PROCLAMATION

HONORING LILA SMITH

WHEREAS, Lila Smith has been a dedicated public servant to the residents of Fort Bend County for over 24 years, and;

WHEREAS, Mrs. Smith started her career in public service working for Constables Tiny Gaston and A.J. Dorr for 11 years, followed by Commissioner Andy Meyers for 13 years, and;

WHEREAS, Mrs. Smith's work has endeared her to both the elected officials she's worked for and the communities that she's served, and;

WHEREAS, Mrs. Smith was dedicated to her work, dutifully going above and beyond in her work for the Constables and Commissioner, bringing great leadership to both offices, and;

WHEREAS, Mrs. Smith, and her husband, Bud, are extremely gracious with their time, volunteering for the Fort Bend County Fair, Fort Bend Charities, and countless other organizations over the years, helping raise funds for those in need, and;

THEREFORE, the City of Fulshear Mayor and City Council extends a heartfelt "THANK YOU" TO Mrs. Smith for her many years of dedicated public service.

PROCLAIMED AND SIGNED this 20th day of NOVEMBER, 2018.

Aaron Groff, Mayor

ATTEST:

Kimberly Kopecky, City Secretary

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

AGENDA OF:	November 20, 2018	**AGENDA ITEM:**	BUS- B
DATE SUBMITTED:	November 13, 2018	**DEPARTMENT:**	Planning & Development
PREPARED BY:	Sharon Valiante Director of Public Works	**PRESENTER:**	Sharon Valiante Dir. of Public Works Brant Gary, Exec. Dir. of Planning & Development
SUBJECT:	**General (Conceptual) Plan – Fulbrook on Fulshear Creek Updated**		
ATTACHMENTS:	**1. General Land Use Plan June 2015, Adopted and Approved** **2. Excerpt Section 3.02 of Development Agreement** **3. Proposed Plan** **4. P&Z Summary; Engineering Letter to FBCDD and City Engineer – Update to Master Drainage Plan; Engineering Letter to Planning and Zoning Commission – Summary of Updates to Master Drainage Plan** **5. Fort Bend County Drainage District Manager's Letter**		

EXPENDITURE REQUIRED:	$0
AMOUNT BUDGETED: **ACCOUNT:** Development Services	$0
ADDITIONAL APPROPRIATION REQUIRED: **ACCOUNT NO:**	$0

EXECUTIVE SUMMARY

The Development Agreement (DA) allows for some flexibility as the property develops. The General Land Use Plan for Fulbrook on Fulshear Creek, as submitted, is conceptual and that changes and/or revisions can be made within Section 2.02 General Plan and Amendments. Any amendments that are contradictory or a variance from the Agreement, must be submitted and approved by the City. There has been a prior update to the previously adopted General Plan (updated 06/09/2015 – City Council approval). There are no amendments or variances being requested that differ from the allowances in the adopted Development Agreement. There are, however, changes in number of single family lots. The previously approved plan proposed 984 lots. The proposed plan being presented proposes 1, 171 lots. The increased number of lots is attributable to the market adjustment for reducing the size of the width of some of the 62' and 70' wide lots to 50' wide x 125' (6,250 SF).

In addition, the design engineering firm has submitted an update to the previously approved drainage analysis for development of Fulbrook on Fulshear Creek within the Fulshear Municipal Utility District No. 1. The report indicates the percent imperviousness for the different land use types decreases from 53.6% to 45.7%. With this decrease, the report indicates there is no requirement indicating updates are necessary to the drainage analysis previously approved by Fort Bend County Drainage District. Fort Bend County Drainage District Manager, Mark Vogler, has confirmed that no updates/changes to the overall Master Drainage plan is required.

In general, Section 3.02 – Density of the Development Agreement allows for:

1. Residential Housing – 1,000 units; minimum lot size = 6,000 SF
2. Multifamily – 400 units limited to Commercial area
3. Market flexibility to increase up to 20% of allowed units – requires written prior notice to the City
4. Any added property, that is subject to DA, allows for increase in density by proportionate ratio
5.

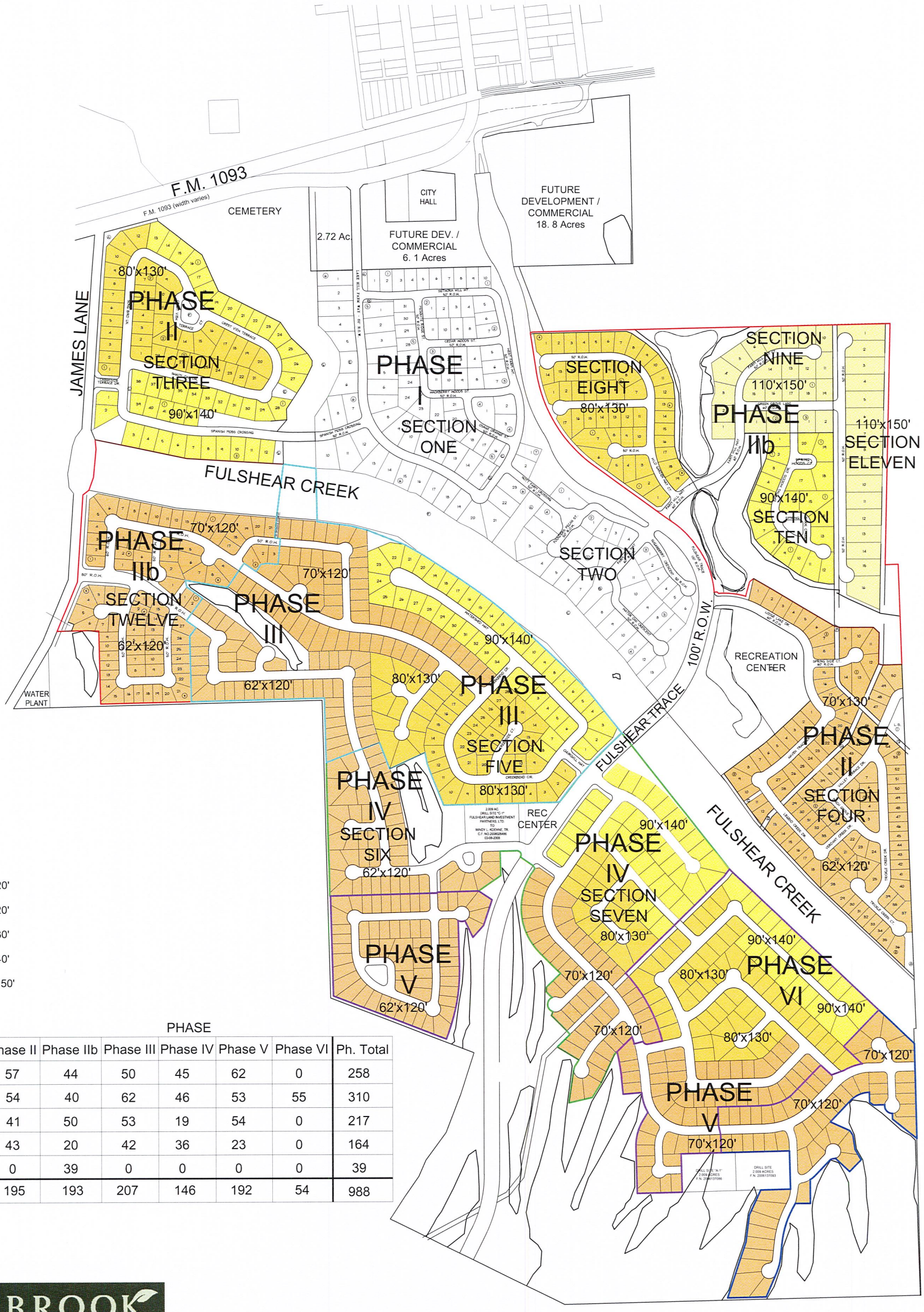
Proposed General Land Use Plan:

1. Residential Housing – 1,171 units; minimum lot size = 6,000 SF
2. Multifamily – 400 units limited to commercial area allowed
3. % increase in market flexibility for allowed units = 17%
4. No added property proposed

Planning and Zoning Commission received the update to the Fulbrook on Fulshear Creek General Land Use Plan at its November 2, 2018 meeting. There were no additional comments to the proposed update to the General Land Use Plan. The Planning and Zoning Commission approved Fulbrook on Fulshear Creek General Land Use Plan as presented.

STAFF RECOMMENDATION

Approve and adopt proposed General Land Use Plan for Fulbrook on Fulshear Creek.



LOT SIZE	PHASE						
	Phase II	Phase IIb	Phase III	Phase IV	Phase V	Phase VI	Ph. Total
62' x 120'	57	44	50	45	62	0	258
70' x 120'	54	40	62	46	53	55	310
80' x 130'	41	50	53	19	54	0	217
90' x 140'	43	20	42	36	23	0	164
110' x 150'	0	39	0	0	0	0	39
Total	195	193	207	146	192	54	988

FULBROOK
ON FULSHEAR CREEK

GENERAL LAND USE PLAN

REVISED
6-19-15

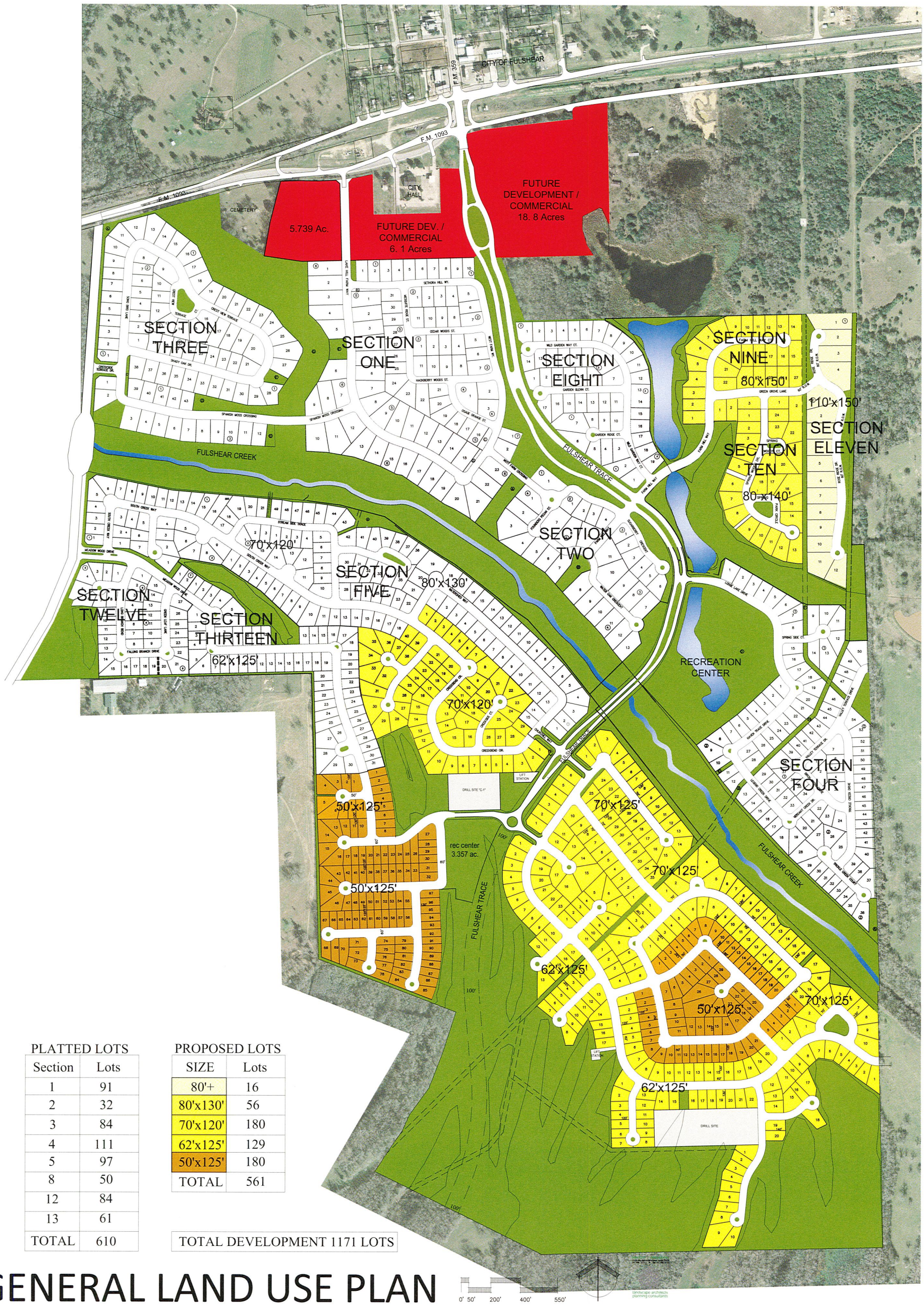
EXCERPT FROM DEVELOPMENT AGREEMENT FOR Fulbrook on Fulshear Creek

Section 3.02 Density. The Developer agrees that development of the Property shall be in accordance with the General Plan and the requirements of this Agreement. The number of single-family residential housing units within the Property shall not exceed 1000 units and the number of multi-family units shall not exceed 400 units; provided, however, to allow the Developer a certain amount of flexibility to respond to market conditions, any quantity of this Section 3.02 may be increased to a different quantity than specified, subject to prior written notice by the Developer: to the City, so long as such variance does not exceed the quantity set forth herein by more than 20%. The Developer may develop commercial property without any limitation on the amount of commercial acreage. In the event that the Developer acquires additional property which the Developer, at its option, agrees to make subject to this Agreement, the density requirements set forth in this paragraph shall be increased proportionately based on the ratio that the amount of such additional property bears to the Property.

Prepared by City Staff – October 30, 2018 (REVISED 11/20/18 TO REFLECT DENSITIES APPLICABLE TO FULBROOK ON FULSHEAR CREEK)

Sharon Valiante

Director of Public Works



PLATTED LOTS

Section	Lots
1	91
2	32
3	84
4	111
5	97
8	50
12	84
13	61
TOTAL	610

PROPOSED LOTS

SIZE	Lots
80'+	16
80'x130'	56
70'x120'	180
62'x125'	129
50'x125'	180
TOTAL	561

TOTAL DEVELOPMENT 1171 LOTS

GENERAL LAND USE PLAN

REVISED
7-19-18

CITY OF FULSHEAR
Registration & Permit Department
Ph: (281) 346- 1796 fax: (281) 346-2556
30603 FM 1093 P.O. Box 279 Fulshear, TX 77441

PLATTING AND SUBDIVISION REVIEW

Plan or Plat **FULBROOK ON FULSHEAR CREEK REVISED GENERAL PLAN**

City Engineer Review

_____Reviewed
_____See Attached Letter

N/A

BY:_____DATE:_____

City Secretary

_____Processed
_____Returned for additional data

BY:_____DATE:_____

Planning Commission Review

✓ Approved
_____Returned for additional data

REVISIONS ACCEPTED

BY: [signature] DATE: 2 NOV 2018

City Council Review

_____Approved
_____Returned for additional data

BY:_____DATE:_____

Costello, Inc.
Engineering & Surveying
Texas Board of Professional Engineers
Firm Registration No. F-280

June 9, 2014

Mr. Mark Vogler, P.E., CFM
Chief Engineer
Fort Bend County Drainage District
1004 Blume Road
Rosenberg, Texas 77471

Mr. David Leyendecker, PE
Clay & Leyendecker, Inc
c/o City of Fulshear
1350 Avenue D
Katy, Texas 77493

RE: Fulbrook on Fulshear Creek South – Master Drainage Plan Update
Fulshear Municipal District No. 1
CI Job Number: 2014121-001

Dear Mr. Vogler and Mr. Leyendecker:

We are providing you this letter to update the previously approved Master Drainage Plan (MDP) entitled "*Fulbrook on Fulshear Creek North, Master Drainage Plan,"* by Costello, Inc., dated September 2013 approved by the Fort Bend County Drainage District (FBCDD) on October 21, 2013. The study encompasses additional residential development within Fulshear Municipal Utility District 1 (FMUD 1) generally south of Fulshear Creek and east of James Lane Road as shown on **Exhibit 1**. The analysis quantifies the changes to the proposed condition flow rates and water surface elevations from the development area including a new bridge at Fulshear Trace over Fulshear Creek. This analysis utilizes the methodologies and existing conditions presented in the previous MDP. All elevations are referenced to the NAVD 1988, 2001 adjustment to be consistent with the MDP and the effective Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM).

