CITY OF HUTTO, TEXAS
REGULAR CITY COUNCIL MEETING
THURSDAY, APRIL 2, 2015 AT 7:00 PM
CITY HALL - CITY COUNCIL CHAMBERS
401 WEST FRONT STREET

CITY COUNCIL

Debbie Holland, Mayor
Anne Cano, Place 1
Paul Prince, Place 2
Ronnie Quintanilla-Perez, Place 3, Mayor Pro-tem
Michael J. Smith, Place 4
Melanie Rios, Place 5
Max V. Yeste, Place 6

AGENDA

1. CALL SESSION TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. PROCLAMATIONS:
   5A. Proclamation declaring April 11, 2015, as 'Don't Mess with Hutto, Texas Day.'

6. PUBLIC COMMUNICATION
   6A. Remarks from visitors. (Three-minute time limit)

7. PRESENTATIONS:
   7A. Demonstration of Williamson County Emergency Communications' Intuitive EMS Dispatch System

REGULAR AGENDA ITEMS

1 April 2, 2015 - City Council Agenda
8. **ORDINANCES:**


8B. Consideration and possible action on the first reading of an ordinance amending the Fiscal Year 2014-15 Budget.

9. **RESOLUTIONS:**

9A. Consideration and possible action on a resolution concerning an Interlocal Agreement with Williamson County for the reconstruction of Limmer Loop within the City limits.

9B. Consideration and possible action on a resolution concerning the adoption of the City of Hutto's Stormwater Management Program.

10. **OTHER BUSINESS:**

10A. Consideration and possible action on the meeting minutes for the March 11, 2015 City Council and Economic Development Corporation Board of Directors work session and March 19, 2015 City Council regular session.

10B. Consideration and possible action on the recommendation from the Leadership and Legislative Committee regarding the appointment to the Building and Standards Commission.

11. **ADJOURNMENT**

The City Council for the City of Hutto reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by the Texas Government Code Sections 551.071 [Litigation/Consultation with Attorney], 551.072 [Deliberations regarding real property], 551.073 [Deliberations regarding gifts and donations], 551.074 [Deliberations regarding personnel matters] or 551.076 [Deliberations regarding deployment/implementation of security personnel or devices] and 551.087 [Deliberations regarding Economic Development negotiations].

**CERTIFICATION**

I certify that this notice of the April 2, 2015 Hutto City Council meeting was posted on the City Hall bulletin board of the City of Hutto on Friday, the 27th day of March 2015 at 3:35 pm.

Christine Martinez, City Secretary
The City of Hutto is committed to comply with the American with Disabilities Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special communications or accommodations must be made 48 hours prior to the meeting. Please contact the City Secretary at (512) 759-4033 or city.secretary@hutto.tx.gov for assistance.
ITEM: Proclamation declaring April 11, 2015, as 'Don't Mess with Hutto, Texas Day.'

ITEM BACKGROUND: The City of Hutto is excited to announce this year’s 10th Annual Don’t Mess with Hutto, Texas Trash-Off event is again combining forces with the City’s Annual Junk Round-up event on Saturday, April 11, 2015. Hutto joins various volunteer groups by attacking litter along its roadways, parks, school sites and neighborhoods in our the community with the opportunity for home owners to take care of properly disposing of household items and recycling. By combining resources and volunteers, the Don't Mess with Hutto, Texas Trash-Off and the Junk Round-up become a concerted community effort known as Hutto's BIG EVENT.

This year’s event will begin with a morning breakfast and a pep rally, dispersal of supplies (trash bags, gloves, safety vests, etc.) and then volunteers will be split between working on litter around town as well as the manning of stations at the Junk Round-up drop off areas. Volunteers will be treated to a lunch and door prizes following their hard work to clean up Hutto.

Clean neighborhoods not only provide a pleasant place to live but they also help aid in crime prevention. This event is a great opportunity for local Home Owners’ Associations, Parent-Teacher-Child organizations, and service groups to become more involved in their neighborhoods, school sites, and the Hutto community.

Trucks with trailers will be available for the disposal of material during the event. Hutto’s BIG EVENT welcomes financial sponsorship and in-kind donations as a way to participate even if one cannot take part in the clean up activity. Everyone can make a difference in beautifying Hutto.

BUDGETARY AND FINANCIAL SUMMARY:
Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:
Parks Advisory Board, Keep Hutto Beautiful, the Green Committee and Leadership Hutto encourage this proclamation.
CITY ATTORNEY REVIEW:
Not applicable.

STAFF RECOMMENDATION:
Staff recommends this proclamation which is planned for presentation as part of the morning pep rally.

SUPPORTING MATERIAL:
1. Proclamation - Don't Mess with Hutto, Texas Day
OFFICIAL PROCLAMATION

WHEREAS, Keep Texas Beautiful is working with communities, counties and volunteer groups statewide to conduct litter prevention, recycling, beautification, community improvement and waste minimization activities as part of Keep America Beautiful’s Great American Clean-up; and,

WHEREAS, Keep Hutto Beautiful and the Hutto Parks & Recreation Department, strive to empower individuals to take greater responsibility for enhancing their community environment while participating in the “Don’t Mess With Texas Trash-Off” by keeping litter out of Hutto Lake, Cottonwood Creek, Brushy Creek and other creek systems as this litter detracts from the beauty of water ways, can endanger fish and wildlife, and lead to flooding; and,

WHEREAS, the City of Hutto Employees Green Committee and Leadership Hutto participants join together in providing the “Junk Round-Up” as another way of helping Hutto citizens start at their own homes to create a cleaner community; and,

WHEREAS, community and school service groups are organized and ready to mobilize to attack litter and debris along Hutto streets, parks, school sites and waterways with support of local businesses who provide generous contributions for beautification projects; and,

WHEREAS, Keep Hutto Beautiful wishes to support the nation’s largest organized cleanup, beautification, and community involvement program, built on the foundation of civic pride and individual responsibility.

NOW, THEREFORE, I, DEBBIE HOLLAND, MAYOR OF THE CITY OF HUTTO, do hereby proclaim Saturday, April 11, 2015, as:

“DON’T MESS WITH HUTTO, TEXAS DAY”

in Hutto, as part of “Hutto’s BIG EVENT” in the City of Hutto as we celebrate by cleaning up our city through the combined Trash Off and Junk Round-up events, and I urge all businesses and citizens to participate through volunteerism and sponsorship of these programs in an effort to clean up Hutto.

PROCLAIMED this the 2nd day of April, 2015.

CITY OF HUTTO, TEXAS

__________________________
Debbie Holland, Mayor
Demonstration of Williamson County Emergency Communications’ Intuitive EMS Dispatch System

This work session is the first in a series of educational opportunities for the City Council to begin mapping the future of Hutto’s Public Safety services. With our community’s continued growth, this is an opportune time to customize the delivery of services for the safety of Hutto’s residents. These educational work sessions will be designed to provide information on Hutto’s existing needs and explore emerging trends and technological advances to secure Hutto’s future as a safe city.

This first work session will explore the deployment methods used by Williamson County Emergency Medical Services.

BUDGETARY AND FINANCIAL SUMMARY:

n/a

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

CITY ATTORNEY REVIEW:

STAFF RECOMMENDATION:

SUPPORTING MATERIAL:
There are no supporting documents.
AGENDA ITEM NO.: 8A.  AGENDA DATE: April 02, 2015

PRESENTED BY: Karen Daly, City Manager


STRATEGIC GUIDE POLICY: Infrastructure

ITEM BACKGROUND:
The Texas Water Development Board requires the submission of a Water Conservation Plan in order to plan for the long-term water needs for the State of Texas. Each Water Conservation Plan must contain a utility profile, drought contingency plan, 5- and 10-year targets, water rate structure that doesn't encourage excessive water use and other planning elements. One of the sections, the Drought Contingency Plan, has enforcement provisions and must be adopted by ordinance. Currently, Hutto's Code of Ordinances includes two sections that provide duplicate and contradictory information. This amendment would consolidate two sections into one.

Water Conservation Plans must be submitted by May 1st to the State.

BUDGETARY AND FINANCIAL SUMMARY:
Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:
The Growth Guidance Committee reviewed the Water Conservation Plan and the City's Drought Contingency Plan on March 16, 2015.

CITY ATTORNEY REVIEW:
Not applicable.

STAFF RECOMMENDATION:
It is recommended that the City Council approve the amendment to the City's Drought Contingency Plan.

SUPPORTING MATERIAL:

1. Ordinance - Drought Contingency
1. Ordinance - Drought Contingency
2. Water Conservation Plan
3. Drought Contingency Plan
ORDINANCE NO. ______

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (2014), CITY OF HUTTO, TEXAS, CHAPTER 24, ARTICLE 24.07, WATER CONSERVATION AND DROUGHT RESPONSE BY REPEALING WATER CONSERVATION, DIVISION 2, AND DROUGHT CONTINGENCY PLAN, DIVISION 3, IN THEIR ENTIRETY AND REPLACING WITH A NEW DIVISON 2 DROUGHT CONTINGENCY PLAN, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

I.

That Chapter 24, Article 24.07, Division 2 and Division 3, Code of Ordinances, City of Hutto, Texas, are hereby replaced in their entirety and shall read as follows:

Division 2. Drought Contingency Plan

Section 24.07.031: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Hutto hereby adopts the following regulations and restrictions on the delivery and consumption of water through a resolution.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section XI of this Plan.

Section 24.07.032: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the City by means of press release, scheduling and providing public notice of a public meeting to accept input on the Plan.

Section 24.07.033: Public Education
The City of Hutto will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of press releases, utility bill inserts or other suitable methods.

Section 24.07.034: Coordination with Regional Water Planning Groups

The service area of the City of Hutto is located within groundwater conservation district 50 and the City has provided a copy of this Plan to Regional Water Planning Group G.

Section 24.07.035: Authorization

The City Manager, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager, or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section 24.07.036: Applicability

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Hutto. The terms, person and customer, as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section 24.07.037: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by City of Hutto.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.
Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

(a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
(b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
(c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
(d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
(e) flushing gutters or permitting water to run or accumulate in any gutter or street;
(f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
(g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
(h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
(i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Section 24.07.038: Criteria for Initiation and Termination of Drought Response Stages

The City shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified triggers are reached.

The triggering criteria described below are based on known water supply capacity limits and contractual requirements.

Stage 1 Triggers - MILD Water Shortage Conditions

Requirements for initiation
Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII Definitions, when:

1) When total daily water demand equals or exceeds 85 percent of the total combined supply available
from the City’s wholesale water purchase contracts for 3 consecutive days.

2) If, pursuant to requirements specified in the City of Hutto wholesale water purchase contract with Manville Water Supply Corporation, notification is received requesting initiation of Stage 1 of the Drought Contingency Plan and the City chooses to continue receiving Manville water during that period.

Requirements for termination
Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

Stage 2 Triggers - MODERATE Water Shortage Conditions

Requirements for initiation
Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when

1) When total daily water demand equals or exceeds 90 percent of the total combined supply available from the City’s wholesale water purchase contracts for 3 consecutive days.

2) If, pursuant to requirements specified in the City of Hutto wholesale water purchase contract with Manville Water Supply Corporation, notification is received requesting initiation of Stage 2 of the Drought Contingency Plan and the City chooses to continue receiving Manville water during that period.

Requirements for termination
Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

Stage 3 Triggers - SEVERE Water Shortage Conditions

Requirements for initiation
Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when

1) When total daily water demand equals or exceeds 95 percent of the total combined supply available from the City’s wholesale water purchase contracts for 3 consecutive days.

2) If, pursuant to requirements specified in the City of Hutto wholesale water purchase contract with Manville Water Supply Corporation, notification is received requesting initiation of Stage 3 of the Drought Contingency Plan and the City chooses to continue receiving Manville water during that period.
Requirements for termination
Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

Stage 4 Triggers - CRITICAL Water Shortage Conditions

Requirements for initiation
Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when

1) When total daily water demand equals or exceeds 97 percent of the total combined supply available from the City’s wholesale water purchase contracts for 3 consecutive days.

2) If, pursuant to requirements specified in the City of Hutto wholesale water purchase contract with Manville Water Supply Corporation, notification is received requesting initiation of Stage 4 of the Drought Contingency Plan and the City chooses to continue receiving Manville water during that period.

Requirements for termination
Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

Stage 5 Triggers - EMERGENCY Water Shortage Conditions

Requirements for initiation
Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when City Manager, or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or

2. Natural or man-made contamination of the water supply source(s).

Requirements for termination
Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 2 consecutive days.

Stage 6 Triggers - WATER ALLOCATION

Requirements for initiation
Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and
comply with the requirements and restrictions for Stage 5 of this Plan when the City Manager determines water allocation is necessary.

Requirements for termination - Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

Section 24.07.039:  Drought Response Stages

The City Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shHage condition exists and shall implement the following notification procedures:

Notification
Notification of the Public:
The City Manager or his/ her designee shall notify the public by means of:

   (a) Publication on City Website
   (b) Press Release

Additional Notification:
The City Manager or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

   Mayor and members of the City Council
   Williamson County Emergency Services District #3 Fire Chief
   City Emergency Management Coordinator
   County Judge & Commissioner(s)
   TCEQ (required when mandatory restrictions are imposed)
   Major water users
   Critical water users, i.e. hospitals
   Parks / street superintendents & public facilities managers

Stage 1 Response - MILD Water Shortage Conditions

**Target:** Achieve a voluntary 10 percent reduction in water use

Voluntary Water Use Restrictions for Reducing Demand:

   (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 6:00 a.m. and
8:00 p.m. to midnight on designated watering days.

(b) All City Operations shall adhere to water use restrictions prescribed for Stage 2 of the Plan.

(c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response - MODERATE Water Shortage Conditions

**Target:** Achieve a 20 percent reduction in water use.

**Best Management Practices for Supply Management:**

The City will implement the following measures to manage limited water supplies and/or reduce water demand:

(a) Reduce or discontinue flushing of water mains,

(b) Reduce or discontinue irrigation of public landscaped areas.

The City will comply with water use restrictions for Stage 2 when Stage 2 is implemented.

**Water Use Restrictions for Demand Reduction:**

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

(a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 6:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

(b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 6:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
(c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 6:00 a.m. and between 8:00 p.m. and 12:00 midnight.

(d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.

(e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City.

(f) All restaurants are prohibited from serving water to patrons except upon request of the patron.

(g) The following uses of water are defined as non-essential and are prohibited:

1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
3. use of water for dust control;
4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response - SEVERE Water Shortage Conditions

**Target:** Achieve a 40 percent reduction in daily water use.

**Best Management Practices for Supply Management:**

The City will implement the following measures to manage limited water supplies and/or reduce water demand:

(c) Reduce or discontinue flushing of water mains,

(d) Reduce or discontinue irrigation of public landscaped areas.

The City must comply with water use restrictions for Stage 3 when Stage 3 is implemented.

**Water Use Restrictions for Demand Reduction:**

All requirements of Stage 2 shall remain in effect during Stage 3 except:

(a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of
12:00 midnight and 6:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.

Stage 4 Response - CRITICAL Water Shortage Conditions

**Target:** Achieve a 60 percent reduction in daily water use.

Best Management Practices for Supply Management:

The City will implement the following measures to manage limited water supplies and/or reduce water demand:

(a) Reduce or discontinue flushing of water mains,

(b) Reduce or discontinue irrigation of public landscaped areas.

The City must comply with water use restrictions for Stage 4 when Stage 4 is implemented.

Water Use Restrictions for Reducing Demand: All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

(a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 6:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.

(b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 12:00 a.m. and 6:00 a.m. and between 8:00 p.m. and 12:00 midnight.

(c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.

(d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.

(e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time
as this drought response stage or a higher-numbered stage shall be in effect.

(f) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 5 Response -- EMERGENCY Water Shortage Conditions

**Target:** Achieve a 75 percent reduction in daily water use.

**Best Management Practices for Supply Management:**

The City will implement the following measures to manage limited water supplies and/or reduce water demand:

(a) Discontinue flushing of water mains,

(b) Discontinue irrigation of public landscaped areas.

The City must comply with water use restrictions for Stage 5 when Stage 5 is implemented.

**Water Use Restrictions for Reducing Demand.** All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

(a) Irrigation of landscaped areas is absolutely prohibited.

(b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Stage 6 Response - WATER ALLOCATION

In the event that water shortage conditions threaten public health, safety, and welfare, the City is hereby authorized to allocate water according to the following water allocation plan:

**Single-Family Residential Customers**

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

<table>
<thead>
<tr>
<th>Persons per Household</th>
<th>Gallons per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 or 2</td>
<td>6,000</td>
</tr>
<tr>
<td>3 or 4</td>
<td>7,000</td>
</tr>
<tr>
<td>5 or 6</td>
<td>8,000</td>
</tr>
<tr>
<td>7 or 8</td>
<td>9,000</td>
</tr>
<tr>
<td>9 or 10</td>
<td>10,000</td>
</tr>
</tbody>
</table>
11 or more 12,000

Household means the residential premises served by the customer’s meter. Persons per household include only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer’s household is comprised of two (2) persons unless the customer notifies the City of a greater number of persons per household on a form prescribed by the City Manager, or his/her designee. The City Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility to go to the City of Hutto Utility Billing Offices to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the City Manager. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the City on such form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the City in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the City Manager shall adopt methods to insure the accuracy of the claim.

Any person who falsely reports the number of persons in a household or fails to timely notify the City of a reduction in the number of persons commits a Class C misdemeanor offense and shall be fined not less than $100.00. No culpable mental state is required to prove this offense. If it shown during the trial of the offense that the offense was committed intentionally, knowingly, recklessly, or with criminal negligence then the person shall be fined not less than $500 nor more than $2000.

Residential water customers shall pay the surcharges as provided in the fee schedule in appendix A of this code. Surcharges shall be cumulative.

**Master-Metered Multi-Family Residential Customers**

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (example: apartments, mobile homes) shall be allocated 6,000 gallons per month for each dwelling unit. It shall be assumed that such a customer’s meter serves two dwelling units unless the customer notifies the City of a greater number on a form prescribed by the City Manager. The City Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility to go to the City of Hutto Utility Billing offices to complete and sign the form claiming more than two (2) dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for water service on the form prescribed by the City Manager. If the number of dwelling units served by a master meter is reduced, the customer shall notify the City in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the City Manager shall adopt methods to insure the accuracy of the claim.

Any person who falsely reports the number of dwelling units served by a master meter or fails to timely notify the City of a reduction in the number dwelling units commits a Class C misdemeanor offense and
shall be fined not less than $100. No culpable mental state is required to prove this offense. If it shown during the trial of the offense that the offense was committed intentionally, knowingly, recklessly, or with criminal negligence then the person shall be fined not less than $500 nor more than $2000.

Customers billed from a master meter under this provision who exceed their monthly allocations shall pay monthly surcharges as provided in the fee schedule in appendix A of this code. Surcharges shall be cumulative.

**Commercial Customers**

A monthly water allocation shall be established by the City for each nonresidential commercial customer other than an industrial customer who uses water for processing purposes. The non-residential customer’s allocation shall be approximately 75 percent of the customer’s usage for corresponding month’s billing period for the previous 12 months. If the customer’s billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. Provided, however, a customer, 75 percent of whose monthly usage is less than 3000 gallons, shall be allocated 3000 gallons. The City Manager shall give his/her best effort to see that notice of each non-residential customer’s allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer’s responsibility to contact the City of Hutto Utility Billing Department to determine the allocation. Upon request of the customer or at the initiative of the City Manager, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer’s normal water usage, (2) one nonresidential customer agrees to transfer part of its allocation to another nonresidential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the City Manager. Nonresidential commercial customers shall pay surcharges as provided in the fee schedule in appendix A of this code. The surcharges shall be cumulative.

**Industrial Customers**

A monthly water allocation shall be established by the City for each industrial customer, which uses water for processing purposes. The industrial customer’s allocation shall be approximately 90 percent of the customer’s water usage baseline. Ninety (90) days after the initial imposition of the allocation for industrial customers, the industrial customer’s allocation shall be further reduced to 80 percent of the customer’s water usage baseline. The industrial customer’s water use baseline will be computed on the average water use for the immediately preceding 12 month period ending prior to the date of implementation of Stage 2 of the Plan. If the industrial water customer’s billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists. The City shall give best effort to see that notice of each industrial customer’s allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer’s responsibility to contact the City of Hutto Utility Billing Department to determine the allocation, and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the City, the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer’s normal water use because the customer had shutdown a major processing unit for repair or overhaul during the period, (2) the customer has added or is in the process of adding significant
additional processing capacity, (3) the customer has shutdown or significantly reduced the production of a major processing unit, (4) the customer has previously implemented significant permanent water conservation measures such that the ability to further reduce water use is limited, (5) the customer agrees to transfer part of its allocation to another industrial customer, or (6) if other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the City Manager. Industrial customers shall pay surcharges as identified in appendix A of this code. The surcharges shall be cumulative.

Section 24.07.040: Enforcement; Penalty

(a) No person shall knowingly or intentionally allow the use of water from the City for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by City Manager, or his/her designee, in accordance with provisions of this Plan.

(b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine in accordance with the general penalty in section 1.01.009 of this code. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the City Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge as provided in the fee schedule of appendix A of this code and any other costs incurred by the City in discontinuing service. In addition, suitable assurance must be given to the City Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

(c) Any person, including a person classified as a water customer of the City, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person’s property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parent’s control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

(d) Any police officer or other employee of the City designated by the City Manager may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon
delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator’s immediate family or is a resident of the violator’s residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in municipal court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

**Section 24.07.041: Variances**

The City Manager, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

(a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
(b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager, or his/her designee, and shall include the following:

(a) Name and address of the petitioner(s).
(b) Purpose of water use.
(c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
(d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
(e) Description of the relief requested.
(f) Period of time for which the variance is sought.
(g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
(h) Other pertinent information.

Variances granted by the City shall be subject to the following conditions, unless waived or modified by the City Manager or his/her designee:

(a) Variances shall include a timetable for compliance.
(b) Variances granted shall expire when the plan is no longer in effect, unless the petitioner has failed to meet specific requirements.

No variance shall be retroactive or otherwise justify any violation of this plan occurring prior to the issuance of the variance.
II.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this _____ day of ________________, 2015.

Alternative 2.

READ and APPROVED on first reading this the _____ day of ________________, 2015.

READ, APPROVED and ADOPTED on second reading this the ____ day of ________________, 2015.

__________________________________
Debbie Holland, Mayor
City of Hutto, Texas

ATTEST:
Texas Commission on Environmental Quality

UTILITY PROFILE AND WATER CONSERVATION PLAN
REQUIREMENTS FOR MUNICIPAL WATER USE
BY RETAIL PUBLIC WATER SUPPLIERS

This form is provided to assist retail public water suppliers in water conservation plan development. If you need assistance in completing this form or in developing your plan, please contact the conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4691.

