

Exhibit D

CITY OF DEVINE

WATER CONSERVATION PLAN

January 2018

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TABLE OF CONTENTS

I.	Planning Area	3
II.	Water and Wastewater Systems	3
III.	Water Savings, 5 & 10-Year Goals	4
IV.	Metering Devices	5
V.	Metering, Leak Detection, Repair, and Record Management	6
VI.	Water Loss	7
VII.	Continuing Public Education & Information	7
VIII.	Non-Promotional Water and Wastewater Rate Structure	8
IX.	Enforcement Procedure & Plan Adoption	8
X.	Contract Requirements for Successive Customer Conservation	8
XI.	Record Management System	8
XII.	Plumbing Codes	9
XIII.	Implementation Schedule	9
XIV.	Tracking the Implementation and Effectiveness	9
XV.	Attachments	10
	Attachment A - Water Service Area Map	
	Attachment B - Utility Profile Worksheet	
	Attachment C - 5- and 10-Year Goals for Water Savings	
	Attachment D - Water Conservation Kit Flyer	
	Attachment E - Rate Structure and Ordinance	
	Attachment F - Resolution Adopting Water Conservation Plan	
	Attachment G - Ordinance Drought Contingency Plan	

WATER CONSERVATION PLAN

The intent of this plan is to provide a strategy for reducing the consumption of water, reducing the loss or waste of water, improving or maintaining the efficiency of water use, or increasing recycling and reuse of water.

I. Planning Area

The City of Devine is a small city located in Medina County, approximately 35 miles south of San Antonio on Interstate Highway 35 (I-35). The 2010 census documented the City to have a population of 4,350. The current population is approximately 4,607 according to the 2016 American Community Survey 5-year population estimate. Attachment A illustrates the City's service area.

II. Water and Wastewater Systems

The City of Devine operates a public water supply system (TX1630006) serving approximately 1,752 connections. Water is supplied from the Edwards Aquifer and the Carrizo/Wilcox Aquifer. Edwards Well No. 1 supplies 1,850 gpm and the Edwards Well No. 2 supplies 2,250 gpm. The Carrizo/Wilcox wells supply water as follows: Harrison 375 gpm, Bain 230 gpm, and Martin 200 gpm. The system also includes two elevated storage tanks with capacity of 250,000 gallons each. Four ground storage tanks have capacities of 500,000, 100,000, 100,000, and 188,000 for a total of 888,000 gallons. Additionally, the system includes eight high service pumps ranging from 300 to 750 gpm. Further detail of the system is available in the Utility Profile included as Attachment B.

Wastewater is collected through a system of gravity lines and lift stations throughout the City conveyed to a wastewater treatment plant with a capacity of 0.615 MGD. Treated wastewater is discharged into San Francisco Perez Creek, thence to San Miguel Creek, in Segment No. 2108 of the Nueces River Basin. Additional information is provided in the attached Utility Profile.

III. Water Savings, 5 & 10-Year Goals

The City of Devine has established 5 & 10 year targets and goals for water savings and water loss programs, defined in Attachment C. The historic 5-year average is 117 total gallons per capita per day (GPCD) for a residential water loss of 9%. The 5-year goal for 2024 is to reduce the water loss to 5%, reflecting total GPCD of 109. The 10-year goal to be attained by 2029 is 107 total GPCD maintaining a 5% water loss. These goals apply to all users and may be achieved by employing best management practices and other applicable water saving techniques discussed in subsequent sections of this plan.

Setting such targets and goals will facilitate proper planning to help all system users conserve water and be prepared for potential water shortages due to system constraints or drought. The City has established the following goals to meet state and regional goals for its water conservation plan.

A. Reduce per capita consumption. The 2016 Regional Water Plan includes water conservation goals for Devine to reduce per capital use by .25 percent per year for entities with per capita water consumption below 140 gallons per day (gpd). The goals set forth in Attachment C align with the goals in the 2016 Regional Water Plan. The City will continue to report annual water audit and water loss to the Texas Water Development Board.

B. Reduce residential consumption. The City of Devine has employed a residential plumbing rebate program since 2004, offering a \$100 rebate to customers that show proof of purchase of a high efficiency washing machine. They also offer a water conservation kit to customers which includes a shower head, shower and faucet flow measuring bag, kitchen and bathroom aerators, toilet displacement bag, leak detection dye tablets, and sprinkler measuring gauge. The City has distributed the flyer to inform the community of the availability of the kits and distributed kits as requested. A copy of the flyer detailing the items in the kit is attached.

C. Reduce commercial/industrial consumption. The City of Devine has two major consumers which are now using a combination of city water and private well water. The golf course and cemetery employ this practice.

D. Reduce water loss. The per capita water loss for 2017 was 11 gallons per day. The City's goals are to reduce water loss in the next five years to 76 gallons consumed per capita per day and in the next ten years to 75 gallons consumed per capita per day.

In addition to the above listed efforts, the City's Public Works Director is designated as the City's Conservation Coordinator working with Administration to evaluate water conservation efforts and make changes as needed. Furthermore, the City is evaluating current water and wastewater rate structure, based on gallons consumed. The City is working with Texas Rural Water Association to conduct a rate study including revising the rate structure to consider rates based on consumption and meter size. This effort will allow for more efficient reporting of water consumption and better billing accuracy. Additionally, rainwater harvesting is a green practice the City may consider in future planning and access to grant funds. Implementation of these and other appropriate best management practices will be evaluated and implemented as financial resources allow.

IV. Metering Devices

The City of Devine has inline meters on all water wells to measure the amount of water pumped from the aquifers. The City maintains the meters by testing and calibrating every three years to assure proper functioning. Testing is performed by an outside source. Additionally, well meters are read daily by public works staff. Functioning is monitored by comparing daily readings and maintaining an ongoing log.

All customer service connections and municipal use connections are metered. The City uses electronic radio read meters and does not have any unmetered accounts. The meters were purchased and installed system wide in 2007. The City is planning to replace the current meters which are nearing the end of their usable life. The plan includes upgrading to the current technology available for automatic meter reading combined with advanced metering infrastructure. This will eliminate the need to physically drive throughout the system to collect meter readings by installing receivers to collect readings and feed data directly to the billing system. The City is working towards implementing this project within the next 24 months.

V. Metering, Leak-Detection, Repair, and Record Management

The current radio read meters across the service area are approximately 10 years old, with new meter connections added to the system as needed. Meters are monitored for unusual activity through the data collection methods defined below. Staff also conduct visual inspections of distribution lines and the overall system while carrying out routine duties in the field. Monthly reviews occur when readings are uploaded to the billing software and staff note high consumption or other unusual activity.

Unusual activity may be the result of water losses due to user leaks or system failures. Reports of leaks in the system are acted upon as soon as public works crews are made aware of the problem. If the leak is identified on the customer's property, the water is shut off and the customer notified of the problem. Historically, the City has worked to repair all reported and identified leaks within five days depending upon the severity of the problem.

In an effort to reduce water loss, the City has set a goal to fix leaks immediately or to take measures to contain the leak while repairs can be completed. The City works to quickly resolve the problem and reduce water loss by sending public works staff to investigate the concern immediately. Issues may be identified when staff review consumption logs or daily readings; customers reporting leaks; or visual observations by field staff. Staff is dispatched to the location and upon initial investigation, take appropriate action to repair the issue or shut off the water as appropriate to allow consumers time to make repairs on private property.

The City of Devine utilizes Incode utility billing software to maintain a database of all water and wastewater customers. This database receives meter readings by downloading data collected via the meter reading equipment installed in designated city owned vehicles. Readings are collected by driving throughout the service area at designated periodic intervals. The vehicles are equipped with collection hardware and software compatible with the current radio read meters. The data is then downloaded to a flash drive and provided to utility billing staff who then upload the information to the Incode software. Staff is able to review monthly to daily consumption by account. As records are reviewed, staff identifies high consumption or unusual activity flagged by the defined settings established in the software system. The ability to review consumption per account allows staff to identify data needed to document water use and water loss across the system for a defined period as needed.

The City also distributes conservation kits to customers who have experienced water losses to help prevent future water loss. A flyer is attached describing the contents of these conservation kits.

VI. Water Loss

Monitoring and identifying water loss is a continuous effort by public works crews, code compliance, and other City personnel. City personnel continuously monitor distribution lines for leaks, illegal connections, and abandoned services. The Utility department monitors water use through the billing software and interaction with customers. Monthly review of consumption readings and annual water audits provide additional information to monitor water production and water sold, identifying unusual activity that may be attributed to excessive water losses. The City strives to accurately estimate the amount of water used for flushing or fire protection.

The City of Devine has been working towards reducing the amount of water losses by making affordable repairs as needed and seeking other funding sources to make needed improvements to the water distribution system.

VII. Continuing Public Education & Information

The City of Devine began a public information and education program in 2004. New customers receive the water conservation kit flyer. A Be Aquifer Aware informational pamphlet is also distributed. Attempts have been made to coordinate water conservation training with the school district and the Edwards Aquifer Authority. At the beginning of the program, the City worked with the school district to disseminate the pamphlet. The City provided copies to the school district who then distributed to families in the service area by sending pamphlets home with students. The City is planning to provide current information regarding water conservation. Efforts may include coordination with Edwards Aquifer Authority or other similar entities to seek appropriate information for public distribution. Additional educational material may be obtained from Texas Water Development Board, Texas Commission on Environmental Quality or other prospective resources. Printed material will be made available to the public at City Hall, other public facilities, and may be distributed through the utility billing process.

