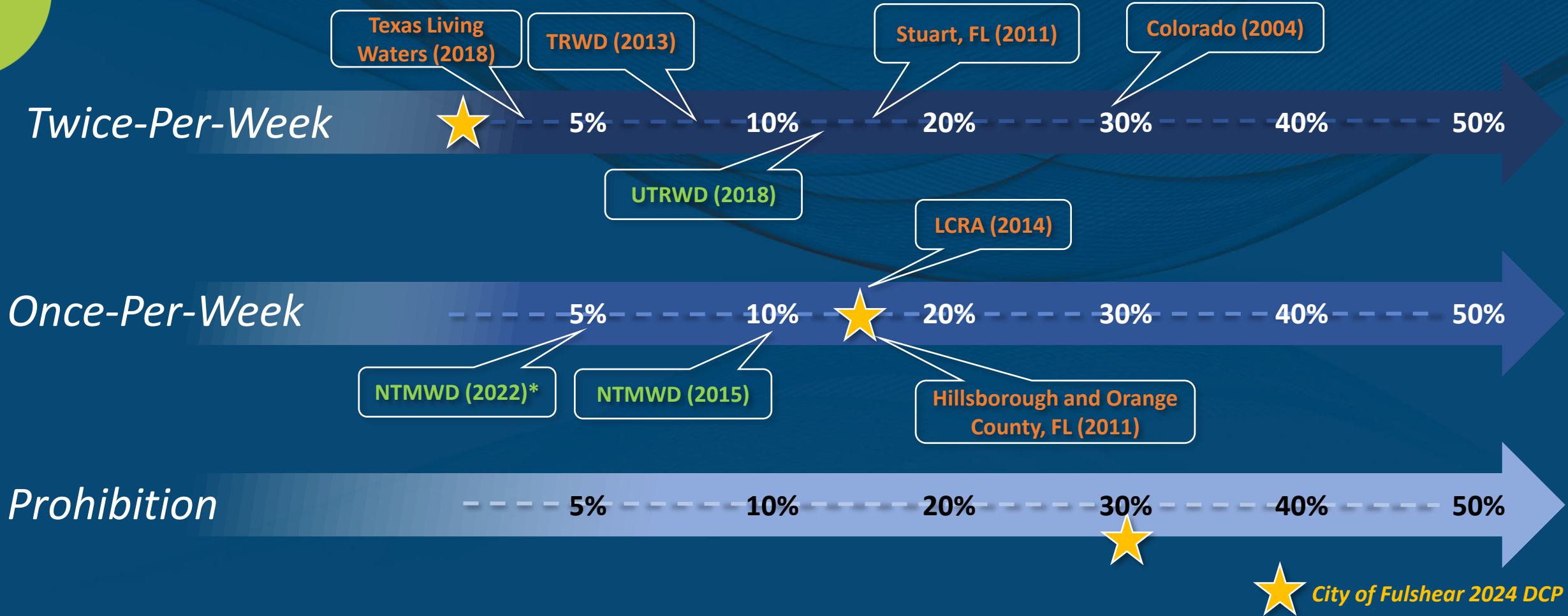
STAGE 2 DROUGHT SURCHARGES

- 87% of all residential customers would have received a penalty
 - Over 65% of violators would have received a penalty under \$25.
 - Total surcharge fees: ~\$48,000

\$2/1,000 gallon surcharge fee after allocation of 12,000 gallons per month is exceeded.



RANGE OF ESTIMATED SAVINGS FROM WATERING RESTRICTIONS



*NTMWD implemented a year-round twice-per-week watering requirement for all wholesale customers in 2015 Page 85 of 87

★ *City of Fulshear 2024 DCP*
Study conducted by others
Study conducted by Freese and Nichols

1

DCP a tangible connection between customer and water utility

2

DCP an effective tool for managing peak demand

3

Fulshear has added over a dozen impactful tools in this updated DCP

4

Fulshear has also added reasonable exceptions, variances, and waivers

5

DCP is only as effective in reducing peak demand as its enforcement

KEY TAKEAWAYS

QUESTIONS?



ADAM CONNER, PMP, CFM

- Water Resources Planning
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- 512.617.3173