Name: City of Hutto
Address: 401 West Front Street
Telephone Number: (512) 759-4016 Fax: (512) 759-4017

Regional Water Planning Group: G
Form Completed by: Michael Lafferty, PE
Title: Senior Associate Engineer
Person responsible for implementing conservation program: Scot Stromsness Phone: (512) 759-4016

Signature: ____________________________ Date: / /

NOTE: If the plan does not provide information for each requirement, include an explanation of why the requirement is not applicable.
I. POPULATION AND CUSTOMER DATA

A. Population and Service Area Data

1. Attach a copy of your service-area map and, if applicable, a copy of your Certificate of Convenience and Necessity (CCN).

2. Service area size (in square miles): 10
   (Please attach a copy of service-area map)

3. Current population of service area: 13,649

4. Current population served for:
   a. Water 13,649
   b. Wastewater 20,302

5. Population served for previous five years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>13649</td>
</tr>
<tr>
<td>2013</td>
<td>12964</td>
</tr>
<tr>
<td>2012</td>
<td>12462</td>
</tr>
<tr>
<td>2011</td>
<td>11879</td>
</tr>
<tr>
<td>2010</td>
<td>10283</td>
</tr>
</tbody>
</table>

6. Projected population for service area in the following decades:

<table>
<thead>
<tr>
<th>Year</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>16974</td>
</tr>
<tr>
<td>2030</td>
<td>22406</td>
</tr>
<tr>
<td>2040</td>
<td>28456</td>
</tr>
<tr>
<td>2050</td>
<td>35001</td>
</tr>
<tr>
<td>2060</td>
<td>42001</td>
</tr>
</tbody>
</table>

7. List source or method for the calculation of current and projected population size.

Estimates for current population served by retail water and wastewater service are based upon current customer accounts multiplied by 3.1 people per household (per census). Projected population served by water is calculated using the current population estimate and multiplying by TWDB growth rates for Hutto. Projected population served by wastewater service is taken from values in the Hutto Regional Wastewater Study, TWDB Contract No. 1148311255, for years 2020-2040. Years 2050-2060 are calculated by taking the Hutto WWMP estimate for 2040 and extrapolating with TWDB projected population growth rate.

B. Customers Data

Senate Bill 181 requires that uniform consistent methodologies for calculating water use and conservation be developed and available to retail water providers and certain other water use sectors as
a guide for preparation of water use reports, water conservation plans, and reports on water conservation efforts. A water system must provide the most detailed level of customer and water use data available to it, however, any new billing system purchased must be capable of reporting data for each of the sectors listed below.  


1. Current number of active connections. Check whether multi-family service is counted as \(\square\) Residential or \(\square\) Commercial?

<table>
<thead>
<tr>
<th>Treated Water Users</th>
<th>Metered</th>
<th>Non-Metered</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-Family</td>
<td>4413</td>
<td></td>
<td>4413</td>
</tr>
<tr>
<td>Multi-Family</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>199</td>
<td></td>
<td>199</td>
</tr>
<tr>
<td>Industrial/Mining</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other/Wholesale</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. List the number of new connections per year for most recent three years.

<table>
<thead>
<tr>
<th>Year</th>
<th>2014</th>
<th>2013</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treated Water Users</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-Family</td>
<td>221</td>
<td>162</td>
<td>188</td>
</tr>
<tr>
<td>Multi-Family</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>6</td>
<td>6</td>
<td>12</td>
</tr>
<tr>
<td>Industrial/Mining</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other/Wholesale</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. List of annual water use for the five highest volume customers.

<table>
<thead>
<tr>
<th>Customer</th>
<th>Use (1,000 gal/year)</th>
<th>Treated or Raw Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Home Depot</td>
<td>5754</td>
<td>Treated</td>
</tr>
<tr>
<td>2. Temple College</td>
<td>4052</td>
<td>Treated</td>
</tr>
<tr>
<td>3. Hippo Partners</td>
<td>2296</td>
<td>Treated</td>
</tr>
<tr>
<td>4. Hanson’s Corner</td>
<td>2059</td>
<td>Treated</td>
</tr>
</tbody>
</table>
II. WATER USE DATA FOR SERVICE AREA

A. Water Accounting Data

1. List the amount of water use for the previous five years (in 1,000 gallons). Indicate whether this is ☐ diverted or ☑ treated water.

<table>
<thead>
<tr>
<th>Month</th>
<th>2014</th>
<th>2013</th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>28,456</td>
<td>29,235</td>
<td>25,992</td>
<td>23,443</td>
<td>20,172</td>
</tr>
<tr>
<td>February</td>
<td>25,572</td>
<td>28,936</td>
<td>23,224</td>
<td>21,947</td>
<td>17,558</td>
</tr>
<tr>
<td>March</td>
<td>29,303</td>
<td>34,824</td>
<td>26,784</td>
<td>27,929</td>
<td>20,135</td>
</tr>
<tr>
<td>April</td>
<td>32,897</td>
<td>34,593</td>
<td>34,032</td>
<td>34,782</td>
<td>22,437</td>
</tr>
<tr>
<td>May</td>
<td>35,976</td>
<td>40,700</td>
<td>36,403</td>
<td>42,126</td>
<td>30,361</td>
</tr>
<tr>
<td>June</td>
<td>36,914</td>
<td>41,798</td>
<td>44,332</td>
<td>45,462</td>
<td>34,540</td>
</tr>
<tr>
<td>July</td>
<td>38,457</td>
<td>42,286</td>
<td>39,932</td>
<td>48,506</td>
<td>27,066</td>
</tr>
<tr>
<td>August</td>
<td>45,351</td>
<td>46,010</td>
<td>46,696</td>
<td>52,391</td>
<td>38,251</td>
</tr>
<tr>
<td>September</td>
<td>38,122</td>
<td>38,028</td>
<td>41,076</td>
<td>46,463</td>
<td>26,206</td>
</tr>
<tr>
<td>October</td>
<td>40,056</td>
<td>31,046</td>
<td>35,429</td>
<td>35,579</td>
<td>26,922</td>
</tr>
<tr>
<td>November</td>
<td>27,720</td>
<td>24,564</td>
<td>35,510</td>
<td>29,195</td>
<td>29,384</td>
</tr>
<tr>
<td>December</td>
<td>27,191</td>
<td>27,197</td>
<td>32,637</td>
<td>25,652</td>
<td>28,337</td>
</tr>
</tbody>
</table>

Describe how the above figures were determined (e.g., from a master meter located at the point of a diversion from the source, or located at a point where raw water enters the treatment plant, or from water sales).

Figures above determined from meter readings from the points of intake from Heart of Texas WSC, Manville WSC and City of Taylor.

2. Amount of water (in 1,000 gallons) delivered/sold as recorded by the following account types for the past five years.

<table>
<thead>
<tr>
<th>Account Types</th>
<th>2014</th>
<th>2013</th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-Family</td>
<td>218,559.54</td>
<td>228,640.68</td>
<td>285,842.23</td>
<td>308,060.61</td>
<td>228,262.26</td>
</tr>
<tr>
<td>Multi-Family</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>144,545.93</td>
<td>161,326.95</td>
<td>78,771.85</td>
<td>66,825.55</td>
<td>53,726.07</td>
</tr>
<tr>
<td>Industrial/Mining</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3. List the previous records for water loss for the past five years (the difference between water diverted or treated and water delivered or sold).

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount (gallons)</th>
<th>Percent %</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>43,088,696</td>
<td>10</td>
</tr>
<tr>
<td>2013</td>
<td>29,247,700</td>
<td>7</td>
</tr>
<tr>
<td>2012</td>
<td>57,431,729</td>
<td>14</td>
</tr>
<tr>
<td>2011</td>
<td>58,589,603</td>
<td>14</td>
</tr>
<tr>
<td>2010</td>
<td>39,380,671</td>
<td>12</td>
</tr>
</tbody>
</table>

B. Projected Water Demands

If applicable, attach or cite projected water supply demands from the applicable Regional Water Planning Group for the next ten years using information such as population trends, historical water use, and economic growth in the service area over the next ten years and any additional water supply requirements from such growth.

III. WATER SUPPLY SYSTEM DATA

A. Water Supply Sources

List all current water supply sources and the amounts authorized (in acre feet) with each.

<table>
<thead>
<tr>
<th>Water Type</th>
<th>Source</th>
<th>Amount Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Groundwater</td>
<td>Manville WSC, City of Taylor, Heart of Texas WSC</td>
<td>2688.34</td>
</tr>
<tr>
<td>Contracts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. Treatment and Distribution System

1. Design daily capacity of system (MGD): 2.4

2. Storage capacity (MGD):
   a. Elevated 2.2
   b. Ground 2.0
3. If surface water, do you recycle filter backwash to the head of the plant?
   ☐ Yes   ☐ No   If yes, approximate amount (MGD):

IV. WASTEWATER SYSTEM DATA

A. Wastewater System Data (if applicable)

1. Design capacity of wastewater treatment plant(s) (MGD): 1.7

2. Treated effluent is used for ☐ on-site irrigation, ☐ off-site irrigation, for ☐ plant wash-down, and/or for ☐ chlorination/dechlorination.

   If yes, approximate amount (in gallons per month):

3. Briefly describe the wastewater system(s) of the area serviced by the water utility. Describe how treated wastewater is disposed. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and the receiving stream if wastewater is discharged.

   The retail wastewater system service area for City of Hutto extends from Lakeside Estates subdivision near SH 130 at the southern city limits boundary to Limmer Loop. Wholesale wastewater service is provided for two neighborhoods north of Limmer Loop within the CCN controlled by Jonah SUD. Treatment for wastewater is provided by the Hutto Wastewater Treatment Facility, TPDES permit No. WQ0011324001, EPA I.D. No. TX00255377. This plant is owned by the City of Hutto, operated by the Brazos River Authority and discharges to Cottonwood Creek.

B. Wastewater Data for Service Area (if applicable)

1. Percent of water service area served by wastewater system: 100 %

2. Monthly volume treated for previous five years (in 1,000 gallons):

<table>
<thead>
<tr>
<th>Year</th>
<th>2014</th>
<th>2013</th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Month</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>January</td>
<td>34,206</td>
<td>32,799.5</td>
<td>32,759</td>
<td>50,004</td>
<td>47,190</td>
</tr>
<tr>
<td>February</td>
<td>29,308</td>
<td>27,281</td>
<td>32,307</td>
<td>27,161</td>
<td>52,380</td>
</tr>
<tr>
<td>March</td>
<td>32,792</td>
<td>29,585.4</td>
<td>35,975.9</td>
<td>26,334</td>
<td>51,425</td>
</tr>
<tr>
<td>April</td>
<td>30,496</td>
<td>29,835</td>
<td>29,789</td>
<td>25,221</td>
<td>32,122</td>
</tr>
<tr>
<td>May</td>
<td>36,705</td>
<td>29,576</td>
<td>33,014</td>
<td>25,989</td>
<td>30,663</td>
</tr>
<tr>
<td>June</td>
<td>32,604</td>
<td>27,739</td>
<td>28,446</td>
<td>23,907</td>
<td>31,875</td>
</tr>
<tr>
<td>July</td>
<td>32,811</td>
<td>28,600</td>
<td>29,625</td>
<td>24,354</td>
<td>31,095</td>
</tr>
<tr>
<td>August</td>
<td>29,850</td>
<td>27,684</td>
<td>28,389</td>
<td>25,423</td>
<td>28,427</td>
</tr>
<tr>
<td>September</td>
<td>33,077</td>
<td>27,354</td>
<td>34,054</td>
<td>25,044</td>
<td>32,242</td>
</tr>
<tr>
<td>October</td>
<td>29,951</td>
<td>34,425</td>
<td>29,542</td>
<td>26,226</td>
<td>29,936</td>
</tr>
</tbody>
</table>
V. Water Conservation Plan

A. Conservation Goals

Average per capita use over the previous five years is 92 gallons per capita per day (gpcd). The City will seek to reduce per capita usage to 91 gpcd over the next five years and 90 gpcd in the next 10 years.

For the period of 2010-2014, average yearly water loss for the water system is 11% of total volume purchased from suppliers or 11 gpcd. The City will strive to reduce water loss to 10.5 gpcd over the next five years and 10 gpcd over the next 10 years.

B. Metering Devices

All contracted water supply sources are metered at the point of delivery. All meters were tested in August 2014 and read within plus or minus 5 percent. Periodic testing will be conducted to ensure meters are operating within acceptable limits.

C. Universal Metering & Meter Maintenance

1. All water customers, including City owned facilities, are metered. All meters, where practical, have been fitted with an automatic meter reading system.

2. Meters larger than 2-inch are to be tested every five years.

3. Meters smaller than 2-inch are to be tested and/or replaced every 10 years or after registering between 1 and 1.5 million gallons.

D. Leak Detection and Repair

City employees are encouraged to report all leaks. Public Works Department staff are required to report all leaks encountered during operations and maintenance activities. Citizens are able to report water leaks using the citizen help center on the City’s website or the HuttoNow mobile application.

1. Staff investigates all reported leaks and repairs as necessary.

2. Utility department records amount of water lost using spreadsheet that accounts for size of break, estimated time, etc.

3. Estimated water lost due to leaks and flushing of dead-end lines is recorded in the monthly water production record and the annual water audit.

E. Unaccounted-For Water Use

The City performs annual top-down water audits and periodic bottom-up water audits to determine sources of unaccounted for water and their impact.

F. Continuing Public Education & Information

Water conservation education materials for customers shall be made available in an ongoing basis. Mediums for distribution shall include, but are not limited to, the City’s e-mail newsletter, the City’s
website and pamphlets at public facilities. New customers shall receive general conservation information when applying for service. Conservation information will be provided to all customers annually through utility bill inserts or other suitable methods.

G. Reservoir Systems Operations Plan

Requirement does not apply as the City does not own or operate water supply reservoirs.

H. Non-Promotional Water Rate Structure

The City’s water rate structure is included as Appendix A. A base rate is charged based on meter size and whether the meter is within or outside city limits. In addition to the base rate, customers are charged a monthly rate per 1,000 gallons of usage. For single family residential customers this is an inclined rate for 4 volumetric categories: 0 to 5000 gallons, 5001 to 12000 gallons, 12001 to 25000 gallons and greater than 25000 gallons. For non single-family customers there is a single rate per 1000 gallons of usage for all consumption.

Service regulations that address the conservation of water include the following:

a. Requirements that there be no free service.

b. All City departments that use water service shall pay the same user rates set out.

c. All usage through City fire hydrants shall be authorized by the City and that usage shall be charged a metered rate.

I. Enforcement Procedure and Plan Adoption

1. Plan Adoption
   a. The Water Conservation Plan will be adopted by resolution of the City Council.

2. Implementation
   a. New service connections will be provided with water conservation practice information.
   b. Existing customers will be encouraged to replace fixtures with water saving devices.
   c. All new structures will be built per the 2009 International Plumbing Code and International Building Code. All new construction or renovations are required to install water conserving plumbing fixtures.

3. Enforcement
   a. An active program for collection of delinquent accounts will be pursued by the City.
   b. Criminal charges will be enforced against water theft.

J. Coordination with the Regional Water Planning Group(s)

Regional Water Planning Group G shall be informed of the Water Conservation Plan. Documentation of this contact can be found in Appendix B.

K. Plan Review and Update

The Water Conservation Plan shall be updated every five years to coincide with the regional water planning group. An implementation report will be submitted with the updated plan.

L. Contract Requirements

Future wholesale customers that enter into a wholesale water supply contract with the City shall be required to implement a water conservation plan or water conservation measures. The wholesale
contract shall also require that water conservation plans or conservation measures be implemented in any customer supplied with resale from the initial supplier contracted with the City.
Division 3. Drought Contingency Plan

Section 24.07.071: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Hutto hereby adopts the following regulations and restrictions on the delivery and consumption of water through a resolution.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section XI of this Plan.

Section 24.07.072: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the City by means of press release, scheduling and providing public notice of a public meeting to accept input on the Plan.

Section 24.07.073: Public Education

The City of Hutto will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of press releases, utility bill inserts or other suitable methods.

Section 24.07.074: Coordination with Regional Water Planning Groups

The service area of the City of Hutto is located within groundwater conservation district 50 and the City has provided a copy of this Plan to Regional Water Planning Group G.

Section 24.07.075: Authorization

The City Manager, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and
welfare. The City Manager, or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section 24.07.076: Applicability

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Hutto. The terms, person and customer, as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section 24.07.077: Definitions

For the purposes of this Plan, the following definitions shall apply:

**Aesthetic water use**: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

**Commercial and institutional water use**: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

**Conservation**: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

**Customer**: any person, company, or organization using water supplied by City of Hutto.

**Domestic water use**: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

**Even number address**: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

**Industrial water use**: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

**Landscape irrigation use**: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

**Non-essential water use**: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

(a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
(b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
(c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other
hard-surfaced areas;
(d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
(e) flushing gutters or permitting water to run or accumulate in any gutter or street;
(f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
(g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
(h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
(i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Section 24.07.078: Criteria for Initiation and Termination of Drought Response Stages

The City shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified triggers are reached.

The triggering criteria described below are based on known water supply capacity limits and contractual requirements.

Stage 1 Triggers - MILD Water Shortage Conditions

Requirements for initiation
Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII Definitions, when

1) When total daily water demand equals or exceeds 85 percent of the total combined supply available from the City’s wholesale water purchase contracts for 3 consecutive days.

2) If, pursuant to requirements specified in the City of Hutto wholesale water purchase contract with Manville Water Supply Corporation, notification is received requesting initiation of Stage 1 of the Drought Contingency Plan and the City chooses to continue receiving Manville water during that period.

Requirements for termination
Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

Stage 2 Triggers - MODERATE Water Shortage Conditions

Requirements for initiation
Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when

1) When total daily water demand equals or exceeds 90 percent of the total combined supply available from the City’s wholesale water purchase contracts for 3 consecutive days.

2) If, pursuant to requirements specified in the City of Hutto wholesale water purchase contract with Manville Water Supply Corporation, notification is received requesting initiation of Stage 2 of the Drought Contingency Plan and the City chooses to continue receiving Manville water during that period.

Requirements for termination
Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

Stage 3 Triggers - SEVERE Water Shortage Conditions

Requirements for initiation
Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when

1) When total daily water demand equals or exceeds 95 percent of the total combined supply available from the City’s wholesale water purchase contracts for 3 consecutive days.

2) If, pursuant to requirements specified in the City of Hutto wholesale water purchase contract with Manville Water Supply Corporation, notification is received requesting initiation of Stage 3 of the Drought Contingency Plan and the City chooses to continue receiving Manville water during that period.

Requirements for termination
Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

Stage 4 Triggers - CRITICAL Water Shortage Conditions

Requirements for initiation
Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when

1) When total daily water demand equals or exceeds 97 percent of the total combined supply available from the City’s wholesale water purchase contracts for 3 consecutive days.
2) If, pursuant to requirements specified in the City of Hutto wholesale water purchase contract with Manville Water Supply Corporation, notification is received requesting initiation of Stage 4 of the Drought Contingency Plan and the City chooses to continue receiving Manville water during that period.

Requirements for termination
Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

Stage 5 Triggers - EMERGENCY Water Shortage Conditions

Requirements for initiation
Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when City Manager, or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

Requirements for termination
Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 2 consecutive days.

Stage 6 Triggers - WATER ALLOCATION

Requirements for initiation
Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when the City Manager determines water allocation is necessary.

Requirements for termination - Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

Section 24.07.079: Drought Response Stages

The City Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification
Notification of the Public:
The City Manager or his/ her designee shall notify the public by means of:

(a) Publication on City Website
(b) Press Release

Additional Notification:
The City Manager or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- Mayor and members of the City Council
- Williamson County Emergency Services District #3 Fire Chief
- City Emergency Management Coordinator
- County Judge & Commissioner(s)
- TCEQ (required when mandatory restrictions are imposed)
- Major water users
- Critical water users, i.e. hospitals
- Parks / street superintendents & public facilities managers
Stage 1 Response - MILD Water Shortage Conditions

**Target:** Achieve a voluntary 10 percent reduction in water use

Voluntary Water Use Restrictions for Reducing Demand:

(a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 6:00 a.m. and 8:00 p.m. to midnight on designated watering days.

(b) All City Operations shall adhere to water use restrictions prescribed for Stage 2 of the Plan.

(c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response - MODERATE Water Shortage Conditions

**Target:** Achieve a 20 percent reduction in water use.

Best Management Practices for Supply Management:

The City will implement the following measures to manage limited water supplies and/or reduce water demand:

(a) Reduce or discontinue flushing of water mains,

(b) Reduce or discontinue irrigation of public landscaped areas.

The City will comply with water use restrictions for Stage 2 when Stage 2 is implemented.

Water Use Restrictions for Demand Reduction:
Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

(a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 6:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
(b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 6:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

(c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 6:00 a.m. and between 8:00 p.m. and 12:00 midnight.

(d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.

(e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City.

(f) All restaurants are prohibited from serving water to patrons except upon request of the patron.

(g) The following uses of water are defined as non-essential and are prohibited:

1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
3. use of water for dust control;
4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response - SEVERE Water Shortage Conditions

**Target:** Achieve a 40 percent reduction in daily water use.

**Best Management Practices for Supply Management:**

The City will implement the following measures to manage limited water supplies and/or reduce water demand:

(c) Reduce or discontinue flushing of water mains,
(d) Reduce or discontinue irrigation of public landscaped areas.

The City must comply with water use restrictions for Stage 3 when Stage 3 is implemented.

**Water Use Restrictions for Demand Reduction:**
All requirements of Stage 2 shall remain in effect during Stage 3 except:

(a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 6:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.

**Stage 4 Response - CRITICAL Water Shortage Conditions**

**Target:** Achieve a 60 percent reduction in daily water use.

**Best Management Practices for Supply Management:**

The City will implement the following measures to manage limited water supplies and/or reduce water demand:

(a) Reduce or discontinue flushing of water mains,

(b) Reduce or discontinue irrigation of public landscaped areas.

The City must comply with water use restrictions for Stage 4 when Stage 4 is implemented.

**Water Use Restrictions for Reducing Demand:** All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

(a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 6:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.

(b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 12:00 a.m. and 6:00 a.m. and between 8:00 p.m. and 12:00 midnight.

(c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
(d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.

(e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

(f) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 5 Response -- EMERGENCY Water Shortage Conditions

**Target:** Achieve a 75 percent reduction in daily water use.

**Best Management Practices for Supply Management:**

The City will implement the following measures to manage limited water supplies and/or reduce water demand:

(a) Discontinue flushing of water mains,

(b) Discontinue irrigation of public landscaped areas.

The City must comply with water use restrictions for Stage 5 when Stage 5 is implemented.

**Water Use Restrictions for Reducing Demand.** All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

(a) Irrigation of landscaped areas is absolutely prohibited.