While information has been disseminated in the past, the City is working towards making more water conservation literature and Conservation Kit Flyers available on the city website and to post literature at public facilities.

Furthermore, the City will continue to report on water conservation efforts and per capita water usage. Ongoing evaluation of water conservation measures will allow for modifications to better meet defined goals and targets.

VIII. Non-Promotional Water and Wastewater Rate Structure

The City of Devine has adopted a rate structure that does not encourage the excessive use of water by establishing a base rate for all customers with tiered incremental rates based on usage of 1,000 gallons. An Ordinance was passed in 2009 establishing annual water and sewer rate increases effective October 1, 2009 and providing for future rate increases of 2% per year. See Attachment E for a schedule of the current water rates and applicable Ordinance.

IX. Enforcement Procedure & Plan Adoption

This water conservation plan has been implemented through the passage of an ordinance by the City of Devine. See Attachment F for a copy of the Ordinance

X. Contract Requirements for Successive Customer Conservation

The City of Devine does not furnish water to any other entity that supplies water to the ultimate consumer. If in the future the City provides water to such customers, they will require any public utility, private utility, political subdivision, or private business customers to adopt and implement the City of Devine's water conservation plan. This requirement will become part of any new customer contract or renewal of an existing customer contract to purchase water from the City.

XI. Record Management System

The City of Devine currently maintains records of water pumped, water sold, and water losses as described in Section V. The accounting system allows for the segregation of water sales and use in categories of residential, commercial, industrial and public/institutional.

XII. Plumbing Codes

The City has adopted the 2009 International Plumbing Code as its standard for new construction and remodeling.

XIII. Implementation Schedule

The City of Devine will adhere to the following schedule to achieve targets and goals for the water conservation plan:

- Well meters will be tested and calibrated every three years by an outside source.
- Meters will continue to be monitored for accuracy and will be replaced according to their usable life cycle.
- Water audits are conducted annually, at minimum, to identify water losses.
- Known water losses are corrected immediately and deteriorating water mains are replaced on an on-going basis.
- Educational materials will be provided to all customers at least annually in print via mail and made available at City Hall and on the City website as applicable.
- Leak detection inspections are performed on an on-going basis.

XIV. Tracking the Implementation and Effectiveness

The City of Devine will monitor the established targets and goals by utilizing the following procedures:

- Logs shall be maintained for meter calibration, meter testing, and meter replacement program.
- Annual water audits and water use surveys shall be documented and kept in the utility department files.
- The number of educational material mailings shall be recorded and kept in the utility department files.
- Ordinances will document all changes in water rates.
- A record of the location of leaks repaired will be maintained to identify lines needing replacement.

XV. Attachments

Attachment A	Water Service Area Map
Attachment B	Utility Profile
Attachment C	5- and 10-Year Goals for Water Savings
Attachment D	Water Conservation Kit Flyer
Attachment E	Water Rates and Ordinance
Attachment F	Resolution Adopting Water Conservation Plan
Attachment G	Ordinance Drought Contingency Plan

Attachment A

Water Service Area Map

Attachment B

Utility Profile

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

Fill out this form as completely as possible.
If a field does not apply to your entity, leave it blank.

CONTACT INFORMATION

Name of Utility: City of Devine

Public Water Supply Identification Number (PWS ID): 1630006

Certificate of Convenience and Necessity (CCN) Number: 10238

Surface Water Right ID Number: N/A

Wastewater ID Number: EPA ID NO. TX0102032; TPDES NO. WQ0010160001

Completed By: Raul H. Garcia Title: City Engineer

Address: 407 W. Rhapsody City: San Antonio Zip Code: 78216

Email: rhgarcia@garciawright.com Telephone Number: 210-349-5253

Date: 01/03/18

Regional Water Planning Group: L [Map](#)

Groundwater Conservation District: 53 [Map](#)

Check all that apply:

- Received financial assistance of \$500,000 or more from TWDB
- Have 3,300 or more retail connections
- Have a surface water right with TCEQ

B. System Input

Provide system input data for the previous five years.

Total System Input = Self-supplied + Imported – Exported

Year	Self-supplied Water in Gallons	Purchased/Imported Water in Gallons	Exported Water in Gallons	Total System Input	Total GPCD
2017	196,086,000			196,086,000	118
2016	184,706,000			184,706,000	110
2015	188,107,000			188,107,000	113
2014	209,264,000			209,264,000	127
2013	191,382,000			191,382,000	117
Historic 5-year Average	193,909,000	0	0	193,909,000	117

C. Water Supply System (Attach description of water system)

- Designed daily capacity of system _____ **4,600,000 gallons** per day.
- Storage Capacity:
 Elevated _____ **500,000 gallons**
 Ground _____ **888,000 gallons**
- List all current water supply sources in gallons.

Water Supply Source	Source Type*	Total Gallons
Edwards Aquifer	Ground	3,440,800
Carrizo Wilcox Aquifer	Ground	1,159,200
	Choose One	
	Choose One	
	Choose One	
	Choose One	

*Select one of the following source types: *Surface water, Groundwater, or Contract*

- If surface water is a source type, do you recycle backwash to the head of the plant?
 Yes _____ estimated **gallons** per day
 No

D. Projected Demands

1. Estimate the water supply requirements for the next ten years using population trends, historical water use, economic growth, etc.

Year	Population	Water Demands (gallons)
2019	4,558	194,649,390
2020	4,559	194,692,095
2021	4,581	195,631,605
2022	4,603	196,571,115
2023	4,625	197,510,625
2024	4,647	198,450,135
2025	4,669	199,389,645
2026	4,691	200,329,155
2027	4,713	201,268,665
2028	4,735	202,208,175

2. Describe sources of data and how projected water demands were determined. Attach additional sheets if necessary.

Sources of Data - For the Year 2017 - Current Population of 4529 was used.

For year of 2020, the TWDB population projection of 4,559 was used.

For the year 2030, the TWDB population projection of 4,780 was used.

For the years of 2017 to 2020, a straight line projection was used to determine the populations for the years 2018 and 2019

For the years of 2020 to 2028, a straight line projection was used to determine the populations using the TWDB numbers of 4559 (2020) and 4780 (2030).

E. High Volume Customers

- List the annual water use, in gallons, for the five highest volume **RETAIL customers**. Select one of the following water use categories to describe the customer; choose Residential, Industrial, Commercial, Institutional, or Agricultural.

Retail Customer	Water Use Category*	Annual Water Use	Treated or Raw
Devine Health & Rehab	Industrial	2,635	Treated
St. Joseph Cemetery	Agricultural	2,060	Treated
Devine Plaza Apt	Residential	1,791	Treated
Savanah Laser Wash	Commercial	1,729	Treated
Country Corner Motel	Commercial	1,712	Treated

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

- If applicable, list the annual water use for the five highest volume **WHOLESALE customers**. Select one of the following water use categories to describe the customer; choose Municipal, Industrial, Commercial, Institutional, or Agricultural.

Wholesale Customer	Water Use Category*	Annual Water Use	Treated or Raw
	Choose One		Choose One
	Choose One		Choose One
	Choose One		Choose One
	Choose One		Choose One
	Choose One		Choose One

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

F. Utility Data Comment Section

Provide additional comments about utility data below.

Section II: System Data

A. Retail Connections

- List the active retail connections by major water use category.

Water Use Category*	Active Retail Connections			
	Metered	Unmetered	Total Connections	Percent of Total Connections
Residential – Single Family	1,534		1,534	88%
Residential – Multi-family (units)			0	0%
Industrial			0	0%
Commercial	218		218	12%
Institutional			0	0%
Agricultural			0	0%
TOTAL	1,752	0	1,752	

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use](#).

- List the net number of new retail connections by water use category for the previous five years.

Water Use Category*	Net Number of New Retail Connections				
	2017	2016	2015	2014	2013
Residential – Single Family	11	116	-127	1	14
Residential – Multi-family (units)					
Industrial					
Commercial	0	22	-14	6	-2
Institutional					
Agricultural					
TOTAL	11	138	-141	7	12

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use](#).

B. Accounting Data

For the previous five years, enter the number of gallons of RETAIL water provided in each major water use category.

Water Use Category*	Total Gallons of Retail Water				
	2017	2016	2015	2014	2013
Residential - Single Family	118,937,000	116,154,000	107,746,000	137,682,000	127,783,000
Residential – Multi-family					
Industrial					
Commercial	55,990,000	55,298,000	49,199,500	55,495,000	51,421,000
Institutional					
Agricultural					
TOTAL	174,927,000	171,452,000	156,945,500	193,177,000	179,204,000

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use](#).

C. Residential Water Use

For the previous five years, enter the residential GPCD for single family and multi-family units.