1. Background Information

The proposed tract has natural ground elevations ranging from 106 to 99 and generally fall from north to south. Portions of the tract are within the Brazos River 100-year floodplain with a Base Flood Elevation (BFE) of 102 as shown on the effective FIRM panel 48157C0095L dated April 2, 2014. The effective floodplain map with the south tract boundary has been provided on **Exhibit 2.**

The southern portion of the tract contains areas of wetlands that will generally remain undisturbed in the developed condition. The wetland areas naturally drain to the south to shallow swales that eventually outfall into Fulshear Creek or to the Brazos River. Wetland areas will be included as 100% impervious in the hydrologic computations.

2. Revised Existing Condition

The existing conditions analysis for Fulshear Creek presented in the previous MDP was expanded upon for this study. The drainage area delineations and hydrologic parameters from the existing HEC-HMS model were not modified from the MDP as shown on **Exhibit 3**. Additional channel cross sections were developed within the vicinity of the proposed Fulshear

Trace bridge crossing and were added to the revised-existing condition HEC-RAS model as shown on **Exhibit 4**. The channel cross sections were created utilizing the project LiDAR data and HEC-GeoRAS as described in section 2.3.1 of the MDP. The resultant 100-year water surface elevations are depicted in the attached **Table 1** and compared to the MDP existing condition analysis. A review of the results show a maximum increase of 0.02-ft in the revised-existing condition as compared to the MDP existing condition due to the additional cross sections. The 100-year flows are contained within the high banks of Fulshear Creek through the project limits.

3. Proposed Condition

The proposed conditions include the development south of Fulshear Creek within FMUD 1 and the proposed bridge crossing for Fulshear Trace. The MDP proposed condition analysis was updated to reflect the south tract development and compared to the MDP existing condition analysis to determine impacts associated with the south tract.

Hydrologic Analysis

In the proposed conditions, the developed storm runoff flows will be directed to the north to outfall into Fulshear Creek. The south tract is within the subareas areas FC-3E, FC-4, and FC-5. Minor adjustments were made to the boundary between FC-3E and FC-4 to account for internal development storm sewer drainage divides. The tract area within FC-5 was redirected to the north and added to drainage area FC-4 as shown on **Exhibit 5**. The tract was modeled with imperviousness values of 50% for areas of residential development, 80% for major roadways, and 100% for wetland/water areas. The sub-unit hydrograph watershed parameters for subareas FC-3E, FC-4, and FC-5 were updated to reflect the proposed development conditions as shown in **Table 3-1** below.

Table 3-1
Proposed Condition Subarea Unit Hydrograph Parameters

Drainage Area	FC-3E	FC-4	FC-5
Drainage Area (sq mi)	**0.8019**	**0.6065**	**0.6813**
Longest Watercourse "L" (mi)	1.49	1.13	2.65
Weighted Roughness "N"	0.049	0.055	0.080
Channel Slope "S" (ft/mi)	6.41	2.64	1.50
Overland Slope "So" (ft/mi)	8.1	2.6	3.0
Percent Development "D" (%)	38.2	90.09	0.65
Average Impervious "C" (%)	34	1	40
Impervious Ratio "RTIMP"	**13.06**	**53.62**	**0.26**
Tc+R	4.97	2.66	23.22
TC (hr)	**1.718**	**0.426**	**4.209**
R (hr)	**3.251**	**2.235**	**19.007**

The proposed condition hydrologic parameters were input into the Fulshear Creek HEC-HMS model and the resultant 100-year peak flows were computed. A review of the results show that the additional development does not increase the peak flow of Fulshear Creek as shown in **Table 3-2** below. This is due to the location of the tract within the overall Fulshear Creek watershed. The tracts proposed hydrograph peaks approximately 28 hours before the peak of the upstream hydrographs as shown in **Figure 3-1** below. The runoff flows from FC-4 have already been conveyed downstream when the upstream Fulshear Creek hydrograph reaches the same location and since the upstream flow rate is higher than the peak from the local runoff, the upstream peak flow rate controls for 100-year water surface elevation computations.

Table 3-2
Fulshear Creek 100-YR Flow Comparisons

HMS Node	Area (sq. mi)	1% Existing Flows (cfs)	1% Proposed Flows (cfs)	Delta
J_001000	112.209	9661.4	9645	-16.4
J_004000	111.682	9650.9	9634.5	-16.4
J_017065	109.718	9599.1	9587.6	-11.5
J_017065U	107.864	9587.2	9587.1	-0.1
J_021954	107.657	9589.4	9589.4	0
J_021954U	105.439	9547.6	9547.6	0
J_031000	104.705	9552.5	9552.5	0
J_035000	104.705	9555.8	9555.8	0
J_038901	103.955	9572.6	9572.6	0
J_044105	100.275	9541.7	9541.7	0
J_048052	97.53	9592.2	9592.2	0

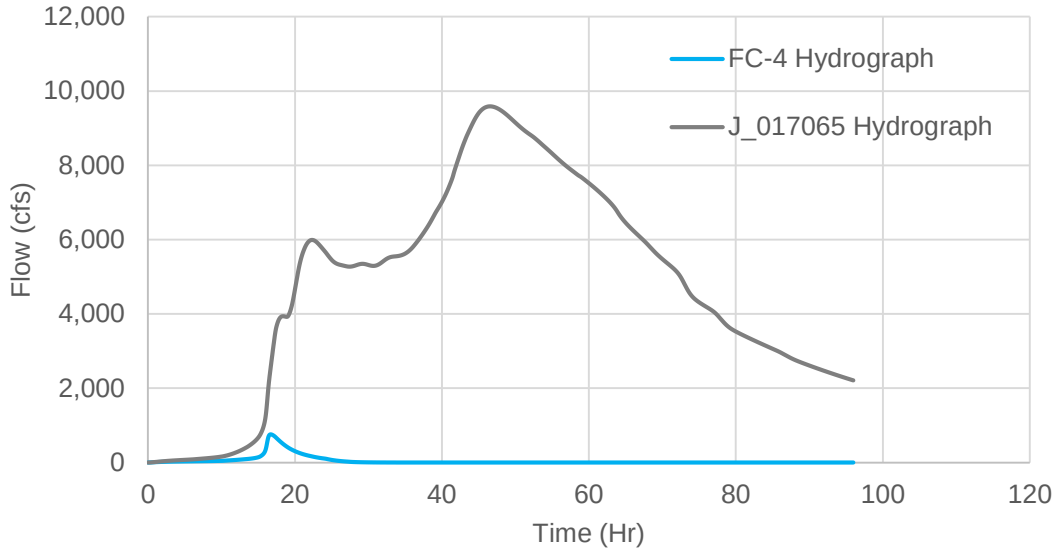


Figure 3-1
Hydrographs on Fulshear Creek at South Tract Outfall

Hydraulic Analysis

The only improvements proposed to Fulshear Creek include a proposed bridge crossing for Fulshear Trace at cross section 19239. This bridge will include two rows of 3-foot diameter concrete piers located outside the ordinary high water mark with a low chord beam a minimum 1-foot above the 100-year water surface elevation. A preliminary schematic of the bridge has been attached for reference. The cross sections required for a bridge analysis were developed and input into the revised-existing HEC-RAS model with the natural cross sections. The manning's n-values of the channel were modified for the cross 19392 and 19187 from 0.055 to 0.045 to account for underbrush clearing in the vicinity of the bridge. The manning's n-values for the areas within the bridge were modified to 0.035 to account for the clearing of vegetation and placement of rip-rap and slope paving in the vicinity of the abutments.

Since the tract development does not affect the existing condition flow rates along Fulshear Creek, the flows were not changed in the proposed condition hydraulic model. The proposed 100-year water surface elevations were tabulated in **Table 1** and compared to the revised-existing conditions. A review of the resultant water surface elevations indicate no increase along Fulshear Creek occur due to the proposed Fulshear Trace bridge crossing.

For development within the south tract, the higher of either the Fulshear Creek 100-year water surface elevations or the Brazos River 100-year BFE of 102 will dictate the minimum development elevations within the south tract. **Table 1** indicates that the proposed Fulshear Trace bridge is the break point between the Fulshear Trace 100-year water surface elevations and the Brazos River 102 BFE.

4. Conclusions & Recommendations

A summary of the conclusions and recommendations is provided below:

- The development of the south tract does not adversely affect the peak flow rates along Fulshear Creek. Detention is not recommended for the south tract since no peak flow reduction is required to mitigate the proposed condition flows.
- The bridge crossing improvements for Fulshear Trace do not cause any adverse impacts to the 100-year water surface elevations along Fulshear Creek.
- The minimum development elevations will be established by either the higher of Fulshear Creek or the Brazos River BFE of 102 with Fulshear Creek controlling upstream of Fulshear Trace bridge and the Brazos BFE controlling downstream of the bridge.

If you have any questions or require any additional information, please feel free to contact me at 713-783-7788 or by email at swilcox@coseng.com.

Sincerely,
Costello, Inc.
TBPE Firm No. 280

J. Stephen Wilcox, P.E., CFM
Project Engineer – Hydrology & Hydraulics

Attachments:
CD with electronic copy of Fulbrook North Master Drainage Plan

CC:
Mr. Ralph Wissel, Fulshear MUD 1, District Engineer

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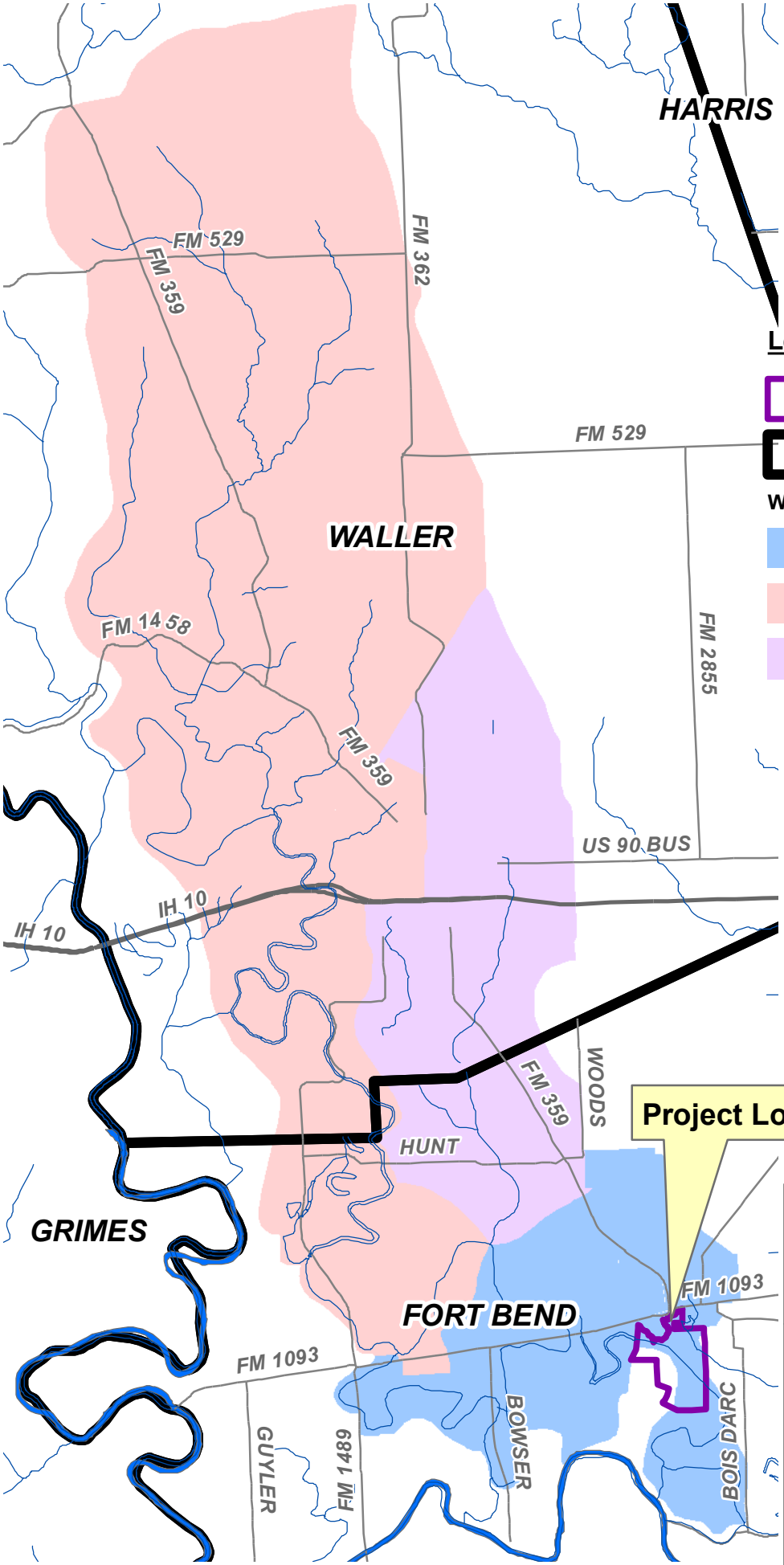
Table 1
Fulshear Creek 100-YR Water Surface Comparisons

RAS Station	Existing Condition A	Revised Existing B	Delta B-A	Proposed C	Delta C-B
48052	110.68	110.68	0	110.68	0
47000	110.63	110.63	0	110.63	0
46000	110.59	110.59	0	110.59	0
45080	110.51	110.51	0	110.51	0
44105	110.45	110.44	-0.01	110.44	0
43034	110.26	110.26	0	110.26	0
42000	110.04	110.04	0	110.04	0
41000	109.65	109.65	0	109.65	0
40000	109	108.99	-0.01	108.99	0
38901	108.2	108.2	0	108.19	-0.01
37819	107.81	107.81	0	107.8	-0.01
37000	107.5	107.51	0.01	107.49	-0.02
36000	107.02	107.02	0	107.01	-0.01
35388	106.79	106.8	0.01	106.78	-0.02
35000	106.66	106.66	0	106.64	-0.02
34000	106.27	106.27	0	106.25	-0.02
33000	105.92	105.92	0	105.9	-0.02
32000	105.53	105.53	0	105.51	-0.02
31000	105.33	105.33	0	105.31	-0.02
30000	105.03	105.04	0.01	105.01	-0.03
29000	104.73	104.74	0.01	104.71	-0.03
28000	104.35	104.36	0.01	104.33	-0.03
27000	103.96	103.97	0.01	103.94	-0.03
26000	103.69	103.7	0.01	103.66	-0.04
25077	103.45	103.47	0.02	103.43	-0.04
24000	103.2	103.21	0.01	103.17	-0.04
23000	102.97	102.98	0.01	102.94	-0.04
21954	102.64	102.65	0.01	102.61	-0.04
21000	102.32	102.33	0.01	102.28	-0.05
20048	102.04	102.06	0.02	102.01	-0.05
19392	-	101.89		101.87	-0.02
19292	-	101.86		101.86	0
19239	***Fulshear Trace Bridge***				0
19187	-	101.82		101.82	0
19000	101.79	101.79	0	101.79	0
18002	101.55	101.55	0	101.55	0
17065	101.3	101.3	0	101.3	0
16000	101.02	101.02	0	101.02	0
15000	100.74	100.74	0	100.74	0

Table 1
Fulshear Creek 100-YR Water Surface Comparisons

RAS Station	Existing Condition A	Revised Existing B	Delta B-A	Proposed C	Delta C-B
14000	100.46	100.46	0	100.46	0
13000	100.19	100.19	0	100.19	0
12000	99.86	99.86	0	99.86	0
11000	99.56	99.56	0	99.56	0
10000	99.33	99.33	0	99.33	0
9000	99.14	99.14	0	99.14	0
8000	98.94	98.94	0	98.94	0
7000	98.74	98.74	0	98.74	0
6000	98.57	98.57	0	98.57	0
5000	98.4	98.4	0	98.4	0
4000	98.28	98.28	0	98.28	0
3000	98.09	98.09	0	98.09	0
2171	97.99	97.99	0	97.99	0
1000	97.7	97.7	0	97.7	0



Costello, Inc.
Engineering & Surveying
TBPE F-280

9990 Richmond Avenue
Suite 450 North Building
Houston, Texas 77042
(713) 783-7788
(713) 783-3580, Fax

Fulshear MUD1
Master Drainage Plan - South

OVERALL WATERSHED

FULSHEAR CREEK

2014121-001	MAY 2014	BY JSW

EXHIBIT 1

BTS-15

Date Saved: 5/19/2014 2:05:11 PM V:\FulshearMUD1\MDP-South(2014121-001)\GIS\EX1-FCT2-Watershed Map.mxd

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures.** Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Texas State Plane south central zone (FIPSZONE 4204). The **horizontal datum** was NAD83, GRS1980 spheroid. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of the FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum.** For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov/ or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, MD 20910-3282

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713-3242,** or visit its website at http://www.ngs.noaa.gov/.