(b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Stage 6 Response - WATER ALLOCATION

In the event that water shortage conditions threaten public health, safety, and welfare, the City is hereby authorized to allocate water according to the following water allocation plan:
Single-Family Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

<table>
<thead>
<tr>
<th>Persons per Household</th>
<th>Gallons per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 or 2</td>
<td>6,000</td>
</tr>
<tr>
<td>3 or 4</td>
<td>7,000</td>
</tr>
<tr>
<td>5 or 6</td>
<td>8,000</td>
</tr>
<tr>
<td>7 or 8</td>
<td>9,000</td>
</tr>
<tr>
<td>9 or 10</td>
<td>10,000</td>
</tr>
<tr>
<td>11 or more</td>
<td>12,000</td>
</tr>
</tbody>
</table>
Household means the residential premises served by the customer’s meter. Persons per household include only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer’s household is comprised of two (2) persons unless the customer notifies the City of a greater number of persons per household on a form prescribed by the City Manager, or his/her designee. The City Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility to go to the City of Hutto Utility Billing Offices to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the City Manager. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the City on such form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the City in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the City Manager shall adopt methods to insure the accuracy of the claim.

Any person who falsely reports the number of persons in a household or fails to timely notify the City of a reduction in the number of persons commits a Class C misdemeanor offense and shall be fined not less than $100.00. No culpable mental state is required to prove this offense. If it shown during the trial of the offense that the offense was committed intentionally, knowingly, recklessly, or with criminal negligence then the person shall be fined not less than $500 nor more than $2000.

Residential water customers shall pay the surcharges as provided in the fee schedule in appendix A of this code. Surcharges shall be cumulative.

**Master-Metered Multi-Family Residential Customers**

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (example: apartments, mobile homes) shall be allocated 6,000 gallons per month for each dwelling unit. It shall be assumed that such a customer’s meter serves two dwelling units unless the customer notifies the City of a greater number on a form prescribed by the City Manager. The City Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility to go to the City of Hutto Utility Billing offices to complete and sign the form claiming more than two (2) dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for water service on the form prescribed by the City Manager. If the number of dwelling units served by a master meter is reduced, the customer shall notify the City in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the City Manager shall adopt methods to insure the accuracy of the claim.

Any person who falsely reports the number of dwelling units served by a master meter or fails to timely notify the City of a reduction in the number dwelling units commits a Class C misdemeanor offense and shall be fined not less than $100. No culpable mental state is required to prove this offense. If it shown during the trial of the offense that the offense was committed intentionally, knowingly, recklessly, or with criminal negligence then the person shall be fined not less than $500 nor more than $2000.
Customers billed from a master meter under this provision who exceed their monthly allocations shall pay monthly surcharges as provided in the fee schedule in appendix A of this code. Surcharges shall be cumulative.

**Commercial Customers**

A monthly water allocation shall be established by the City for each nonresidential commercial customer other than an industrial customer who uses water for processing purposes. The non-residential customer’s allocation shall be approximately 75 percent of the customer’s usage for corresponding month’s billing period for the previous 12 months. If the customer’s billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. Provided, however, a customer, 75 percent of whose monthly usage is less than 3000 gallons, shall be allocated 3000 gallons. The City Manager shall give his/her best effort to see that notice of each non-residential customer’s allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer’s responsibility to contact the City of Hutto Utility Billing Department to determine the allocation. Upon request of the customer or at the initiative of the City Manager, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer’s normal water usage, (2) one nonresidential customer agrees to transfer part of its allocation to another nonresidential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the City Manager. Nonresidential commercial customers shall pay surcharges as provided in the fee schedule in appendix A of this code. The surcharges shall be cumulative.

**Industrial Customers**

A monthly water allocation shall be established by the City for each industrial customer, which uses water for processing purposes. The industrial customer’s allocation shall be approximately 90 percent of the customer’s water usage baseline. Ninety (90) days after the initial imposition of the allocation for industrial customers, the industrial customer’s allocation shall be further reduced to 80 percent of the customer’s water usage baseline. The industrial customer’s water use baseline will be computed on the average water use for the immediately preceding 12 month period ending prior to the date of implementation of Stage 2 of the Plan. If the industrial water customer’s billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists. The City shall give best effort to see that notice of each industrial customer’s allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer’s responsibility to contact the City of Hutto Utility Billing Department to determine the allocation, and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the City, the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer’s normal water use because the customer had shutdown a major processing unit for repair or overhaul during the period, (2) the customer has added or is in the process of adding significant additional processing capacity, (3) the customer has shutdown or significantly reduced the production of a major processing unit, (4) the customer has previously implemented significant permanent water
conservation measures such that the ability to further reduce water use is limited, (5) the customer agrees to transfer part of its allocation to another industrial customer, or (6) if other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the City Manager. Industrial customers shall pay surcharges as identified in appendix A of this code. The surcharges shall be cumulative.

Section 24.07.080: Enforcement; Penalty

(a) No person shall knowingly or intentionally allow the use of water from the City for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by City Manager, or his/her designee, in accordance with provisions of this Plan.

(b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine in accordance with the general penalty in section 1.01.009 of this code. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the City Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge as provided in the fee schedule of appendix A of this code and any other costs incurred by the City in discontinuing service. In addition, suitable assurance must be given to the City Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

(c) Any person, including a person classified as a water customer of the City, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person’s property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parent’s control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

(d) Any police officer or other employee of the City designated by the City Manager may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator’s immediate family or is a resident of the violator’s residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for
the violation of this Plan. If the alleged violator fails to appear in municipal court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.
Section 24.07.081: Variances

The City Manager, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

(a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
(b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager, or his/her designee, and shall include the following:

(a) Name and address of the petitioner(s).
(b) Purpose of water use.
(c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
(d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
(e) Description of the relief requested.
(f) Period of time for which the variance is sought.
(g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
(h) Other pertinent information.

Variances granted by the City shall be subject to the following conditions, unless waived or modified by the City Manager or his/her designee:

(a) Variances shall include a timetable for compliance.
(b) Variances granted shall expire when the plan is no longer in effect, unless the petitioner has failed to meet specific requirements.

No variance shall be retroactive or otherwise justify any violation of this plan occurring prior to the issuance of the variance.
AGENDA ITEM NO.: 8B.  AGENDA DATE: April 02, 2015

PRESENTED BY: Melanie Hudson, Director of Finance

ITEM: Consideration and possible action on the first reading of an ordinance amending the Fiscal Year 2014-15 Budget.

STRATEGIC GUIDE POLICY: Fiscal and Budgetary

ITEM BACKGROUND: This represents the second amendment of the FY15 Budget. The amendment includes adjustments to the beginning fund balance based on our current Audit, as well as adjustments to the City's operating, capital projects, and special revenue funds. The amendments are detailed in the Exhibit A Fund Summaries. This is a comprehensive amendment as all funds are adjusted based on the audited beginning fund balance.

BUDGETARY AND FINANCIAL SUMMARY: Please see Exhibit A for the financial summary.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS: The Fiscal & Budgetary Committee reviewed the draft budget amendment prior to the finalization of fund balances from the annual audit.

CITY ATTORNEY REVIEW: Not applicable.

STAFF RECOMMENDATION: Staff recommends the Council approve the first reading of the ordinance.

SUPPORTING MATERIAL:
1. FY15 BA #2 Ordinance
2. FY15 BA #2 Exhibit A
3. FY15 BA #2 Highlights
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HUTTO, TEXAS AMENDING THE FISCAL YEAR 2014-15 BUDGET FOR BEGINNING FUND BALANCE BASED ON CURRENT AUDIT, OPERATING, CAPITAL PROJECTS, AND OTHER MISCELLANEOUS ADJUSTMENTS TO SPECIAL REVENUE FUNDS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:

SECTION 1: That the appropriations for the fiscal year beginning October 1, 2014, and ending September 30, 2015, for the support of the general government of the City of Hutto, Texas, be amended for said term in accordance with the change in expenditures shown in the attached Exhibit A.

SECTION 2: That the amendment, as shown in words and figures in Exhibit A, is hereby approved in all aspects and adopted as an amendment to the City budget for the fiscal year October 1, 2014, and ending September 30, 2015.

SECTION 3: The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law and the City Charter.

SECTION 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If a court of competent jurisdiction to be invalid shall adjudge any provision of this Ordinance, the invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 5: All ordinances or parts of ordinances and sections of the City Code of Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 6: This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

SECTION 7: It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Tex. Gov't. Code.

READ and APPROVED on first reading on this the 2nd day of April 2015, at a regular meeting of the City Council of the City of Hutto, there being a quorum present.
READ, APPROVED and ADOPTED on second and final reading this 16th day of April 2015, at a regular meeting of the City Council of the City of Hutto, there being a quorum present.

THE CITY OF HUTTO, TEXAS

Debbie Holland, MAYOR

ATTEST:  

SEAL

Christine Martinez, CITY SECRETARY
CITY OF HUTTO
2014-15 BUDGET
AMENDMENT #2

GENERAL FUND

REVENUES

<table>
<thead>
<tr>
<th>Description</th>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>% BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Taxes</td>
<td>4,654,495</td>
<td>4,367,370</td>
<td>4,655,804</td>
<td>41,309</td>
<td>93.83%</td>
</tr>
<tr>
<td>Sales Taxes</td>
<td>2,084,777</td>
<td>904,405</td>
<td>2,084,777</td>
<td>-</td>
<td>43.38%</td>
</tr>
<tr>
<td>Franchise Fees</td>
<td>714,575</td>
<td>145,094</td>
<td>714,575</td>
<td>-</td>
<td>20.30%</td>
</tr>
<tr>
<td>Building and Development</td>
<td>644,650</td>
<td>394,503</td>
<td>689,651</td>
<td>45,001</td>
<td>61.20%</td>
</tr>
<tr>
<td>Fines</td>
<td>201,700</td>
<td>123,833</td>
<td>201,700</td>
<td>-</td>
<td>61.39%</td>
</tr>
<tr>
<td>Interlocal - HSIS Reimbursement for SRO</td>
<td>150,000</td>
<td>61,947</td>
<td>165,000</td>
<td>15,000</td>
<td>41.30%</td>
</tr>
<tr>
<td>Park Revenues</td>
<td>114,000</td>
<td>39,959</td>
<td>114,000</td>
<td>-</td>
<td>33.03%</td>
</tr>
<tr>
<td>Other</td>
<td>565,920</td>
<td>63,752</td>
<td>584,536</td>
<td>18,616</td>
<td>11.27%</td>
</tr>
</tbody>
</table>

TOTAL REVENUES: 9,130,117

EXPENDITURES

<table>
<thead>
<tr>
<th>Description</th>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>% BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Manager's Office</td>
<td>539,936</td>
<td>262,112</td>
<td>582,680</td>
<td>22,774</td>
<td>46.81%</td>
</tr>
<tr>
<td>City Council</td>
<td>668,726</td>
<td>262,951</td>
<td>668,726</td>
<td>-</td>
<td>39.32%</td>
</tr>
<tr>
<td>City Secretary's Office</td>
<td>154,763</td>
<td>58,314</td>
<td>154,763</td>
<td>-</td>
<td>37.68%</td>
</tr>
<tr>
<td>Human Resources</td>
<td>282,949</td>
<td>139,688</td>
<td>283,962</td>
<td>1,073</td>
<td>49.37%</td>
</tr>
<tr>
<td>Downtown</td>
<td>115,664</td>
<td>40,285</td>
<td>115,666</td>
<td>-</td>
<td>30.83%</td>
</tr>
<tr>
<td>GIS</td>
<td>69,772</td>
<td>25,983</td>
<td>73,331</td>
<td>3,359</td>
<td>37.24%</td>
</tr>
<tr>
<td>Total City Administration</td>
<td>1,851,812</td>
<td>789,334</td>
<td>1,879,128</td>
<td>27,316</td>
<td>42.62%</td>
</tr>
<tr>
<td>Finance</td>
<td>539,572</td>
<td>288,365</td>
<td>539,572</td>
<td>-</td>
<td>53.44%</td>
</tr>
<tr>
<td>Development Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning</td>
<td>382,314</td>
<td>190,792</td>
<td>396,519</td>
<td>14,205</td>
<td>49.90%</td>
</tr>
<tr>
<td>Building/Code Enforcement</td>
<td>244,182</td>
<td>167,731</td>
<td>244,182</td>
<td>-</td>
<td>68.69%</td>
</tr>
<tr>
<td>Total Development Services</td>
<td>626,496</td>
<td>358,523</td>
<td>640,701</td>
<td>14,205</td>
<td>57.23%</td>
</tr>
<tr>
<td>Public Works</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>234,552</td>
<td>111,888</td>
<td>234,999</td>
<td>417</td>
<td>39.01%</td>
</tr>
<tr>
<td>Animal Control</td>
<td>127,998</td>
<td>43,874</td>
<td>143,876</td>
<td>(8,902)</td>
<td>34.38%</td>
</tr>
<tr>
<td>Streets &amp; Drainage</td>
<td>759,656</td>
<td>370,724</td>
<td>759,656</td>
<td>-</td>
<td>48.80%</td>
</tr>
<tr>
<td>Facility Maintenance</td>
<td>25,815</td>
<td>7,812</td>
<td>25,815</td>
<td>-</td>
<td>30.26%</td>
</tr>
<tr>
<td>Total Public Works</td>
<td>1,020,023</td>
<td>505,481</td>
<td>1,103,992</td>
<td>83,498</td>
<td>49.36%</td>
</tr>
<tr>
<td>Public Safety</td>
<td>866,325</td>
<td>453,865</td>
<td>854,656</td>
<td>(16,669)</td>
<td>52.39%</td>
</tr>
<tr>
<td>Animal Control</td>
<td>127,998</td>
<td>43,874</td>
<td>143,876</td>
<td>(8,902)</td>
<td>34.38%</td>
</tr>
<tr>
<td>Patrol</td>
<td>1,680,556</td>
<td>856,341</td>
<td>1,740,274</td>
<td>64,070</td>
<td>50.96%</td>
</tr>
<tr>
<td>Investigations</td>
<td>362,918</td>
<td>215,051</td>
<td>367,584</td>
<td>6,666</td>
<td>32.42%</td>
</tr>
<tr>
<td>School Resource Officer</td>
<td>268,217</td>
<td>101,136</td>
<td>272,241</td>
<td>4,024</td>
<td>37.71%</td>
</tr>
<tr>
<td>Total Public Safety</td>
<td>3,305,614</td>
<td>1,572,928</td>
<td>3,278,631</td>
<td>(26,983)</td>
<td>47.58%</td>
</tr>
<tr>
<td>Parks</td>
<td>262,574</td>
<td>91,194</td>
<td>262,574</td>
<td>-</td>
<td>36.23%</td>
</tr>
<tr>
<td>Library</td>
<td>377,080</td>
<td>173,036</td>
<td>377,080</td>
<td>-</td>
<td>36.27%</td>
</tr>
<tr>
<td>Recreation</td>
<td>228,746</td>
<td>65,061</td>
<td>228,746</td>
<td>-</td>
<td>70.70%</td>
</tr>
<tr>
<td>Parks Maintenance</td>
<td>400,975</td>
<td>160,178</td>
<td>403,756</td>
<td>2,777</td>
<td>39.93%</td>
</tr>
<tr>
<td>Total Parks</td>
<td>1,094,954</td>
<td>376,766</td>
<td>1,097,735</td>
<td>2,779</td>
<td>34.41%</td>
</tr>
<tr>
<td>Engineering</td>
<td>464,454</td>
<td>164,752</td>
<td>464,454</td>
<td>-</td>
<td>35.47%</td>
</tr>
<tr>
<td>Total Engineering</td>
<td>464,454</td>
<td>164,752</td>
<td>464,454</td>
<td>-</td>
<td>35.47%</td>
</tr>
<tr>
<td>General Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>221,974</td>
<td>70,963</td>
<td>221,974</td>
<td>-</td>
<td>31.97%</td>
</tr>
<tr>
<td>Information Technology</td>
<td>410,821</td>
<td>212,319</td>
<td>408,002</td>
<td>(2,819)</td>
<td>51.68%</td>
</tr>
<tr>
<td>Utility Billing</td>
<td>377,080</td>
<td>144,308</td>
<td>377,080</td>
<td>-</td>
<td>38.27%</td>
</tr>
<tr>
<td>Municipal Court</td>
<td>175,280</td>
<td>62,481</td>
<td>175,280</td>
<td>-</td>
<td>35.65%</td>
</tr>
<tr>
<td>Total General Services</td>
<td>1,185,155</td>
<td>490,071</td>
<td>1,182,336</td>
<td>(2,819)</td>
<td>41.35%</td>
</tr>
<tr>
<td>Non-Departmental</td>
<td>280,031</td>
<td>111,596</td>
<td>229,813</td>
<td>(50,218)</td>
<td>39.85%</td>
</tr>
<tr>
<td>TOTAL EXPENDITURES</td>
<td>10,368,111</td>
<td>4,657,835</td>
<td>10,416,362</td>
<td>48,251</td>
<td>44.19%</td>
</tr>
</tbody>
</table>

OTHER FINANCING SOURCES

<table>
<thead>
<tr>
<th>Description</th>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>% BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transfer In</td>
<td>943,000</td>
<td>233,720</td>
<td>943,000</td>
<td>-</td>
<td>25.00%</td>
</tr>
<tr>
<td>Transfer Out</td>
<td>(240,000)</td>
<td>(60,000)</td>
<td>(433,000)</td>
<td>(243,000)</td>
<td>25.00%</td>
</tr>
<tr>
<td>Total Other Financing Sources</td>
<td>703,000</td>
<td>173,750</td>
<td>460,000</td>
<td>(243,000)</td>
<td>25.00%</td>
</tr>
</tbody>
</table>

NET CHANGE IN FUND BALANCE

<table>
<thead>
<tr>
<th>Description</th>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>% BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Balance</td>
<td>3,297,853</td>
<td>3,305,017</td>
<td>7,164</td>
<td>Audited beginning fund balance</td>
<td></td>
</tr>
<tr>
<td>Contingency Reserves</td>
<td>2,590,000</td>
<td>2,604,181</td>
<td>14,181</td>
<td></td>
<td></td>
</tr>
<tr>
<td>UNRESERVED ENDING FUND BALANCE</td>
<td>172,860</td>
<td>(5,480)</td>
<td>(179,340)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## CITY OF HUTTO  
### 2014-15 BUDGET  
#### AMENDMENT #2  

### GENERAL DEBT SERVICE FUND  

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>%BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property Taxes</td>
<td>1,065,540</td>
<td>979,727</td>
<td>1,065,540</td>
<td>-</td>
<td>91.95%</td>
</tr>
<tr>
<td>Interest</td>
<td>500</td>
<td>95</td>
<td>500</td>
<td>-</td>
<td>18.90%</td>
</tr>
<tr>
<td>Rental Income</td>
<td>14,004</td>
<td>14,305</td>
<td>34,332</td>
<td>20,328</td>
<td>102.15%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Revenues</td>
<td>1,080,044</td>
<td>994,127</td>
<td>1,100,372</td>
<td>20,328</td>
<td>92.05%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal Reduction</td>
<td>600,350</td>
<td></td>
<td>600,350</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Interest</td>
<td>571,461</td>
<td>291,717</td>
<td>571,461</td>
<td>-</td>
<td>51.05%</td>
</tr>
<tr>
<td>Paying Agent Fees</td>
<td>1,750</td>
<td>470</td>
<td>1,750</td>
<td>-</td>
<td>26.86%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total - Debt Service</td>
<td>1,173,561</td>
<td>292,187</td>
<td>1,173,561</td>
<td>-</td>
<td>78%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfers In</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Transfers Out</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Total Other Financing Sources</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

| **NET CHANGE IN FUND BALANCE** | (93,517) | (73,189) | 20,328 | 0.00% |
| Beginning Fund Balance    | 190,813  | 199,667    | 8,854  |       |
| ENDING FUND BALANCE        | 97,296   | 126,478    | 29,182 |       |
## CAPITAL REPLACEMENT FUNDS

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>%BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest and Other</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Total Revenues</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfers In</td>
<td>100,000</td>
<td>25,000</td>
<td>100,000</td>
<td>-</td>
<td>25.00%</td>
</tr>
<tr>
<td>Transfers Out</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Total Other Financing Sources</td>
<td>100,000</td>
<td>25,000</td>
<td>100,000</td>
<td>-</td>
<td>25.00%</td>
</tr>
<tr>
<td><strong>NET CHANGE IN FUND BALANCE</strong></td>
<td>100,000</td>
<td>25,000</td>
<td>100,000</td>
<td>-</td>
<td>25.00%</td>
</tr>
<tr>
<td>Beginning Fund Balance</td>
<td>470,000</td>
<td>470,000</td>
<td>0</td>
<td></td>
<td>Audited beginning fund balance</td>
</tr>
<tr>
<td>ENDING FUND BALANCE</td>
<td>570,000</td>
<td>570,000</td>
<td>0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Court Fee Funds

#### Revenues

<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>YTD/Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court Technology Fees</td>
<td>6,700</td>
<td>2,955</td>
<td>6,700</td>
<td>-</td>
<td>44.11%</td>
</tr>
<tr>
<td>Court Security Fees</td>
<td>5,100</td>
<td>1,887</td>
<td>5,100</td>
<td>-</td>
<td>37.00%</td>
</tr>
<tr>
<td>Court Training Fees</td>
<td>450</td>
<td>220</td>
<td>450</td>
<td>-</td>
<td>48.89%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>12,250</td>
<td>5,062</td>
<td>12,250</td>
<td>-</td>
<td>41.33%</td>
</tr>
</tbody>
</table>

#### Expenditures

<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>YTD/Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court Technology</td>
<td>7,460</td>
<td>2,473</td>
<td>7,460</td>
<td>-</td>
<td>33.15%</td>
</tr>
<tr>
<td>Court Security</td>
<td>25,553</td>
<td>2,142</td>
<td>25,553</td>
<td>-</td>
<td>8.38%</td>
</tr>
<tr>
<td>Court Training</td>
<td>450</td>
<td>-</td>
<td>450</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>33,463</td>
<td>4,616</td>
<td>33,463</td>
<td>-</td>
<td>13.79%</td>
</tr>
</tbody>
</table>

#### Other Financing Sources

<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>YTD/Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transfers In</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Transfers Out</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total Other Financing Sources</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
</tbody>
</table>

#### Net Change in Fund Balance

<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>YTD/Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Beginning Fund Balance)</td>
<td>(21,213)</td>
<td>30,179</td>
<td>8,967</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ending Fund Balance</strong></td>
<td>(1)</td>
<td>8,970</td>
<td>8,971</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## HOTEL TAX FUND

### CITY OF HUTTO
**2014-15 BUDGET AMENDMENT #2**

### HOTEL TAX FUND REVENUES

<table>
<thead>
<tr>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>%BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel Occupancy Tax</td>
<td>100,000</td>
<td>24,563</td>
<td>100,000</td>
<td>-</td>
</tr>
<tr>
<td>Total Revenues</td>
<td>100,000</td>
<td>24,563</td>
<td>100,000</td>
<td>-</td>
</tr>
</tbody>
</table>