Water Use Category*	Residential GPCD				
	2017	2016	2015	2014	2013
Residential - Single Family	85	83	77	98	91
Residential – Multi-family					

D. Annual and Seasonal Water Use

1. For the previous five years, enter the gallons of treated water provided to RETAIL customers.

Month	Total Gallons of Treated Retail Water				
	2017	2016	2015	2014	2013
January	13,631,000	13,176,000	13,217,000	14,385,000	12,968,000
February	11,664,000	13,343,000	11,303,000	13,047,000	12,061,000
March	14,169,000	14,035,000	13,420,000	13,861,000	16,925,000
April	14,712,000	14,380,000	13,029,000	16,128,000	14,979,000
May	18,558,000	16,225,000	18,022,000	17,653,000	18,033,000
June	17,836,000	16,934,000	14,590,000	17,725,000	17,064,000
July	23,804,000	19,460,000	19,328,000	21,715,000	19,999,000
August	18,847,000	18,027,000	21,799,000	26,797,000	20,764,000
September	19,123,000	15,706,000	19,872,000	21,596,000	16,972,000
October	15,825,000	17,459,000	17,502,000	18,776,000	15,708,000
November	14,873,000	13,649,000	13,156,000	13,724,000	12,756,000
December	13,044,000	12,312,000	12,869,000	13,857,000	12,906,000
TOTAL	196,086,000	184,706,000	188,107,000	209,264,000	191,135,000

2. For the previous five years, enter the gallons of raw water provided to RETAIL customers.

Month	Total Gallons of Raw Retail Water				
	2017	2016	2015	2014	2013
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL	0	0	0	0	0

3. Summary of seasonal and annual water use.

Water Use	Seasonal and Annual Water Use					Average in Gallons
	2017	2016	2015	2014	2013	
Summer Retail (Treated + Raw)	60,487,000	54,421,000	55,717,000	66,237,000	57,827,000	58,937,800 5yr Average
TOTAL Retail (Treated + Raw)	196,086,000	184,706,000	188,107,000	209,264,000	191,135,000	193,859,600 5yr Average

E. Water Loss

Provide Water Loss data for the previous five years.

Water Loss GPCD = [Total Water Loss in Gallons ÷ Permanent Population Served] ÷ 365

Water Loss Percentage = [Total Water Loss ÷ Total System Input] x 100

Year	Total Water Loss in Gallons	Water Loss in GPCD	Water Loss as a Percentage
2017	18,698,925	11	10%
2016	9,770,000	6	5%
2015	19,778,663	12	11%
2014	11,186,000	7	5%
2013	12,178,000	7	6%
5-year average	14,322,318	9	7%

F. Peak Water Use

Provide the Average Daily Water Use and Peak Day Water Use for the previous five years.

Year	Average Daily Use (gal)	Peak Day Use (gal)	Ratio (peak/avg)
2017	506,044	627,742	1.24
2016	515,362	703,194	1.36
2015	573,326	864,419	1.51
2014	496,260	669,806	1.35
2013	545,677	750,833	1.38

G. Summary of Historic Water Use

Water Use Category	Historic 5-year Average	Percent of Connections	Percent of Water Use
Residential SF	121,660,400	88%	0%
Residential MF	0	0%	0%
Industrial	0	0%	0%
Commercial	53,480,700	12%	0%
Institutional	0	0%	0%
Agricultural	0	0%	0%

H. System Data Comment Section

Provide additional comments about system data below.

Section III: Wastewater System Data

If you do not provide wastewater system services then you have completed the Utility Profile. Save and Print this form to submit with your Plan. Continue with the [Water Conservation Plan Checklist](#) to complete your Water Conservation Plan.

A. Wastewater System Data (Attach a description of your wastewater system.)

1. Design capacity of wastewater treatment plant(s): 650,000 gallons per day.
2. List the active wastewater connections by major water use category.

Water Use Category*	Active Wastewater Connections			
	Metered	Unmetered	Total Connections	Percent of Total Connections
Municipal	0	0	0	0%
Industrial	0	1	1	0%
Commercial	0	216	216	99%
Institutional	0	0	0	0%
Agricultural	0	1	1	0%
TOTAL	0	218	218	

2. What percent of water is serviced by the wastewater system? 100%
3. For the previous five years, enter the number of gallons of wastewater that was treated by the utility.

Month	Total Gallons of Treated Wastewater				
	2017	2016	2015	2014	2013
January	9,879,000	9,390,000	8,823,000	10,060,000	9,741,000
February	9,381,000	8,309,000	8,209,000	8,523,000	9,115,000
March	9,961,000	9,983,000	9,156,000	9,403,000	9,963,000
April	9,408,000	9,410,000	8,650,000	9,267,000	9,358,000
May	10,679,000	12,454,000	9,520,000	9,687,000	9,924,000
June	9,981,000	10,325,000	8,814,000	9,565,000	9,356,000
July	9,708,000	9,526,000	8,870,000	9,316,000	10,304,000
August	11,300,000	9,795,000	9,050,000	9,372,000	9,995,000
September	10,135,000	10,216,000	8,992,000	8,922,000	10,848,000
October	9,835,000	9,907,000	9,617,000	8,806,000	10,294,000
November	9,854,000	9,881,000	9,362,000	8,499,000	9,608,000
December	10,578,000	10,285,000	9,631,000	8,464,000	9,709,000
TOTAL	120,699,000	119,481,000	108,694,000	109,884,000	118,215,000

4. Can treated wastewater be substituted for potable water?
 Yes No

B. Reuse Data

1. Provide data on the types of recycling and reuse activities implemented during the current reporting period.

Type of Reuse	Total Annual Volume (in gallons)
On-site irrigation	
Plant wash down	
Chlorination/de-chlorination	
Industrial	
Landscape irrigation (parks, golf courses)	
Agricultural	
Discharge to surface water	
Evaporation pond	
Other	
TOTAL	0

C. Wastewater System Data Comment

Provide additional comments about wastewater system data below.

You have completed the Utility Profile. Save and Print this form to submit with your Plan. Continue with the [Water Conservation Plan Checklist](#) to complete your Water Conservation Plan.

Attachment C

5- and 10-Year Goals for Water Savings

WATER CONSERVATION PLAN 5- AND 10-YR GOALS FOR WATER SAVINGS

Facility Name: City of Devine

Water Conservation Plan Year: 2019

	Historic 5yr Average	Baseline	5-yr Goal for year <u>2024</u>	10-yr Goal for year <u>2029</u>
Total GPCD ¹	117	110	109	107
Residential GPCD ²	87	77	76	75
Water Loss (GPCD) ³	10	6	5.9	5.8
Water Loss (Percentage) ⁴	9 %	5 %	5 %	5 %

1. Total GPCD = (Total Gallons in System + Permanent Population) ÷ 365
2. Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365
3. Water Loss GPCD = (Total Water Loss + Permanent Population) ÷ 365
4. Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

Attachment D

Water Conservation Kit Flyer

Instructions

Pro Massage Shower Head

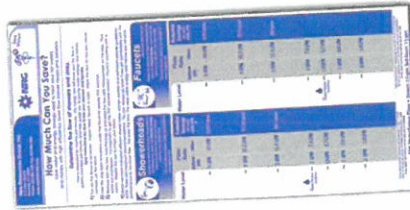
1. Unscrew old shower head (turn counter clockwise), clean shower arm threads.
2. Apply Teflon thread sealing tape to the shower arm threads (small roll enclosed).
3. Hand-tighten Shower Pro on to shower arm. **Do not over-tighten.**
4. Run Water to test for leaks.
5. Turn face to adjust from luxurious Massage, to Combo, to Gentle Rain spray patterns.



Shower & Faucet Flow measuring Bag

Test your shower heads and sinks for maximum flow efficiency. Save money, save water, save energy - knowing you have the right fixture is the first step in making upgrades.

Simple step by step instructions printed right on the bag. Refer to your Home water audit kit for more information.



Swivel Spray Stream Kitchen Aerator

Note: This aerator fits standard male and female faucets. It comes with an adapter for fitting a standard female faucet. Remove the adapter for a male faucet.

1. Unscrew old faucet attachment. For a female faucet, install with white adapter in place. Make sure the washer is in place on top. For a male faucet, remove the adapter and install. Make sure the washer is in place.
2. Hand-tighten Swivel Spray. Use cloth if wrench is used. **Do not over-tighten.**
3. Swivel spray to reach entire sink. Pull down for spray stream, push up for single stream. Use on /off lever for extra savings.



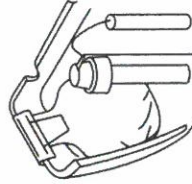
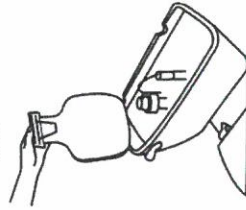
Water Saving Bathroom Aerators

1. Unscrew old faucet attachment. For inside threaded faucet install as is. For outside threaded faucet, first remove top washer to expose inside threads and install.
2. Hand-tighten, do not over-tighten. If a wrench is used, protect finish with a cloth.



Toilet Displacement Bag

1. Remove the toilet tank lid.
2. Fill the Toilet Displacement Bag to the top with water from the sink. Squeeze out all of the air to eliminate buoyancy.
3. Place the filled Toilet Displacement Bag in the toilet tank between the tank wall and the intake valve.
4. Hang the mounting bracket on the toilet tank wall as shown.



Note: If the Toilet Displacement Bag interferes with the toilet's internal components on the left side of the tank, try hanging it on the right. You may need to add some weights to make it hang straight down.



Leak Detecting Non-Toxic Dye Tablets

1. Remove lid from toilet tank.
2. Drop one dye tablet into water in the tank.
3. Wait a few minutes. If blue color appears in the bowl, your toilet has a silent leak and repairs need to be made.