Base map information was obtained from the Texas Natural Resources Information System, Fort Bend County Department of Engineering, the National Geodetic Survey, U.S. Geological Survey, Houston-Galveston Area Council, FEMA, and from local communities and districts.
This map may reflect more detailed or up to date stream channel configurations than those shown on the previous FIRM. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations and improved topographic data. The profile baselines depicted on this map represent the hydraulic modeling baselines that match the flood profiles and Floodway Data Tables if applicable, in the FIS report. As a result, the profile baselines may deviate significantly from the new base map channel representation and may appear outside of the floodplain.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the **FEMA Map Service Center** website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the **FEMA Map Service Center** website or by calling the FEMA Map Information eXchange.

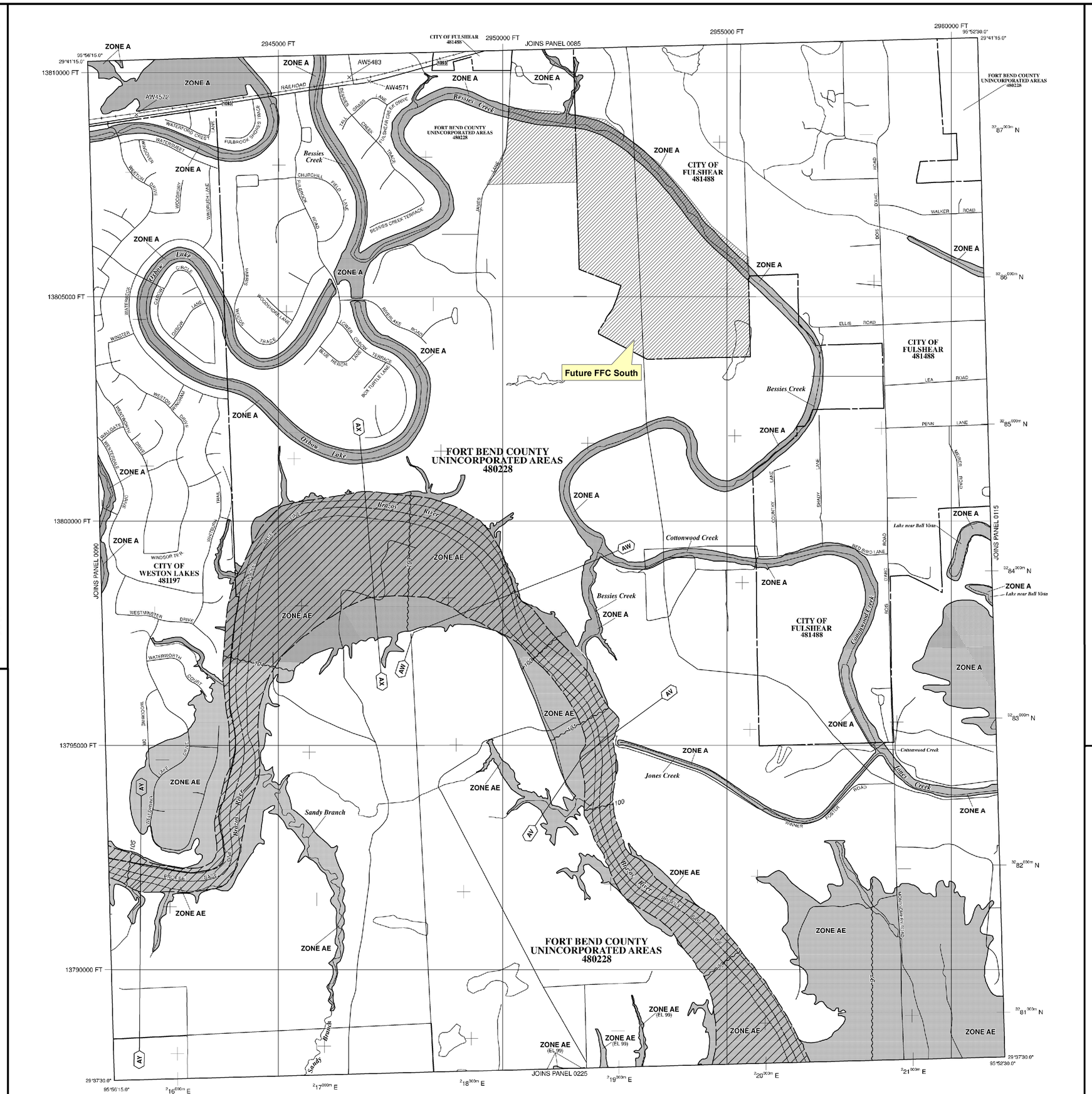


EXHIBIT 2 - FFCS FLOODPLAIN

LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A	No Base Flood Elevations determined.
ZONE AE	Base Flood Elevations determined.
ZONE AH	Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
ZONE AO	Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
ZONE AR	Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
ZONE A99	Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
ZONE V	Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
ZONE VE	Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X	Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X	Areas determined to be outside the 0.2% annual chance floodplain.
ZONE D	Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

	Floodplain boundary
	Floodway boundary
	Zone D boundary
	CBRS and OPA boundary
	Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
~~ 513 ~~~	Base Flood Elevation line and value; elevation in feet*
(EL 987)	Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the North American Vertical Datum of 1988 (NAVD 88)

A — A	Cross section line
23 - - - - - 23	Transect line
97°07'30", 32°22'30"	Geographic coordinates referenced to the North American Datum of 1983 (NAD 83)
$^{42}75^{000m}$N	1000-meter Universal Transverse Mercator grid ticks, zone 15
6000000 FT	5000-foot grid values: Texas State Plane coordinate system, south central zone (FIPSZONE 4204), Lambert Conformal Conic
DX5510 ×	Bench mark (see explanation in Notes to Users section of this FIRM panel)
• M1.5	River Mile

MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE
FLOOD INSURANCE RATE MAP
September 30, 1992
EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
January 3, 1997
April 2, 2014 -to update corporate limits, to change Base Flood Elevations, to change Special Flood Hazard Areas, to add roads and road names, to incorporate previously issued Letters of Map Revision, and to reflect updated topographic information.

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 1000'

500 0 1000 2000 FEET

300 0 300 600 METERS

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0095L

FIRM
FLOOD INSURANCE RATE MAP
FORT BEND COUNTY, TEXAS
AND INCORPORATED AREAS

PANEL 95 OF 575
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

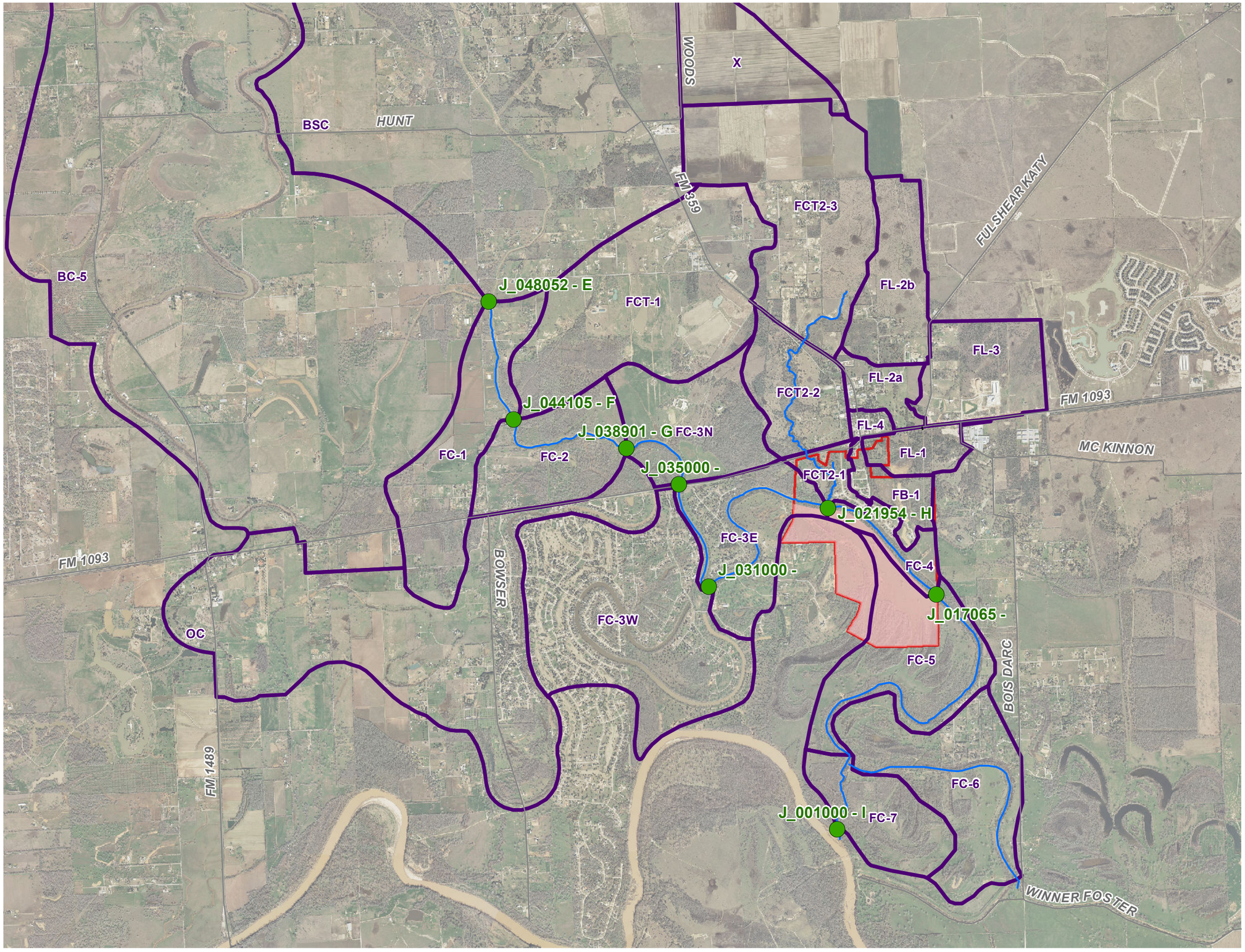
COMMUNITY	NUMBER	PANEL	SUFFIX
FORT BEND COUNTY	480228	0095	L
FULSHEAR, CITY OF	481488	0095	L
WESTON LAKES, CITY OF	481197	0095	L

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
48157C0095L

MAP REVISED
APRIL 2, 2014

Federal Emergency Management Agency



N

3,500 Feet

Legend

- FC HMS Nodes
- Stream Centerline
- Existing Drainage Areas
- Project Location
- FFC South Boundary

Costello, Inc.
Engineering & Surveying
TBPE F-280

9990 Richmond Avenue
Suite 450 North Building
Houston, Texas 77042
(713) 783-7788
(713) 783-3580, Fax

Fulshear MUD1
Master Drainage Plan - South

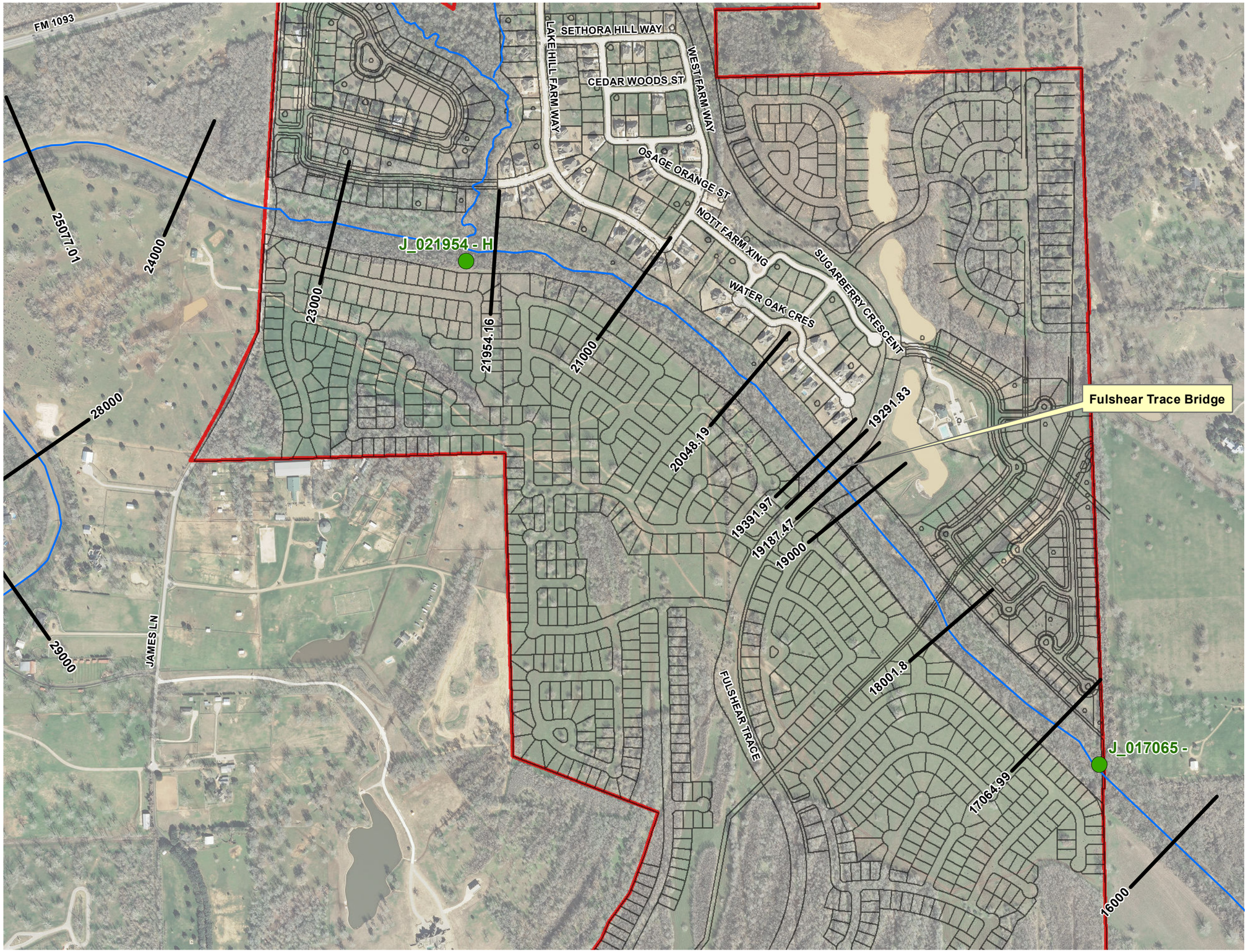
DRAINAGE AREA MAP
EXISTING CONDITIONS

FULSHEAR CREEK

2014121-001	MAY 2014	BY JSW

EXHIBIT 3

Date Saved: 5/19/2014 2:06:39 PM V:\Fulshear\MUD1\MDP-South\(2014121-001)\GIS\EX3-FC-Ex-Drainage Area Map.mxd



N

600 Feet

Legend

- HMS Nodes (2013 Name, 87 Name)
- Stream Centerline
- Bridge
- FC Cross Sections
- Project Location