### EXPENDITURES

- **Contributions to Civic Programs**
  - BUDGET: 94,863
  - YTD/ENCUMBERED: 25,840
  - AMENDED #2: 34,863
  - DIFFERENCE: (60,000)
  - %BUDGET: 27.24%

  Moved to Transfer Out for Gin Building Restoration

- **Total Expenses**
  - BUDGET: 94,863
  - YTD/ENCUMBERED: 25,840
  - AMENDED #2: 34,863
  - DIFFERENCE: (60,000)
  - %BUDGET: 27.24%

### OTHER FINANCING SOURCES

- **Transfers In**
  - BUDGET: -
  - YTD/ENCUMBERED: -
  - AMENDED #2: -
  - DIFFERENCE: -
  - %BUDGET: N/A

- **Transfers Out**
  - BUDGET: (194,000)
  - YTD/ENCUMBERED: (48,500)
  - AMENDED #2: (254,000)
  - DIFFERENCE: (60,000)
  - %BUDGET: 25.00%

  Increased to offset Gin Building construction cost

- **Total Other Financing Sources**
  - BUDGET: (194,000)
  - YTD/ENCUMBERED: (48,500)
  - AMENDED #2: (254,000)
  - DIFFERENCE: (60,000)
  - %BUDGET: 25.00%

### NET CHANGE IN FUND BALANCE

<table>
<thead>
<tr>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>%BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>(188,863)</td>
<td>(188,863)</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

### Beginning Fund Balance

- BUDGET: 188,863
- YTD/ENCUMBERED: 202,130
- AMENDED #2: 13,267
- Audited beginning fund balance

### ENDING FUND BALANCE

- BUDGET: -
- YTD/ENCUMBERED: 13,267
- AMENDED #2: 13,267
## RED LIGHT CAMERAS FUND

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>%BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Red Light Camera Tickets</td>
<td>177,000</td>
<td>61,200</td>
<td>177,000</td>
<td>-</td>
<td>34.58%</td>
</tr>
<tr>
<td>Total Revenues</td>
<td>177,000</td>
<td>61,200</td>
<td>177,000</td>
<td>-</td>
<td>34.58%</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payments to ATS</td>
<td>175,000</td>
<td>175,000</td>
<td>175,000</td>
<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td>Remittance to State</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Total Expenses</td>
<td>175,000</td>
<td>175,000</td>
<td>175,000</td>
<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES (USES)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfers In</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Transfers Out</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Total Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>NET CHANGE IN FUND BALANCE</strong></td>
<td>2,000</td>
<td>2,000</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Beginning Fund Balance</td>
<td>2,000</td>
<td>4,942</td>
<td>2,942</td>
<td>Audited beginning fund balance</td>
<td></td>
</tr>
<tr>
<td><strong>ENDING FUND BALANCE</strong></td>
<td>4,000</td>
<td>-</td>
<td>6,942</td>
<td>2,942</td>
<td></td>
</tr>
<tr>
<td></td>
<td>BUDGET</td>
<td>YTD/ENCUMBERED</td>
<td>AMENDED #2</td>
<td>DIFFERENCE</td>
<td>%BUDGET</td>
</tr>
<tr>
<td>------------------------</td>
<td>--------</td>
<td>----------------</td>
<td>------------</td>
<td>------------</td>
<td>---------</td>
</tr>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PEG Capital Fees</td>
<td>28,560</td>
<td>14,656</td>
<td>28,560</td>
<td>-</td>
<td>51.32%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>28,560</td>
<td>14,656</td>
<td>28,560</td>
<td>-</td>
<td>51.32%</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technology Equipment and Supplies</td>
<td>19,311</td>
<td>21,356</td>
<td>57,000</td>
<td>37,689</td>
<td>110.19%</td>
</tr>
<tr>
<td>Professional Services</td>
<td>41,600</td>
<td>1,600</td>
<td>23,338</td>
<td>(18,262)</td>
<td>3.85%</td>
</tr>
<tr>
<td>Communication Services</td>
<td>20,000</td>
<td>-</td>
<td>(20,000)</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>80,911</td>
<td>22,956</td>
<td>80,338</td>
<td>(573)</td>
<td>28.37%</td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfers In</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Transfers Out</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total Other Financing Sources</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>NET CHANGE IN FUND BALANCE</strong></td>
<td>($52,351)</td>
<td>($1,778)</td>
<td>573</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Beginning Fund Balance</td>
<td>52,351</td>
<td>51,778</td>
<td>(573)</td>
<td></td>
<td>Audited beginning fund balance</td>
</tr>
<tr>
<td><strong>ENDING FUND BALANCE</strong></td>
<td>-</td>
<td>(0)</td>
<td>(0)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## CITY OF HUTTO
### 2014-15 BUDGET AMENDMENT #2
#### UTILITY FUND

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>%BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Revenues</td>
<td>4,050,043</td>
<td>1,728,982</td>
<td>4,050,043</td>
<td>-</td>
<td>42.69%</td>
</tr>
<tr>
<td>Wastewater Revenues</td>
<td>3,037,237</td>
<td>1,431,641</td>
<td>3,037,237</td>
<td>-</td>
<td>47.14%</td>
</tr>
<tr>
<td>Connection Fees</td>
<td>129,798</td>
<td>116,736</td>
<td>129,798</td>
<td>-</td>
<td>89.94%</td>
</tr>
<tr>
<td>Other</td>
<td>1,541,555</td>
<td>759,634</td>
<td>1,455,377</td>
<td>(86,178)</td>
<td>49.28%</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td><strong>8,758,633</strong></td>
<td><strong>4,057,012</strong></td>
<td><strong>8,672,455</strong></td>
<td><strong>(86,178)</strong></td>
<td><strong>46.09%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EXPENDITURES</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Works</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Services</td>
<td>4,452,950</td>
<td>2,231,708</td>
<td>4,450,294</td>
<td>(2,656)</td>
<td>50.57%</td>
</tr>
<tr>
<td>Wastewater Services</td>
<td>1,362,273</td>
<td>1,096,342</td>
<td>1,376,128</td>
<td>13,855</td>
<td>80.48%</td>
</tr>
<tr>
<td>HWY 79 WWTR Interceptor</td>
<td>514,768</td>
<td>513,655</td>
<td>514,768</td>
<td>-</td>
<td>99.78%</td>
</tr>
<tr>
<td><strong>Total Public Works</strong></td>
<td><strong>6,337,099</strong></td>
<td><strong>3,862,131</strong></td>
<td><strong>6,348,298</strong></td>
<td><strong>11,199</strong></td>
<td><strong>60.94%</strong></td>
</tr>
<tr>
<td>Engineering</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mesquite/ALCOA Waterline</td>
<td>953,110</td>
<td>878,648</td>
<td>878,648</td>
<td>(74,462)</td>
<td>92.19%</td>
</tr>
<tr>
<td><strong>Total Engineering</strong></td>
<td><strong>953,110</strong></td>
<td><strong>878,648</strong></td>
<td><strong>878,648</strong></td>
<td>(74,462)</td>
<td><strong>92.19%</strong></td>
</tr>
<tr>
<td>Non-Departmental</td>
<td>53,024</td>
<td>22,453</td>
<td>23,024</td>
<td>-</td>
<td>42.34%</td>
</tr>
<tr>
<td><strong>TOTAL EXPENSES</strong></td>
<td><strong>7,343,233</strong></td>
<td><strong>4,763,232</strong></td>
<td><strong>7,249,970</strong></td>
<td><strong>(63,263)</strong></td>
<td><strong>64.87%</strong></td>
</tr>
</tbody>
</table>

| OTHER FINANCING SOURCES        |            |                |            |            |         |
| Transfer In (Impact Fees & UF CIP) | 1,930,394  | 567,044        | 762,642    | (1,167,52) | 29.37%  |
| Transfer Out                   | (3,814,399) | (933,600)      | (3,814,399)| -          | 25.00%  |
| **Total Other Financing Sources** | (1,884,005) | (386,556)      | (3,051,737)| (1,167,52) | 20.52%  |

| NET CHANGE IN WORKING CAPITAL |            |                |            |            |         |
| (468,605)                     | (1,112,775) | (1,639,272)    | (1,190,627)| -          | 237.47% |

| Beginning Working Capital     | 3,828,478  | 6,456,165      | 2,627,687  | Audited beginning fund balance |
| Contingency Reserves          | 1,765,474  | 1,909,570      | 149,096    |
| **ENDING AVAILABLE WORKING CAPITAL** | 1,599,399  | 2,917,323      | 1,317,924  |

| 30% Reserves                  | 1,917,037  | 1,911,397      |

Reduced construction reimbursement for Mesquite/ALCOA waterline; adjusted capital lease proceeds based on actual expense.
<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>%BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest and Other</td>
<td>500</td>
<td>178</td>
<td>500</td>
<td>-</td>
<td>35.67%</td>
</tr>
<tr>
<td>Total Revenues</td>
<td>500</td>
<td>178</td>
<td>500</td>
<td>-</td>
<td>36%</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt Service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal Reduction</td>
<td>1,199,650</td>
<td>-</td>
<td>1,199,650</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>Interest</td>
<td>1,816,750</td>
<td>788,811</td>
<td>1,816,750</td>
<td>-</td>
<td>43%</td>
</tr>
<tr>
<td>Paying Agent Fees</td>
<td>5,000</td>
<td>880</td>
<td>5,000</td>
<td>-</td>
<td>18%</td>
</tr>
<tr>
<td>Total - Debt Service</td>
<td>3,021,400</td>
<td>3,021,400</td>
<td>3,021,400</td>
<td>-</td>
<td>61%</td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfers In</td>
<td>3,020,399</td>
<td>755,100</td>
<td>3,020,399</td>
<td>-</td>
<td>25.00%</td>
</tr>
<tr>
<td>Transfers Out</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Total Other Financing Sources</td>
<td>3,020,399</td>
<td>-</td>
<td>3,020,399</td>
<td>-</td>
<td>25%</td>
</tr>
<tr>
<td><strong>NET CHANGE IN FUND BALANCE</strong></td>
<td>(501)</td>
<td>(501)</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Beginning Fund Balance</td>
<td>50,000</td>
<td>226,695</td>
<td>176,695</td>
<td>Audited beginning fund balance</td>
<td></td>
</tr>
<tr>
<td>ENDING FUND BALANCE</td>
<td>49,499</td>
<td>226,194</td>
<td>176,695</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## IMPACT FEES

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>% BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Impact Fees</td>
<td>502,936</td>
<td>402,434</td>
<td>502,936</td>
<td>-</td>
<td>80.02%</td>
</tr>
<tr>
<td>Wastewater Impact Fees</td>
<td>259,706</td>
<td>330,058</td>
<td>259,706</td>
<td>-</td>
<td>134.79%</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>762,642</td>
<td>752,492</td>
<td>762,642</td>
<td>-</td>
<td>98.67%</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfers In</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Transfers Out</td>
<td>(762,642)</td>
<td>(275,106)</td>
<td>(762,642)</td>
<td>-</td>
<td>36.07%</td>
</tr>
<tr>
<td><strong>Total Other Financing Sources</strong></td>
<td>(762,642)</td>
<td>(275,106)</td>
<td>(762,642)</td>
<td>-</td>
<td>36.07%</td>
</tr>
<tr>
<td><strong>NET CHANGE IN FUND BALANCE</strong></td>
<td>-</td>
<td></td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Beginning Fund Balance</td>
<td>-</td>
<td>21,200</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ENDING FUND BALANCE</strong></td>
<td>-</td>
<td>21,200</td>
<td>21,200</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CITY OF HUTTO**

**2014-15 BUDGET**

**AMENDMENT #2**

**IMPACT FEES**

- Audited beginning fund balance

---
## CITY OF HUTTO
### 2014-15 BUDGET
#### AMENDMENT #2

### UTILITY CIP FUND

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YTD/ENCUMBERED</th>
<th>AMENDED #2</th>
<th>DIFFERENCE</th>
<th>%BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bond Interest</td>
<td>10,000</td>
<td>-</td>
<td>10,000</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contributions</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Grant Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Bond Proceeds</td>
<td>21,740</td>
<td>-</td>
<td>21,740</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>21,750</td>
<td>-</td>
<td>21,750</td>
<td>-</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

|                        |        |                |            |            |         |
| **EXPENDITURES**       |        |                |            |            |         |
| Wastewater Capital Outlay System |     |                |            |            |         |
| Hutto South WWTP        | 16,734 | 834,172        | 16,734     | 834,172    | - 4.98% |
| Enclave Pump Force Main| 4,356 | 191,940        | 4,356      | 191,940    | - 4.41% |
| **Other Services and Charges** |     |                |            |            |         |
| Bond Issuance Costs    | 507,934| (1,538)        | 507,934    | -          | 0.30%   |
| **Total - Capital Improvements** | 21,598 | 1,024,575     | 21,598     | 1,024,575  | - 4.74% |

|                        |        |                |            |            |         |
| **OTHER FINANCING SOURCES** |     |                |            |            |         |
| Transfers In           | -      | -              | -          | -          | N/A     |
| Transfers Out          | (1,167)| (291,938)      | -          | 1,167,752  | 25.00%  |
| **Total Other Financing Sources** | (1,167)| (291,938)      | -          | 1,167,752  | 25.00%  |

|                        |        |                |            |            |         |
| **NET CHANGE IN FUND BALANCE** |     |                |            |            |         |
| Beginning Fund Balance | 1,026 | 151,640        | -          | (1,026,112)| Audited beginning fund balance |
| Ending Fund Balance    | 10,000| 151,640        | 141,640    |            |         |
## CIP FUND

**2014-15 BUDGET AMENDMENT #2**

### REVENUES

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YT/D Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Earned</td>
<td>-</td>
<td>11</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Bond Interest</td>
<td>3,000</td>
<td>186</td>
<td>3,000</td>
<td>-</td>
<td>6.19%</td>
</tr>
<tr>
<td>Contributions</td>
<td>360,000</td>
<td>-</td>
<td>360,000</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Grant Revenue</td>
<td>1,009,249</td>
<td>168,370</td>
<td>1,009,249</td>
<td>-</td>
<td>16.68%</td>
</tr>
<tr>
<td>Parkland Fees</td>
<td>-</td>
<td>2,480</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Bond Proceeds</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>1,372,249</td>
<td>171,047</td>
<td>1,372,249</td>
<td>-</td>
<td>12.46%</td>
</tr>
</tbody>
</table>

### EXPENDITURES

#### Administration

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YT/D Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Co-Op/Facility Study</td>
<td>150,044</td>
<td>150,044</td>
<td>150,044</td>
<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td>Gin Building Improvements</td>
<td>784,000</td>
<td>952,832</td>
<td>953,000</td>
<td>169,000</td>
<td>121.53%</td>
</tr>
</tbody>
</table>

**Gin Building Restoration construction costs**

#### Public Works

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YT/D Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sidewalk Program</td>
<td>139,761</td>
<td>139,761</td>
<td>139,761</td>
<td>-</td>
<td>114.18%</td>
</tr>
<tr>
<td>Forley/Taylor Street</td>
<td>33,608</td>
<td>33,608</td>
<td>33,608</td>
<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td>Mapper Lane</td>
<td>84,672</td>
<td>84,672</td>
<td>84,626</td>
<td>(506)</td>
<td>0.04%</td>
</tr>
<tr>
<td><em>Project finished late FY14</em></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fencing Arterials</td>
<td>5,678</td>
<td></td>
<td>5,678</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>CR 165</td>
<td>22,959</td>
<td></td>
<td>22,959</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>FM 685</td>
<td>287,357</td>
<td>645,436</td>
<td>1,097,529</td>
<td>810,172</td>
<td>224.61%</td>
</tr>
<tr>
<td><em>FM685 Tex-Mix easement &amp; Utility (Oncor, Atmos, etc.)</em></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Relocation costs**

#### Parks

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YT/D Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fritz Park Improvements</td>
<td>70,512</td>
<td>70,512</td>
<td>70,512</td>
<td>-</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

#### Engineering

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YT/D Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>FM 1660 N Sidewalks</td>
<td>79,803</td>
<td>79,803</td>
<td>79,803</td>
<td>-</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

#### Other Services and Charges

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YT/D Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bond Issuance Costs</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Debt Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total - Capital Improvements</strong></td>
<td>1,658,394</td>
<td>2,091,848</td>
<td>2,552,930</td>
<td>894,536</td>
<td>126.14%</td>
</tr>
</tbody>
</table>

### OTHER FINANCING SOURCES

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YT/D Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transfers In</td>
<td>290,000</td>
<td>72,500</td>
<td>593,000</td>
<td>303,000</td>
<td>25.00%</td>
</tr>
<tr>
<td><em>Increased to offset Gin Building Restoration construction costs</em></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfers Out</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total Other Financing Sources</strong></td>
<td>290,000</td>
<td>72,500</td>
<td>593,000</td>
<td>303,000</td>
<td>25.00%</td>
</tr>
</tbody>
</table>

### NET CHANGE IN FUND BALANCE

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YT/D Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>NET CHANGE IN FUND BALANCE</td>
<td>3,855</td>
<td>(587,681)</td>
<td>(591,536)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beginning Fund Balance</td>
<td>631,961</td>
<td>630,443</td>
<td>(1,518)</td>
<td>Audited beginning fund balance</td>
<td></td>
</tr>
<tr>
<td><strong>ENDING FUND BALANCE</strong></td>
<td>635,816</td>
<td>42,762</td>
<td>(593,054)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Solid Waste

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YTD/Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solid Waste Franchise</td>
<td>101,454</td>
<td>49,563</td>
<td>101,454</td>
<td>-</td>
<td>48.85%</td>
</tr>
<tr>
<td>Late Fees</td>
<td>27,315</td>
<td>13,539</td>
<td>27,315</td>
<td>-</td>
<td>49.57%</td>
</tr>
<tr>
<td>Solid Waste User Fees</td>
<td>1,186,878</td>
<td>521,366</td>
<td>1,186,878</td>
<td>-</td>
<td>43.93%</td>
</tr>
<tr>
<td>Recycling Cart Fee</td>
<td>60,156</td>
<td>26,410</td>
<td>60,156</td>
<td>-</td>
<td>43.90%</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>1,375,803</td>
<td>610,878</td>
<td>1,375,803</td>
<td>-</td>
<td>44.40%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YTD/Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Management</td>
<td>1,189,104</td>
<td>1,190,104</td>
<td>1,189,104</td>
<td>-</td>
<td>100.08%</td>
</tr>
<tr>
<td>Bad Debt</td>
<td>7,200</td>
<td>-</td>
<td>7,200</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>26,000</td>
<td>-</td>
<td>26,000</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Lease</td>
<td>44,497</td>
<td>44,497</td>
<td>44,497</td>
<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>1,267,101</td>
<td>1,234,601</td>
<td>1,267,101</td>
<td>-</td>
<td>97.44%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YTD/Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transfers In</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Transfers Out</td>
<td>(105,000)</td>
<td>(26,250)</td>
<td>(105,000)</td>
<td>-</td>
<td>25.00%</td>
</tr>
<tr>
<td><strong>Total Other Financing Sources</strong></td>
<td>(105,000)</td>
<td>(26,250)</td>
<td>(105,000)</td>
<td>-</td>
<td>25.00%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>YTD/Encumbered</th>
<th>Amended #2</th>
<th>Difference</th>
<th>% Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Fund Balance</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Audited beginning fund balance</td>
</tr>
<tr>
<td><strong>Ending Fund Balance</strong></td>
<td>3,702</td>
<td>3,702</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
BUDGET AMENDMENT #2 HIGHLIGHTS

This represents the second budget amendment for the 2014-15 Budget. The amendment includes adjustments to the beginning fund balance based on our current Audit, as well as adjustments to the City’s operating, capital projects, and special revenue funds.

GENERAL FUND

The audited amended beginning fund balance is $3,305,017 which is $7,164 more than estimated. The net effect of the amendment is $5,480 less unreserved ending fund balance.

Revenues

- **Property Tax** – Increased $41,309 based on actual collections.
- **Building & Development Fees** – Increased $30,500 based on actual collections.
- **Interlocal** – Increased $15,000 for Interlocal Branding Agreement reimbursement
- **Other** – Other revenue includes additional $8,400 in miscellaneous revenues for totaled Patrol vehicle, and Capital Lease increased $10,216 due to actual costs of items included in the lease.

Expenses

- **CMO**
  - Merit/Market adjustments for all divisions
  - Administration Professional Services increased $15,000 for Interlocal Branding agreement
- **Finance**
  - Merit/Market adjustment; net change $0
- **Development Services**
  - Merit/Market adjustment for all divisions; net change $154
o Planning Division Professional Services increased $14,051 for CAMPO Hutto TDP Scope

- Public Works
  o Merit/Market adjustment for all divisions
  o Animal Control division moved to Public Works from Police; $83,722
  o Net change $83,969 for department

- Police
  o Merit/Market adjustment for all divisions
  o Technology Equip & Supplies less $17,000 per actual costs of PD Camera system
  o Relocation of Animal Control to Public Works from PD; $83,722
  o Vehicles increased $44,589 for cost of replacement patrol vehicle (replace totaled vehicle)
  o Machinery & Equipment reduced $11,504 based on actual cost of ticket writers ($22,710)
  o Net change is less $26,983 for the department

- Parks
  o Merit/Market adjustment for all divisions; net change of $2,781

- Engineering
  o Merit/Market adjustment; net change $0

- General Services
  o Merit/Market adjustment; net change $0
  o Computer Equipment/Software decreased $2,819 based on actual pricing of SAN server upgrade

- Non-Departmental
  o $849 adjustment to Property Insurance from Errors & Omissions
  o Contingency decreased by $50,218 for market adjustments based on the Market Pay Study results

Transfers
- **Transfers Out** – Increased $243,000 to offset Gin Building Restoration project expenses.

**GENERAL DEBT SERVICE FUND**

This fund uses the Interest and Sinking portion of the property tax rate to meet annual debt service requirements related to general governmental activities. The amended beginning fund balance is $199,667.

**Revenues**

- **Rental Income** – Increased $20,328 based on FY15 HEDC rental agreement.

The net effect of the amendment reflects a balance that is $8,854 higher than budgeted. The increase is due to higher property tax collections than anticipated and additional rental income.

**COURT FUND**

The audited beginning fund balance for the combined Court Technology, Security, and Training Funds is $30,179 which is $8,967 more than the adopted budget. Expenses have been modified based on the available fund balance.
**HOTEL TAX FUND**

Contribution to Civic Programs was decreased by $60,000 and moved to Transfer to Fund 60 to offset the increased cost for the Gin Building Restoration. The beginning fund balance is $202,130 which is $13,267 more than budgeted.