Sprinkler Measuring Gauge

1. Assemble gauge.
2. Place outdoors in the ground.
3. Run sprinkler for 15 minutes. Measure the amount of water in the gauge. Move gauge and repeat.
4. After several sample measurements take an average and multiply by 4. This will give you the number of inches of water output per hour of watering.



Thank you for doing your part in preserving our precious natural resources.



SAVE WATER!



SAVE ENERGY!

Attachment E

Ordinance Water & Wastewater Rates

ORDINANCE NO. 09-04

AN ORDINANCE INCREASING THE WATER AND SEWER RATES BY ELEVEN PERCENT (11%) AS OF JANUARY 1, 2005 BY AN ADDITIONAL FIFTEEN PERCENT (15%) AS OF OCTOBER 1, 2005 AND BY ANNUAL INCREASES OF FIVE PERCENT (5%) BEGINNING OCTOBER 1, 2006; INCREASING THE GAS RATES BY SIX PERCENT (6%) AS OF OCTOBER 1, 2004 AND BY ANNUAL INCREASES OF SIX PERCENT (6%) BEGINNING OCTOBER 1, 2005; ALL INCREASES ARE NEEDED TO PROVIDE FINANCIAL STABILITY FOR THE CITY OF DEVINE'S UTILITY SYSTEMS; AND, PROVIDING FOR A SEVERABILITY CLAUSE.


WHEREAS: The City of Devine is a Type A General Law municipality that owns and operates water, sewer, and gas utility systems; and,

WHEREAS: Texas Local Government Code Section 402.001 authorizes a municipality to regulate its water, sewer, and gas systems in a manner that protects the interests of the municipality; and,


WHEREAS: The City of Devine has been advised by its financial advisor that the city needs to increase its water, sewer, and gas rates in order to provide financial stability for its utility systems; and,

WHEREAS: Texas Local Government Code Section 51.001 authorizes the governing body of any municipality to adopt, publish, amend, or repeal an ordinance, rule or police regulation that is for the good government, peace, or order of the municipality or for the trade and commerce of the municipality and is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEVINE, TEXAS:

 SECTION 1. Water Rates. The City of Devine's water rates shall be increased for all categories of users by eleven percent (11%) as of January 1, 2005, by an additional fifteen percent (15%) as of October 1, 2005, and by annual increases of five percent (5%) beginning October 1, 2006.

SECTION 2. Sewer Rates. The City of Devine's sewer rates shall be increased for all categories of users by eleven (11%) as of January 1, 2005, by an additional fifteen percent (15%) as of October 1, 2005, and by annual increases of five percent (5%) beginning October 1, 2006.

 SECTION 3. Gas Rates. The City of Devine's gas rates shall be increased for all categories of users by six percent (6%) as of October 1, 2004, and by annual increases of six percent (6%) beginning October 1, 2005.

SECTION 4. Rate Schedules. Rates for the City of Devine's water, sewer, and gas utilities shall be printed on schedules that shall be maintained by the Devine City Secretary and the schedules shall be available for public review during normal business hours. Copies of the schedules shall be provided upon request.

SECTION 5. Code of Ordinances. It is the intention of the City Council that this ordinance shall become a part of the Code of Ordinances of the City of Devine and may be renumbered and codified therein accordingly.

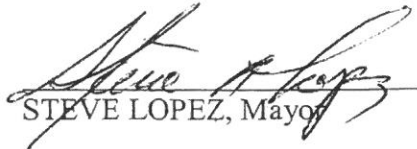
SECTION 6. Effective Date. This ordinance shall take effect immediately upon its passage, approval and official publication as provided by law.

SECTION 7. Severability. If any section, provision, subdivision, clause or part of this ordinance shall be adjudged or held unconstitutional or invalid, it shall not affect the validity of this ordinance as a whole or any other part or provision contained herein.

PASSED, APPROVED AND ADOPTED at the special meeting held on the
7th day of September, 2004.




DORA RODRIGUEZ, City Secretary


STEVE LOPEZ, Mayor

Utility Department

DEPOSIT RATES:

	<u>WATER</u>	<u>SEWER</u>	<u>TOTAL</u>
<i>Home owner</i>	\$ 40.00	\$ 20.00	= \$ 60.00
<i>Home owner (non-city resident)</i>	\$ 50.00	\$ 50.00	= \$100.00
<i>Active Military</i>	\$ 50.00	\$ 50.00	= \$100.00
<i>Renter</i>	\$150.00	\$150.00	= \$300.00
<i>Housing Authority Renters</i>	\$ 75.00	\$ 50.00	= \$125.00
<i>Home owner over 62</i>	\$ 20.00	\$ 10.00	= \$ 30.00
<i>Renter over 62</i>	\$ 25.00	\$ 12.50	= \$ 37.50
<i>Contractors</i>	\$225.00	\$225.00	= \$450.00

* Hotels, Motels, Laundromats & Restaurants = variable deposit based on the average of the previous occupant's last three months' bills

*Homeowners need to provide warranty deed/title of the property to get the homeowner's deposit

*Housing Authority Renters include Section 8; these customers need to provide copy of the Housing Contract or documentation showing they qualified for Section 8

*Realtors: in order to have 24 hour water service for inspection, there is a \$10 turn-on fee & \$10 turn-off fee

***Deposits must be paid in full before services can be connected.**

UTILITY DEPARTMENT

UTILITIES:

Meters are read around the 8th of every month. If you feel there is something wrong with your meter, please notify the city office at (830) 663-2804.

The city utility bills are mailed out around the 23rd of the month; dates are tentative and subject to change. They are due on or before the 15th of each month if you wish to pay without penalty being added. After the 15th, a 10% penalty will be added to your current bill and your account will be considered past due. If your bill is not paid by the 3rd of each month, you will be subject to disconnection, however keep in mind that disconnection dates are tentative and subject to change. If a payment arrangement is needed, you need to go to the City Office to speak with a representative. On the day of cut-off, any customer that comes in to pay or drives up to pay after 8:00am and has not yet been cut-off, will be assessed a \$10.00 Administrative Fee to avoid cut-off. If the customer has already been cut-off, a \$30 Reconnect Fee and the full balance of your account must be paid before services are restored. Customers who reconnect without authorization will be assessed an additional \$25 theft of service fee, \$12.50 broken lock fee and will be reported to the Police Department for theft of service. If at any time the customer breaks the city cut-off, they will be charged a \$50.00 fee to replace the cut-off and a \$15.00 labor fee.

CONNECTS/NEW SERVICE:

The customer is responsible to have an adult (18yrs or older) at the property for a new connect, under **NO EXCEPTIONS** will the city leave the water meter unlocked for the customer to turn on themselves. Please keep in mind that all service orders are picked up at 2:30pm and scheduled to be done between the hours of 2:45-3:45 p.m. Monday – Friday. Any work order request placed after 2:30pm will be scheduled for the next work day between the hours of 2:45-3:45 p.m. The City will not charge for the first service call on a work order, but will charge a \$10.00 fee for each service call made after the first call to the same address for the same work order. Services will then be restored the next business day at our normal scheduled hours. **NO EXCEPTIONS!**

WATER RATES:

The monthly rates and charges for the sales made of services rendered by the water and wastewater system of the City of Devine, Texas, are hereby established, levied, set and prescribed as follows:

MONTHLY WATER USE (RATE PER 1,000 GALLONS)

	Inside City	Outside City
Base rate	\$23.34	\$46.66
Every 1,000 up to 10,000	4.05	5.06/1000
Every 1,000 from 10,001 to 20,000	4.24	5.06/1000
Every 1,000 from 20,001 to 30,000	4.42	5.06/1000
Every 1,000 from 30,001 to 55,000	4.66	5.06/1000
Every 1,000 from 55,001 to 80,000	4.87	5.06/1000
Every 1,000 from 80,001 to 130,000	5.06	5.06/1000
Every 1,000 from 130,001 to 180,000	5.31	5.31/1000
Every 1,000 over 180,000	5.47	5.47/1000

SENIOR CITIZENS – 62 AND OVER

First 2,000 gallons	\$23.34	\$46.66
Every 1,000 from 2,001 to 10,000	4.05	5.06/1000
Every 1,000 from 10,001 to 20,000	4.24	5.06/1000
Every 1,000 from 20,001 to 30,000	4.42	5.06/1000
Every 1,000 from 30,001 to 55,000	4.66	5.06/1000
Every 1,000 from 55,001 to 80,000	4.87	5.06/1000
Every 1,000 from 80,000 to 130,000	5.06	5.06/1000
Every 1,000 from 130,001 to 180,000	5.31	5.31/1000
Every 1,000 over 180,000	5.47	5.47/1000

Revised: October 2017

Water Rates for Non Residential/Contractors:

	Non Residential/Contractors
Base Rate:	\$46.66
Every 1,000 up to 10,000	9.05/1000
Every 1,000 from 10,001 to 20,000	9.05/1000
Every 1,000 from 20,001 to 30,000	9.05/1000
Every 1,000 from 30,001 to 55,000	9.05/1000
Every 1,000 from 55,001 to 80,000	9.05/1000
Every 1,000 from 80,001 to 130,000	9.05/1000
Every 1,000 from 130,001 to 180,000	9.05/1000
Every 1,000 over 180,000	9.05/1000

If at any time the Edward's Aquifer puts a restriction on the City, the City can terminate selling water to Non Residential/Contractors. These rates are applicable to all sales or service of water. All leakage between a meter and a building is the responsibility of the owner, tenant, or occupant of the building.