Costello, Inc.
Engineering & Surveying
TBPE F-280

9990 Richmond Avenue
Suite 450 North Building
Houston, Texas 77042
(713) 783-7788
(713) 783-3580, Fax

Fulshear MUD1
Master Drainage Plan - South

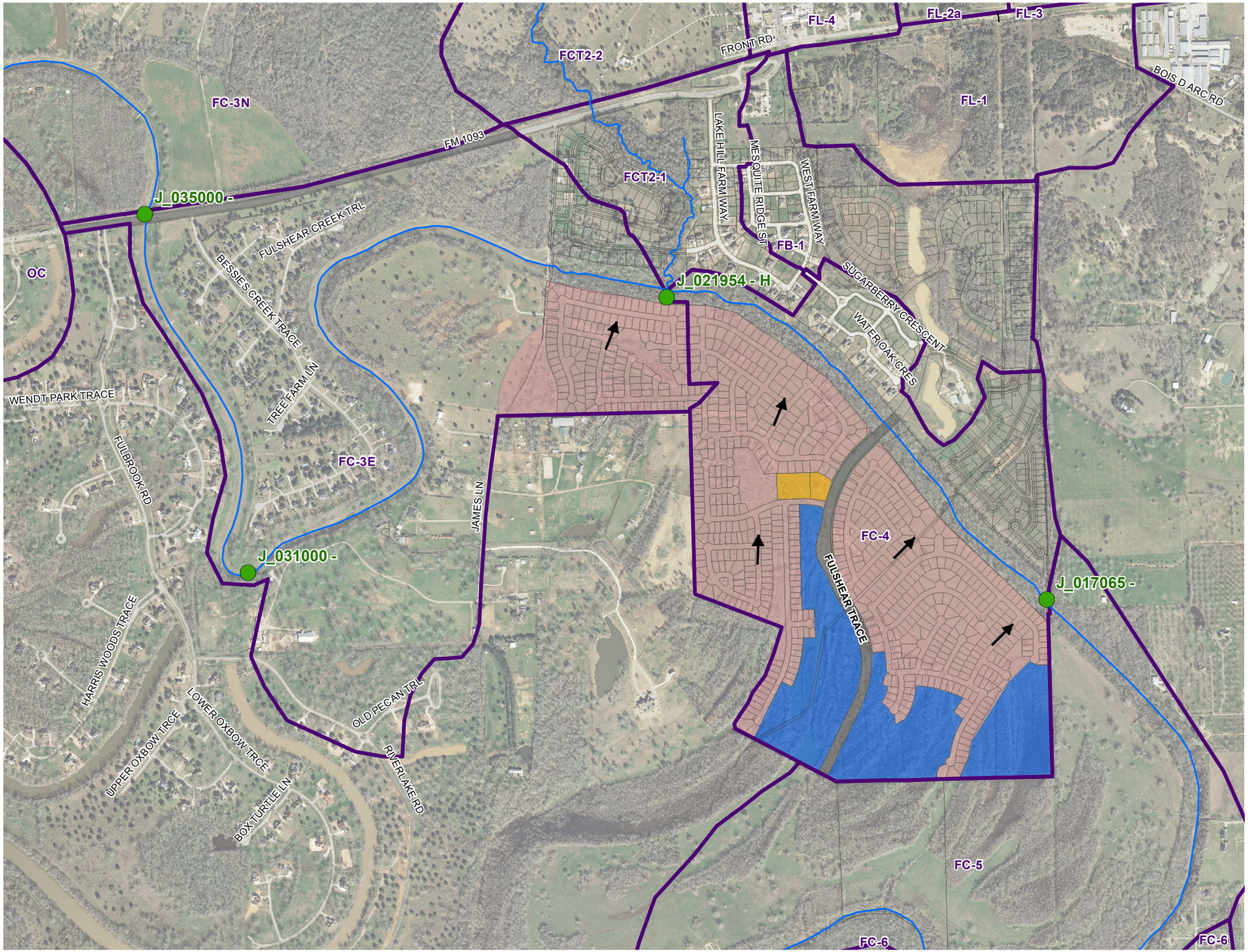
CROSS SECTION LAYOUT

FULSHEAR CREEK

2014121-001	MAY 2014	BY JSW

EXHIBIT 4

Date Saved: 6/3/2014 10:35:56 AM V:\FulsheanMUD1\MDP-South(2014121-001)\GIS\EX4-FC-Cross Section Layout Map.mxd



N

1,000 Feet

Legend

- FC HMS Nodes
- Stream Centerline
- Flow Arrows
- Proposed Drainage Areas

Land Use

- Water/Wetlands
- Transportation
- Rec Center
- Residential 50%

Costello, Inc.
Engineering & Surveying
TBPE F-280

9990 Richmond Avenue
Suite 450 North Building
Houston, Texas 77042
(713) 783-7788
(713) 783-3580, Fax

Fulshear MUD1
Master Drainage Plan - South

DRAINAGE AREA MAP
PROPOSED CONDITION

FULSHEAR CREEK

2014121-001	MAY 2014	BY JSW

EXHIBIT 5

Date Saved: 6/6/2014 9:53:01 AM V:\FulsheanMUD1\MDP-South(2014121-001)\GIS\EX5-FC-Prop-Drainage Area Map.mxd

DRAINAGE DISTRICT

Fort Bend County, Texas

November 2, 2018

Mr. Stephen Wilcox, P.E.
Costello Engineering & Surveying
2107 CityWest Blvd. 3rd Floor
Houston, Texas 77072

Re: Update to Fulbrook on Fulshear Creek Master Drainage Plan

Mr. Wilcox:

Per your October 29, 2018 letter it is noted that the assumed average impervious cover (50%) used in establishing the north and south Master Drainage Plans for Fulbrook on Fulshear Creek is higher than the calculated impervious cover (45.7%) for the actual proposed lot sizes. Your November 1, 2018 email, pertaining to this matter, notes that the development is downstream of James Lane and the Master Drainage Plans showed that detention was not necessary for the development at the assumed higher impervious levels due to timing within the watershed.

Based on these facts it appears no additional drainage analysis should be required to validate the reduction in impervious cover will not negatively affect the flows, or water surface elevations, along Fulshear Creek. The Drainage District staff interposes no objection to allowing the development to proceed using a lower average impervious cover than that which was assumed in the original Master Drainage Plans.

If you have questions, pertaining to the information noted above, please contact me.

Respectfully,

Mark Vogler

Mark Vogler
Fort Bend County Drainage District Manager

Engineering/Administration: P.O. Box 1028 • 1124 Blume Road • Rosenberg, Texas 77471 • (281) 342-2863
Construction/Maintenance: 1022 Blume Road • Rosenberg, Texas 77471 • (281) 342-0141

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

AGENDA OF:	November 20, 2018	**AGENDA ITEMS:**	BUS- C
DATE SUBMITTED:	November 5, 2018, 2018	**DEPARTMENT:**	Administration
PREPARED BY:	Kimberly Kopecky	**PRESENTER:**	Brant Gary
SUBJECTS:	**City of Fulshear Resolution No. 2018-408 appointing members to the Historic Preservation and Museum Commission**		
ATTACHMENTS:	City of Fulshear Resolution No. 2018-408		

EXPENDITURE REQUIRED: N/A

AMOUNT BUDGETED:
FUNDING ACCOUNT:

ADDITIONAL APPROPRIATION REQUIRED: N/A
FUNDING ACCOUNT:

EXECUTIVE SUMMARY

There are two (2) positions up for appointment currently. All seven (7) positions were appointed in June 2018; however, two (2) members have resigned their position. City of Fulshear Resolution No. 2018-408 has been prepared for the Council's consideration to appoint new members to the three (3) vacancies.

RESOLUTION NO. 2018-408

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS APPOINTING AND REAPPOINTING CERTAIN MEMBERS TO THE CITY'S HISTORIC PRESERVATION AND MUSEUM COMMISSION

WHEREAS, the City Council of the City of Fulshear, Texas is desirous of continuing the preservation of our historic and cultural artifacts and guiding the development of a Museum intended for such purpose, and;

WHEREAS, the City Council of the City of Fulshear, Texas appreciates the service and dedication of those previously and currently serving, and;

WHEREAS, the City Council of the City of Fulshear, Texas has been presented a slate of qualified willing volunteers to serve in the capacity as Members of the Historic Preservation and Museum Commission;

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS that those listed below:

3 – Members who will serve through June 2019
4 – Members who will serve through June 2020

Charles (Chaz) Clarke Jr	Term expires: June 1, 2019
Viola Randle	Term expires: June 1, 2019
Pat Mollere	Term expires: June 1, 2019
Sonya Simmons	Term expires: June 1, 2020
Pamela Davenport	Term expires: June 1, 2020
Laura Fleming	Term expires: June 1, 2020
Rebecca Patterson	Term expires: June 1, 2020

Be named to serve as Members of the Historic Preservation and Museum Commission for terms as designated above during which they are expected to duly execute those responsibilities.

This resolution duly passed this 20th day of November, 2018.

_____

Aaron Groff, Mayor
City of Fulshear, Texas

ATTEST:

_____

Kimberly Kopecky, City Secretary

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

AGENDA OF:	November 20, 2018	**AGENDA ITEM:**	BUS- D
DATE SUBMITTED:	November 6, 2018	**DEPARTMENT**	Public Works/ Planning & Development
PREPARED BY:	Sharon Valiante Director of PW; Brant Gary Exec. Dir. of P&D	**PRESENTER:**	Sharon Valiante Director of PW; Brant Gary Exec. Dir. of P&D
SUBJECT:	**Consideration and Authorization – Award of Professional Services Contract for City Engineer**		
ATTACHMENTS:	1 Scope of Services and Fee Schedule – Clay and Leyendecker 2 Fulshear General Services Contract		
EXPENDITURE EXPECTED:	$110,000		
AMOUNT BUDGETED:	Approved Budget for FY 19		
FUNDING ACCOUNT:	100-5-400-5411-11; 5510-5411-11		
ADDITIONAL APPROPRIATION REQUIRED:	No		
FUNDING ACCOUNT:	Various		

EXECUTIVE SUMMARY

General Engineering services the City is provided by an engineering firm. The current firm, Clay and Leyendecker, was vetted by staff in 2018 through the process to acquire Professional Services. Clay and Leyendecker have provided the City with these services for 20 plus years. Within the past year, City staff reviewed the firm's ability to continue to provide these services, as well as other firms interested in providing services. Based on prior service history with Clay and Leyendecker, along with the historical knowledge that the firm's key staff have regarding the City of Fulshear, and the process and procedures established, staff would like to continue to work with Clay and Leyendecker. The proposed scope of services and fee schedule have been discussed and are fair and reasonable.

Staff expects to spend $110,000 to Clay and Leyendecker for general Engineering services, In addition, staff would like to renew the contract at the end of each termination date for an additional year, to end at the end of three years, or from November 2019 thru November 2022.

RECOMMENDATION

Staff recommends that City Council approve a General Services contract for General Engineer services to Clay and Leyendecker.

Clay & Leyendecker, Inc.
Texas Engineer Registration Number - F-2309

Consulting Engineers
and Surveyors

June 13, 2018

Brant Gary, Assistant City Manager
City of Fulshear
P.O. Box 279
Fulshear, TX 77441

Re: Engineering Contract
Clay & Leyendecker, Inc.
City of Fulshear, Texas

Dear Brant.:

I have received and reviewed the Revised Engineering Contract between Clay & Leyendecker, Inc. and the City of Fulshear. Per this contract, Clay & Leyendecker, Inc. will provide the following Professional Service to the City:

A) License Professional Engineering Services to attend Staff Meetings, City Council Meetings, Planning Commission Meetings and Special Called Meetings.
B) Review Plats for the Planning Commission and City Council approval.
C) Small surveying jobs as required by the City Staff for short term projects.
D) Drafting for updating maps and misc. small City projects.
E) Review of Construction Plans submitted to the City for review.

Clay & Leyendecker, Inc. proposes to charge a Lump Sum fee for the above referenced work of $6,000.00 per month. Any additional projects the City desires will be negotiated as they are needed. An Exhibit for the hourly rates that our firm offers is enclosed with this letter.

I would like to again take this opportunity to thank the City of Fulshear for allowing our firm to submit this proposal. If you have any questions or if you need additional information please feel free to contact me.

Very truly yours,

David Leyendecker, P.E., R.P.L.S.

DL/pe
Enclosure

1350 Avenue D Katy, Texas 77493 (281) 391-0173

Exhibit "A"

Professional Fee Schedule
City of Fulshear, Texas

Licensed Professional Engineer	$180.00 hr.
Licensed Professional Land Surveyor	$160.00 hr.
Field Survey Crew	$150.00 hr.
Draftsman / Engineering Tech	$75.00 hr.
Construction Inspection	$65.00 hr.
Clerical	$45.00 hr.

The City of Fulshear

GENERAL SERVICES CONTRACT
Revised 08/15/2016

This General Services Contract (Contract) is made between the City of Fulshear, Texas (City), and Contractor. The City and Contractor agree to the terms and conditions of this Contract, which consists of the following parts:

I. Summary of Contract Terms
II. Signatures
III. Standard Contractual Provisions
IV. Special Terms and Conditions
V. Additional Contract Documents

I. Summary of Contract Terms.

Contractor: ***Clay and Leyendecker***

Description of Services: **General Engineering Services**

Annual Base Service: **$110,000**

Length of Contract: ***One year (12 months)***

Repairs/Additional Work in addition to Base Contract Price: N/A

Effective Date: ***December 1, 2018***

Termination Date: November 30, 2019

Renewal: ***Automaticaly renew for additional three years to expire November 30, 2022***

II. Signatures. By signing below, the parties agree to the terms of this Contract:

CITY OF FULSHEAR:*

_____

Signed by: Date: _____
____ City Manager or Assistant City Manager
____ Department Head

CONTRACTOR:

By: _____

Title: _____

Date: _____

*Contract Signature Authority: Department Heads -$4,999 or less
City Manager or Assistant City Manager - $5,000 to $24,999

III. Standard Contractual Provision.

A. Definitions.

Contract means this General Services Contract.

Services means the services for which the City solicited bids or received proposals as described in this Contract.

B. Services and Payment. Contractor will furnish Services to the City in accordance with the terms and conditions specified in this Contract. Contractor will bill the City for the Services provided at intervals of at least 30 days, except for the final billing. The City shall pay Contractor for the Services in accordance with the terms of this Contract, but all payments to be made by the City to Contractor, including the time of payment and the payment of interest on overdue amounts, are subject to the applicable provisions of Chapter 2251 of the Government Code. The City is not liable to the Contractor for any taxes which the City is not liable by law, including state, local, or use taxes (Section 151.309 and Title 3, Texas Tax Code) and federal excise tax (Subtitle D of the Internal Revenue Code). Accordingly, those taxes shall not be added to any invoice.

C. Termination Provisions.

(1) *City Termination for Convenience*. Under the paragraph, the City may terminate this Contract during its term at any time for the City's own convenience where the Contractor is not in default by giving written notice to Contractor. If the City terminated this Contract under this paragraph, the City will pay the Contractor for all services rendered in accordance with this Contract to the date of termination.

(2) *Termination for Default*. Either party to this Contract may terminate this Contract as provided in this paragraph if the other party fails to comply with its terms. The party alleging the default will give the other party notice of the default in writing citing the terms of the Contract that have been breached and what action the defaulting party must take to cure the default. If the party in default fails to cure the default as specified in the notice, the party giving the notice of default may terminate this Contract by written notice to the other party, specifying the date of termination. Termination of the Contract under this paragraph does not affect the right of either party to seek remedies for breach of the Contract as allowed by law, including any damages or costs suffered by either party.

(3) *Multi-Year Contracts and Funding*. If this Contract extends beyond the City's fiscal year in which it becomes effective or provides for the City to make any payment during any of the City's fiscal years following the City's fiscal year in which this Contract becomes effective and the City fails to appropriate funds to make any required Contract payment for that successive fiscal year and there are no funds from the City's sale of debt instruments to make the required payment, then this Contract automatically terminates at the beginning of the first day of the City's successive fiscal year of the Contract for which the City has not appropriated funds or otherwise provided for funds to make a required payment under the contract. (Section 5, Article XI, Texas Constitution)

(4) Unless terminated earlier as referenced above, this Contract terminates on the termination date but the obligation of a party to complete a contract requirement pending on the date of termination survives termination; or if there is no termination date specified the Contract terminates when both parties have completed all their respective obligations under the Contract.

D. Liability and Indemnity. Any provision of any attached contract document that limits the Contractor's liability to the City or releases the Contractor from liability to the City for actual or compensatory damages, loss, or costs arising from the performance of this Contract or that provides for contractual indemnity by one party to the other party to this Contract is not applicable or effective and is void and unenforceable under this Contract. Except where an Additional Contract Document provided by the City provides otherwise, each party to this Contract is responsible for defending against and liable for paying any claim, suit, or judgment for damages, loss, or costs arising from that party's negligent

acts or omissions in the performance of this Contract in accordance with applicable law. This provision does not affect the right of either party to this contract who is sued by a third party of acts or omissions arising from this Contract to bring in the other party to this Contract as a third-party defendant as allowed by law.

E. Assignment. The Contractor shall not assign this Contract without the prior written consent of the City.

F. Law Governing and Venue. This Contract is governed by the law of the State of Texas and a lawsuit may only be prosecuted on this Contract in a court of competent jurisdiction located in or having jurisdiction in Fort Bend County, Texas without regard to choice of venue provisions

G. Entire Contract. This Contract represents the entire Contract between the City and the Contractor and supersedes all prior negotiations, representations, or contracts, either written or oral. This Contract may be amended only by written instrument signed by both parties.

H. Independent Contractor. Contractor shall perform the work under this Contract as an independent contractor and not as an employee of the City. The City has not right to supervise, direct, or control the Contractor or Contractor's officers or employees in the means, methods, or details of the work to be performed by Contractor under this Contract. The City and Contractor agree that the work performed under this Contract is not inherently dangerous, that Contractor will perform the work in a competent manner, and that Contractor will take proper care and precautions to insure the safety of Contractor's officers and employees.

I. Dispute Resolution Procedures. The Contractor and City desire an expeditious means to resolve any disputes that may arise between them regarding this Contract. If either party disputes any matter relating to this Contract, the parties agree to try in good faith, before bringing any legal action, to settle the dispute by submitting the matter to mediation before a third party who will be selected by agreement of the parties. The parties will each pay one-half of the mediator's fees.