**RED LIGHT CAMERA FUND**

The beginning fund balance is $4,942 based on the audit. This represents $2,942 more than the adopted budget amount.

**PEG FUND**

The beginning fund balance is $51,778 based on the audit. This represents $573 less than the adopted budget amount. Expenses have been modified based on the available fund balance.

**UTILITY FUND**

The amended beginning fund balance is $6,456,165, which is $2,627,687 more than the adopted fund balance. Beginning fund balance is estimated during the budget process based on revenue and expense projections. Fund balance is finalized following the audit.

Ending available working capital increases $2,917,323 as a result of the amendment. These funds will need to be set aside to pay future debt service.

**Revenues**

- **Transfer from Fund 55 (UF CIP Fund)** – Reduced $1,167,752 based on rolled PO’s from FY14 to UF CIP Fund(55)
- **Capital Contributions** – Reduced $74,462 based on actual reimbursable construction costs related to the Mesquite/ALCOA Waterline
- **Capital Lease** – Reduced $11,716 based on the actual expense related to purchase of dump truck
Expenses

- Finance
  - $30,000 for Bad Debt moved from Finance Administration (50–020–001–6592) to General Services Utility Billing (50–080–010–6592)

- Water Services
  - Merit/Market adjustment; net change $0
  - Moved Part–time Permanent Salaries to Overtime; net change $0
  - Vehicles reduced by $22,687 based on actual expenses
  - Machinery & Equipment increased $20,031 based on actual expenses

- Wastewater Services
  - Merit/Market adjustment; net change $0
  - Moved Part–time Permanent Salaries to Overtime; net change $0
  - Vehicles increased by $13,855 based on actual expenses

- Hwy 79 WWTR Interceptor
  - Expenses have been modified based on available project balance

- Mesquite/ALCOA Waterline
  - Expenses have been modified based on actual construction cost

- General Services
  - Bad Debt increased $30,000 from reclassification from Finance Administration

- Non–Departmental
  - Adjustment to Liability Insurance/Errors & Omissions ($1,092 total) to offset actual expenses for Property Insurance

**UTILITY DEBT SERVICE**

This fund is used to account for annual debt service (principal reduction and interest) requirements for the City’s Utility system. The amended beginning fund balance is $226,695. The net effect of the amendment reflects a balance that is $176,695 higher than budgeted.
**IMPACT FEE FUND**

The Impact Fee Fund is used to account for collected Water and Wastewater Impact Fees. The audited beginning fund balance is $21,200. This funding is available to pay debt service for utility projects. The balance will be transferred to the Utility Fund.

**UTILITY CIP FUND**

The actual Utility Capital Improvement Projects Fund beginning fund balance is $0 which is $1,026,112 less than the amended. Beginning fund balance is estimated during the budget process based on revenue and expense projections. Expenses have been modified based on available project balance. Transfers Out has been decreased by $1,167,752 based on rolled FY14 PO’s.

**CIP FUND**

The actual Capital Improvement Projects Fund beginning fund balance is $630,443 which is $1,518 less than the amended.

**Revenues**

- **Transfer from Fund 10** – Increased by $243,000 for Gin Building Restoration Project.
- **Transfer from Fund 24** – Increased by $60,000 for Gin Building Restoration Project.

**Expenses**

- **Gin Building Restoration** – Increased $169,000 based on actual project expenses.
- **Mager Lane** – Project finished late FY14. Savings from project rolled into fund balance.
- **FM 685** – Easements increased by actual easement cost and projected utility relocation (Oncor, Atmos, etc.) costs – $810,172
AGENDA ITEM NO.: 9A.  AGENDA DATE: April 02, 2015

PRESENTED BY: Karen Daly, City Manager

ITEM: Consideration and possible action on a resolution concerning an Interlocal Agreement with Williamson County for the reconstruction of Limmer Loop within the City limits.

STRATEGIC GUIDE POLICY: Infrastructure

ITEM BACKGROUND: The City was recently approached by Williamson County to participate in the maintenance and reconstruction of Limmer Loop. Portions of Limmer Loop have fallen into disrepair and are in need of reconstruction. Other portions are in need of an overlay in order to maintain the integrity of the base. The County has produced the construction specifications and will bid and manage the projects for the 5-mile segment of Limmer Loop. The City will only be responsible for the 2 mile portion that has been annexed into the City limits.

BUDGETARY AND FINANCIAL SUMMARY: This project was not included in the 5-Year Capital Improvements Program. As such, the County has agreed to finance the project and the City will pay them back through two methods. The first is a $100,000 annual payment for seven years. The remainder will be reimbursed from the City’s unobligated portion of the Landfill Fund.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

CITY ATTORNEY REVIEW: The City Attorney has prepared the interlocal agreement.

STAFF RECOMMENDATION: It is recommended that the Council approve the interlocal agreement with Williamson County.

SUPPORTING MATERIAL:
1. Resolution - Interlocal with Williamson County for Limmer Loop
2. Limmer Loop Interlocal Agreement
3. Exhibit A
RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTTO CONCERNING AN INTERLOCAL AGREEMENT WITH WILLIAMSON COUNTY FOR THE RECONSTRUCTION AND MAINTENANCE OF THE PORTIONS OF LIMMER LOOP WITHIN THE CITY LIMITS.

WHEREAS, the City Council of the City of Hutto, Texas wishes to enter into an Interlocal Agreement with Williamson County in accordance with the dictates of the Texas Interlocal Cooperation Act; and

WHEREAS, the County desires to rehabilitate Limmer Loop from CR 110 to US 79 and a portion of Limmer Loop lies within the city limits of Hutto; and

WHEREAS, the County and the City desire to cooperate in the expeditious rehabilitation of that portion of Limmer Loop lying within the City limits; and

WHEREAS, such agreement outlines the responsibilities the City of Hutto and Williamson County concerning the project; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City the Interlocal Agreement for the reconstruction and maintenance of the portion of Limmer Loop that lies within the City limits.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this _____ day April, 2015.

CITY OF HUTTO, TEXAS

________________________________
Debbie Holland, Mayor

___________________________
Seth Gipson, City Secretary
INTERLOCAL AGREEMENT BETWEEN
WILLIAMSON COUNTY AND CITY OF HUTTO

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

This Interlocal Agreement (the “Agreement”) is entered into as of this _______ day of ________, 2015, by and between Williamson County, a political subdivision of the State of Texas (the “County”) and the City of Hutto, a Texas home-rule municipality (the “City”) (collectively, the “Parties”).

RECITALS

WHEREAS, V.T.C.A., Government Code, Chapter 791, cited as the Texas Interlocal Cooperation Act, provides that any one or more local governments may contract with each other for the performance of governmental functions or services for the promotion and protection of the health and welfare of the inhabitants of this State and the mutual benefit of the parties; and

WHEREAS, the County desires to rehabilitate Limmer Loop from CR 110 to US 79; and

WHEREAS, a portion of Limmer Loop lies within the city limits of Hutto; and

WHEREAS, the County and the City desire to cooperate in the expeditious rehabilitation of Limmer Loop that portion of Limmer Loop lying within the City limits (“the Project”);

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, the City and the County agree as follows:

A. TERMS AND CONDITIONS

1. Project Improvement.

Limmer Loop is a major arterial running from CR 110 to SH 79, The Project includes that portion of Limmer Loop lying within the city limits, being approximately 1.4 miles in length, as depicted on Exhibit “A”, attached hereto.

2. County Obligations.

The County is in the process of rehabilitating approximately 5.7 miles of Limmer Loop of which approximately 1.4 miles lies within the city limits. The estimated cost of the Project improvement is $1,750,000. The County agrees to pay all costs related to the Project and to commence the Project within six months after the execution of this Agreement. The County will keep accurate records documenting the work done on the Project, which will be available to the City for inspection.
3. **City Obligations.**

   City agrees to pay to the County by June 14 of each year, beginning June 14, 2016, One Hundred Thousand and No/100 Dollars ($100,000). The $100,000 annual payment shall continue for seven (7) years. Additionally, the City agrees that the annual payments due to the City from the unobligated balance in County Solid Waste Landfill Fund (“Landfill Fund Payments”) may be retained by the County until the outstanding debt for the Project has been reimbursed.

B. **MISCELLANEOUS PROVISIONS**

1. **Execution.** This Agreement may be simultaneously executed in any number of counterparts, each of which will serve as an original and will constitute one and the same instrument.

2. **Governing Law.** This Agreement will be governed by the Constitution and laws of the State of Texas.

3. **Successors and Assigns.** The assignment of this Agreement by either Party is prohibited without the prior written consent of the other Party.

4. **Headings.** The captions and headings appearing in this Agreement are inserted merely to facilitate reference and will have no bearing upon its interpretation.

5. **Partial Invalidity.** If any of the terms, covenants or conditions of this Agreement, or the application of any term, covenant, or condition, is held invalid as to any person or circumstance by any court with jurisdiction, the remainder of this Agreement, and the application of its terms, covenants, or conditions to other persons or circumstances, will not be affected.

6. **Waiver.** Any waiver by any party of its rights with respect to a default or requirement under this Agreement will not be deemed a waiver of any subsequent default or other matter.

7. **Amendments.** This Agreement may be amended or modified only by written agreement duly authorized and executed by the duly authorized representatives of the Parties.

8. **Cooperation.** Each Party agrees to execute and deliver all such other and further instruments and undertake such actions as are or may become necessary or convenient to effectuate the purposes and intent of this Agreement.

9. **Venue.** All obligations of the Parties are performable in Williamson County, Texas and venue for any action arising hereunder will be in Williamson County.

10. **Third Party Beneficiaries.** Except as otherwise expressly provided herein, nothing in this Agreement, express or implied, is intended to confer upon any person, other than the Parties, any rights, benefits, or remedies under or by reason of this Agreement.
11. **Representations.** Unless otherwise expressly provided, the representations, warranties, covenants, indemnities, and other agreements will be deemed to be material and continuing, will not be merged, and will survive the termination or expiration of this Agreement.

12. **Exhibits.** All exhibits attached to this Agreement are hereby incorporated in this Agreement as if the same were set forth in full in the body of this Agreement.

13. **Entire Agreement.** This Agreement, including any attached exhibits, contains the entire agreement between the Parties with respect to the subject matter and supersedes all previous communications, representations, or agreements, either verbal or written, between the Parties with respect to such matters.

14. **Term.** This Agreement shall automatically terminate if the Project is not completed within three (3) years after this Agreement is executed by both parties.

**IN WITNESS WHEREOF,** the Parties hereto have caused this instrument to be signed, sealed and attested in duplicate by their duly authorized officers, as of the Effective Date.

**WILLIAMSON COUNTY**

By: ______________________________________
    Honorable Dan A. Gattis, County Judge

Date: ________________________________

**CITY OF HUTTO, TEXAS**

By: ______________________________________
    Debbie Holland, Mayor

Date: ________________________________
AGENDA ITEM NO.: 9B.  
AGENDA DATE: April 02, 2015

PRESENTED BY: Karen Daly, City Manager

ITEM: Consideration and possible action on a resolution concerning the adoption of the City of Hutto’s Stormwater Management Program.

STRATEGIC GUIDE POLICY: Infrastructure

ITEM BACKGROUND: The Texas Commission on Environmental Quality (TCEQ) governs local governments regarding their municipal separate storm sewer systems (MS4s). Hutto’s MS4 consists of the system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, human-made channels and storm drains. Every five years, cities must submit an updated plan to TCEQ. The plan must contain best management practices in six areas: Public Education (press releases), Illicit Discharge (investigation), Construction Site Runoff (siltation fences/SWPPP), Post-Construction Management (erosion), Pollution Prevention/Good Housekeeping (city bldgs), and Industrial Stormwater Sources (Hutto has none yet).

BUDGETARY AND FINANCIAL SUMMARY: Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS: The Growth Guidance Committee reviewed the Best Management Practices that were submitted and approved by TCEQ on March 16, 2015. No changes were made in the plan.

CITY ATTORNEY REVIEW: The City Attorney approved the process as to form.

STAFF RECOMMENDATION: It is recommended that the City Council approve the resolution approving the Stormwater Management Plan.

SUPPORTING MATERIAL:  
1. Resolution - Stormwater Management Plan  
2. Hutto 2014 Stormwater Management Plan
RESOLUTION NO. ______________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS, AUTHORIZING THE HUTTO STORMWATER MANAGEMENT PROGRAM TO BE INCLUDED WITH THE APPLICATION FOR A TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

WHEREAS, the City Council of the City of Hutto, Texas, recognizes the need to protect the health and safety of the citizens of Hutto, Texas; and

WHEREAS, the Texas Commission on Environmental Quality (TCEQ) recently reissued the Municipal Phase II Stormwater permit requiring all Phase II MS4’s to obtain TPDES Phase II permit coverage in order to meet compliance with regulations set forth by the U.S. Environmental Protection Agency and the TCEQ; and

WHEREAS, the City of Hutto meets the definition of a Phase II MS4 as defined by the U.S. Environmental Protection Agency; and

WHEREAS, the TPDES General Permit requires Hutto to submit a permit application to the TCEQ; and

WHEREAS, the TPDES General Permit application requires inclusion of a Stormwater Management Program addressing Minimum Control Measures (MCM’s) through implementation of Best Management Practices (BMP’s); and

WHEREAS, the Stormwater Management Program addressing the MCM’s, tailored to meet Hutto’s needs and abilities, has been prepared.

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

Section 1. The City Council of the City of Hutto, Texas hereby approves the Stormwater Management Program and authorizes the application for TPDES Phase II permit, including the Storm Water Management Program, to be submitted to the TCEQ.

Section 2. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS ON THE _____ DAY OF ____________________, 2015.

CITY OF HUTTO, TEXAS

___________________________________
DEBBIE HOLLAND,
Mayor
PART I
CITY BACKGROUND
City of Hutto

SETTING
The City of Hutto was incorporated in 1911. Its City limits cover about 8 square miles while Hutto’s Extraterritorial Jurisdiction (ETJ) covers approximately 30 square miles. It is located about 22 miles northeast of Austin in Williamson County, along U.S. Highway 79 between the cities of Round Rock and Taylor. The regional topography is flat, and the City is approximately 663 feet above sea level. Currently, the City of Hutto has a population of approximately 22,000.

Runoff management, as well as street maintenance, is performed by the Department of Public Works.

ORGANIZATION
The City is operated by a City Council/City Manager structure. Elected officials include a Mayor and six at-large City Council members.

ORDINANCES AND GUIDANCE
City of Hutto ordinances and guidance that may be affected by the Storm Water Management Program are:
- Subdivision Ordinance/Unified Development Code
- Growth Guidance Plan
- Building Code
- Illicit Discharge Ordinance

LEGAL AUTHORITY
Hutto manages storm water quality issues through its subdivision ordinance and illicit discharge ordinance (or other regulatory mechanism). The ordinances and guidance listed above may also need revision to address elements of the Storm Water Management Program.

INSPECTION/ENFORCEMENT
The City has a Building Code and conducts building inspections through the Development Services Department. Inspectors from the Engineering Department inspect private and public construction of municipal infrastructure.

INFRASTRUCTURE/MUNICIPAL OPERATIONS
The Department of Public Works manages storm water runoff control, street and drainage system maintenance. Mapping of additions to the City drainage system are done in GIS (ArcView, ArcInfo) format by the City’s GIS analyst. The Department of Public Works maintains the sanitary sewer system.

CONSTRUCTION AND DEVELOPMENT
The City Council and Planning and Zoning commission regulate development for Hutto. The Development Services Departments and the City Engineer conduct reviews of proposed development projects. Site Work Permits and Building Permits are issued by the Development Services Department.

PROGRAM FUNDING
The City intends to pay for storm water and drainage management programs from the general utility fund.
OUTREACH/TRAINING
Hutto provides public education to residents on a variety of subjects using mediums such as the Hutto website or the citizen newsletter “City of Hutto E-News.” The Public Works Department provides materials to volunteers while the Parks Department Conducts volunteer events such as the annual Trash-Off. The community organization, “Keep Hutto Beautiful” assists the City with litter control and other programs that involve the community.
PART II
MINIMUM CONTROL MEASURES
Minimum Control Measures

1. Public Education, Outreach and Involvement

1.1 Current Programs

Hutto provides general public education in several ways. Hutto conducts a program called “Citizens University” that educates citizens on the City government. The city program “Youth in Government” goes to area schools to educate children about city government. The City posts a website and publishes a periodic newsletter “Hutto E-News” for disseminating information to the public. “Keep Hutto Beautiful”, a local non-profit organization, sponsors various volunteer clean-up activities. Hutto also performs customer surveys to gain feedback from the public.

1.2 Selected BMPs for Public Education and Outreach

1.2.1 Regulatory Requirement

All permittees shall develop, implement, and maintain a comprehensive stormwater education and outreach program to educate public employees, businesses, and the general public of hazards associated with the illegal discharges and improper disposal of waste and about the impact that stormwater discharges can have on local waterways, as well as the steps that the public can take to reduce pollutants in stormwater.

Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term.

1.2.2 BMP 1 – Utility Bill Inserts

Hutto has selected utility bill inserts for implementation as part of this Storm Water Management Program. The insert will be an informative flyer which describes the importance of storm water quality and drainage issues, and what residents can do to improve storm water quality. It will be integrated into existing activities by being inserted into Hutto residents’ monthly utility bills.

Measurable Goals

The measurable goal for implementation of this BMP is to develop and distribute the storm water quality flyer to area residents in Permit Year 1. Development and implementation will be according to the schedule below.

Schedule

<table>
<thead>
<tr>
<th>Public Education and Outreach: Utility Bill Inserts</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
<td>Year 1</td>
</tr>
<tr>
<td>Year 1</td>
<td>Develop Flyer</td>
</tr>
<tr>
<td>Year 1</td>
<td>Distribute Flyer</td>
</tr>
</tbody>
</table>
Responsible Persons

The Public Works Director with assistance from the Engineering Department has responsibility for implementation of BMP 1 to meet Measurable Goal 1.2.2.

Target Audience

Target audience is residents, businesses, commercial facilities and industrial facilities.

1.2.3 BMP 2 - Newsletter Stormwater Quality Messages

Hutto will use the periodic newsletter “Hutto E-News” to publish messages about the stormwater management program. The messages will include articles of interest to area residents that pertain to stormwater quality, such as proper management of pesticides and fertilizer.

Measurable Goals

The measurable goal for implementation of BMP 2 is to post three stormwater quality related messages per year during each permit year. Messages will have increased focus on educating residents on discharge of bacteria from residential sites, pet waste, sanitary sewer clogging and decorative ponds to comply with Impaired Water Body requirements. Development and implementation will be according to the schedule below.

Schedule

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years 1-5</td>
<td>Post 3 stormwater quality messages</td>
</tr>
</tbody>
</table>

Responsible Persons

The Public Works Director has responsibility for implementation of BMP 2 to meet Measurable Goal 1.2.3.

Target Audience

Target audience is residents, visitors, public service employees, businesses, commercial facilities, industrial facilities and construction site personnel.

1.3 Selected BMPs for Public Involvement

1.3.1 Regulatory Requirement

All permittees shall involve the public, and, at minimum, comply with any state and local public notice requirements in the planning and implementation activities related to developing and
implementing the SWMP, except that correctional facilities are not required to implement this portion of the MCM.

Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term.

1.3.2 BMP 1 – Comply with State and Local Public Notice Requirements

Hutto will comply with state public notice requirements by publishing notice of the TCEQ Office of Chief Clerk’s preliminary determination on the NOI and SWMP. The notice must include:

1. The legal name of the MS4 operator;
2. Indication of whether the NOI is for a new authorization or is a renewal of an existing authorization;
3. The address of the applicant;
4. A brief summary of the information included in the NOI, such as the general location of the small MS4 and a description of the classified receiving waters that receive the discharges from the small MS4;
5. The location and mailing address where the public may provide comments to the TCEQ;
6. The public location where copies of the NOI and SWMP, as well as the executive director's general permit and fact sheet, may be reviewed; and
7. If required by the executive director, the date, time, and location of the public meeting.

These requirements will be met by publishing at least one notice in the designated City newspaper in Hutto, Williamson County. If enough public interest exists, a public meeting will be held.

Measurable Goals

The measurable goal for implementation of BMP 1 is to provide state required public notice in the process of implementing a storm water management program. Implementation will be according to the schedule below.

Schedule

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Submit NOI and SWMP</td>
</tr>
<tr>
<td>Year 1</td>
<td>Publish notice of NOI and SWMP in newspaper</td>
</tr>
<tr>
<td>Year 1</td>
<td>Hold public meeting (if required)</td>
</tr>
</tbody>
</table>

Responsible Persons
The Public Works Director has responsibility for implementation of public notice requirements.

Target Audience

Target audience is residents, visitors, public service employees, businesses, commercial facilities, industrial facilities and construction site personnel.

1.3.3 BMP 2 - Storm Water Quality Volunteer Opportunities

Hutto currently provides support for storm drain stenciling, trash removal and other volunteer opportunities. The City also supports volunteer programs such as creek cleanup programs, City-wide trash-off, etc.

Measurable Goals

The measurable goal for implementation of this BMP is to continue providing support to existing volunteer activities and programs. The City will also develop and provide materials to new volunteer activities and events as they are identified by City staff or citizens. Development and implementation will be according to the schedule below.

Schedule

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years 1 - 5</td>
<td>Provide trash cleanup kits to volunteers</td>
</tr>
<tr>
<td>Years 1 - 5</td>
<td>Provide storm drain stenciling kits to volunteers</td>
</tr>
<tr>
<td>Years 1 - 5</td>
<td>Conduct yearly trash-off event</td>
</tr>
<tr>
<td>Years 1 - 5</td>
<td>Develop &amp; provide materials as new volunteer activities &amp; events are proposed</td>
</tr>
</tbody>
</table>

Responsible Persons

The Public Works Director with assistance from the Parks Department and Streets and Drainage supervisor has responsibility for implementation of the storm water quality volunteer opportunities BMP.

Target Audience

The target audience is residents, public service employees, local volunteer organizations, businesses, commercial facilities and industrial facilities.
2. Illicit Discharge Detection and Elimination (IDDE)

2.1 Regulatory Requirement

All permittees shall develop, implement and enforce a program to detect, investigate, and eliminate illicit discharges into the small MS4. The program must include a plan to detect and address non-stormwater discharges, including illegal dumping to the MS4 system.

Existing permittees must assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term.

2.2 Current Programs

Currently, Hutto Police and Public Works investigate reported or discovered illicit discharges, spills, or illegal dumping and work with the responsible party to remedy the situation. The City enforces an illicit discharge ordinance that lists prohibited discharges and enforcement actions.

2.3 Selected BMPs for Illicit Discharge Detection and Elimination

2.3.1 BMP 1 - Storm Sewer Map

Hutto has developed a GIS-based storm sewer system map, showing the location of all outfalls and the names and locations of all waters of the U.S. that receive discharges from those outfalls. The map will be updated regularly based on as-built construction plans reviewed and approved by the City engineer and/or inspector.