EAA (EDWARD'S AQUIFER AUTHORITY) FEE: Flat fee for each active water account based on the annual permit fee required from the city by the EAA. This additional flat fee may vary depending on the number of active water accounts.

SEWER RATES:

Residential Customers: The monthly service charge for each year is based on the average of the three Winter months' (December, January, and February) metered water billing.

First 1,000 gallons per month	\$19.36
All excess of 1,000 gallons	\$3.10/per 1,000

New Customers: The monthly service charge is based on the monthly metered water usage for the first three months and, thereafter, an average of the three winter months.

Business and Commercial: The monthly service charge is based on the monthly metered water usage.

First 1,000 gallons per month	\$19.36
All excess of 1,000 gallons	\$3.10/per 1,000

NEW TAPS:

WATER TAPS

¾" -- \$1000.00
1" -- \$1,300.00
2" -- \$2000.00

SEWER TAPS

6" -- \$1000.00
*A reducer will be installed from 6" to 4" at property line on cleanout

Customer will pay for the cost of the line extension of water and sewer mains. Cost will be determined by Public Works and will be based on estimated cost of material, labor and/or equipment.

Customer making sewer taps will be responsible for connecting to the city line within 60 days of the date that sewer tap was completed by public works.

Trash:

Residential Waste wheeler Customers: \$24.32 ***Extra Waste wheeler:*** \$12.25 (each a month)
Business Waste wheeler Customers: \$33.47 ***Extra Waste wheeler:*** \$12.25 (each a month)

*Alamo 1 has allowed every household to use one 32 gallon personal trash can in addition to a waste wheeler or 5 bags of leaves only.

RECYCLE PICK UP:

Recycle will be picked up the fourth Thursday of the month. The customer will be responsible for providing a receptacle. Customers will need to call the City Office at 830-663-2804 in order to be placed on the Recycle List.

BRUSH PICK UP:

The bundled brush will be picked up on Mondays of the first three weeks of the month. Customers will need to call the City Office to be placed on the list by Friday of the week before. Brush must be bundled in 5ft. length and not weigh more than 50 lbs.

BULK PICK UP:

Bulk pick up will occur twice a year; notices will be posted in your Utility bill and our local newspaper.

For information on the Citizen Waste Collection Site call South Texas Refuse Disposal at (830) 426-4261 or the Medina County Office at (830) 665-8015.

Attachment F

Resolution
Adopting Water Conservation Plan

Attachment G

Ordinance Drought Contingency Plan

ORDINANCE NO. 08-12 (Amending 05-09)

AN ORDINANCE AMENDING CHAPTER 98, ARTICLE IV OF THE CITY OF DEVINE'S CODE OF ORDINANCES; AN ORDINANCE ADOPTING AND IMPLEMENTING USE REDUCTION MEASURES INTENDED TO REDUCE WATER USE FROM THE EDWARDS AQUIFER IN ORDER TO PRESERVE AND PROTECT THE AQUIFER, THE PUBLIC WATER SUPPLY AND SPRINGFLOW AND TO PREVENT UNNECESSARY WASTE; AND PROVIDING THE VIOLATION OF SUCH ORDINANCE SHALL BE A MISDEMEANOR PUNISHABLE UPON CONVICTION BY FINE OF NOT LESS THAN \$50.00 NOR MORE THAN \$2,000.00; REPEALING CONFLICTING PROVISIONS; AND, CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, the City Council of the CITY OF DEVINE has adopted water use reduction measures; and,

WHEREAS, the City Council of the CITY OF DEVINE recognizes that the South-central Texas area is facing a trend of increased pumpage combined with higher than average summer temperatures which threaten the Edwards Aquifer, springflow and the public water supply; and,

WHEREAS, the Edwards Aquifer constitutes one of the sources of the CITY OF DEVINE'S public water; and,

WHEREAS, the City Council of the CITY OF DEVINE recognizes that the existing Drought Management Plan authorized by House Bill 1942, 70th Legislature, and implemented by the Edwards Aquifer Authority does not have the flexibility and the area coverage to effectively address drought situations to protect the Aquifer's, springflow and public water supply; and,

WHEREAS, the City Council of the CITY OF DEVINE desires to adopt an ORDINANCE for the purpose of reducing water use during defined drought periods, from the Edwards Aquifer in order to preserve and protect the Aquifer, springflow, and public water supply, while at the same time minimizing impact to human health and economic activity; and,

WHEREAS, the City Council of the CITY OF DEVINE has determined that it would be in the best interest of the citizens of Devine and would promote the health, safety, and general welfare of the community to implement water use reduction measures regulating the pumping of water from the Edwards, to effectively address drought situations, to protect the Aquifer, springflow, public water supply and to prevent the unnecessary waste of water; and,

WHEREAS, the CITY OF DEVINE is a municipality existing under the general laws of the State of Texas; and,

WHEREAS, TEX. LOCAL GOVERNMENT CODE, Section 402.015 provides that a general-law municipality may establish and regulate public wells, pumps, cisterns, hydrants, and reservoirs located inside or outside the municipality, including the municipality's streets, for the convenience of its residence, for fire fighting purposes, and for the prevention of unnecessary waste of water; and,

WHEREAS, TEX. LOCAL GOVERNMENT CODE, Section 51.001 (Vernon 1988) authorizes any city incorporated under the general laws of the State of Texas to adopt ordinances that are for the good government, peace, or order of the municipality and that is necessary or proper for carrying out a power granted by law to the municipality; and,

WHEREAS, the City Council of the CITY OF DEVINE has determined that the implementation of water use reduction regulating public water use to effectively address drought situations, to prevent the unnecessary waste of water, to preserve the public water supply, and to protect the Aquifer and springflow, may be accomplished by virtue of, and pursuant to the CITY OF DEVINE'S police power, for the health and safety of its citizens, in addition to the other specific grants of authority referenced herein; and,

WHEREAS, the regulation of the use of water from the Edwards Aquifer in the City of Devine is needed for the good government, peace and order of the City of Devine; is necessary for the prevention of unnecessary waste of water; is necessary for the preservation of the public water source; is necessary to protect the Aquifer and springflow; and is necessary for carrying out a power granted by law to the City of Devine;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEVINE, TEXAS:

AMENDMENT: Chapter 98, Article IV of the City of Devine's Code of Ordinances is hereby amended to read as follows:

SECTION 1 DEFINITIONS

- (1) "Landscape Watering" means the application of water to grow landscaping plants.
- (2) "Landscaping Plant" means any member of the kingdom of plantae, including any tree, shrub, vine, herb, flower, succulent, groundcover or grass species, that grows or has been planted out-of-doors and is used for landscaping purposes or for the support of intensive recreational areas such as playgrounds and playing fields.
- (3) "New landscaping plant" means a landscaping plant planted during any current drought stage. When the drought is rescinded, such new landscaping plant will be treated thereafter as an existing landscaping plant.
- (4) "Hand-held hose" means a hose attended by one person, fitted with a manual or automatic shutoff nozzle.
- (5) "Bucket" means bucket or other container holding five gallons or less, used singly by one person.
- (6) The actual calendar dates and designated days shall be designated by the City Council.
- (7) "Existing landscaping plant" means a landscaping plant planted during any period for which a drought stage has not been declared or during a drought which has been rescinded.

- (8) "New facility" means a swimming pool, hot tub or any similar facility, including residential and private facilities, installed during any current drought stage. When the drought is rescinded, such new facility will be treated thereafter as an existing facility. This term does not include pools specifically maintained to provide habitat for aquatic life.
- (9) "Existing facility" means a swimming pool, hot tub or any similar facility, including residential and private facilities, installed during any period for which a drought has not been declared or during a drought stage which has been rescinded. This term does not include pools specifically maintained to provide habitat for aquatic life.
- (10) "Vegetable garden" means any non-commercial garden planted primarily for household use. For this "non-commercial" includes incidental direct selling of produce from such a vegetable garden to the public.
- (11) "Aesthetic use" means the use of water for fountains, waterfalls, and landscape lakes and ponds where such use is entirely ornamental and serves no other functional purpose.
- (12) "Other outside use" means the use of water outdoors for the maintenance, cleaning and washing of structure and mobile equipment, including automobiles and boats, and the washing of streets, driveways, sidewalks, patios and other similar areas.
- (13) "Waste" includes, but is not limited to, allowing water to run off into a gutter, ditch or drain, or failing to repair a controllable leak.
- (14) "Impervious surface area" means any structure or any street, driveway, sidewalk, patio or other surface area covered with brick, paving, tile or other impervious material.
- (15) "Health care facility" means any hospital, clinic, nursing home or other health care or medical research facility.
- (16) "Water utility use" means water used for withdrawal, treatment, transmission and distribution by potable water systems.
- (17) "Power production use" means the use of water for steam generation and the use of water for cooling and for replenishment of cooling reservoirs.
- (18) "Agricultural irrigation" means irrigation for the purpose of growing crops commercially for human consumption or to use as feed for livestock or poultry.
- (19) "Public" means municipally owned or operated facilities.
- (20) "Livestock use" means the use of water for drinking by or washing of livestock. "Livestock" means cattle, sheep, goats, hogs, poultry, horses, and game, domestic, exotic and other animals and bird, including zoo animals, used for commercial or personal purposes.
- (21) "Domestic type use" means the use of water, other than uses in the Outdoor category, for personal needs or for household purposes, such as drinking, bathing, heating, cooking,

sanitation or cleaning, whether the use occurs in a residence or in a commercial or industrial facility.