J. Attorney's Fees. Should either party to this Contract sue the other party for breach of contract or for any other cause relating to this Contract, neither party will seek or be entitled to an award of attorney's fees or other costs relating to the suit.

K. Severability. If a court finds or rules that any part of this Contract is invalid or unlawful, the remainder of the Contract continues to be binding on the parties.

L. Contractual Limitations Period**.** Any provision of the Contract that establishes a limitations period that does not run against the City by law or that is shorter than two years is void. (Sections 16.061 and 16.070, Texas Civil Practice and Remedies Code)

M. Conflicting Provisions. If there is a conflict between a provision in the Contractor's Additional Contract Documents and a provision in the remainder of this Contract, the latter controls.

N. Copyright. Any original work (the Work), including any picture, video, music, brochure, writing, trademark, logo or other work created by the Contractor for the use of the City under this Contract is a "work made for hire," as defined by federal copyright law. If the Work is not by law a "work made for hire," the Contractor by execution of this Contract assigns to the City all of its rights to the Work, including the copyright. The City, as the author and owner of the copyright to the Work, may alter, reproduce, distribute, or make any other use of the Work, as it deems appropriate.

IV. Special Terms or Conditions. (Add as required)

V. Additional Contract Documents. The following specified documents attached to this Contract are part of this Contract, except as follows: any provision contained in any of the Contractor's Additional Contract Documents specified below that conflicts with a Contract provision not included in the Contractor's Additional Contract Documents, does not apply to this contract.

A. Contractor's Additional Contract Documents:

1. Executed Contractor Insurance Requirements & Agreement (required insurance certificates shall be in possession of the City at actual commencement of work).

B. City's Additional Contract Documents:

1. Insurance Forms as required below.
2. Scope of Services as listed on the attached.

END OF DOCUMENT

CITY OF FULSHEAR
REQUIREMENTS FOR ALL INSURANCE DOCUMENTS

The Contractor shall comply with each and every condition contained herein. The Contractor shall provide and maintain the minimum insurance coverage set forth below during the term of its agreement with the City. Any Subcontractor(s) hired by the Contractor shall maintain insurance coverage equal to that required of the Contractor. It is the responsibility of the Contractor to assure compliance with this provision. The City of Fulshear accepts no responsibility arising from the conduct, or lack of conduct, of the Subcontractor.

INSTRUCTIONS FOR COMPLETION OF INSURANCE DOCUMENT

With reference to the foregoing insurance requirements, Contractor shall specifically endorse applicable insurance policies as follows:

A. The City of Fulshear shall be named as an additional insured with respect to General Liability and Automobile Liability **on a separate endorsement**
B. A waiver of subrogation in favor of The City of Fulshear shall be contained in the Workers Compensation and all liability policies and must be provided **on a separate endorsement.**
C. All insurance policies shall be endorsed to the effect that The City of Fulshear will receive at least thirty (30) days' written notice prior to cancellation or non-renewal of the insurance.
D. All insurance policies, which name The City of Fulshear as an additional insured, must be endorsed to read as primary and non-contributory coverage regardless of the application of other insurance.
E. Chapter 1811 of the Texas Insurance Code, Senate Bill 425 82(R) of 2011, states that the above endorsements cannot be on the certificate of insurance. Separate endorsements must be provided for each of the above.
F. All insurance policies shall be endorsed to require the insurer to immediately notify The City of Fulshear of any material change in the insurance coverage.
G. All liability policies shall contain no cross liability exclusions or insured versus insured restrictions.
H. Required limits may be satisfied by any combination of primary and umbrella liability insurances.
I. Contractor may maintain reasonable and customary deductibles, subject to approval by The City of Fulshear.
J. Insurance must be purchased from insurers having a minimum AmBest rating of B+.
K. All insurance must be written on forms filed with and approved by the Texas Department of Insurance. (ACORD 25 2010/05) Coverage must be written on an occurrence form.
L. Contractual Liability must be maintained covering the Contractors obligations contained in the contract. Certificates of Insurance shall be prepared and executed by the insurance company or its authorized agent and shall contain provisions representing and warranting all endorsements and insurance coverages according to requirements and instructions contained herein.
M. Upon request, Contractor shall furnish The City of Fulshear with certified copies of all insurance policies.
N. A valid certificate of insurance verifying each of the coverages required above shall be issued directly to the City of Fulshear within ten (10) business days after contract award and prior to starting any work by the successful contractor's insurance agent of record or insurance company. Also, prior to the start of any work and at the same time that the Certificate of Insurance is issued and sent to the City of Fulshear, all required endorsements identified in sections A, B, C and D, above shall be sent to the City of Fulshear. The certificate of insurance and endorsements shall be sent to:

City of Fulshear
Finance Office
P. O. Box 279
Fulshear, TX 77441

Emailed to: accounting@fulsheartexas.gov
Faxed to: (281) 346-2556

Questions, please contact Fulshear's Finance Department at (281) 346-8805

CERTIFICATE OF LIABILITY INSURANCE

A

DATE (MM/DD/YYYY): 01/01/1900

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

ABC Insurance Agency
555 Main Street
Tampa, FL 33333-0000

B

CONTACT NAME:
PHONE (A/C, No, Ext): FAX (A/C, No):
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Insurance Carrier	00000
INSURER B: Insurance Carrier	00000
INSURER C: Insurance Carrier	00000
INSURER D: Insurance Carrier	00000
INSURER E: Insurance Carrier	00000
INSURER F: Insurance Carrier	00000

D E

INSURED

C

XYZ Company
123 Apple Street
Tampa, FL 22222-0000

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [ ] PRO-JECT [ ] LOC	Y	Y	X123456	01/01/1900	01/01/1900	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 1,000,000 $
B	AUTOMOBILE LIABILITY [X] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS		Y	123456789	01/01/1900	01/01/1900	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $ $
C	[X] UMBRELLA LIAB [X] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $	Y	Y				EACH OCCURRENCE AGGREGATE	$ $ $
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	Y	01234	01/01/1900	01/01/1900	[X] WC STATUTORY LIMITS [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 500,000 $ 500,000 $ 500,000
E	Builder's Risk Professional Services	Y	Y	123456	01/01/1900	01/01/1900	100% Insurable Value, replacement cost basis $1,000,000 each claim / $1,000,000 aggregate	

F G H I J K L M N O

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Effective January 1, 2012 must be compliant with Chapter 1811, Tex. Ins. Code (SB 425 enacted by Texas Legislature 82(R) session in 2011).

P

CERTIFICATE HOLDER

Q

City of Fulshear
Purchasing Office
P.O. Box 279
Fulshear, TX 77441

CANCELLATION

R

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

AUTHORIZED SIGNATURE REQUIRED HERE

S

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(Instructions for completing and submitting a certificate to the City of Fulshear)

Complete the certificate of insurance with the information listed below:

A) Certificate of Insurance date
B) Producer (Insurance Agency) Information -complete name, address, telephone information, & email address.
C) Insured's (Insurance Policy Holder) Information -complete name & address information
D) Insurer (name/names of insurance company) **(Remember the City requires all insurance companies to be Authorized to do business in the State of Texas and be rated by A.M. Best with a rating of B+ (or better) Class VI (or higher) or otherwise be acceptable to the City if not rated by A. M. Best)
E) NAIC # (National Association of Insurance Commissioners, a # that is assigned by the State to all insurance companies)
F) Insurer letter represents which insurance company provides which type of coverage from D
G) General Liability Insurance Policy - must have an (x) in box. Also, "Occurrence" type policy -must have an (x) in the box (occurrence policy preferred but claims made policy can be accepted with special approval)
H) This section shall be filled in with "Y" for yes under Additional Insured for all coverages, except for Professional Liability and Workers' Compensation. There shall also be a "Y" for yes under all coverages for subrogation waived.
I) Automobile Liability Insurance – must be checked for Any Auto, All Owned Autos, Hired Autos
J) Umbrella Coverage – must be checked in this section and by occurrence whenever it is required by written contract and in accordance with the contract value.
K) Worker's Compensation and Employers Liability Insurance - information must be completed in this section of the certificate of insurance form (if applicable)
L) Builder's Risk Policy – for construction projects as designated by the City of Fulshear.
Professional Liability Coverage – for professional services if required by the City of Fulshear.
M) Insurance Policy #'s
N) Insurance policy effective dates (always check for current dates)
O) Insurance Policy limits **(See Insurance Requirements Checklist)**
P) This section is to list projects, dates of projects, or location of project. Endorsements to the insurance policy(ies) must be provided separately and not in this section. The following endorsements are required by the City of Fulshear.
   (1) Adding the City of Fulshear as an additional insured. The "additional insured" endorsement is not required for professional liability and workers compensation insurance; and
   (2) Waiver of Subrogation
   (3) Primary and Non-Contributory
   (4) Cancellation Notice
Q) City of Fulshear's name and address information must be listed in this section
R) Notice of cancellation, non-renewal, or material change to the insurance policy(ies) must be provided to the City of Fulshear in accordance with a cancellation notice endorsement to the policy and/or per the policy provisions based on the endorsement adding the City as an additional insured. (Sec. 1811.155, Tex. Ins. Code)
S) The certificate must be signed by the Authorized Agent in this section of the certificate form.

INSURANCE REQUIREMENTS-PROJECT SPECIFIC

City Staff shall determine the appropriate level of risk and assign the insurance requirements based on that risk. All Insurance Documents will be reviewed by Purchasing and Risk.

Items marked "X" are required to be provided if award is made to your firm.

Coverages Required & Limits (Figures Denote Minimums)

_X_Workers' Compensation Statutory limits, State of TX.

_X_ Employers' Liability $500,000 per employee per disease / $500,000 per employee per accident / $500,000 by disease aggregate

___Commercial General Liability:

	__Very High/High Risk	___Medium Risk	___Low Risk
Each Occurrence	$1,000,000	$500,000	$300,000
Fire Damage	$300,000	$100,000	$100,000
Personal & ADV Injury	$1,000,000	$1,000,000	$600,000
General Aggregate	$2,000,000	$1,000,000	$600,000
Products/Compl Op	$2,000,000	$500,000	$300,000
XCU	$2,000,000	$500,000	$300,000

___Automobile Liability: (Owned, Non-Owned, Hired and Injury & Property coverage for all)

__Very High/ High Risk	___Medium Risk	___Low Risk
Combined Single Limits	Combined Single Limits	Combined Single Limits
$1,000,000 Bodily	$500,000 Bodily	$300,000 Bodily

___Garage Liability for BI & PD

$1,000,000 each accident for Auto, $1,000,000 each accident Non-Auto

$2,000,000 General Aggregate

___Garage Keepers Coverage (for Auto Body & Repair Shops)

$500,000 any one unit/any loss and $200,000 for contents

___Umbrella each-occurrence with respect to primary Commercial General Liability, Automobile Liability, and Employers Liability policies at minimum limits as follows:

Contract value less than $1,000,000: not required

Contract value between $1,000,000 and $5,000,000: **$4,000,000 is required** Contract value between $5,000,000 and $10,000,000: **$9,000,000 is required** Contract value between $10,000,000 and $15,000,000: **$15,000,000 is required** Contract value above $15,000,000: **$20,000,000 is required**

Excess coverage over $10,000,000 can be provided on "following form" type to the underlying coverages to the extent of liability coverage as determined by the City.

_X_ Professional Liability, including, but not limited to services for Accountant, Appraiser, Architecture, Consultant, Engineering, Insurance Broker, Legal, Medical, Surveying, construction/ renovation contracts for engineers, architects, constructions managers, including design/build Contractors. Minimum limits of $1,000,000 per claim/aggregate

This coverage must be maintained for at least two (2) years after the project is completed.

__Builder's Risk (if project entails vertical construction, including but not limited to bridges and tunnels or as determined by the City of Fulshear) Limit is 100% of insurable value, replacement cost basis

___Pollution Liability for property damage, bodily injury and clean up (if project entails possible contamination of air, soil or ground or as determined by the City of Fulshear)

___Other Insurance Required: _____

NOTE: The nature/size of a contract/agreement may necessitate higher limits than shown above. These requirements are only meant as a guide, but in any event, should cover most situations. Check with Purchasing & Risk Management if you need assistance or need additional information.

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

AGENDA OF:	November 20, 2018	**AGENDA ITEM:**	BUS- E
DATE SUBMITTED:	November 13, 2018	**DEPARTMENT:**	Public Works/Utilities
PREPARED BY:	Sharon Valiante Director of Public Works	**PRESENTER:**	Sharon Valiante, Director of Public Works
SUBJECT:	**Consent and Approval of Resolution 2018-411 Regarding City of Fulshear Participation and Enrollment in the Larry's Tool Box Program for 2019 as Established by North Fort Bend Water Authority**		
ATTACHMENTS:	1. Resolution 2018-411 2. 2019 Toolbox Summary 3. 2019 Larry's Toolbox Enrollment Form		

EXPENDITURE REQUIRED:	$2080, contingent on participation by resident
AMOUNT BUDGETED:	0
ACCOUNT NO.:	500-5-000-5510-09 550-5-000-5510-09
ADDITIONAL APPROPRIATION REQUIRED:	N/A
ACCOUNT NO.:	N/A

EXECUTIVE SUMMARY

The City of Fulshear (City) joined the North Fort Bend Water Authority (NFBWA) Ground Water Reduction Plan (GRP) to comply with the Fort Bend Subsidence District's Groundwater Reduction requirements within area A. The NFBWA created a 24-person conservation committee with a vision to promote efficient water usage and ensure water is available for generations to come. The committee created a NFBWA Toolbox, or what is better known as Larry's Toolbox, that allows the participants the opportunity to get a rebate on the cost of their water usage. The current pumpage fee for the NFBWA is $3.35/1,000 gallons. To qualify for the rebate, participants must earn 9 points, which in turn will provide a 10¢/1,000 gallons' rebate.

City staff reviewed the toolbox program options. There are several initiatives that staff looked at that should effectively provide a positive incentive for the City and should assist the City in earning the 9 points required to qualify for the rebate in 2020.

The City participated in the 2017 and 2018 program. Earned the required 7 points in 2017 and has already earned the required 9 points in 2018 for the rebate payout in 2019.

RECOMMENDATION

Staff recommends Council approve and adopt the Resolution 2018-411, supporting and approving the City's participation in the NFBWA Larry's Toolbox Program for 2019.

RESOLUTION 2018-411

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS, SUPPORTING THE CITY OF FULSHEAR'S PARTICPATION IN THE 2019 LARRY'S TOOLBOX WATER CONSERVATION PROGRAM ESTABLISHED BY THE NORTH FORT BEND WATER AUTHORITY

WHEREAS, the City Council of Fulshear desires to be good stewards and to include water conservation initiatives in its long range planning efforts; and

WHEREAS, the City is desirous of participating in the Larry's Toolbox Program established by the North Fort Bend Wanter Authority; and

WHEREAS, the North Fort Bend Water Authority (the "Authority") is a political subdivision and regional water authority created pursuant to Senate Bill 1798, Act of the 79th Legislature, Regular Session, 2005, as amended and codified in Chapter 8813 of the Texas Special District Code, and Article XVI, § 59 of the Texas Constitution; and

WHEREAS, the Fort Bend Subsidence District (the "Subsidence District") was created by the Texas Legislature to reduce subsidence by regulating the withdrawal of groundwater within Fort Bend County; and

WHEREAS, pursuant to the Subsidence District's Regulatory Plan (as may be amended from time to time, the "Regulatory Plan") certain water well permit holders in the Subsidence District's Regulatory Area A ("Regulatory Area A"), in which the Authority is located, must convert (or be part of a group of water well permit holders that converts) to alternative water supplies (e.g., surface water), instead of groundwater supplies, by certain dates as set forth in the Regulatory Plan; and

WHEREAS, the Authority was created by the Texas Legislature for the purpose, among others, of developing a regional groundwater reduction plan (the "GRP") for the area within Regulatory Area A that is within the Authority's boundaries; and

WHEREAS, the Authority developed the GRP, on behalf of the municipal utility districts, cities, and other entities that are within the Authority's boundaries or otherwise participate in the Authority's GRP, to meet the Regulatory Plan requirements, pursuant to which the Authority has commenced conversion to alternative water supplies on behalf of its members; and

WHEREAS, the Authority's Board of Directors (the "Board") has determined to include water conservation initiatives as a part of the Authority's long-term water planning strategy to assist in meeting the Regulatory Plan conversion requirements by reducing reliance on groundwater within the Authority's boundaries; and

WHEREAS, in order to facilitate the implementation of water conservation initiatives within the Authority's boundaries, the Authority developed the Larry's Toolbox Program (the "Program") consisting of various water conservation initiatives

which participants ("Participants") may choose to participate in to earn points towards eligibility for a water conservation rebate payment;

WHEREAS, the City desires to continue the Program for the calendar year 2019, as detailed below;

Section 1. Program Term. This Resolution shall govern the Program for the period from January 1, 2019, through December 31, 2019 (the "2019 Program Term").