Measurable Goals

The measurable goal for implementation of BMP 1 is to maintain the drainage system map and update as needed for years 1 through 5.

Schedule

<table>
<thead>
<tr>
<th>Storm Sewer System Map</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
</tr>
<tr>
<td>Years 1 - 5</td>
</tr>
</tbody>
</table>

Responsible Persons

The GIS Coordinator with assistance from Engineering has responsibility for maintaining and updating the storm sewer system map.

Target Audience
The target audience for this program is public employees in the code enforcement, public works and engineering departments.

2.3.2 BMP 2 – Education and Training for Public Employee Field Staff

Hutto currently has a training program for Public Employees to reduce pollution from municipal activities. As part of this BMP, municipal training will be expanded to meet requirements in TXR040000 Part III.B.2(c)(2).

Measurable Goals

The measurable goal for implementation of BMP 3 is to evaluate the existing program in Year 1 against requirements in TPDS General Permit TXR04000 Part III.B.2(c)(2). Additional program requirements, resources and training needs to ensure compliance will be identified and acquired in Year 2. The program implementation will begin in year 3.

Schedule

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Evaluate existing program</td>
</tr>
<tr>
<td>Year 2</td>
<td>Identify additional program requirements, resources and training needs.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Acquire needed resources and training.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Implement program</td>
</tr>
</tbody>
</table>

Responsible Persons

The Streets and Drainage supervisor with assistance from the Public Works Director has responsibility for development and implementation of the public employee field staff training program.

Target Audience

The target audience for this program is public employees in the code enforcement, public works and engineering departments.

2.3.3 BMP 3 – Citizen Reporting Program

Hutto currently uses an online Citizen Request Tracker for reporting illegal dumping. The City will continue this service while adding additional features to process illicit discharge reporting. The complaints will be routed internally to the appropriate personnel. Materials will be developed to inform the public on illicit discharge and water quality impacts and the Citizen Reporting Program.

Measurable Goals
Measurable goals will include enhancement of the City’s existing citizen reporting tools to include illicit discharge and water quality impacts. These enhancements will be publicized and incorporated into the City’s new mobile application.

**Schedule**

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Evaluate existing program and identify additional program requirements.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Modify existing reporting tools to incorporate illicit discharge and water quality impact reporting.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Determine method to inform public on reporting tools.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Distribute public information materials on reporting illicit discharge and water quality impact.</td>
</tr>
<tr>
<td>Years 4-5</td>
<td>Maintain program.</td>
</tr>
</tbody>
</table>

**Responsible Persons**

The Public Works Director with assistance from the Technology Committee has responsibility for development and implementation of the Citizen Reporting program.

**Target Audience**

Target audience is residents, businesses, commercial facilities and industrial facilities.

2.3.4 **BMP 4 - Program to Detect and Eliminate Illicit Discharges**

Hutto currently has a program to detect and address non-stormwater discharges, including illegal dumping, into the storm sewer system. Hutto will evaluate the existing program and identify additional program requirements and resource needs. Emphasis will be placed on eliminating waste sources of bacteria to comply with Impaired Water Body requirements. Program will include site inspections in response to complaints and procedures to prevent and correct leaking on site sewage disposal systems.

**Measurable Goals**

The measurable goal for implementation of BMP 3 is to evaluate the existing program in Year 1 against requirements in TPDS General Permit TXR04000 Part III.B.2. Additional program requirements, resources and training needs to ensure compliance will be identified and acquired in Year 2. The program implementation will begin in year 3.

**Schedule**

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Evaluate existing program.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Identify additional program requirements, resources and training needs.</td>
</tr>
</tbody>
</table>
Year 2 | Acquire needed resources and training.
---|---
Year 3 | Implement program.

**Responsible Persons**

The Public Works Director has responsibility for development and implementation of the illicit discharge trace and elimination program.

**Target Audience**

The target audience for this program is public employees in the code enforcement, public works and engineering departments.

2.3.5 **BMP 5 – Illicit Discharge Ordinance**

Hutto has regulatory authority to prohibit illicit discharge through its illicit discharge ordinance adopted under the previous permit term. This ordinance also addresses construction and post construction erosion and sediment controls.

**Measurable Goals**

The measurable goal for implementation of this BMP is continually evaluating the City’s existing stormwater ordinance and updating as necessary to reflect changes in TPDES requirements, technology and practices.

**Schedule**

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Continue to inspect sites to ensure compliance with existing regulations.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Evaluate existing ordinance against TPDES requirements, technology and practices.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Update ordinance as needed to reflect changes in requirements, technology and practices.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Post notification of changes to illicit discharge ordinance.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Implement updated ordinance and inform owners of deficiencies or violations.</td>
</tr>
</tbody>
</table>

**Responsible Persons**

The City Engineer has responsibility for evaluating and updating the illicit discharge ordinance.

**Target Audience**

Target audience is public service employees, businesses, commercial facilities, industrial facilities and construction site personnel.
3. **Construction Site Stormwater Controls**

All permittees shall develop, implement and enforce a program requiring operators of small and large construction activities, as defined in Part I of this general permit, to select, install, implement, and maintain stormwater control measures that prevent illicit discharges to the MEP. The program must include the development and implementation of an ordinance or other regulatory mechanism, as well as sanctions to ensure compliance to the extent allowable under state, federal, and local law, to require erosion and sediment control.

Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term.

If TCEQ waives requirements for stormwater discharges associated with small construction from a specific site(s), the permittee is not required to enforce the program to reduce pollutant discharges from such site(s).

3.1 **Current Program**

Currently, Hutto enforces construction site stormwater controls through provisions included in the illicit discharge ordinance. All construction sites larger than one acre are required to submit a Storm Water Pollution Prevention Plan (SWPPP). Noncompliance with the SWPPP can be cause for the city to halt construction until the problem is remedied.

3.2 **Selected BMPs for Construction Site Storm Water Controls**

3.2.1 **BMP 1 - Ordinance for Construction Site Erosion and Sediment Controls**

Hutto requires erosion and sediment controls at construction sites through the illicit discharge ordinance, as well as sanctions to comply with the requirements. The ordinance and associated requirements require construction site operators to implement appropriate erosion and sediment controls and to control wastes for construction activities at sites of one acre and greater, including construction activities at sites that are part of a larger common plan of development. Signs are posted at construction sites with contact information which includes City staff telephone numbers so that the public may contact city staff if they witness a contractor or developer in violation of the Ordinance for Construction Site Erosion and Sediment Controls. City staff investigates potential violations, reports findings, and if required imposes enforcement action to the extent allowable under state and local law.

*Measurable Goals*

The measurable goal for implementation of this BMP is continually evaluating the City’s existing stormwater ordinance and updating as necessary to reflect changes in TPDES requirements, technology and practices.
Schedule

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Continue to inspect construction sites to ensure compliance with existing regulations.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Evaluate existing ordinance against TPDES requirements, technology and practices.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Update ordinance as needed to reflect changes in requirements, technology and practices.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Notify local construction community (contractors, engineers, developers, etc.) of changes made to stormwater ordinance.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Implement updated ordinance and inform construction site owners of deficiencies or violations.</td>
</tr>
</tbody>
</table>

Responsible Persons

The City Engineer has responsibility for evaluating and updating the ordinance for construction site stormwater controls.

Target Audience

Target audience is public service employees, businesses, commercial facilities, industrial facilities and construction site personnel.

3.2.2 BMP 2 - Public Education on Construction Site Storm Water Control Requirements

Hutto will develop a public education effort to inform the public and construction site operators of the requirements for construction site storm water controls. (This BMP also addresses the minimum control measure for public education.)

Measurable Goals

Hutto currently distributes education materials to construction site operators. During the permit period the City will evaluate these materials, update as necessary and distribute them to permit applicants.

Schedule

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years 1-2</td>
<td>Continue to distribute existing materials to permit applicants.</td>
</tr>
<tr>
<td>Years 1-2</td>
<td>Evaluate public education materials.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Update public education materials.</td>
</tr>
<tr>
<td>Years 3-5</td>
<td>Distribute updated materials to permit applicants.</td>
</tr>
</tbody>
</table>
Responsible Persons

The Public Works Director with assistance from the Engineering Department has responsibility for developing public education material. The Development Services Department has responsibility for distributing materials to permit applicants.

Target Audience

Target audience is all permit applicants and construction site personnel.

3.2.3 BMP 3 - Temporary Erosion and Sediment Control BMPs

The City currently requires all development, re-development and capital improvements construction projects to implement temporary erosion and sediment control BMPs.

Measurable Goals

The City will review existing temporary erosion controls BMPs and assess their effectiveness, appropriateness and cost-effectiveness. The City will revise its erosion and sediment control construction standards as necessary.

Schedule

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years 1-2</td>
<td>Continue to enforce existing temporary erosion and sediment control BMPs.</td>
</tr>
<tr>
<td>Years 1-2</td>
<td>Evaluate temporary erosion and sediment BMPs and construction standards.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Update temporary erosion and sediment BMPs and construction standards.</td>
</tr>
<tr>
<td>Years 3-5</td>
<td>Notify, distribute and enforce updated standards.</td>
</tr>
</tbody>
</table>

Responsible Persons

The City Engineer has responsibility for developing and enforcing temporary erosion and sediment control BMPs.

Target Audience

Target audience is all public employees, permit applicants and construction site personnel.

3.2.4 BMP 4 – Construction Plan Review and Project Acceptance

The City currently reviews all development, redevelopment and capital improvements construction projects for erosion and sedimentation control measures adequacy. The City has developed and implemented a checklist for construction plan review and implemented a standard procedure guiding the plan review process and project acceptance.
**Measurable Goals**

The City will use existing processes while reviewing processes, checklists and procedures to determine compliance with regulations. Processes, checklists, and procedures will be updated as necessary to ensure compliance.

**Schedule**

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Continue to require submission and review construction plans to determine compliance with stormwater regulations.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Evaluate and update construction plan review and project acceptance process, checklists and procedures.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Provide notification to local construction community (contractors, engineers, developers, etc.) of any changes made to construction plan review and project acceptance procedures.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Implement updated construction plan review and project acceptance procedures.</td>
</tr>
<tr>
<td>Years 4-5</td>
<td>Notify construction site owners of deficiencies or violations in plans.</td>
</tr>
</tbody>
</table>

**Responsible Persons**

The Engineering Department has responsibility for the construction plan review and project acceptance process.

**Target Audience**

Target audience is all public employees, construction personnel, engineers, architects, developers, businesses, commercial facilities and industrial facilities.

3.2.5 **BMP 5 – Construction Site Inspection and Enforcement**

The City currently inspects construction sites for erosion control and sediment control BMPs, control of other construction related waste and compliance with City regulations and construction standards.

**Measurable Goals**

The City will review and update existing construction site inspection procedures and forms necessary to construction sites to ensure compliance with local regulations and TCEQ requirements. City will notify construction community of the changes, implement the updated procedures and forms and issue enforcement actions as necessary for sites not in compliance. Inspections will also be conducted in response to notifications from the Citizen Reporting Program.
Schedule

### Construction Site Inspection and Enforcement

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Continue to inspect construction sites for erosion control and sediment controls BMPs and control of other construction wastes.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Evaluate and update construction inspection procedures and forms to ensure compliance with construction site stormwater runoff regulations and TCEQ requirements.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Provide notification to local construction community (contractors, engineers, developers, etc.) of any changes made to construction inspection procedures.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Implement updated construction inspection procedures.</td>
</tr>
<tr>
<td>Years 4-5</td>
<td>Issue enforcement actions to owners and/or operators of construction sites that are not in compliance with stormwater regulations.</td>
</tr>
</tbody>
</table>

**Responsible Persons**

The City Engineer with assistance from the Engineering Department has responsibility for developing construction inspection procedures and conducting inspections.

**Target Audience**

Target audience is all public employees, construction personnel, engineers, architects, developers, businesses, commercial facilities and industrial facilities.

3.2.6  **BMP 6 – Construction Site Stormwater Runoff Employee Training**

The City currently has construction inspection staff attend training and pursue certification to become certified stormwater inspectors.

**Measurable Goals**

Measurable goals for construction site runoff employee training include developing or identifying training programs on construction site erosion and sediment controls for construction inspectors, building inspectors and plan review staff. The training program will then be implemented or scheduled for applicable employees.

**Schedule**

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 2</td>
<td>Notify applicable employees of training program development and seek input.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Develop or identify construction erosion and sediment control training program.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Implement training program for applicable employees.</td>
</tr>
</tbody>
</table>
Responsible Persons

The City Engineer with assistance from the Engineering Department has responsibility for developing and implementing Construction Site Stormwater Runoff Employee Training.

Target Audience

Target audience is construction inspectors, building inspectors and plan review staff in the Engineering and Building departments.
4. **Post Construction Storm Water Management for New Development and Redevelopment**

4.1 **Regulatory Requirement**

All permittees shall develop, implement and enforce a program, to the extent allowable under state, federal, and local law, to control stormwater discharges from new development and redeveloped sites that discharge into the small MS4 that disturb one acre or more, including projects that disturb less than one acre that are part of a larger common plan of development or sale. The program must be established for private and public development sites. The program may utilize offsite mitigation and payment in lieu of components to address this requirement.

Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of the permit term.

All permittees shall use, to the extent allowable under state, federal, and local law and local development standards, an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects. The permittees shall establish, implement, and enforce a requirement that owners or operators of new development and redeveloped sites design, install, implement, and maintain a combination of structural and non-structural BMPs appropriate for the community and that protects water quality. If the construction of permanent structures is not feasible due to space limitations, health and safety concerns, cost effectiveness, or highway construction codes, the permittee may propose an alternative approach to TCEQ. Newly regulated permittees shall have the program element fully implemented by the end of the permit term.

4.2 **Current Programs**

Development within Hutto is regulated by the unified development code, illicit discharge ordinance and the planning and zoning commission. All sites for new development or redevelopment must submit construction plans that are reviewed by staff from the Development Services and Engineering departments for compliance with City ordinances and construction standards. Inspection staff from the Engineering Department ensure that plans are followed, construction controls for erosion and sediment, and post-construction controls for erosion and sediment are fully implemented.

4.3 **Selected BMPs for Post Construction Storm Water Management for New Development/Redevelopment**

4.3.1 **BMP 1 - Ordinance for Post-Construction Controls for New Development and Redevelopment**

The City of Hutto enforces an illicit discharge ordinance regulating discharge into the MS4. The ordinance includes recommended enforcement action for contractors and/or developers in violation of ordinance.

**Measurable Goals**
Measurable goals for this BMP include continued enforcement of the existing illicit discharge ordinance and its provisions concerning construction and post construction discharge. The City will evaluate this ordinance and develop updates that must be incorporated to reflect changes in TPDES requirements, technology and practices. Records of enforcement actions will be documented and maintained for review by TCEQ.

**Schedule**

<table>
<thead>
<tr>
<th>Ordinance for Post Construction Controls for Development and Re-Development</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
<td>Year 1</td>
</tr>
<tr>
<td>Measurable Goals</td>
<td>Continue to inspect construction sites to ensure compliance with existing regulations.</td>
</tr>
</tbody>
</table>

**Responsible Persons**

The City Engineer has responsibility for implementation of BMP 1.

**Target Audience**

Target audience is public service employees, businesses, commercial facilities, industrial facilities and construction site personnel.

### 4.3.2 BMP 2- Permanent Erosion and Sediment Control BMPs

The City currently requires all development, re-development and capital improvements construction projects to implement permanent erosion and sediment control BMPs.

**Measurable Goals**

The City will review existing permanent erosion controls BMPs and assess their effectiveness, appropriateness and cost-effectiveness. The City will revise its erosion and sediment control construction standards as necessary.

**Schedule**

<table>
<thead>
<tr>
<th>Permanent Erosion and Sediment Control BMPs</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
<td>Years 1-2</td>
</tr>
<tr>
<td>Measurable Goals</td>
<td>Continue to enforce existing permanent erosion and sediment control BMPs.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Update permanent erosion and sediment BMPs and construction standards.</td>
</tr>
<tr>
<td>--------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Years 3-5</td>
<td>Notify, distribute and enforce updated standards.</td>
</tr>
</tbody>
</table>

**Responsible Persons**

The Engineering Department has responsibility for developing and enforcing permanent erosion and sediment control BMPs.

**Target Audience**

Target audience is all public employees, permit applicants and construction site personnel.

### 4.3.3 BMP 3– Post Construction Plan Review and Project Acceptance

The City currently reviews all development, redevelopment and capital improvements projects for post construction erosion and sedimentation control measures adequacy. The City has developed and implemented a checklist for construction plan review and implemented a standard procedure guiding the plan review process and project acceptance.

**Measurable Goals**

The City will use existing processes while reviewing all processes, checklists and procedures to determine compliance with regulations. Processes, checklists, and procedures will be updated as necessary to ensure compliance.

**Schedule**

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Continue to require submission and review construction plans to determine compliance with stormwater regulations.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Evaluate and update construction plan review and project acceptance process, checklists and procedures.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Provide notification to local construction community (contractors, engineers, developers, etc.) of any changes made to construction plan review and project acceptance procedures.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Implement updated construction plan review and project acceptance procedures.</td>
</tr>
<tr>
<td>Years 4-5</td>
<td>Notify construction site owners of deficiencies or violations in plans.</td>
</tr>
</tbody>
</table>

**Responsible Persons**

The Engineering Department has responsibility for the construction plan review and project acceptance process.

**Target Audience**
Target audience is all public employees, construction personnel, engineers, architects, developers, businesses, commercial facilities and industrial facilities.

4.3.4 BMP 4 – Post Construction Site Inspection and Enforcement

The City currently inspects construction sites for erosion control and sediment control BMPs, control of other construction related waste and compliance with City regulations and construction standards.

Measurable Goals

The City will review and update existing construction site inspection procedures and forms necessary to construction sites to ensure compliance with local regulations and TCEQ requirements. City will notify construction community of the changes, implement the updated procedures and forms and issue and document enforcement actions as necessary for sites not in compliance.

Schedule

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Continue to inspect construction sites for erosion control and sediment controls BMPs and control of other construction wastes.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Evaluate and update construction inspection procedures and forms to ensure compliance with construction site stormwater runoff regulations and TCEQ requirements.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Provide notification to local construction community (contractors, engineers, developers, etc.) of any changes made to construction inspection procedures.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Implement updated construction inspection procedures.</td>
</tr>
<tr>
<td>Years 4-5</td>
<td>Issue enforcement actions to owners and/or operators of construction sites that are not in compliance with stormwater regulations. Document actions and maintain records.</td>
</tr>
</tbody>
</table>

Responsible Persons

The Engineering Department has responsibility for developing construction inspection procedures and conducting inspections.

Target Audience

Target audience is all public employees, construction personnel, engineers, architects, developers, businesses, commercial facilities and industrial facilities.
4.3.5 BMP 5 – *Long-Term Maintenance of Post-Construction Stormwater Control Measures*

Hutto requires construction of post construction erosion and sediment controls through the inspection and project acceptance process. Owners are required to maintain controls to ensure compliance with state and local regulations.

**Measurable Goals**

The measurable goal for implementation of BMP 5 is notify the development community of Long Term Operation and Maintenance Plan requirements. Post notification the development community will be required to develop and maintain documentation on implementation of Long Term Operation and Maintenance Plan requirements. Enforcement actions will be issued and documented as necessary for sites not in compliance.

**Schedule**

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Continue to inspect for post construction erosion and sediment control measures and enforce maintenance requirements.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Notify development community on requirements for developing a Long Term Operation and Maintenance Plan and enforcement procedures.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Require owner/developer to develop a Long Term Operation and Maintenance Plan in new development and redevelopment projects.</td>
</tr>
<tr>
<td>Years 4-5</td>
<td>Enforce regulations as appropriate to ensure compliance with Long Term Operation and Maintenance Plan requirements.</td>
</tr>
</tbody>
</table>

**Responsible Persons**

The Engineering Department has responsibility for implementation of BMP 5.

**Target Audience**

Target audience is all public employees, construction personnel, engineers, architects, developers, businesses, commercial facilities and industrial facilities.
5. **Pollution Prevention/Good Housekeeping for Municipal Operations**

5.1 **Regulatory Requirement**

All permittees shall develop and implement an operation and maintenance program, including an employee training component that has the ultimate goal of preventing or reducing pollutant runoff from municipal activities and municipally owned areas including but not limited to park and open space maintenance; street, road, or highway maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; municipal parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations.

Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharges of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term.

5.2 **Current Programs**

Hutto has approximately 15 miles of storm sewers, as well as storm water drainage ditches and detention ponds. The Department of Public Works, Streets and Drainage Division handles runoff management and maintenance of the street/drainage system. The City has implemented a training program to prevent and reduce stormwater pollution from municipal activities.

5.3 **Selected BMPs for Municipal Operations**

5.3.1 **BMP 1 – Permittee Owned Facilities and Controls Inventory**

Hutto has developed a GIS-based map showing vegetative line ditches maintained by the City and local Homeowner’s Associations. Separate maps also exist for stormwater outfalls, curb inlets, and municipal facilities.

**Measurable Goals**

The measurable goal for BMP 1 is to create a master inventory for Permittee Owned Facilities and Controls containing all items required by TXR040000. The inventory will be updated as development projects, re-development projects, capital improvement projects occur and municipal operations expand.

**Schedule**

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Evaluate current documents to determine need for additional data acquisition and develop format.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Acquire necessary data to fully catalog Permittee Owned Facilities and Controls.</td>
</tr>
</tbody>
</table>
### Year 3
Create Permittee Owned Facilities and Control Inventory.

### Years 4-5
Update inventory as new assets are constructed or accepted.

**Responsible Persons**

The Streets Supervisor and Public Works Director have responsibility for implementation of the Permittee Owned Facilities and Controls Inventory.

**Target Audience**

Target audience is employees in the Public Works Department and construction inspection staff.

#### 5.3.2 BMP 2 – Municipal Employee Training

Hutto has implemented a Municipal Employee Training of its Storm Water Management Program. This BMP will continue to train employees to prevent and reduce storm water pollution resulting from municipal activities such as:

1. Park maintenance;
2. Fleet and building maintenance;
3. Water/wastewater utility installation and maintenance;

There are currently no municipally owned industrial activities subject to TPDES industrial storm water regulations. It will be integrated into existing activities by being offered to necessary employees.

**Measurable Goals**

The City currently has a training program for Public Works Staff on stormwater pollution prevention and good housekeeping practices. Goal is to evaluate the existing program and update as necessary to keep pace with regulatory changes, new practices and changes in technology. Development and implementation will be according to the schedule below.