- (22) "Industrial, commercial and other use" means the use of water integral to the production of primary goods and services provided by industrial or commercial facilities and water essential to service-related industries such as recreation and tourism. Industrial facilities include facilities which perform such process-specific activities as cooling, boiler feed, cleaning and washing, pollution control, extraction and separation of desirable material from products and waste materials and the incorporation of water into final products. Commercial facilities include, but are not limited to, food service facilities, hotels, retail facilities and nursery operations.
- (23) "Large property" means a tract of land or several tracts of land managed as a group such as commonly found in neighborhood common areas or medians and street setbacks commonly found associated with commercial development regardless of the number of meters or individual parcel sizes associated with the property that equals or exceeds five (5) acres in size and has an irrigation system covering all or a portion of the property.
- (24) "Large use property" means any property that uses one (1) million gallons of water or more for irrigation purposes in a single calendar year.
- (25) "Advanced plan" means, submitted to and approved by the City, an irrigation schedule based on precipitation rates for irrigation systems that allows athletic fields to be irrigated more than one day a week.
- (26) "Athletic field" means a sports playing field, the essential feature of which is turf grass, used primarily for organized sports for schools, professional sports, or sanctioned league play.
- (27) "Basic plan" means, submitted to and approved by the City of Devine, an irrigation schedule for athletic fields that allows each athletic field at a particular location to be irrigated one day a week.

SECTION 2

IRRIGATION SYSTEM ANALYSIS

- A. An annual irrigation system analysis shall be required for all athletic fields, golf courses, large use and large properties and shall be submitted in writing to the City of Devine on or before May 1st of each year. Golf courses, athletic fields, and large properties that meet the definition of large use and large use properties regardless of size including residential properties must have a licensed irrigator sign-off on the annual irrigation system analysis. Golf courses, other than those utilizing recycled water for irrigation in accordance with an agreement with the City, shall comply with residential irrigation requirements on areas other than tee boxes, fairways and greens.
- B. Municipal tenants and lessees of golf courses, sports and athletic playing fields, and any other municipally owned properties, shall be responsible for compliance with this section and subsection. The City shall look directly to such tenants and lessees for compliance unless the

municipality concedes by contractual agreement with the tenant/lessee to assume the tenant/lessee's responsibility for compliance.

SECTION 3 DROUGHT STAGE CONDITIONS

- A. There are four drought stages which will be triggered by the Edwards Aquifer water levels as measured in Well AY-68-37-203 (J-17) in San Antonio. Drought stages will be declared in the Edwards Aquifer when the water level in the J-17 well has reached the given trigger level. The Edwards Aquifer can also be declared in a drought stage if the J-17 well has been below 660 for a continuous 10 day period. In this case, the Edwards Aquifer assumes the drought stage as determined by the J-17 water level at the end of the 10 day period. Drought stages are rescinded for the Edwards Aquifer based on the J-17 water level.
- (1) Stage I – Aquifer Awareness will be triggered when the J-17 (San Antonio Well) reaches the level of 660ft. (based on 10-day average), San Marcos springflow (CFS) < 96, Comal springflow (CFS) < 225, and with a withdrawal reduction of 20%.
 - (2) Stage II – Aquifer Watch, will be triggered when the J-17 (San Antonio Well) reaches 650ft., San Marcos springflow (CFS) < 80, Comal springflow (CFS) < 200, and with a withdrawal reduction of 30%.
 - (3) Stage III – Aquifer Alert, will be triggered when the J-17 (San Antonio Well) reaches 640ft., San Marcos springflow (CFS) n/a, Comal springflow (CFS) < 150, and with a withdrawal reduction of 35%.
 - (4) Stage IV – Aquifer Risk, will be triggered when the J-17 (San Antonio Well) reaches 630ft., San Marcos springflow (CFS) n/a, Comal springflow (CFS) < 100, and with a withdrawal reduction of 40%.
- B. Except as hereinafter provided, the stages of the water use reduction measures contained in this ordinance shall be automatically implemented when the conditions set forth in Section 3 (A) above are met, including a condition that if the total supply of water from the Edwards Aquifer and other available sources is insufficient to meet customer demand, while complying with applicable regulations governing water supply withdrawals. The determination whether the City is able to comply with the applicable regulations governing water supply withdrawals shall be based upon consideration of pumping trends, the use of the City's Carrizo Wells, seasonal adjustments and current and forecast precipitation. After a monitoring period of thirty (30) days and due consideration of all of the above described conditions, the City Administrator, in consultation with the Director of Public Works and the Mayor, may declare later stages of drought or delay a later stage of drought. Specific water use reduction measures are set out below in this ordinance and shall cover the categories or regulated uses, applicable stages and corresponding required water use reduction measures.
- C.
- (1) The City Administrator, in consultation with the Director of Public Works and the Mayor, is hereby authorized to declare that each "trigger level" or other condition has been reached as

hereinafter described and that the water use reduction measures and each respective stage are in effect.

- (2) Notices of the implementation and termination of the water use reduction measures and each of the various stages, as appropriate, shall be publicly announced and published in the official city newspaper for a minimum of one (1) week. The implementation or termination of the measures and each of the stages shall become effective immediately upon publication of the respective notice.

SECTION 4 REDUCTION MEASURES – OUTDOOR USE

A. During any period when stage restrictions have been declared to be in effect, irrigation with a sprinkler or irrigation system of existing landscape on any property (other than golf courses and athletic fields, the restrictions for which are set out separately) may occur only on certain designated days and at certain times as follows:

- (1) For Stages I, II, III, and IV the landscape irrigation days for residential and commercial properties will be according to the street address and according to the following schedule. If the last digit of the street address ends in:

- 0 or 1 the irrigation day is Monday,
- 2 or 3 the irrigation day is Tuesday,
- 4 or 5 the irrigation day is Wednesday,
- 6 or 7 the irrigation day is Thursday,
- 8 or 9 the irrigation day is Friday.

- (2) If there is no street address associated with the property, such as a parkway, or if there is more than one (1) street address associated with a single contiguous property the irrigation day is Wednesday.

B.

- (1) Landscape watering for new landscaping plants: Under Stage I, landscape watering between 8:00 a.m. and 8:00 p.m. is prohibited. Landscape watering between 8:00 p.m. and 8:00 a.m. is permitted until the plants are established; however, no longer than five (5) weeks. Property owners need to contact the City to inform the City of the address where the new landscape is to be installed. Thereafter, landscape watering using sprinkler or irrigation systems for landscaping plants is permitted only on the day and times associated with the current stage in effect at the termination of the variance allowed by this subsection of this ordinance. Under Stage II, landscape watering is permitted for the extended hours set forth in this subsection for no longer than three (3) weeks. Thereafter, landscape watering using sprinkler or irrigation systems for landscaping plants is permitted only on the day and times associated with the current stage in effect at the termination of the variance allowed by this subsection. Under Stage III, landscape watering is permitted for the extended hours set forth in this subsection for no longer than one (1) week. Thereafter, landscape watering with a hand-held hose, bucket or drip system is permitted at any time. Landscape watering is permitted at any time with reused water.

- (2) Landscape watering for existing landscaping plants: Under Stage I, landscape watering is prohibited except between 8:00 p.m. and 8:00 a.m. Flood irrigation is prohibited. Landscape watering with a hand-held hose, bucket or drip system is permitted at any time. Under Stage II, the following times and associated irrigation methods apply: Irrigation with a soaker hose, hose-end sprinkler or in-ground irrigation system is allowed on the day specified for that location between the hours of 3:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m. Landscape irrigation with a drip irrigation system or five-gallon bucket is allowed during Stage II hours on any day. Landscape irrigation with a handheld hose is allowed at any time or any day. Under Stage III, landscape watering using sprinkler or irrigation systems is permitted only on the designated landscape watering days. For Stage III, the following times and associated irrigation methods apply: Irrigation with a soaker hose, hose-end sprinkler or in-ground irrigation system is allowed on the days specified for that location every other week beginning on the second Monday after Stage III has been declared, between the hours of 3:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m. Landscape irrigation with a drip irrigation system or five-gallon bucket is allowed on every Monday, Wednesday and Friday during Stage III hours. Landscape irrigation with a handheld hose is allowed at any time on any day. Under Stage IV, Stage III restrictions will remain in place, and a surcharge will be assessed on all water accounts. The surcharge will remain in effect for a minimum of one (1) complete billing cycle, and shall remain in effect for any month for which Stage IV is in effect at the beginning of the month.
- (3) Swimming pools, hot tubs, and similar facilities: Under Stage I, all pools other than public swimming pools must be covered with an effective evaporation cover or screen or evaporation shields covering at least twenty-five (25) percent of the surface of the pool when the pool is not in active use. Active use includes necessary maintenance that requires removal of the cover, screen, or shields. Active use of public, commercial and apartment pools is whenever the pool is not officially closed.