Section 2. Program Enrollment. The 2019 Program Guide, attached hereto as **Exhibit A** (the "2019 Program Guide"), contains detailed descriptions of the Program water conservation initiatives (each an "Initiative," and collectively the "Initiatives") that the Authority is offering for the 2019 Program Term, as well as the Program participation points allocated to each Initiative. Participants desiring to participate in the Program shall review the 2019 Program Guide and submit the applicable Program enrollment form (the "2019 Program Enrollment Form"), attached hereto as **Exhibit B**, to the Authority by December 31, 2018, indicating which Initiatives the Participant plans to participate in during the 2019 Program Term. Participants may also submit information to the Authority on existing water conservation programs for evaluation and possible award of additional Program participation points.

Section 3. Program Participation. In order to qualify for the water conservation rebate payment detailed below, Participants in the Program must use their best efforts to: i) implement the Initiatives in the manner set forth in the 2019 Program Guide, ii) meet the goal requirements set forth for each Initiative in the 2019 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 2019 Program Guide.

Section 4. Water Conservation Rebate Payment. In exchange for meeting the goal and data submission requirements for each Initiative, Participants may earn points 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 2020 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 earn at least nine (9) points (the "Points Requirement"), a two point increase from the eligibility requirement for the 2017 Program Term.

Homeowners Associations will be evaluated on a case by case basis for point requirements. No points will be awarded for partially meeting the goal and data submission requirements for the Program.

Section 5. Water Conservation Rebate Payment Administration. Each Participant must: i) meet the goal for each Initiative according to the requirements of the 2019 Program Guide, and ii) submit all required data to the Authority by the deadlines set forth in the 2019 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, the number of points each Participant has earned for Initiatives completed. The Authority shall make such determination by March 1, 2020. Each Participant is encouraged to maintain regular communication with the Authority throughout the 2019 Program Term to ensure that the Participant is submitting the quality and type of data necessary for the Participant to obtain the maximum points anticipated by the Participant. If a Participant has fulfilled the Point Requirement for the 2019 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, 2010 – March 31, 2020	June, 2020, Regular Board of Directors Meeting
April 1, 2020 – June 30, 2020	September, 2020, Regular Board of Directors Meeting
July 1, 2020 – September 30, 2020	December 2020, Regular Board of Directors Meeting
October 1, 2020 – December 21, 2020	March, 2021, 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 earning points in excess of the Point 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 Point Requirement (as determined in the sole and reasonable discretion of the Authority) or

ii) withdraws from the Program prior to completion of the 2019 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 2019 Program Guide and associated agreements detailing the terms and conditions of the Authority's participation in such Initiative.

Section 6. 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.

NOW, THERFORE, BE IT RESOVED BY THE CITY COUNCIL OF FULSHER, TEXAS: That the City's participation in the Larry's Toolbox Program established by the North Fort Bend Water Authority for the calendar year 2019 (January 1 - December 31) is approved and hereby authorizes the City to implement the Initiatives in the manner set forth in the 2019 Program Guide, meet the goal requirements set forth for each Initiative in the 2019 Program Guide, and provide any data required to be submitted to the Authority in conjunction with each Initiative by the deadlines provided in the 20189Program Guide.

ADOPTED by the City Council of Fulshear on this 20th day of November, 2018.

APPROVED:
(Head of jurisdiction's governing body)

_____
Aaron Groff, Mayor

ATTEST
(Jurisdiction representative)

_____
Kimberly Kopecky, City Secretary

(SEAL)

EXHIBIT A

2019 PROGRAM GUIDE DOCUMENT

Larry's Toolbox Water Conservation Program

2019 Program Guide

Larry the Talking Sprinkler®

Background

A study by the North Fort Bend Water Authority (the "Authority") determined that if water users within the Authority reduce their water usage by 15% before 2040, construction of over $400 million worth of additional surface water infrastructure may be avoided. The Authority has created the Larry's Toolbox Water Conservation Program (the "Program") to assist in meeting this 15% reduction goal.

Water Conservation "Toolbox"

Reducing users' overall water usage through water conservation must be a community effort. As part of the Program, the Authority has created several different conservation initiatives for Program participants (the "Participants"). Participants choose to enroll in the initiatives they want to implement within their boundaries. For each initiative a Participant enrolls in and successfully implements, the Participant will receive a designated number of points toward the incentive goal (the "Incentive Goal"). The Program is voluntary; there is no obligation to implement any of the initiatives in this document nor is there a penalty for failing to complete any initiative.

If a Participant receives the number of points required to meet the Incentive Goal, as outlined in this 2019 Larry's Toolbox Program Guide (the "2019 Program Guide"), then they will 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. The rebate is based on that Participant's 2020 reported usage for the applicable usage period set forth in the Authority's Resolution Establishing the 2019 Larry's Toolbox Water Conservation Program (the "Resolution").

In accordance with the Resolution, all Participants who choose to participate will be required to submit an enrollment form indicating the initiatives that they have selected to complete. Enrollment forms for the 2019 Program will be due December 31, 2018. Enrollment forms received after December 31, 2018, will not be accepted by the Authority.

Program Initiatives

The 2019 Program initiatives (each an "Initiative" and collectively the "Initiatives") are set forth below. Many of the Initiatives were recommended by a water conservation committee made up of volunteer constituents from within the Authority's boundaries. The Initiatives may change from year to year in an effort to provide the most efficient and economical water conservation practices. **The Initiatives will not change from January 1, 2019, to December 31, 2019 (the "Program Term").** After the 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. The Authority may also adjust, in its sole discretion, the number of points awarded to an Initiative for subsequent years. For Initiatives that received points for multiple terms, Participants should refer to the guide document for the year in which Participant initially enrolled to determine points.

An updated program guide will be provided by the Authority in the fall of each year to discuss changes for the following year, program successes, and possible program improvements.

Each Initiative in the 2019 Program Guide includes a fact sheet detailing:

- Description of the Initiative;
- Purpose of the Initiative;
- Metrics used to evaluate the success of each Initiative;
- Materials and services to be provided by the Authority to the Participant;
- Anticipated data required of the Participant;
- Anticipated time contribution of the Participant and/or its consultants; and
- Requirements to receive the specified points.

The 2019 Initiatives are:

- W.I.S.E. Guys Resident Irrigation Evaluations;
- Residential Water Conservation Rebates;
- High Water User Notifications;
- Conservation Information;
- Native and Adaptive Plant Outreach;
- Homeowner Association/Golf Course Irrigation System Evaluation and Water Budget;
- Effective Tiered Water Rates;
- Rain Barrels;
- Smart Technology;
- Irrigation Permits; and
- Other Water Conservation Programs.

Program Participants

For each Initiative a Participant enrolls in, the Participant will be required to cooperate with the Authority on the implementation of that Initiative to receive points. 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 an analysis of costs versus savings performance.

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, 2019, the Participant will not receive points for that Initiative.

Incentive Goal

Each Initiative has been assigned a specific number of points that will count towards the Incentive Goal. A Participant will receive the Initiative points if it successfully implements the Initiative. A participating municipal utility district ("MUD") or City must achieve **nine (9) points** to receive the Incentivized Rate.

Homeowners associations ("HOAs") and other Groundwater Reduction Plan ("GRP") Participants that own an Authority-permitted well should contact the Authority for point requirements.

Fact Sheet: Resident Irrigation System Evaluation

Description

The Resident Irrigation System Evaluation 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. The Resident Irrigation System Evaluation must be performed by an Authority-approved licensed irrigator, and there is no obligation to make the repairs recommended by the irrigator.

Purpose

Outdoor irrigation accounts for up to 70% of residential water usage. The purpose of this Initiative is to provide residents with a free evaluation of their irrigation systems to reduce per capita water demand. The irrigator will provide recommendations and general information that can greatly reduce outdoor water usage.

Metrics

The success of this program will be measured by the number of residents who receive Resident Irrigation System Evaluations under the Initiative.

Materials and Services Provided by the Authority

1. The Authority will pay the administrative fee.
2. The Authority will pay for half of the cost of each Resident Irrigation System Evaluation and pay for any associated incentives.
3. The Authority will provide bill inserts to advertise the Initiative.
4. The Authority will provide language promoting the Initiative that may be included on bills or in community newsletters.
5. The Authority will track the number of evaluations performed during the Program Term.

Anticipated Data Required by Participant

1. The number of bill inserts needed for distribution to residents.

Participant Anticipated Time and Cost Contribution

1. The operator's time to include the bill inserts in the water bills.
2. Participant pays for half of each Resident Irrigation System Evaluation, currently $32.50 per evaluation.

Points

1. The Initiative will be assigned two (2) points towards the total Incentive Goal.
2. To receive the points, **2.25%** of all residential connections as of January 1, 2019, must receive Resident Irrigation System Evaluations within the Program Term. Please note that residents are allowed one evaluation per calendar year.

Fact Sheet: Resident Water Conservation Rebates

Description

The Resident Water Conservation Rebates Initiative utilizes rebates to encourage residents to implement Authority-approved upgrades and repairs to residential irrigation systems and indoor plumbing fixtures. The Participant will provide rebates, with certain restrictions, to eligible residents for 50% of the cost of the residents' upgrade/repair(s). To receive the rebate, the resident must either: 1) submit the rebate form, available on the Authority's website, to the Authority with the receipt for the upgrade/repair(s), and the Authority will then confirm that the upgrade/repair(s) were made and submit the resident's Rebate Form and receipt to the Participant's operator for payment in the form of a bill credit; or 2) submit the Rebate Form to the Participant for processing. Participants that choose to process their own rebates must submit proof that the upgrade/repairs were made to the Authority, and copy the Authority on all rebate-related communications with residents.

Purpose

The purpose of this Initiative is to encourage residents to upgrade or replace irrigation equipment with more efficient system components, and/or install high efficient appliances and/or fixtures.

Metrics

The success of this Initiative will be measured by the number of rebates issued.

Materials and Services Provided by the Authority

1. The Authority will provide the rebate form via: www.talkingsprinkler.com/toolbox.
2. The Authority will track the rebates issued by Participant during the Program Term.
3. The Authority will provide bill inserts to promote the Initiative.

Anticipated Data Required by Participant

1. Confirmation that each participating resident's bill was credited with the rebate and the rebate amount.
2. The number of bill inserts needed for distribution to residents.

Participant Anticipated Time and Cost Contribution

1. The Participant must fund the rebates.
2. The operator's time to process the bill credit.

Points

1. The Initiative will be assigned three (3) points towards the total Incentive Goal.
2. To receive the points, the Participant must distribute the following amounts during the Program Term:
    a. <1,000 equivalent single-family connections: $400
    b. >1,000 equivalent single-family connections: $600

Fact Sheet: High Water User Notification

Description

The High Water User Notification Initiative requires the Participant to notify its high water use residents of their 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 boundary for a given month.

Purpose

The purpose of this Initiative is to promote awareness to residents that have above average water usage.

Metrics

The success of this Initiative will be measured by a decrease in the number of 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 form notification letter that Participants may utilize to notify the high water users.
2. If requested, the Authority will provide technical assistance to the Participants to determine the gallon threshold or percentage that will be used for notification.

Anticipated Data Required by Participant

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

Participant Anticipated Time and Cost Contribution

1. The consultant's time to determine the gallon threshold or percentage for high water usage.
2. The operator's time to identify the high water users.
3. The consultant's time to mail notification letters to the high water users.

Points

1. The Initiative will be assigned two (2) points towards the total Incentive Goal.
2. In order to receive the points, the Participant must submit proof of the high water user monthly notification letters to the Authority. This can be done by providing the number of users and their associated usage per month during the Program Term.

Fact Sheet: Conservation Information

Description

The Authority will provide conservation messages consisting of short and concise tips and facts that the Participant must print on its water bills during a specific month. Participants must receive approval from the Authority to distribute the conservation messages via media forms other than the water bill or to use different conservation messages than the ones provided by the Authority. Participants must also include at least one year of historical water usage data on each residents' monthly water bill. Upon request, the Authority will also provide conservation information to the Participants to include on their websites or other media platforms.

Purpose

The purpose of this Initiative is to provide water conservation information directly to residents.

Metrics

The success of this Initiative will be measured by the number of conservation messages that are printed on Participants' water bills, websites, social media, etc.

Materials and Services Provided by the Authority

1. The Authority will provide conservation information and conservation bill messages.

Anticipated Data Required by Participant

1. Confirmation that the Participant printed the conservation messages on its water bills or sent to residents via another Authority-approved method.
2. Confirmation that the Participant included monthly historical water usage data on residents' monthly water bills.

Participant Anticipated Time and Cost Contribution

1. The consultant's time to print the conservation messages on bills and prepare historical water usage data for each resident.

Points

1. The Initiative will be assigned one (1) point toward the total Incentive Goal.
2. To receive the point, the Participant must provide proof to the Authority that the conservation information detailed above was distributed to its residents as required.

Fact Sheet: Native and Adaptive Plant Outreach

Description

The Native and Adaptive Plant Outreach initiative will assist Participants in providing educational information, exhibits, and resources to residents who want to incorporate native and adaptive plants in their existing landscaping. Participants must choose an option below:

1. Partner with a local nursey to offer rebates to residents who retrofit their landscaping with native and adaptive plants;
2. Partner with a horticulturalist, botanist, or master gardener to hold a native and adaptive plant seminar for residents;
3. Retrofit an existing green space within the Participant's boundary with native and adaptive plants;
4. Retrofit landscaping at community centers, playgrounds, or other public spaces to native and adaptive plants; or
5. Provide signage along walking paths within communities that details the nomenclature and other information of existing native and adaptive plants.

Purpose

The purpose of this Initiative is to educate residents on native and adaptive plants. After native and adaptive plants are properly established, they require less water throughout the year while maintaining the aesthetics of the community.

Metrics

The success of this Initiative will be measured by the Participant's efforts to promote native and adaptive plants and the increase in native and adaptive plants within the Participant's boundary.

Materials and Services Provided by the Authority

1. Upon request, the Authority will provide information to Participants on native and adaptive plants and related design techniques, installment methods, and proper management for overall plant health, vigor, and reduced water usage.
2. If Participant holds a native and adaptive plant event or seminar, the Authority will attend and provide educational materials and/or the Authority's mobile learning lab.

Anticipated Data Required by Participant

1. Documentation necessary to confirm that the Initiative requirements were met.
2. If Participant holds a native and adaptive plant event or seminar, the Participant must provide a list of attendees, pictures from the event, speaker information and title, and include the Authority on the invitation.
3. If Participant retrofits an existing green space, the Participant must provide a list of the items installed, pictures of the green space before and after installation of native and adaptive plants, and information on watering methods designed to reduce water consumption.

Participant Anticipated Time and Cost Contribution

1. The consultant's time to carry out the selected project or activity.
2. The costs associated with the selected project or activity.

Points

1. The Initiative will be assigned two (2) points toward the total Incentive Goal.

Fact Sheet: Homeowners Association/Golf Course Irrigation System Evaluation and Water Budget

Description

The Authority will provide a free irrigation system evaluation and water budget for up to five (5) Homeowner Associations ("HOAs") and/or Golf Courses during the Program Term (the "HOA/Golf Course Irrigation Evaluation and Water Budget"). The Authority will choose the five recipients at random from among the Participants that have requested funding on their Enrollment Forms due December 31, 2018. Each Participant selected to receive an HOA/Golf Course Irrigation Evaluation and Water Budget must obtain a proposal in the Participant's name from an Authority-approved vendor, and submit the proposal to the Authority for approval. The Participant must also enter into a Consulting Services Agreement (the "CSA") between the Participant, the Authority, and the Authority-approved vendor. Once the proposal is approved by the Authority, the Participant must coordinate with the HOA/Golf Course to schedule the HOA/Golf Course Irrigation Evaluation and Water Budget and then submit the final report and invoice to the Authority. The Authority will pay the invoice(s) in accordance with the CSA. The HOA/Golf Course Irrigation Evaluation and Water Budget must, at minimum, include:

- A map identifying each irrigation meter, the associated irrigation controller to that irrigation meter, and the backflow prevention device location;
- A record of the meter size and meter number of every irrigation meter;
- An evaluation report with specific recommendations for each irrigation meter that includes:
    - Information that identifies the irrigation problems and include recommendations for needed repairs and/or modifications (heads, valves, rain sensor, etc.);
    - A review of the control settings and an evaluation of the type of irrigation being used in different irrigation zones (sprays vs. rotors vs. drip, for example); and
    - A review of the meter's pressure regulation, any recommendations for upgraded controllers that account for evapotranspiration, and all monthly watering recommendations.
- A water budget report created for all irrigation meters that includes:
    - An annual water budget for each identified meter;
    - An explanation of the purpose and methodology used to create the water budget; and
    - An outline of recommendations on how the Participant can water within the water budgets.
- Participants must provide monthly water usage data for the three-year period prior to the Program Term (if available).