**Schedule**

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Continue to utilize current training program on pollution prevention and good housekeeping practices.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Identify additional program requirements, resources and training needs. Acquire needed resources and training.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Implement program</td>
</tr>
<tr>
<td>Years 4-5</td>
<td>Revise program as necessary based on employee feedback.</td>
</tr>
</tbody>
</table>
Responsible Persons

Streets and Drainage Supervisor has responsibility for implementation of Municipal Employee Training.

Target Audience

Target audience is employees in the Public Works Department and construction inspection staff.

5.3.3 BMP 3 – Pollution Prevention Measures for Municipal Operations and Maintenance

Hutto currently conducts several operations and maintenance activities that have the potential to discharge pollutants into stormwater such as roadway repair, cold weather sanding and mowing.

Measurable Goals

The measurable goal for implementation of BMP 3 is to evaluate the City’s standard operations and maintenance activities for potential to discharge pollutants into stormwater. Pollutants of concern will be identified during this process. Pollution prevention measures will be developed after the operations evaluation and pollutant identification process. All pollution prevention measures will be inspected at regular intervals and noted in an inspection log.

Schedule

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Years 1-2</td>
<td>Evaluate standard operations and maintenance activities for potential to discharge pollutants into stormwater.</td>
</tr>
<tr>
<td>Year 2</td>
<td>Identify pollutants of concern that could be discharged by operations and maintenance activities.</td>
</tr>
<tr>
<td>Years 3-4</td>
<td>Develop pollution prevention measures that will reduce the discharge of pollutants to stormwater by operations and maintenance activities.</td>
</tr>
<tr>
<td>Year 5</td>
<td>Implement pollution prevention measures.</td>
</tr>
</tbody>
</table>

Responsible Persons

The Streets Supervisor and Public Works Director have responsibility for Evaluation of Municipal Operations and Development of Pollution Prevention Measures.

Target Audience

Target audience is employees in the Public Works Department and construction inspection staff.

5.3.4 BMP 4 – MS4 Waste Disposal

The City will currently disposes of material within the MS4 without standardized procedures.
Measurable Goals

The measurable goal for implementation of BMP 4 is to develop and implement standardized procedures for disposal of waste removed from the MS4.

Schedule

<table>
<thead>
<tr>
<th>MS4 Waste Disposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
</tr>
<tr>
<td>Year 2</td>
</tr>
<tr>
<td>Year 3</td>
</tr>
</tbody>
</table>

Responsible Persons

The Streets Supervisor and Public Works Director have responsibility for development of standardized procedures for disposal of waste from the MS4.

Target Audience

Target audience is public service employees.

5.3.5 BMP 5—Contractor Requirements and Oversight

Measurable Goals

The measurable goal for implementation of BMP 5 is to institute contract requirements for contractors to comply with Parts IIIB.5(2)-(6) of TXR040000 and oversight procedures.

Schedule

<table>
<thead>
<tr>
<th>Contractor Requirements and Oversight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline</td>
</tr>
<tr>
<td>Year 2</td>
</tr>
<tr>
<td>Year 3</td>
</tr>
<tr>
<td>Year 4</td>
</tr>
</tbody>
</table>

Responsible Persons

The Streets Supervisor and Public Works Director have responsibility for development of contractual requirements and oversight procedures for BMP 5.

Target Audience

Target audience is public service employees and contractors engaged to perform maintenance.
5.3.5 BMP 6 – *Maintenance of Structural Controls*

**Measurable Goals**

The measurable goal for implementation of BMP 6 is to institute a maintenance program for structural controls. Maintenance will be at an interval determined by the Public Works department that will maintain the effectiveness of the control.

**Schedule**

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Measurable Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 2</td>
<td>Develop maintenance program for structural control BMPs.</td>
</tr>
<tr>
<td>Year 3</td>
<td>Implement maintenance program for structural control BMPs.</td>
</tr>
<tr>
<td>Years 4-5</td>
<td>Maintain structural BMPs at appropriate intervals.</td>
</tr>
</tbody>
</table>

**Responsible Persons**

The Streets Supervisor and Public Works Director have responsibility for development and implementation of the maintenance program for structural BMPs.

**Target Audience**

Target audience is public service employees and contractors engaged to perform maintenance.
PART III
APPENDICES
APPENDIX A
SUMMARY FOR PERMIT IMPLEMENTATION /
ANNUAL REPORT TRACKING
<table>
<thead>
<tr>
<th>Program</th>
<th>BMP #</th>
<th>BMP</th>
<th>Activity</th>
<th>Responsible Person</th>
<th>Year Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Public Education, Outreach &amp; Involvement</td>
<td>1.2.2</td>
<td>Utility Bill Inserts</td>
<td>Develop Flyer.</td>
<td>Public Works Director</td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Distribute Flyer.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>1. Public Education, Outreach &amp; Involvement</td>
<td>1.2.3</td>
<td>Stormwater Quality Messages</td>
<td>Post 3 stormwater quality messages.</td>
<td>Public Works Director</td>
<td>x x x x x x</td>
</tr>
<tr>
<td>1. Public Education, Outreach &amp; Involvement</td>
<td>1.3.2</td>
<td>State &amp; Local Public Notice</td>
<td>Submit NOI and SWMP.</td>
<td>Public Works Director</td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Requirements</td>
<td>Public notice of NOI and SWMP in newspaper.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Hold public meeting (if required).</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>1. Public Education, Outreach &amp; Involvement</td>
<td>1.3.3</td>
<td>Volunteer Opportunities</td>
<td>Provide Trash cleanup kits to volunteers.</td>
<td>Public Works Director</td>
<td>x x x x x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Provide storm drain stenciling kits to volunteers.</td>
<td></td>
<td>x x x x x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Conduct yearly trash-off event.</td>
<td></td>
<td>x x x x x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Develop and provide materials</td>
<td></td>
<td>x x x x x</td>
</tr>
<tr>
<td>2. Illicit Discharge Detection and Elimination</td>
<td>2.3.1</td>
<td>Stormsewer Map</td>
<td>Maintain and update storm sewer map as development occurs.</td>
<td>GIS Coordinator</td>
<td>x x x x x</td>
</tr>
<tr>
<td>2. Illicit Discharge Detection and Elimination</td>
<td>2.3.2</td>
<td>Education and Training for Public</td>
<td>Evaluate existing program.</td>
<td>Streets and Drainage Supervisor</td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Works Field Staff</td>
<td></td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Identify additional program requirements &amp; needs.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Acquire needed resources and training.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Implement program.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>2. Illicit Discharge Detection and Elimination</td>
<td>2.3.3</td>
<td>Citizen Reporting Program</td>
<td>Evaluate existing program and identify additional requirements.</td>
<td>Public Works Director</td>
<td>x x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Modify existing program to incorporate illicit discharge.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Determine method to inform public on reporting tools.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Distribute information materials on reporting illicit discharge.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Maintain program.</td>
<td></td>
<td>x x</td>
</tr>
<tr>
<td>2. Illicit Discharge Detection and Elimination</td>
<td>2.3.4</td>
<td>Program to Detect and Eliminate Illicit Discharges</td>
<td>Evaluate existing program.</td>
<td>Public Works Director</td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Identify additional program requirements &amp; needs.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Acquire needed resources and training.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Implement program.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>2. Illicit Discharge Detection and Elimination</td>
<td>2.3.5</td>
<td>Illicit Discharge Ordinance</td>
<td>Continue to inspect sites to ensure compliance with ordinance.</td>
<td>Public Works Director</td>
<td>x x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Evaluate existing ordinance against TPDES requirements.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Update ordinance as needed.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Post notification of changes to illicit discharge ordinance.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Implement updated ordinance and inform owners of deficiencies.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>Program</td>
<td>BMP #</td>
<td>BMP</td>
<td>Activity</td>
<td>Responsible Person</td>
<td>Year Due</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-------</td>
<td>----------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>--------------------</td>
<td>----------</td>
</tr>
<tr>
<td>3. Construction Site</td>
<td>3.2.1</td>
<td>Ordinance for</td>
<td>Continue to inspect sites to ensure compliance regulations.</td>
<td>City Engineer</td>
<td>1</td>
</tr>
<tr>
<td>Stormwater Controls</td>
<td></td>
<td>Construction Site Erosion and</td>
<td>Evaluate existing ordinance against TPDES requirements.</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sediment Controls</td>
<td>Update ordinance as needed.</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Notify local construction community of changes.</td>
<td></td>
<td>4</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Implement updated ordinance and notify owners of deficiencies.</td>
<td></td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public Education on</td>
<td>Continue to distribute existing materials to permit applicants.</td>
<td>Public Works</td>
<td>x</td>
</tr>
<tr>
<td>3. Construction Site</td>
<td>3.2.2</td>
<td>Construction Site Stormwater</td>
<td>Evaluate public education materials.</td>
<td>Director</td>
<td>x</td>
</tr>
<tr>
<td>Stormwater Controls</td>
<td></td>
<td>Controls</td>
<td>Update public education materials.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Distribute updated materials to permit applicants.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Temporary Erosion and Sediment</td>
<td>Enforce existing temporary Erosion &amp; Sediment control BMPs.</td>
<td>City Engineer</td>
<td>x</td>
</tr>
<tr>
<td>Control BMPs</td>
<td>3.2.3</td>
<td></td>
<td>Evaluate temporary Erosion &amp; Sediment control BMPs.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Update temporary Erosion &amp; Sediment control BMPs.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Notify, distribute and enforce updated standards.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Construction Plan Review and</td>
<td>Review construction plans to ensure compliance with regulations.</td>
<td>City Engineer</td>
<td>x</td>
</tr>
<tr>
<td>3. Construction Site</td>
<td>3.2.4</td>
<td>Project Acceptance</td>
<td>Evaluate and update plan review and acceptance process.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>Stormwater Controls</td>
<td></td>
<td></td>
<td>Provide notification to construction community of changes.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Implement updated plan review and acceptance procedures.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Notify owners of deficiencies or violations in plans.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Construction Site Inspection</td>
<td>Inspect construction sites for E &amp; S controls and waste control.</td>
<td>City Engineer</td>
<td>x</td>
</tr>
<tr>
<td>3. Construction Site</td>
<td>3.2.5</td>
<td>and Enforcement</td>
<td>Evaluate and update construction inspection procedures &amp; forms.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>Stormwater Controls</td>
<td></td>
<td></td>
<td>Provide notification to construction community of changes.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Implement updated inspection procedures and forms.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Issue enforcement actions for sites not in compliance.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Construction Site</td>
<td>Notify employees of training program development and seek input.</td>
<td>City Engineer</td>
<td>x</td>
</tr>
<tr>
<td>Employee Training</td>
<td>3.2.6</td>
<td>Stormwater</td>
<td>Develop or identify construction E &amp; S control training program.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Controls for Development</td>
<td>Implement training program for applicable employees.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>4. Post Construction</td>
<td>4.3.1</td>
<td>Ordinance for Post</td>
<td>Continue to inspect sites to ensure compliance regulations.</td>
<td>City Engineer</td>
<td>x</td>
</tr>
<tr>
<td>Stormwater Management for New</td>
<td></td>
<td>Construction Controls for</td>
<td>Evaluate existing ordinance against TPDES requirements.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>Development &amp; Re-Development</td>
<td></td>
<td>Development</td>
<td>Update ordinance as needed.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Notify local construction community of changes.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Implement updated ordinance and notify owners of deficiencies.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>Program</td>
<td>BMP #</td>
<td>BMP</td>
<td>Activity</td>
<td>Responsible Person</td>
<td>Year Due</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>--------</td>
<td>---------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>4. Post Construction Stormwater Management for Development &amp; Redevelopment</td>
<td>4.3.2</td>
<td>Permanent Erosion &amp; Sediment Control BMPs</td>
<td>Continue enforcing existing temporary E &amp; S control BMPs.</td>
<td>City Engineer</td>
<td>x x x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Evaluate temporary Erosion &amp; Sediment control BMPs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Update temporary Erosion &amp; Sediment control BMPs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Notify, distribute and enforce updated standards.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Post Construction Stormwater Management for New Development &amp; Re Development</td>
<td>4.3.3</td>
<td>Post Construction Plan Review and Project Acceptance</td>
<td>Review construction plans to ensure compliance with regulations.</td>
<td>City Engineer</td>
<td>x x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Evaluate and update plan review and acceptance process.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Provide notification to construction community of changes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Implement updated plan review and acceptance procedures.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Notify owners of deficiencies or violations in plans.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Post Construction Stormwater Management for New Development &amp; Re Development</td>
<td>4.3.4</td>
<td>Construction Site Inspection and Enforcement</td>
<td>Inspect construction sites for E &amp; S controls and waste control.</td>
<td>City Engineer</td>
<td>x x x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Evaluate and update construction inspection procedures &amp; forms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Provide notification to construction community of changes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Implement updated inspection procedures and forms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Issue enforcement actions for sites not in compliance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Post Construction Stormwater Management for Development &amp; Redevelopment</td>
<td>4.3.5</td>
<td>Long Term Maintenance of Stormwater Control Measures</td>
<td>Inspect post construction controls and enforce maintenance reqs.</td>
<td>City Engineer</td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Notify development community of Long Term O &amp; M requirements.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Require owner/developer to develop long term O &amp; M plan.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Enforce regulations as appropriate to ensure compliance.</td>
<td></td>
<td>x x</td>
</tr>
<tr>
<td>5. Pollution Prevention/Good Housekeeping for Municipal Operations</td>
<td>5.3.1</td>
<td>Permittee Owned Facilities and Controls Inventory</td>
<td>Evaluate currents documents and determine needs.</td>
<td>Streets and Drainage Supervisor</td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Acquire necessary data to fully catalog facilities and controls.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Create Permittee Owned Facilities and Controls Inventory</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Update inventory as new assets are constructed and accepted.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Pollution Prevention/Good Housekeeping for Municipal Operations</td>
<td>5.3.2</td>
<td>Municipal Employee Training and Education</td>
<td>Continue to utilize current training program on pollution prevention.</td>
<td>Streets and Drainage Supervisor</td>
<td>x x x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Identify additional requirements and acquire necessary resources.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Implement program.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Revise program as necessary based upon employee feedback.</td>
<td></td>
<td>x x</td>
</tr>
<tr>
<td>5. Pollution Prevention/Good Housekeeping for Municipal Operations</td>
<td>5.3.3</td>
<td>Pollution Prevention Measures for Municipal O &amp; M</td>
<td>Evaluate O &amp; M activities for potential to discharge pollutants to MS 4</td>
<td>Streets and Drainage Supervisor</td>
<td>x x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Identify pollutants of concern that could be discharged by O &amp; M.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Develop pollution prevention measures to reduce pollutant discharge.</td>
<td></td>
<td>x x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Implement pollution prevention measures.</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>Program</td>
<td>BMP #</td>
<td>BMP</td>
<td>Activity</td>
<td>Responsible Person</td>
<td>Year Due</td>
</tr>
<tr>
<td>---------</td>
<td>-------</td>
<td>-----</td>
<td>----------</td>
<td>-------------------</td>
<td>---------</td>
</tr>
<tr>
<td>5. Pollution Prevention/Good Housekeeping for Municipal Operations</td>
<td>5.3.4</td>
<td>MS4 Waste Disposal</td>
<td>Develop standard procedures for disposal of waste removed from the Hutto MS4. Implement the standard waste disposal procedures.</td>
<td>Streets and Drainage Supervisor</td>
<td>x</td>
</tr>
<tr>
<td>5. Pollution Prevention/Good Housekeeping for Municipal Operations</td>
<td>5.3.5</td>
<td>Contractor Requirements and Oversight</td>
<td>Develop and institute contract language for contractors to follow Parts III B.5(2)-(6) Develop oversight procedures to ensure contracts follow TPDES requirements. Implement oversight procedures.</td>
<td>Streets and Drainage Supervisor</td>
<td>x</td>
</tr>
<tr>
<td>5. Pollution Prevention/Good Housekeeping for Municipal Operations</td>
<td>5.3.5</td>
<td>Maintenance of Structural Controls</td>
<td>Develop maintenance program for structural BMPs Implement maintenance program for structural BMPs Maintains structural BMPs at appropriate intervals.</td>
<td>Streets and Drainage Supervisor</td>
<td>x x</td>
</tr>
</tbody>
</table>
APPENDIX B
FEDERAL REGULATIONS AND
TCEQ MUNICIPAL GENERAL PERMIT
Texas Commission on Environmental Quality
P.O. Box 13087, Austin, Texas 78711-3087

GENERAL PERMIT TO DISCHARGE UNDER THE
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM

under provisions of
402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

This permit supersedes and replaces
TPDES General Permit No. TXR040000, issued August 13, 2007

Small Municipal Separate Storm Sewer Systems
located in the state of Texas
may discharge directly to surface water in the state

only according to requirements and conditions set forth in this general permit, as well as the
rules of the Texas Commission on Environmental Quality (TCEQ or Commission), the laws of
the State of Texas, and other orders of the the TCEQ. The issuance of this general permit does
not grant to the permittee the right to use private or public property for conveyance of
stormwater and certain non-stormwater discharges along the discharge route. This includes
property belonging to but not limited to any individual, partnership, corporation or other entity.
Neither does this general permit authorize any invasion of personal rights nor any violation of
federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire
property rights as may be necessary to use the discharge route.

This general permit and the authorization contained herein shall expire at midnight, five years
after the permit effective date.

EFFECTIVE DATE:  DEC 13 2013
ISSUED DATE:  DEC 13 2013

[Signature]
For the Commission
TCEQ GENERAL PERMIT NUMBER TXR040000
RELATING TO DISCHARGES FROM
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

Table of Contents
Part I. Definitions ........................................................................................................... 5
Part II. Permit Applicability and Coverage ................................................................. 11
  Section A. Small MS4s Eligible for Authorization under this General Permit ........... 11
    1. Small MS4s Located in an Urbanized Area ......................................................... 11
    2. Designated Small MS4s ..................................................................................... 11
    3. Operators of Previously Permitted Small MS4s ................................................. 11
    4. Regulated Portion of Small MS4 ........................................................................ 12
    5. Categories of Regulated Small MS4s ................................................................. 12
  Section B. Available Waivers from Coverage ....................................................... 12
    1. Waiver Option 1: .............................................................................................. 13
    2. Waiver Option 2: .............................................................................................. 13
  Section C. Allowable Non-Stormwater Discharges ............................................ 14
  Section D. Limitations on Permit Coverage .......................................................... 15
    1. Discharges Authorized by Another TPDES Permit ......................................... 15
    2. Discharges of Stormwater Mixed with Non-Stormwater ............................... 15
    3. Compliance with Water Quality Standards ..................................................... 15
    4. Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements .. 15
    5. Discharges to the Edwards Aquifer Recharge Zone ....................................... 19
    6. Discharges to Specific Watersheds and Water Quality Areas .......................... 20
    7. Protection of Streams and Watersheds by Home Rule Municipalities ............ 20
    8. Indian Country Lands ...................................................................................... 20
    9. Endangered Species Act .................................................................................. 20
   10. Other ................................................................................................................. 21
  Section E. Obtaining Authorization ................................................................. 21
    1. Application for Coverage ................................................................................. 21
    2. Late Submission of the NOI and SWMP .......................................................... 22
    3. Stormwater Management Program (SWMP) ................................................... 22
    4. Contents of the NOI ......................................................................................... 23
    5. Notice of Change (NOC) .................................................................................. 24
    6. Change in Operational Control of a Small MS4.............................................. 24
7. Notice of Termination (NOT) ................................................................. 24
8. Signatory Requirement for NOI, NOT, NOC, and Waiver Forms .......... 24
9. Fees .................................................................................................... 24
10. Permit Expiration ............................................................................. 25
11. Suspension of Permit Coverage ....................................................... 25

Section F. Permitting Options ............................................................. 27
1. Authorization Under the General Permit ......................................... 27
2. Alternative Coverage under an Individual TPDES Permit ................. 27

Part III. Stormwater Management Program (SWMP) ......................... 28

Section A. Developing a Stormwater Management Program (SWMP) ........ 28
1. SWMP Development and Schedule ................................................. 28
2. Content of the SWMP .................................................................... 28
3. Legal Authority .............................................................................. 29
4. Resources ....................................................................................... 30
5. Effluent Limitations ........................................................................ 30
6. Enforcement Measures ................................................................. 30

Section B. Minimum Control Measures ............................................. 30
1. Public Education, Outreach, and Involvement ................................. 31
2. Illicit Discharge Detection and Elimination (IDDE) ............................ 32
3. Construction Site Stormwater Runoff Control ................................. 35
4. Post-Construction Stormwater Management in New Development and Redevelopment ......................................................... 38
5. Pollution Prevention and Good Housekeeping for Municipal Operations .... 40
6. Industrial Stormwater Sources ....................................................... 45
7. Authorization for Construction Activities where the Small MS4 is the Site Operator ......................................................... 46

Section C. General Requirements ....................................................... 47

Part IV. Recordkeeping and Reporting ................................................ 47

Section A. Recordkeeping .................................................................. 47
Section B. Reporting ........................................................................... 47
1. General Reporting Requirements .................................................... 47
2. Annual Report ................................................................................ 48

Part V. Standard Permit Conditions ................................................... 49
Part VI. Authorization for Municipal Construction Activities – Applicable only if the 7th Optional MCM is selected ................................................................. 51

Section A. Eligible Construction Sites ........................................................................ 51

Section B. Discharges Eligible for Authorization .......................................................... 51
1. Stormwater Associated with Construction Activity ............................................. 51
2. Discharges of Stormwater Associated with Construction Support Activities ...... 51
3. Non-Stormwater Discharges .............................................................................. 52
4. Other Permitted Discharges .............................................................................. 52

Section C. Limitations on Permit Coverage ................................................................ 53

Section D. Stormwater Pollution Prevention Plan (SWP3) Requirements .................. 53

Section E. Stormwater Runoff from Concrete Batch Plants ...................................... 53
1. Benchmark Sampling Requirements ..................................................................... 53
2. BMPs and SWP3 Requirements .......................................................................... 55
3. Prohibition of Wastewater Discharges ................................................................. 57
4. Concrete Truck Wash Out Requirements ............................................................... 58

Section F. Effective Date of Coverage ........................................................................ 58

Section G. Deadlines for SWP3 Preparation and Compliance ..................................... 58

Section H. Plan Review and Making Plans Available ................................................ 59

Section I. Keeping Plans Current ............................................................................. 59

Section J. Contents of SWP3 .................................................................................... 59
1. Site Description ..................................................................................................... 59
2. Structural and non-structural controls ................................................................. 60
3. Stabilization Practices ......................................................................................... 60
4. Structural Control Practices ................................................................................ 61
5. Permanent Stormwater Controls ........................................................................ 62
6. Other Controls ..................................................................................................... 62
7. Effluent Limits ..................................................................................................... 62
8. Approved State and Local Plans ......................................................................... 62
9. Maintenance ......................................................................................................... 62
10. Inspections of Controls ...................................................................................... 63
11. Pollution Prevention Measures .......................................................................... 64

Section K. Additional Retention of Records ............................................................... 64
Part I. Definitions

Arid Areas - Areas with an average annual rainfall of less than ten (10) inches.