Under Stage II, filling of all new and existing pools prohibited, unless at least thirty (30) percent of water obtained from a source other than Edwards Aquifer. Replenishing to maintenance level permitted. Draining permitted only onto pervious surface, or onto pool deck where the water is transmitted directly to a pervious surface, only if:

- (1) Draining excess water from pool due to rain in order to lower water to maintenance level;
 - (2) Repairing, maintaining or replacing pool component that has become hazardous; or
 - (3) Repairing pool leak.
- Refilling of public swimming pool permitted only if pool has been drained for the repairs, maintenance or replacement set out in items 2 or 3 above.

Under Stage III and IV, the same prohibitions described above shall apply.

- (4) Vegetable gardens: Under Stage I, irrigation between 8:00 a.m. and 8:00 p.m. is prohibited. Irrigation between 8:00 p.m. and 8:00 a.m. is permitted. Irrigation with hand-held hose, bucket or drip system is permitted at any time. Under Stages II, III and IV, irrigation with hand-held hose, bucket or drip system between 8:00 p.m. and 8:00 a.m. is permitted.
- (5) Golf Course: Under Stage I, golf courses shall be required to submit a water conservation plan and shall have on file with the City of Devine the annual irrigation check up as described in

Section 2 and shall be defined as "conforming" or "non-conforming" and shall reduce water usage under the following terms:

- A. All landscape out-of-play areas such as may be found around a club house or entryway shall follow general landscape irrigation restrictions for that location.
- B. All in-play areas may be irrigated with a sprinkler or irrigation system between the hours of 12:00 a.m. to 10:00 a.m. and 8:00 p.m. to midnight.
- C. Conforming golf courses shall implement a ten (10) percent reduction in the replacement of daily evapotranspiration rate ("ET rate") or daily soil-holding capacity, achieved by use of an existing and properly operating computer controlled irrigation system capable of achieving such water conservation goals.
- D. A non-conforming golf course shall not use more than 1.8 times the base usage. If not separately metered an irrigation audit showing precipitation rates and run times along with a conservation plan shall be submitted and approved by the City of Devine for the purpose of establishing acceptable irrigation run times and days as approved by the City of Devine.
- E. The one hundred (100) percent use of gray water, treated wastewater or reuse water, condensate water, cooling tower blow down is a defense to prosecution and may be used to irrigate any day without waste. Alternate on-site reclaimed sources may be approved through variance from the City of Devine on a case by case basis.
- F. If one hundred (100) percent use of gray water, treated wastewater or reuse water, condensate water, cooling tower blow will be used during additional days or hours allowed for that location, signs identifying this property as using recycled or reclaimed water source must be posted on site at a location where the general public can view it.

Under Stage II, golf courses shall be required to submit a water conservation plan and shall have on file with the City the annual irrigation check up as described in Section 2 and shall be defined as "conforming" or "non-conforming" and shall reduce water usage under the following terms:

- A. All landscape out-of-play areas such as may be found around a club house or entryway shall follow general landscape irrigation restrictions for that location.
- B. All in-play areas may be irrigated with a sprinkler or irrigation system between the hours of 12:00 a.m. to 10:00 a.m. and 8:00 p.m. to midnight.
- C. Conforming golf courses shall implement a twenty (20) percent reduction in the replacement of daily evapotranspiration rate ("ET rate") or daily soil-holding capacity, achieved by use of an existing and properly operating computer controlled irrigation system capable of achieving such water conservation goals.
- D. A non-conforming golf course shall not use more than 1.6 times the base usage. If not separately metered an irrigation audit showing precipitation rates and run times along with a conservation plan shall be submitted and approved by the City of Devine for the purpose of establishing acceptable irrigation run times and days as approved by the City of Devine.
- E. The one hundred (100) percent use of gray water, treated wastewater or reuse water, condensate water, cooling tower blow down is a defense to prosecution and may be used to irrigate any day without waste. Alternate on-site reclaimed sources may be approved through variance from the City of Devine on a case by case basis.

- F. If one hundred (100) percent use of gray water, treated wastewater or reuse water, condensate water, cooling tower blow will be used during additional days or hours allowed for that location, signs identifying this property as using recycled or reclaimed water source must be posted on site at a location where the general public can view it.

Under Stage III:

- A. A conforming golf course shall implement a thirty (30) percent reduction in the replacement of daily ET rate or daily soil holding capacity, achieved by use of an existing and properly operating computer controlled irrigation system capable of achieving such water conservation goals.
 - B. A non-conforming golf course shall not use more than 1.4 times the base usage. If not separately metered an irrigation audit showing precipitation rates and run times along with a conservation plan shall be submitted and approved by the City of Devine for the purpose of establishing acceptable irrigation run times and days as approved by the City of Devine.
- (6) Aesthetic Use: Under Stage I, reduction is recommended for inside and outside use. Under Stages II, III and IV, inside or outside use is prohibited except with reused water.
 - (7) Athletic Fields: Under Stage I:
 - A. An athletic field shall either irrigate according to a basic plan or an advanced plan. Plans shall be on file and approved by the City of Devine in advance of use. The advanced plan showing precipitation rates and run times along with a conservation plan shall be submitted and approved by the City of Devine for the purpose of establishing acceptable irrigation run times and days as approved by the City of Devine. A basic plan outlines which day of the week (Monday—Friday) which athletic field would be irrigated.
 - B. All landscape out-of-play areas such as may be found around a club house or entryway shall follow general landscape irrigation restrictions for that location.
 - (8) Other Outside Uses: Under Stage I, waste is prohibited. Reduction of washing of impervious surface areas is recommended. Washing of mobile equipment is prohibited except on designated days with hand-held hose or bucket. Under Stage II, waste is prohibited. Washing of impervious surface areas is prohibited except washing for immediate human health and safety concerns. Washing of mobile equipment is prohibited except on designated days with hand-held hose or bucket. Under Stage III, waste is prohibited. Washing of impervious surface areas is prohibited except washing for immediate human health and safety concerns. Water use by commercial vehicle washing facilities is prohibited.
 - (9) Rates: At any time the City Council determines that it would be in the best interest of the City of Devine, the City Council may increase any or all water rates in order to further water conservation in the City.

SECTION 5 ESSENTIAL AND UTILITY USE

- (1) Fire Fighting: There are no restrictions on the use of water for fire fighting under Stages I, II, III or IV.
- (2) Medical Use by Health Care Facilities: There are no restrictions on the use of water of health care facilities for medical purposes under Stages I, II, III or IV.
- (3) Water Utility Use: Under Stages I, II, III, and IV, reduction of system pressure to 60 pounds per square inch at point of service is recommended. Upon reduction of pressure, fire fighting services shall be notified and arrangements made for additional pressure when required. User is encouraged to implement voluntary measures, such as improving leak detection surveys and repair programs and stabilizing and equalizing system pressure.
- (4) Sewer Line Flushing: Under Stage I, reduction in flushing is recommended. Under Stages II, III, and IV, flushing prohibited except for emergencies only.
- (5) Fire Hydrant Flushing: Under Stage I, reduction in flushing is recommended. Under Stages II, III, and IV, flushing is prohibited except for emergencies only.
- (6) Power Production Use: Under Stages I, II, III, and IV, water used for power production shall be voluntarily reduced.

SECTION 6 AGRICULTURAL USE

- (1) Agricultural Irrigation: Under Stage I, reduction is recommended. User is encouraged to reduce water usage by any means available. Under Stage II or Stage III, the escape of irrigation tailwater is prohibited. Water loss through percolation in transmission canals is prohibited. Under Stage IV, additional reduction may be imposed if conditions warrant.
- (2) Livestock Use: Under Stages I, II, III, and IV, reduction is recommended. User is encouraged to reduce water usage by any means available.

SECTION 7 DOMESTIC TYPE USE

- (1) Domestic Type: Under Stages I, II, III, and IV, reduction is recommended. User is encouraged to reduce water usage by any means available. Compliance with the mandatory demand reduction measures is required for those uses in the Outdoor category (Section 4), such as landscape watering and swimming pools, hot tubs and similar facilities.

SECTION 8 MILITARY USE

- (1) Military: Under Stages I, II, III, and IV, reduction is recommended. User is encouraged to reduce water usage by any means available. Compliance with the mandatory demand reduction measures is required for those uses in the Outdoors (Section 4) and the Essential and Utility (Section 5) categories.

SECTION 9 INDUSTRIAL, COMMERCIAL, AND OTHER USE

- (1) Industrial, Commercial, and Other: Under Stages I, II, III, and IV, reduction is recommended. User is encouraged to reduce water usage by any means available. Compliance with the mandatory demand reduction measures is required for those uses in the Outdoors (Section 4), including landscape watering, swimming pools, hot tubs, and similar facilities, golf courses, car washes, and aesthetic uses such as fountains, regardless of whether the User is an industrial user. Industrial reductions may be imposed under Stage III if conditions warrant.