Each Participant can only receive one Authority-funded evaluation and water budget per Program Term. Participants not selected to receive an Authority-funded HOA/Golf Course Irrigation Evaluation and Water Budget may fund their own and submit the final report to the Authority to receive two points plus one (1) additional point toward the Incentive Goal. Participants funding their own HOA/Golf Course Irrigation Evaluation and Water Budget must use an Authority-approved vendor. After a Participant has received an approved HOA/Golf Course Irrigation Evaluation and Water Budget, the Participant is eligible to continue

receiving points for the 2020 Program Term, so long as the Participant can demonstrate to the Authority in a compiled report that they are making the recommended repairs and keeping up with routine maintenance and working towards hitting the monthly targeted watering amount.

Purpose

The purpose of this Initiative is to ensure HOAs/Golf Courses have efficient irrigation systems.

Metrics

The success of this Initiative will be measured by a reduction in water usage by the participating HOAs/Golf Courses.

Materials and Services Provided by the Authority

1. The Authority will provide the approved list of vendors to perform the HOA/Golf Course Irrigation Evaluation and Water Budget. If the Participant would like to use someone not included on this list, they may submit the vendor's qualifications to the Authority for approval. The Participant must receive Approval from the Authority before moving forward with the evaluation and water budget.
2. The Authority will fund up to five HOA/Golf Course Irrigation Evaluation and Water Budgets during the Program Term.

Anticipated Data Required by Participant

1. The final HOA/Golf Course Irrigation Evaluation and Water Budget report from an Authority approved vendor.
2. If a Participant would like to continue receiving points for the HOA/Golf Course Irrigation Evaluation and Water Budget for the 2020 Program Term, historical and current water usage data must be submitted as required by the Authority in a report along with a list of the recommended repairs, maintenance, and upgrades that have been made in those subsequent years.

Participant Anticipated Time and Cost Contribution

1. The Participant's time to coordinate with the HOA or Golf Course on the HOA/Golf Course Irrigation Evaluation and Water Budget.
2. The Participant's consultant's time to provide the required data to the Authority.

Points*

1. The Initiative will be assigned two to three (2-3) points towards the total incentive goal. Please see the attached flow chart to determine the exact number of points. The points for this Initiative are available to the Participant for one (1) year following the HOA/Golf Course Irrigation Evaluation and Water Budget so long as the Participant continues to maintain the system as described in the final evaluation report and provides the Authority the required data to demonstrate continued maintenance and efforts towards meeting monthly watering recommendations, as well as any recommended repairs and upgrades made by the Participant.
2. For those Participants funding their own HOA/Golf Course Irrigation Evaluation and Water Budget, the Participants must submit to the Authority the final report from an Authority-approved

vendor along with the receipt for any follow up repairs. These Participants are eligible for points for one (1) year following the initial HOA/Golf Course Irrigation Evaluation and Water Budget if all information required by the Authority is provided each year.

3. The Participant may only submit one HOA/Golf Course Irrigation Evaluation and Water Budget per Program Term. Participant will not receive points for performing additional HOA/Golf Course Irrigation Evaluation and Water Budgets during the Program Term.

** Each entity participating in this Initiative may only be awarded points once per Program Term. If an HOA/Golf Course is the Participant in this Initiative, the points will be awarded directly to the HOA/Golf Course. If a MUD/City is the Participant in this Initiative, and the HOA/Golf Course is within the MUD/City boundaries, then the points will be awarded to the MUD/City. At least 20% of the Participant's service area must be contained in the HOA or Golf Course selected to receive the HOA/Golf Course Irrigation Evaluation and Water Budget.*

Fact Sheet: Effective Tiered Water Rates

Description

The Effective Tiered Water Rates Initiative requires the Participant to evaluate its historical data to set *effective* tiered water rates to curtail high water usage. The Participant may use either: i) the America Water Works Association (the "AWWA") Manual M1, *Principles of Water Rates, Fees and Charges*, Chapter 4: Rate Design and Appendix C: Bill Tabulation Methodology; or ii) the Alliance for Water Efficiency (the "AWE") Sales Forecasting and Rate Model. Average usage data and rate comparison studies will not be accepted.

Purpose

The purpose of this Initiative is to implement effective tiered water rates that promote water conservation and to determine if current water rates are deemed effective in water management.

Metrics

The success of this Initiative will be measured by a reduction in water used by the customers in top tiers of the water rates.

Materials and Services Provided by the Authority

1. The Authority will assist the Participants in creating effective tiered water rates, as requested.
2. The Authority will provide historical weather data to the Participants for the AWE Sales Forecasting and Rate Model.

Anticipated Data Required by Participant

1. The Participant must provide the Authority with a summary of the Participant's AWWA Manual M1 analysis or AWE Sales Forecasting and Rate Model output.
2. The Participant must provide the Authority with the new Rate Order containing the effective tiered water rates.
3. The Participant must adopt the new Rate Order with the effective tiered water rates during the Program Term.
4. The Participant must provide the Authority with monthly water usage data for customers in the top tiers during the Program Term.
5. The Participant must provide the Authority the monthly water usage data for the Homeowners Associations (HOAs) within their area and their corresponding water rate. This rate must promote water conservation.

Participant Anticipated Time and Cost Contribution

1. The Participant's consultant's time to perform the AWWA Manual M1 analysis or AWE Sales Forecasting and Rate Model analysis.

Points

1. Participants that adopt a qualifying new Rate Order during the 2019 Program Term will receive two (2) points towards the incentive goal. The Participant must demonstrate that its single-family residence and HOA tiered water rates both effectively promote water conservation, and satisfy, in the Authority's sole discretion, the Initiative's purpose and requirements.
2. The points for this Initiative will be awarded through the 2021 Program Term upon successful completion of the Initiative during the 2019 Program Term.

Fact Sheet: Rain Barrels

Description

This Initiative will promote the use of rain barrels by Participant's residents. Rain barrels allow residents to capture run off from their houses and use it for irrigation or other non-potable uses. The Participant may choose how to implement the Initiative - offering residents a rebate for installing a rain barrels at their homes, or giving rain barrels away as prizes at community events, etc. If a Participant chooses to offer a rebate program, participating residents must fill out a rebate form (available from the Authority's website) and submit the form to the Participant with a receipt for the rain barrel. Note: Rain barrel placement may be subject to HOA rules and regulations.

Purpose

The purpose of this Initiative is to promote water conservation among residents.

Metrics

The success of this Initiative will be measured by the number of rain barrels installed.

Materials and Services Provided by the Authority

1. For Participants that choose to implement a rain barrel rebate program, the Authority will provide the rebate forms via: www.TalkingSprinkler.com/toolbox, and will provide bill inserts upon request to notify residents of the rain barrel rebate program.

Anticipated Data Required by Participant

1. The number of rebates issues or the number of rain barrels installed.

Participant Anticipated Time and Cost Contribution

1. For Participants that choose to implement a rain barrel rebate program, the Participants must fund the rebates.
2. For Participants that choose to give away rain barrels to residents, the Participants must purchase the rain barrels.

Points

1. The Initiative will be assigned one (1) point towards the total incentive goal.
2. To receive points for this Initiative, a minimum of five (5) rebates must be distributed or a minimum of five (5) rain barrels must be given away. Members of the governing body for the Participant are not eligible.

Smart Technology

Description

This initiative will utilize "Smart Technology" water meters, leak sensors, smart phone applications, and online usage-tracking tools (collectively, "Smart Technology") to make residents more aware of their usage trends. Participants that utilize Smart Technology can reduce or eliminate manual meter reading, streamline billing, notify residents of potential leaks, and educate residents on ways to reduce water consumption. This Initiative is structured to accommodate the variations in each Participants size, financial situation, and composition of residential and commercial meters. The technologies featured in this program includes:

- Automatic Meter Reading (AMR) – Participant installs AMR equipment and collects drive-by meter readings once a month.
- Advanced Metering Infrastructure (AMI) – Participant installs AMI equipment and collects remote readings hourly.
- Customer Portal – Participant provides its residents with a smart phone application or other interactive online tool that allows residents to review their individual water usage information. The Customer Portal must provide residents with average usage in their service area, historical water trends, and tips to conserve water. Participants are encouraged to provide residents 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.
- Outreach Program – Participant creates a program to accompany any Smart Technology equipment or tools, and requires informing residents of the new Smart Technology through community meetings, social media posts, bill inserts, website posts, etc.

Purpose

The purpose of this Initiative is to allow residents to obtain more information on their water usage and reduce water consumption.

Metrics

The success of this Initiative will be measured by the percentage of a Participant's area with access to Smart Technology equipment and online tools.

Materials and Services Provided by the Authority

1. The Authority is available to answer questions about Smart Technology and provide references for Smart Technology vendors.

Anticipated Data Required by Participant

1. Participants must provide the Authority a report of their Smart Technology program including: previously implemented Smart Technology equipment and tools, a projected schedule for future implementation of Smart Technology equipment and tools, the cost of the Participant's Smart Technology program, number of residents per Program Term with access to the Smart Technology, and a copy of any applicable contracts.
2. Historical usage data to determine if new Smart Technology has affected residents' water usage.

Participant Anticipated Time and Cost Contribution

1. The Participant must pay for all costs associated with implementation of the Smart Technology equipment and tools.

Points

1. The points for this initiative vary based on the type and amount of Smart Technology implemented by the Participant. Generally, to receive the points identified below, a minimum of 20% of the residents within the Participant's boundary must have access to the Smart Technology equipment and tools by the end of the Program Term. Participants should contact the Authority if there are circumstances that prevent the 20% threshold from being met.
    a. AMR – One (1) point
    b. AMI – Two (2) points
    c. Customer Portal – Two (2) points
    d. Outreach Program – One (1) point

Fact Sheet: Irrigation Permits

Description

Under this Initiative, Participants must implement certain requirements for new irrigation systems within their boundaries. Pursuant to Texas Commission of Environmental Quality ("TCEQ") Title 30, Texas Administrative Code Chapter 344, the Authority has prepared an ordinance requiring all **new** irrigation systems to be permitted and inspected by a licensed irrigator. Participation in this Initiative is voluntary. The Authority will run the Initiative and coordinate with a consultant to implement the permit and inspection process. The Participants must inform the Authority of any irrigation systems that are installed within their boundaries without an irrigation permit and irrigation inspection.

Purpose

The purpose of this Initiative is to ensure irrigation systems are being installed in compliance with TCEQ standards.

Metrics

The success of this Initiative will be measured by the number of irrigation systems permitted and inspected.

Materials and Services Provided by the Authority

1. The Authority will prepare the irrigation permit ordinance.
2. The Authority will contract with a consultant to issue the irrigation permits and perform the irrigation inspections.

Anticipated Data Required by Participant

1. Participant must notify the Authority of any irrigation systems installed within its boundaries without an irrigation permit and irrigation inspection.

Participant Anticipated Time and Cost Contribution

1. Notify the Authority of any irrigation systems that are installed within their boundaries without an irrigation permit and irrigation inspection.

Points

1. The Initiative will be assigned two to five (2-5) points towards the total incentive goal.

Percent Developed	Points
75%-99%	2
50%-74%	3
25%-49%	4
<25%	5

2. To receive the points, the Participant must inform the Authority of any irrigation systems installed within its boundaries without an irrigation permit and irrigation inspection. An online system designed by the Authority will determine if the Initiative is being implemented as specified in the Authority's ordinance.

2019 Other Water Conservation Programs Initiative

Description

Participants currently implementing, or that plan to implement, programs that promote water conservation that do not fit one of the ten (10) existing Initiatives may submit the program to the Authority for additional points. For example, Participants may apply to receive points for implementing programs such as:

1. The Fort Bend Subsidence District's WaterWise program;
2. Irrigation System Mapping, provided the Participant does not have as-builts from development;
3. Educational programs for local schools and organizations;
4. Irrigation system upgrades and modifications within the District or HOA landscaping beds; or
5. Other programs the Participant can demonstrate promote water conservation.

Purpose

The purpose of this Initiative is to allow residents to receive points for programs that promote water conservation but do not fit in to the 2019 Larry's Toolbox Program's ten (10) existing Initiatives.

Metrics

The success of this Initiative will be measured by the effort put forth by the Participant to implement the chosen program.

Materials and Services Provided by the Authority

The Authority will evaluate programs submitted by the Participants and determine the number of points awarded to each program.

Anticipated Data Required by Participant

Participants must provide the Authority all requested data, pictures, program details, implementation schedule, and other relevant information to show the success of the chosen program.

Participant Anticipated Time and Cost Contribution

The Participant must pay for all costs associated with implementation of the chosen program.

Points

The points for this initiative vary based on the Authority's evaluation of the chosen program. The number of points assigned will depend on the cost of the program, the amount of effort involved in carrying out the chosen program, the number of residents the program impacts, and the impact the chosen program has on water conservation.

Point Matrix

Incentive Goal

Each Initiative has been assigned a specific number of points that will count towards the Incentive Goal. A Participant will receive points for each successfully implemented Initiative, as determined by the Authority. A participating MUD or City must achieve **nine (9) points** to receive the Incentivized Rate. HOAs should contact the Authority for point requirements. Participants enrolling in the Authority-funded HOA Irrigation System Evaluation and Water Budget Initiative should include alternative Initiatives and points below if they are not selected for that Initiative. Note: Enrollment Forms are due **December 31, 2018. Forms received after December 31, 2018 will not be accepted.**

Points	Initiative	Participation Points
2	Resident W.I.S.E Guys Irrigation System Evaluation	
3	Resident Water Conservation Rebates	
2	High Water User Notifications	
1	Conservation Information	
1	Native and Adaptive Plant Outreach	
2	HOA/Golf Course Irrigation Evaluation and Water Budget funded by the NFBWA *	
3	HOA/Golf Course Irrigation Evaluation and Water Budget funded by the HOA or MUD	
2	Effective Tiered Water Rates	
1	Smart Technology – AMR	
2	Smart Technology – AMI	
2	Smart Technology –Customer Portal	
1	Smart Technology –Outreach Program	
1	Rain Barrels	
2	Irrigation Permits 75% - 99% developed	
3	Irrigation Permits 50% - 74% developed	
4	Irrigation Permits 25% - 49% developed	
5	Irrigation Permits <25% developed	
TBD	Other Water Conservation Initiative	
	TOTAL POINTS	

*If Participant is not chosen to receive an Authority-funded Evaluation and Water Budget, please indicate which initiative (if any) will be implemented as an alternative to reach the Incentive Goal.

EXHIBIT B

2019 ENROLLMENT FORM

2019 LARRY'S TOOLBOX PROGRAM ENROLLMENT FORM

1. Participant Name: City of Fulshear

2. Participant Main Contact Name and Email: Sharon Valiante svaliante@fulsheartexas.gov

3. Participant's Attorney Name and Email: J Grady Randle grady@jgradyrandlepc.com

4. Participant's Legal Assistant Name and Email: Su Ann Thompson, su@jgradyrandlepc.com

5. Participant's Operator Name and Email: Inframark; vanessa.chapa@inframark.com

6. Additional Larry's Toolbox Contact (if any) Name and Email: Toni Velie, tvelie@fulsheartexas.gov

Please submit the completed form to the Authority c/o Whitney Milberger at wmilberger@bgeinc.com by December 31, 2018.

Enrollment: Circle the appropriate answer below and indicate which initiatives your entity would like to participate in during the 2019 Program Term.