SECTION 10 ENFORCEMENT

- (1) The City Administrator or his or her designee is hereby authorized to enforce this ordinance in the manner and to the extent allowed by law, including, but not limited to, filing complaints with the city municipal prosecutor's office for such violations, serving notices of violations of this ordinance and filing civil enforcement actions. Such authorization does not diminish the city's police department's authority in regard to enforcement of this ordinance.
- (2) Presumption and exception. For purposes of this ordinance, it shall be presumed that the person in whose name a water meter connection is registered with the City of Devine, is the responsible party who has made, caused, allowed, or permitted a violation of the provisions of this ordinance. Proof that the particular premises had a water meter connection registered in the name of the defendant cited in a criminal complaint filed pursuant to this ordinance shall constitute a prima facie presumption that the defendant is a person who made, caused, allowed or permitted a violation pursuant to the provisions of this ordinance. [Exception to this presumption exists where the City's premises are used by a tenant/lessee. The City is generally not responsible for the tenant/lessee's compliance. In such cases the tenant/lessee of the City is responsible for compliance and the City shall enforce against the tenant/lessee as it would against any other person subject to this ordinance.]
- (3) Upon approval by the City Council, the City Administrator or his or her designee is authorized and instructed to commence any action, in law or in equity, including the filing of criminal charges, deemed necessary for the purpose of enforcing this ordinance. The City Administrator or the designee make seek civil penalties, as may be allowed by statute, and any other legal or equitable relief available under common law, Chapter 54 of the Texas Local Government Code as it may be amended to address the subject matter of this ordinance, or any other applicable city, state or federal code or statute.
- (4) Criminal. Any person violating any provision of this ordinance shall be guilty of a class C misdemeanor and upon citation and conviction, shall be punished by a fine not less than fifty dollars (\$50.00) and not more than one hundred dollars (\$100.00) for the first offense; a fine not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00) for the second offense; a fine of not less than one thousand dollars (\$1,000.00) and not more than two thousand dollars (\$2,000.00) for the third and additional offenses. Each violation of a particular section of this ordinance shall constitute a separate offense, and each day an offense continues shall be considered a new violation for purposes of enforcing this ordinance.

- (5) Civil. Civil penalties, imposed by courts of competent jurisdiction in civil actions for violations of this ordinance, may also be assessed as may be allowed by applicable state law in any amount to be authorized by the state. Under Chapter 54 of the Texas Local Government Code, the City and the city attorney, upon approval by the City Council, may presently pursue civil enforcement for injunctive relief and the imposition of one thousand dollars (\$1,000.00) per day civil penalties appropriately imposed by the Court. This statutory remedy is in addition to the City's common law right to bring civil actions for injunctive relief to stop harmful acts and nuisances independent of authority found in the Texas Local Government Code.

SECTION 11 GENERAL PROVISIONS

- (1) REPEAL. Any provision contained in the City of Devine's Code of Ordinances that is in conflict with the terms of this Ordinance is hereby repealed.
- (2) CODE OF ORDINANCES. It is the intention of the City Council of the City of Devine that this Ordinance shall become a part of the Code of Ordinances of the City of Devine and may be renumbered and codified therein accordingly.
- (3) SEVERABILITY. If any section, provision, subdivision, clause, or part of this Ordinance shall be adjudged or held unconstitutional or invalid, it shall not affect the validity of this Ordinance as a whole or any other part of provision contained herein.
- (4) APPLICATION. This Ordinance shall not apply to privately owned and operated water wells. It is recommended, however, that all persons recognize and conform their use of water to the provisions of this Ordinance regardless of whether they own and operate a private well.
- (5) EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage, approval, and official publication as provided by law; when the conditions warrant, the respective drought stage conditions and designated days shall be officially recognized and public notice shall be given during any special or regular council meeting by resolution, according to law.

PASSED, APPROVED, AND ADOPTED by the Devine City Council on the 28th day of August, 2012.

By: 
WILLIAM L. HERRING, MAYOR

ATTEST:

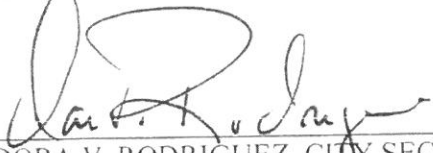

DORA V. RODRIGUEZ, CITY SECRETARY



Exhibit E

MEDINA COUNTY APPRAISAL DISTRICT
PRELIMINARY BUDGET
2019

	Salary
1. Salaries	
1) Chief Appraiser	\$ 95,600.00
2) Deputy Chief Appraiser	\$ 70,500.00
3) Appraiser	\$ 44,600.00
4) Appraiser	\$ 43,900.00
5) Appraiser	\$ 31,800.00
6) Ag Appraiser	\$ 41,200.00
7) BPP Appraiser	\$ 32,900.00
8) GIS Mapper	\$ 44,200.00
9) Data Entry/Deeds I	\$ 37,500.00
10) Data Entry/Deeds II	\$ 33,500.00
11) Data Entry/Exemptions I	\$ 28,400.00
12) Data Entry/Exemptions II	\$ 27,500.00
13) Administrative Assistant	\$ 27,000.00
14) Part Time Clerk	\$ 12,000.00
 TOTAL SALARIES	 \$ 570,600.00
 VEHICLE ALLOWANCE	 \$ 65,000.00
 TOTAL SALARIES AND VEHICLE ALLOWANCE	 \$ 635,600.00
 Employees Retirement	 \$ 68,000.00
 Unemployment Compensation	 \$ 2,500.00
 Workman's Compensation	 \$ 4,000.00
 Employee Health Insurance	 \$ 135,000.00
 FICA 1.45% (Appraisal share - 12 employees)	 \$ 9,500.00
 TOTAL BENEFITS	 \$ 219,000.00
 TOTAL SALARIES AND BENEFITS	 \$ 854,600.00

1. Salaries - Self Explanatory		
2. Support Cost		
1) Telephone	\$	15,000.00
2) Postage & Maintenance	\$	17,000.00
3) Copier Supplies & Maintenance	\$	2,500.00
4) General Supplies	\$	7,500.00
5) Supplies Mapping	\$	3,000.00
6) Public Notice	\$	1,000.00
7) Appraisal Notice Preparation	\$	12,000.00
TOTAL		\$ 58,000.00
3. Computer Service		\$ 75,000.00
4. Special Services		\$ 2,000.00
5. Evaluation Engineers (Oil and Gas)		\$ 52,800.00
6. Property Tax Appraisal & Consulting (Commercial)		\$ 40,000.00
7. Education and Dues		\$ 20,000.00
8. Board of Review (3 members; 1 alternate)		\$ 7,500.00
9. Payroll Preparation		\$ 1,000.00
10. Insurance - Liability		\$ 5,000.00
11. Membership		\$ 3,500.00
12. Legal Fees Attorney		\$ 15,500.00
13. CPA Audit		\$ 4,000.00
14. Alarm System		\$ 1,000.00
15. Building Rent		\$ 42,000.00
16. GIS Mapping System Maintenance		\$ 8,000.00
17. Aerial Photography		\$ 55,000.00

18. Loan Payment	\$ 48,000.00
TOTAL OPERATION	\$ 438,300.00
TOTAL SALARIES AND BENEFITS	\$ 854,600.00
TOTAL BUDGET	\$ 1,292,900.00

MEDINA COUNTY APPRAISAL DISTRICT

2019 PRELIMINARY BUDGET

<u>TAXING ENTITY</u>	<u>2017 LEVY</u>	<u>PERCENT</u>	<u>PRO RATA SHARE</u>
1. MEDINA COUNTY	16,982,997.76	26.35	340,650.74
2. CITY OF CASTROVILLE	958,391.76	1.49	19,223.75
3. CITY OF DEVINE	942,101.87	1.46	18,897.00
4. CITY OF HONDO	1,491,705.77	2.31	29,921.14
5. CITY OF LA COSTE	141,357.73	0.22	2,835.40
6. CITY OF NATALIA	296,198.47	0.46	5,941.25
7. DEVINE ISD	5,284,412.43	8.20	105,996.54
8. D'HANIS ISD	2,326,832.75	3.61	46,672.40
9. HONDO ISD	9,713,334.59	15.07	194,833.36
10. MEDINA VALLEY ISD	15,397,489.22	23.89	308,848.07
11. NATALIA ISD	2,606,312.48	4.04	52,278.30
12. MEDINA COUNTY GROUNDWATER CONSERVATION DISTRICT	304,282.06	0.47	6,103.39
13. MEDINA COUNTY EMERGENCY SERVICES DISTRICT #1	1,200,510.33	1.86	24,080.24
14. MEDINA COUNTY EMERGENCY SERVICES DISTRICT #2	412,389.78	0.64	8,271.85
15. MEDINA COUNTY EMERGENCY SERVICES DISTRICT #3	499,220.95	0.77	10,013.54
16. MEDINA COUNTY EMERGENCY SERVICES DISTRICT #4	386,857.14	0.60	7,759.71
17. MEDINA COUNTY EMERGENCY SERVICES DISTRICT #5	324,269.13	0.50	6,504.30
18. MEDINA COUNTY EMERGENCY SERVICES DISTRICT #6	537,926.35	0.83	10,789.91
19. UTOPIA/VANDERPOOL AREA EMERGENCY SERVICES DIST. #1	13,517.08	0.02	271.13
20. CITY OF LYTLE	162,502.00	0.25	3,259.52
21. LYTLE ISD	1,076,122.46	1.67	21,585.23
22. NORTHSIDE ISD	1,338,079.28	2.08	26,839.65
23. UTOPIA ISD	44,083.41	0.07	884.24
24. MEDINA COUNTY HOSPITAL DISTRICT	2,016,085.10	3.13	40,439.32
TOTAL LEVY	64,456,979.90	100.00	1,292,900.00