Points	Initiatives
2	**Resident W.I.S.E Guys Irrigation System Evaluation** • Did you participate in the W.I.S.E Guys Irrigation System Evaluations program in 2018? Yes • If yes, did you cost-share with the Authority? Yes *a master district paid the fee* • Do you want to participate in the W.I.S.E. Guys Irrigation System Evaluation initiative for the 2019 Program Term (2 points)? Yes
	☑ Please check the box to acknowledge that to receive 2 points for this initiative **2.25%** of your total connections must receive an evaluation.
3	**Resident Water Conservation Rebates** • Are you interested in funding rebates to your residents who make approved upgrades to their irrigation system and/or indoor plumbing fixtures? No

	• If yes, do you want to participate in the Resident Irrigation System Upgrade initiative for the 2019 Program Term (3 points)? N/A • If yes, please indicate the number of connections you have: more than 1,000 connections
	☐ Please check the box to acknowledge that to receive 3 points for this initiative you must distribute: a) **$400** in rebates for participants with fewer than 1,000 connections; or b) **$600** in rebates for participants with more than 1,000 connections.
2	**High Water User Notifications** • Are you interested in contacting your high water users and providing them with information on how to reduce their water usage? Yes • If yes, do you want to participate in the High Water User Notification initiative for the 2019 Program Term (2 points)? Yes
	☑ Please check the box to acknowledge that to receive 2 points for this initiative the high water user notices must be distributed **monthly** from January 1, 2019 - December 31, 2019.
1	**Conservation Information** • Are you interested in providing your residents with information on water conservation? Yes • If yes, do you want to participate in the Conservation Information initiative for the 2018 Program Term (1 point)? Yes
	☑ Please check the box to acknowledge that to receive 1 point for this initiative, you must distribute the Authority-provided materials to your residents and include specific water conservation information on your water bills during certain months.
2	**Native and Adaptive Plant Outreach** • Are you interested in providing education information and resources to residents who want to incorporate native and adaptive plants in to their existing landscaping? No • If yes, do you want to participate in the Native and Adaptive Plant Outreach initiative? (2 points)? No

	☐ Please check the box to acknowledge that to receive 2 points for this initiative, you must implement an option detailed in the Fact Sheet.
2-3	**HOA/Golf Course Irrigation Evaluations and Water Budgets** • Have you previously received points for an HOA/Golf Course Irrigation Evaluation and/ or Water Budget through the Larry's Toolbox program? No • If Yes, what Program Term? 2018 *Please note that the Authority will not award points for this initiative if the report was submitted prior to the 2016 Program Term.* • If yes, do you want to receive points for that previous HOA/Golf Course Irrigation Evaluation and/or Water Budget in the 2019 Program Term by funding the upgrades/repairs recommended in your report? No • If you have not previously received an Authority-funded HOA/Golf Course Irrigation Evaluation and/or Water Budget, would you like to be considered to receive one of the five Authority-funded HOA/Golf Course Irrigation Evaluation and Water Budgets for the 2019 Program term (2 points)? No • If no, would you like to self-fund an irrigation evaluation or water budget and receive an additional point (3 points)? No
	☐ Please check the box to acknowledge that to receive points for this initiative you must: a) be responsible for all communication and coordination with your HOA/Golf Course; and b) if chosen to receive an Authority-funded HOA/Golf Course Irrigation Evaluation and Water Budget, enter into a Consulting Services Agreement with the Authority and an Authority-approved vendor to perform the HOA/Golf Course Irrigation Evaluation and Water Budget prior to December 31, 2019.
2-3	**Effective Tiered Water Rates** • Have you previously adopted a new Rate Order through the Larry's Toolbox program that contains effective tiered rates based on either the AWE Sales Forecasting Model or AWWA M1 Chapter 4? No • If Yes, what Program Term? N/A

	• If yes, do you want to receive points for this previously adopted Rate Order in the 2019 Program Term by ensuring your tiered rates effectively promote conservation (3 points)? No *Please note that the Authority will not award points for this initiative if the Rate Order was adopted prior to January 1, 2016.* • If no, do you want to participate in the Effective Tiered Water Rates initiative in the 2019 Program Term by amending your Rate Order to include effective tiered rates based on either the AWE Sales Forecasting Model or AWWA M1 Chapter 4 (2 points)? No
	☐ Please check the box to acknowledge that to receive 2 points for adopting a Rate Order with effective tiered rates during the 2019 Program Term, or to receive credit for a previously adopted Rate Order, you must ensure that your single-family residences and HOAs are paying water rates that promote water conservation as detailed in the Program Guide.
1	**Rain Barrels** • Are you interested in distributing rain barrels to residents to promote storm water capture and water conservation? Yes • If yes, would you like to participate in the Rain Barrel initiative for the 2019 Program Term (1 point)? Yes
	☑ Please check the box to acknowledge that to receive 1 point for this initiative you must ensure that at least 5 rain barrels are distributed to your residents; governing bodies for Participant are not eligible.
1-6	**Smart Technology** • Do you currently utilize any of the following technologies for at least 20% of your connections, and would you like to receive points for these efforts as part of the Smart Technology initiative for the 2019 Program Term? • Automated Meter Reading (1 point) Yes • Advanced Metering Infrastructure (2 points) Yes • Customer Portal such as smart phone application or online tool (2 points) Yes • Smart Technology Outreach Program (1 point) Yes

	• If no, do you plan to implement any of the following technologies for at least 20% of your connections during the 2019 Program Term?
	  • Automated Meter Reading (1 point) No
	  • Advanced Metering Infrastructure (2 points) No
	  • Customer Portal such as smart phone application or online tool (2 points) No
	  • Smart Technology Outreach Program (1 point) No
	• If yes, do you want to participate in the Smart Technology initiative for the 2019 Program Term? Yes

	☑ Please check the box to acknowledge that to receive the designated number of points for this initiative you must: a) ensure that your Smart Technology is implemented for at least 20% of your connections; and b) provide the Authority with information on your Smart Technology equipment and tools, including the projected schedule for implementation, the cost of the Smart Technology, the number of residents with access to the Smart Technology, and a copy of all Smart Technology contracts.
2-5	**Irrigation Permits** • Are you interested in monitoring newly installed irrigation systems within your boundaries to ensure the systems have been properly permitted and inspected as specified in the regulations in Chapter 344 of the Texas Commission on Environmental Quality Rules? Yes • If yes, would you like to receive points for the Irrigation Permits initiative for the 2019 Program Term? Yes • If yes, please select the percent developed below: 75-99% (2 points) 50-74% (3 points) 25-49% (4 points) <25% (5 points)
	☑ Please check the box to acknowledge that to receive the designated number of points for this initiative you must: a) ensure that all newly installed irrigation systems within your boundaries will comply with TCEQ Chapter 344 regulations;

	and b) report any new irrigation systems within your boundaries not complying with TCEQ Chapter 344 regulations to the Authority and notify the irrigation system owner of noncompliance.
TBD	**Other Water Conservation Initiative** • Are you currently implementing or planning to implement a water conservation program that does not fit one of the existing ten (10) Initiatives? No • If yes, would you like to submit this program to the Authority using the attached form for approval of points towards the Incentive Goal? No
	☐ Please check the box to acknowledge that to be considered for points, existing or planned water conservation programs must be submitted to the Authority along with all requested data.

Note: Municipal Utility Districts and cities must accumulate **nine (9) points** during the 2019 Program Term to receive the water conservation rebate payment. Homeowners associations and other Groundwater Reduction Plan ("GRP") Participants should contact the Authority for point requirements. Refer to the 2019 Program Guide for more information.

Thank you for your participation in the 2019 Larry's Toolbox Water Conservation Program. By submitting this Enrollment Form, Participant agrees to comply with all terms and conditions of the Program contained in the North Fort Bend Water Authority's Resolution Establishing the 2019 Larry's Toolbox Water Conservation Program and the 2019 Larry's Toolbox Program Guide.

2019 LARRY'S TOOLBOX PROGRAM
EXISTING WATER CONSERVATION PROGRAM
SUBMITTAL FORM

1. Participant Name:_____

2. Participant Main Contact Name and Email:_____

3. Description of Program: _____

_____

_____

4. Cost:_____

_____

5. Municipal Utility District/Homeowners Association contributions:_____

_____

6. Results:_____

_____

_____

_____

Please submit the completed form to the Authority c/o Whitney Milberger at wmilberger@bgeinc.com by December 31, 2018.

Thank you for your participation in the 2019 Larry's Toolbox Water Conservation Program. By submitting this Enrollment Form, Participant agrees to comply with all terms and conditions of the Program contained in the North Fort Bend Water Authority's Resolution Establishing the 2019 Larry's Toolbox Water Conservation Program and the 2019 Larry's Toolbox Program Guide.

Submit Form

2019 LARRY'S TOOLBOX PROGRAM SUMMARY

The North Fort Bend Water Authority (the "Authority") is excited to introduce the Larry's Toolbox Water Conservation Program (the "Program") for the 2019 Program Term (the "2019 Program Term"). While full details regarding this year's Program can be found in the 2019 Larry's Toolbox Program Guide (the "2019 Program Guide"), a summary of the changes made to the initiatives for the 2019 Program Term include:

- **Residential Water Conservation Rebates**: (Formerly the Resident Irrigation System Upgrade initiative.) This initiative was broadened to include indoor-fixture upgrade rebates to allow involvement by Participants without outdoor irrigation systems.
- **Conservation Information:** The native plant component of this initiative is now a separate initiative.
- **Homeowner Association/Golf Course Irrigation Evaluation and Water Budget:** During the 2019 Program Term, Participants that complete an Authority-funded evaluation will be eligible to receive points for one (1) year following the successful completion of this initiative. All Participants that completed an Authority-funded evaluation prior to the 2019 Program Term will continue to receive points pursuant to the program guide for the program term in which the irrigation evaluation and/or water budget was completed.
- **Effective Tiered Water Rates:** Participants ***must*** use the AWWA Manual M1 or AWE Sales Forecasting and Rate Model in developing their effective tiered water rates. The Authority will no longer accept average usage data or rate comparison information as a method for creating the effective tiered rate.
- **Rain Barrels:** The required number of rain barrels that must be distributed has been increased to five (5).

The Authority has added two new initiatives for the 2019 Program Term. Please see the Fact Sheets in the 2019 Program Guide for details:

- **Native and Adaptive Plant Outreach; and**
- **Other Water Conservation Program.**

Requirements for the following initiatives have not changed for the 2019 Program Term:

- **W.I.S.E. Guys Resident Irrigation Evaluations;**
- **High Water User Notifications;**
- **Smart Technology; and**
- **Irrigation Permits.**

The Authority's Board appreciates each Participant's ongoing commitment to water conservation. If you have any further questions regarding Program enrollment or this year's initiatives, please contact Whitney Milberger with BGE, Inc., at WMilberger@bgeinc.com.

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

AGENDA OF:	November 20, 2018	**AGENDA ITEMS:**	BUS- F & H
DATE SUBMITTED:	November 9, 2018	**DEPARTMENT**	Economic Development
PREPARED BY:	Angela Fritz, Economic Development Director	**PRESENTER:**	Same
SUBJECTS:	**City of Fulshear Development Corporation (A)** **Economic Development Strategic Planning Project Approval**		
ATTACHMENTS:	1. Resolution No. 2018-409		
EXPENDITURE REQUIRED:		N/A	
AMOUNT BUDGETED: **FUNDING ACCOUNT:**			
ADDITIONAL APPROPRIATION REQUIRED: **FUNDING ACCOUNT:**		N/A	

EXECUTIVE SUMMARY

The City of Fulshear Development Corporation (CDC) will consider a project at a special joint meeting on November 19, 2018 for economic development strategic planning.

Because the City's population is under 20,000 and the proposed specific project expenditure is greater than $10,000, the Local Government Code requires the authorizing entity (City Council) to adopt a resolution authorizing the project after giving the resolution at least two separate readings before the EDC may spend funds related to the project/s.

RECOMMENDATION

Staff recommends adoption of Resolution No. 2018-409 authorizing the City of Fulshear Development Corporation's project and expenditures for economic development strategic planning services.

RESOLUTION NO. 2018-409

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS
AUTHORIZING PROJECTS OF THE
CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC),
A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION

WHEREAS, the CITY OF FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City pursuant to Chapter 504 of the Development Corporation Act, Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the City adopted Ordinance No. 2011-1046 on October 1, 2011, approving the participation of the Corporation in projects previously approved only for 4B development corporations under the auspices of HB 3302; and

WHEREAS, the Corporation adopted Resolution CDC 18-02 on November 19, 2018, attached hereto as "Exhibit A," proposing a project of the Corporation, being expenditures for economic development strategic planning services found by the Board of Directors to promote new or expanded business development; and

WHEREAS, the estimated amount of expenditures for such project is $[_____]; and

WHEREAS, the Corporation may not undertake such project until the City adopts this Resolution after at least two separate readings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT:

Section 1. The City hereby authorizes the project proposed by Resolution CDC 18-02 and the associated expenditure of funds, being expenditures found by the Board of Directors to promote new or expanded business development.

PASSED AND APPROVED this 20TH DAY OF NOVEMBER, 2018.

_____
Aaron Groff, Mayor
City of Fulshear, Texas

ATTEST:

_____
Kim Kopecky, City Secretary
City of Fulshear, Texas

DRAFT

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

AGENDA OF:	November 20, 2018	**AGENDA ITEMS:**	BUS- G & I
DATE SUBMITTED:	November 9, 2018	**DEPARTMENT**	Economic Development
PREPARED BY:	Angela Fritz, Economic Development Director	**PRESENTER:**	Same
SUBJECTS:	**Fulshear Development Corporation (B)** **Economic Development Strategic Planning Project Approval**		
ATTACHMENTS:	1. Resolution No. 2018-410		
EXPENDITURE REQUIRED:		N/A	
AMOUNT BUDGETED: **FUNDING ACCOUNT:**			
ADDITIONAL APPROPRIATION REQUIRED: **FUNDING ACCOUNT:**		N/A	

EXECUTIVE SUMMARY

The Fulshear Development Corporation (FDC) will consider a project at a special joint meeting on November 19, 2018 for economic development strategic planning.

Because the City's population is under 20,000 and the proposed specific project expenditure is greater than $10,000, the Local Government Code requires the authorizing entity (City Council) to adopt a resolution authorizing the project after giving the resolution at least two separate readings before the EDC may spend funds related to the project/s.

RECOMMENDATION

Staff recommends adoption of Resolution No. 2018-410 authorizing the Fulshear Development Corporation's project and expenditures for economic development strategic planning services.

RESOLUTION NO. 2018-410

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS
AUTHORIZING PROJECTS OF THE
FULSHEAR DEVELOPMENT CORPORATION (FDC),
A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION

WHEREAS, the FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City pursuant to Chapter 505 of the Development Corporation Act, Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the Corporation adopted Resolution FDC 18-02 on November 19, 2018, attached hereto as "Exhibit A," proposing a project of the Corporation, being expenditures for economic development strategic planning services found by the Board of Directors to promote new or expanded business development; and

WHEREAS, the estimated amount of expenditures for such project is $[_____]; and

WHEREAS, the Corporation may not undertake such project until the City adopts this Resolution after at least two separate readings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT:

Section 1. The City hereby authorizes the project proposed by Resolution FDC 18-02 and the associated expenditure of funds, being expenditures found by the Board of Directors to promote new or expanded business development.

PASSED AND APPROVED this 20TH DAY OF NOVEMBER, 2018.

_____
Aaron Groff, Mayor
City of Fulshear, Texas

ATTEST:

_____
Kim Kopecky, City Secretary
City of Fulshear, Texas

DRAFT

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

AGENDA OF:	November 20, 2018	**AGENDA ITEMS:**	BUS- J
DATE SUBMITTED:	November 13, 2018	**DEPARTMENT**	Economic Development
PREPARED BY:	Angela Fritz, Economic Development Director	**PRESENTER:**	Same
SUBJECTS:	**Economic Development Strategic Planning Services Contract**		
ATTACHMENTS:	1. Contract for Economic Development Strategic Planning Services (will be provided prior to consideration) 2. Request for Proposals		
EXPENDITURE REQUIRED:	TBD at Joint EDC Meeting 11/19/18		
AMOUNT BUDGETED:	See above		
FUNDING ACCOUNT:	601-5-000-5470-03 701-5-000-5470-03		

EXECUTIVE SUMMARY

A Request for Proposals (RFP) was issued for Economic Development Strategic Planning Services with a deadline of October 26. Notice of the RFP was printed in the City's paper of record and also posted on the Texas Economic Development Council's website. Three (3) proposals were received. The proposals were scored according to criteria outlined in the RFP by a ranking group consisting of the Mayor, the President of each Economic Development Corporation, and two staff persons. Two firms were selected as finalists and interviewed November 2 by this same group.

The RFP ranking group will recommend a consultant to provide said services at a special joint meeting of the Economic Development Corporations on Monday, November 19. The EDCs will also each consider making the necessary funding allocations for same at the 11/19 meeting. The EDCs' recommendation will then be brought to Council for consideration of the final contract which is anticipated to be greater than $50,000.

In an effort to expedite the project as much as possible, this item has been included on Council's agenda to allow for consideration and approval of the final contract following the special joint EDC meeting. Final documents are under development/review currently, and will be disseminated to Council prior to consideration.

RECOMMENDATION

Staff recommends approval of the contract and consultant as presented.