Best Management Practices (BMPs) - Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spills or leaks, waste disposal, or drainage from raw material storage areas.

Catch basins - Storm drain inlets and curb inlets to the storm drain system. Catch basins typically include a grate or curb inlet that may accumulate sediment, debris, and other pollutants.

Classified Segment - A water body that is listed and described in Appendix A or Appendix C of the Texas Surface Water Quality Standards, at 30 Texas Administrative Code (TAC) § 307.10.


Common Plan of Development or Sale - A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development or sale is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities.

Construction Activity - Soil disturbance, including clearing, grading, and excavating; and not including routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

Small Construction Activity is construction activity that results in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land.

Large Construction Activity is construction activity that results in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land.

Construction Site Operator - The entity or entities associated with a small or large construction project that meet(s) either of the following two criteria:

(a) The entity or entities that have operational control over construction plans and specifications (including approval of revisions) to the extent necessary to meet the requirements and conditions of this general permit; or

(b) The entity or entities that have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a stormwater pollution
prevention plan (SWP3) for the site or other permit conditions (for example they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

**Control Measure** - Any BMP or other method used to prevent or reduce the discharge of pollutants to water in the state.

**Conveyance** - Curbs, gutters, man-made channels and ditches, drains, pipes, and other constructed features designed or used for flood control or to otherwise transport stormwater runoff.

**Discharge** – When used without a qualifier, refers to the discharge of stormwater runoff or certain non-stormwater discharges as allowed under the authorization of this general permit.

**Edwards Aquifer** - As defined in 30 TAC §213.3 (relating to the Edwards Aquifer), that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil’s River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

**Edwards Aquifer Recharge Zone** - Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of the TCEQ or the TCEQ website.

**Final Stabilization** - A construction site where any of the following conditions are met:

(a) All soil disturbing activities at the site have been completed and a uniform (for example, evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

(b) For individual lots in a residential construction site by either:

(1) The homebuilder completing final stabilization as specified in condition (a) above; or

(2) The homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization.

(c) For construction activities on land used for agricultural purposes (for example pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to a surface water and areas which are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (a) above.
(d) In arid, semi-arid, and drought-stricken areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:

1. Temporary erosion control measures (e.g., degradable rolled erosion control product) are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator, and

2. The temporary erosion control measures are selected, designed, and installed to achieve 70 percent vegetative coverage within three years.

**General Permit** - A permit issued to authorize the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by Texas Water Code (TWC) §26.040.

**Groundwater Infiltration** - For the purposes of this permit, groundwater that enters a municipal separate storm sewer system (including sewer service connections and foundation drains) through such means as defective pipes, pipe joints, connections, or manholes.

**High Priority Facilities** - High priority facilities are facilities with a high potential to generate stormwater pollutants. These facilities must include, at a minimum, the MS4 operator’s maintenance yards, hazardous waste facilities, fuel storage locations, and other facilities where chemicals or other materials have a high potential to be discharged in stormwater. Among the factors that must be considered when giving a facility a high priority ranking are: the amount of urban pollutants stored at the site, the identification of improperly stored materials, activities that must not be performed outside (for example, changing automotive fluids, vehicle washing), proximity to waterbodies, proximity to sensitive aquifer recharge features, poor housekeeping practices, and discharge of pollutant(s) of concern to impaired water(s).

**Hyperchlorinated Water** – Water resulting from hyperchlorination of waterlines or vessels, with a chlorine concentration greater than 10 milligrams per liter (mg/L).

**Illicit Connection** - Any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

**Illicit Discharge** - Any discharge to a municipal separate storm sewer that is not entirely composed of stormwater, except discharges pursuant to this general permit or a separate authorization and discharges resulting from emergency fire fighting activities.

**Impaired Water** - A surface water body that is identified on the latest approved CWA §303(d) List as not meeting applicable state water quality standards. Impaired waters include waters with approved or established total maximum daily loads (TMDLs), and those where a TMDL has been proposed by TCEQ but has not yet been approved or established.

**Indian Country** - Defined in 18 USC § 1151 as: (a) All land within the limits of any Indian reservation under the jurisdiction of the United States (U.S.) Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; (b) All dependent Indian communities within the borders of the U.S. whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state; and (c) All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe.

**Indicator Pollutant** - An easily measured pollutant, that may or may not impact water quality that indicates the presence of other stormwater pollutants.
Industrial Activity - Any of the ten (10) categories of industrial activities included in the definition of “stormwater discharges associated with industrial activity” as defined in 40 Code of Federal Regulations (CFR) §122.26(b)(14)(i)-(ix) and (xi).

Maximum Extent Practicable (MEP) - The technology-based discharge standard for municipal separate storm sewer systems (MS4s) to reduce pollutants in stormwater discharges that was established by the CWA § 402(p). A discussion of MEP as it applies to small MS4s is found in 40 CFR § 122.34.

MS4 Operator - For the purpose of this permit, the public entity or the entity contracted by the public entity, responsible for management and operation of the small municipal separate storm sewer system that is subject to the terms of this general permit.

Municipal Separate Storm Sewer System (MS4) - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(a) Owned or operated by the U.S., a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under the CWA §208 that discharges to surface water in the state;

(b) That is designed or used for collecting or conveying stormwater;

(c) That is not a combined sewer; and

(d) That is not part of a publicly owned treatment works (POTW) as defined in 40 CFR §122.2.

Non-traditional Small MS4 - A small MS4 that often cannot pass ordinances and may not have the enforcement authority like a traditional small MS4 would have to enforce the stormwater management program. Examples of non-traditional small MS4s include counties, transportation authorities (including the Texas Department of Transportation), municipal utility districts, drainage districts, military bases, prisons and universities.

Notice of Change (NOC) - A written notification from the permittee to the executive director providing changes to information that was previously provided to the agency in a notice of intent.

Notice of Intent (NOI) - A written submission to the executive director from an applicant requesting coverage under this general permit.

Notice of Termination (NOT) - A written submission to the executive director from a permittee authorized under a general permit requesting termination of coverage under this general permit.

Outfall - A point source at the point where a small MS4 discharges to waters of the U.S. and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream or other waters of the U.S. and are used to convey waters of the U.S. For the purpose of this permit, sheet flow leaving a linear transportation system without channelization is not considered an outfall. Point sources such as curb cuts; traffic or right-or-way barriers with drainage slots that drain into open culverts, open swales or an adjacent property, or otherwise not actually discharging into waters of the U.S. are not considered an outfall.
Permittee - The MS4 operator authorized under this general permit.

Point Source - (from 40 CFR § 122.22) any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant(s) of Concern – For the purpose of this permit, includes biochemical oxygen demand (BOD), sediment or a parameter that addresses sediment (such as total suspended solids (TSS), turbidity or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from an MS4. (Definition from 40 CFR § 122.32(e)(3)).

Redevelopment - Alterations of a property that changed the "footprint" of a site or building in such a way that there is a disturbance of equal to or greater than one (1) acre of land. This term does not include such activities as exterior remodeling, routine maintenance activities, and linear utility installation.

Semiarid Areas - Areas with an average annual rainfall of at least ten (10) inches, but less than 20 inches.

Small Municipal Separate Storm Sewer System (MS4) – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

(a) Owned or operated by the U.S., a state, city, town, borough, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under CWA § 208;

(b) Designed or used for collecting or conveying stormwater;

(c) Which is not a combined sewer;

(d) Which is not part of a publicly owned treatment works (POTW) as defined in 40 CFR § 122.2; and

(e) Which was not previously regulated under a National Pollutant Discharge Elimination System (NPDES) or a Texas Pollutant Discharge Elimination System (TPDES) individual permit as a medium or large municipal separate storm sewer system, as defined in 40 CFR §§122.26(b)(4) and (b)(7).

This term includes systems similar to separate storm sewer systems at military bases, large hospitals or prison complexes, and highways and other thoroughfares. This term does not include separate storm sewers in very discrete areas, such as individual buildings. For the purpose of this permit, a very discrete system also includes storm drains associated with certain municipal offices and education facilities serving a nonresidential population, where those storm drains do not function as a system, and where the buildings are not physically interconnected to a small MS4 that is also operated by that public entity.

Stormwater and Stormwater Runoff - Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Associated with Construction Activity - Stormwater runoff from an area where there is either a large construction or a small construction activity.
**Stormwater Management Program (SWMP)** - A comprehensive program to manage the quality of discharges from the municipal separate storm sewer system.

**Structural Control (or Practice)** - A pollution prevention practice that requires the construction of a device, or the use of a device, to capture or prevent pollution in stormwater runoff. Structural controls and practices may include but are not limited to: wet ponds, bioretention, infiltration basins, stormwater wetlands, silt fences, earthen dikes, drainage swales, vegetative lined ditches, vegetative filter strips, sediment traps, check dams, subsurface drains, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.

**Surface Water in the State** - Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHWM) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all water courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

**Total Maximum Daily Load (TMDL)** - The total amount of a substance that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

**Traditional Small MS4** - A small MS4 that can pass ordinances and have the enforcement authority to enforce the stormwater management program. An example of traditional MS4s includes cities.

**Urbanized Area (UA)** - An area of high population density that may include multiple small MS4s as defined and used by the U.S. Census Bureau in the 2000 and the 2010 Decennial census.

**Waters of the United States** - (According to 40 CFR § 122.2) Waters of the United States or waters of the U.S. means:

(a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(b) All interstate waters, including interstate wetlands;

(c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

   (1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;

   (2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

   (3) Which are used or could be used for industrial purposes by industries in interstate commerce;
(d) All impoundments of waters otherwise defined as waters of the United States under this definition;
(e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;
(f) The territorial sea; and
(g) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA (other than cooling ponds as defined in 40 CFR § 423.11(m) which also meet the criteria of this definition) are not waters of the U.S. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the U.S. (such as disposal area in wetlands) nor resulted from the impoundment of waters of the U.S. Waters of the U.S. do not include prior converted cropland. Notwithstanding the determination of an area’s status as prior converted cropland by any other federal agency, for the purposes of the CWA, the final authority regarding the CWA jurisdiction remains with the EPA.

Part II. Permit Applicability and Coverage

This general permit provides authorization for stormwater and certain non-stormwater discharges from small municipal separate storm sewer systems (MS4) to surface water in the state. The general permit contains requirements applicable to all small MS4s that are eligible for coverage under this general permit.

Section A. Small MS4s Eligible for Authorization under this General Permit

Discharges from a small MS4 must be authorized if any of the following criteria are met and may be authorized under this general permit if coverage is not otherwise prohibited.

1. Small MS4s Located in an Urbanized Area

Operators of small MS4s that are fully or partially located within an urbanized area (UA), as determined by the 2000 or 2010 Decennial Census by the U.S. Bureau of Census, must obtain authorization for the discharge of stormwater runoff and are eligible for coverage under this general permit unless otherwise prohibited.

2. Designated Small MS4s

A small MS4 that is outside an urbanized area that is designated by TCEQ based on evaluation criteria as required by 40 CFR § 122.32(a)(2) or 40 CFR § 122.26(a)(1)(v) and adopted by reference in Title 30, TAC § 281.25, is eligible for coverage under this general permit. Following designation, operators of small MS4s must obtain authorization under this general permit or apply for coverage under an individual TPDES stormwater permit within 180 days of notification of their designation.

3. Operators of Previously Permitted Small MS4s

Operators of small MS4s that were covered under the previous TPDES general permit for small MS4s (TXR040000, Issued and Effective on August 13, 2007) must reapply for permit coverage, or must obtain a waiver if applicable (see Part II.B, related to Obtaining a Waiver.)
4. **Regulated Portion of Small MS4**

The portion of the small MS4 that is required to meet the conditions of this general permit are those portions that are located within the UA as defined and used by the U.S. Census Bureau in the 2000 or 2010 census, as well as any portion of the small MS4 that is designated by TCEQ.

For the purpose of this permit, the regulated portion of a small MS4 for a transportation entity is the land owned by the permittee within the UA which functions as, or is integral to a transportation system with drainage conveyance. Non-contiguous property that does not drain into the transportation drainage system is not subject to this general permit.

5. **Categories of Regulated Small MS4s**

This permit defines MS4 operators by the following categories, or levels, based on the population served within the 2010 UA. The level of a small MS4 may change during the permit term based on the MS4 operator acquiring or giving up regulated area, such as by annexing land or if land is annexed away. However, the level of a small MS4 will not change during the permit term based on population fluctuation.

(a) **Level 1**: Operators of traditional small MS4s that serve a population of less than 10,000 within a UA;

(b) **Level 2**: Operators of traditional small MS4s that serve a population of at least 10,000 but less than 40,000 within a UA. This category also includes all non-traditional small MS4s such as counties, drainage districts, transportation entities, military bases, universities, colleges, correctional institutions, municipal utility districts and other special districts regardless of population served within the UA, unless the non-traditional MS4 can demonstrate that it meets the criteria for a waiver from permit coverage based on the population served;

(c) **Level 3**: Operators of traditional small MS4s that serve a population of at least 40,000 but less than 100,000 within a UA;

(d) **Level 4**: Operators of traditional small MS4s that serve a population of 100,000 or more within a UA.

For the purpose of this section “serve a population” means the residential population within the regulated portion of the small MS4 based on the 2010 census, except for non-traditional small MS4s listed in (b) above.

Section B. **Available Waivers from Coverage**

The TCEQ may waive permitting requirements for small regulated MS4 operators if the criteria are met for Waiver Option 1 or 2 below. To obtain Waiver Option 1, the MS4 operator must submit the request on a waiver form provided by the executive director. To obtain Waiver Option 2, the MS4 operator must contact the executive director and coordinate the activities required to meet the waiver conditions. A provisional waiver from permitting requirements begins 30 days after an administratively complete waiver form is postmarked for delivery to the TCEQ. Following review of the waiver form, the executive director may:(1) Determine that the waiver form is technically complete and approve the waiver by providing a notification and a waiver number; (2) Determine that the waiver form is incomplete and deny the waiver until a completed waiver form is submitted; or (3) Deny the waiver and require that permit coverage be obtained.
If the conditions of a waiver are not met by the MS4 operator, then the MS4 operator must submit an application for coverage under this general permit or a separate TPDES permit application.

At any time the TCEQ may require a previously waived MS4 operator to comply with this general permit or another TPDES permit if circumstances change so that the conditions of the waiver are no longer met. Changed circumstances can also allow a regulated MS4 operator to request a waiver at any time.

At any time the TCEQ can request to review any waivers granted to MS4 operators to determine whether any of the information required for granting the waiver has changed. At a minimum TCEQ will review all waivers when MS4 operators submit their renewal waiver applications.

For the purpose of obtaining a waiver, the population served refers to the residential population for traditional small MS4s and for certain non-traditional small MS4s with a residential population (such as counties and municipal utility districts). For other non-traditional small MS4s, the population served refers to the number of people using the small MS4 on an average operational day.

1. **Waiver Option 1:**

   The small MS4 serves a population of less than 1,000 within a UA and meets the following criteria:

   (a) The small MS4 is not contributing substantially to the pollutant loadings of a physically interconnected MS4 that is regulated by the NPDES / TPDES stormwater program (40 CFR § 122.32(d)); and

   (b) If the small MS4 discharges any pollutant(s) that have been identified as a cause of impairment of any water body to which the small MS4 discharges, stormwater controls are not needed based on wasteload allocations that are part of an EPA approved or established TMDL that addresses the pollutant(s) of concern.

2. **Waiver Option 2:**

   The small MS4 serves a population under 10,000 within a UA and meets the following criteria:

   (a) The TCEQ has evaluated all waters of the U.S., including small streams, tributaries, lakes, and ponds, that receive a discharge from the small MS4;

   (b) For all such waters, the TCEQ has determined that stormwater controls are not needed based on wasteload allocations that are part of an approved or established TMDL that addresses the pollutant(s) of concern or, if a TMDL has not been developed or approved, an equivalent analysis that determines sources and allocations for the pollutant(s) of concern; and

   (c) The TCEQ has determined that future discharges from the small MS4 do not have the potential to exceed Texas surface water quality standards, including impairment of designated uses, or other significant water quality impacts, including habitat and biological impacts.

   (d) For the purpose of this paragraph (2.), the pollutant(s) of concern include biochemical oxygen demand (BOD), sediment or a parameter that addresses sediment (such as total.
suspended solids, turbidity or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the small MS4.

Section C. Allowable Non-Stormwater Discharges

The following non-stormwater sources may be discharged from the small MS4 and are not required to be addressed in the small MS4’s Illicit Discharge and Detection or other minimum control measures, unless they are determined by the permittee or the TCEQ to be significant contributors of pollutants to the small MS4, or they are otherwise prohibited by the MS4 operator:

1. Water line flushing (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
2. Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources;
3. Discharges from potable water sources that do not violate Texas Surface Water Quality Standards;
4. Diverted stream flows;
5. Rising ground waters and springs;
6. Uncontaminated ground water infiltration;
7. Uncontaminated pumped ground water;
8. Foundation and footing drains;
9. Air conditioning condensation;
10. Water from crawl space pumps;
11. Individual residential vehicle washing;
12. Flows from wetlands and riparian habitats;
13. Dechlorinated swimming pool discharges that do not violate Texas Surface Water Quality Standards;
14. Street wash water excluding street sweeper waste water;
15. Discharges or flows from emergency fire fighting activities (fire fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities);
16. Other allowable non-stormwater discharges listed in 40 CFR § 122.26(d)(2)(iv)(B)(1);
17. Non-stormwater discharges that are specifically listed in the TPDES Multi Sector General Permit (MSGP) TXR050000 or the TPDES Construction General Permit (CGP) TXR150000;
18. Discharges that are authorized by a TPDES or NPDES permit or that are not required to be permitted; and
19. Other similar occasional incidental non-stormwater discharges such as spray park water, unless the TCEQ develops permits or regulations addressing these discharges.
Section D. Limitations on Permit Coverage

1. Discharges Authorized by Another TPDES Permit

Discharges authorized by an individual or other general TPDES permit may be authorized under this TPDES general permit only if the following conditions are met:

(a) The discharges meet the applicability and eligibility requirements for coverage under this general permit;

(b) A previous application or permit for the discharges has not been denied, terminated, or revoked by the executive director as a result of enforcement or water quality related concerns. The executive director may provide a waiver to this provision based on new circumstances at the regulated small MS4; and

(c) The executive director has not determined that continued coverage under an individual permit is required based on consideration of an approved total maximum daily loading (TMDL) model and implementation plan, anti-backsliding policy, history of substantive non-compliance or other 30 TAC Chapter 205 considerations and requirements, or other site-specific considerations.

2. Discharges of Stormwater Mixed with Non-Stormwater

Stormwater discharges that combine with sources of non-stormwater are not eligible for coverage by this general permit, unless either the non-stormwater source is described in Part II.C of this general permit or the non-stormwater source is authorized under a separate TPDES permit.

3. Compliance with Water Quality Standards

Discharges to surface water in the state that would cause, has the reasonable potential to cause, or contribute to a violation of water quality standards or that would fail to protect and maintain existing designated uses are not eligible for coverage under this general permit except as described in Part II.D.4 below. The executive director may require an application for an individual permit or alternative general permit to authorize discharges to surface water in the state if the executive director determines that an activity will cause has the reasonable potential to cause, or contribute to, a violation of water quality standards or is found to cause, have the reasonable potential to cause, or contribute to the impairment of a designated use of surface water in the state. The executive director may also require an application for an individual permit based on factors described in Part II.F.2.

4. Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements

Discharges of the pollutant(s) of concern to impaired water bodies for which there is a TCEQ and EPA approved total maximum daily load (TMDL) are not eligible for this general permit unless they are consistent with the approved TMDL. A water body is impaired for purposes of the permit if it has been identified, pursuant to the latest TCEQ and EPA approved CWA §303(d) list, as not meeting Texas Surface Water Quality Standards.

The permittee shall control the discharges of pollutant(s) of concern to impaired waters and waters with approved TMDLs as provided in sections (a) and (b) below, and shall assess the progress in controlling those pollutants.

(a) Discharges to Water Quality Impaired Water Bodies with an Approved TMDL
If the small MS4 discharges to an impaired water body with an approved TMDL, where stormwater has the potential to cause or contribute to the impairment, the permittee shall include in the SWMP controls targeting the pollutant(s) of concern along with any additional or modified controls required in the TMDL and this section.

The SWMP and required annual reports must include information on implementing any targeted controls required to reduce the pollutant(s) of concern as described below:

1. **Targeted Controls**
   - The SWMP must include a detailed description of all targeted controls to be implemented, such as identifying areas of focused effort or implementing additional Best Management Practices (BMPs) to reduce the pollutant(s) of concern in the impaired waters.

2. **Measurable Goals**
   - For each targeted control, the SWMP must include a measurable goal and an implementation schedule describing BMPs to be implemented during each year of the permit term.

3. **Identification of Benchmarks**
   - The SWMP must identify a benchmark for the pollutant(s) of concern. Benchmarks are designed to assist in determining if the BMPs established are effective in addressing the pollutant(s) of concern in stormwater discharge(s) from the MS4 to the maximum extent practicable (MEP). The BMPs addressing the pollutant of concern must be re-evaluated on an annual basis for progress towards the benchmarks and modified as necessary within an adaptive management framework. These benchmarks are not numeric effluent limitations or permit conditions but intended to be guidelines for evaluating progress towards reducing pollutant discharges consistent with the benchmarks. The exceedance of a benchmark is not a permit violation and does not in itself indicate a violation of instream water quality standards.

   The benchmark must be determined based on one of the following options:

   a. If the MS4 is subject to a TMDL that identifies a Waste Load Allocation(s) (WLA) for permitted MS4 stormwater sources, then the SWMP may identify it as the benchmark. Where an aggregate allocation is used as a benchmark, all affected MS4 operators are jointly responsible for progress in meeting the benchmark and shall (jointly or individually) develop a monitoring/assessment plan as required in Part II.D.4(a)(6).

   b. Alternatively, if multiple small MS4s are discharging into the same impaired water body with an approved TMDL, with an aggregate WLA for all permitted stormwater MS4s, then the MS4s may combine or share efforts to determine an alternative sub-benchmark for the pollutant(s) of concern (e.g., bacteria) for their respective MS4. The SWMP must clearly define this alternative approach and must describe how the sub-benchmark would cumulatively support the aggregate WLA. Where an aggregate benchmark has been broken into sub-benchmarks for individual MS4s, each permittee is only responsible for progress in meeting its sub-benchmark.

4. **Annual Report**
   - The annual report must include an analysis of how the selected BMPs will be effective in contributing to achieving the benchmark.
(5) Impairment for Bacteria

If the pollutant of concern is bacteria, the permittee shall include focused BMPs addressing the below areas, as applicable, in the SWMP and implement as appropriate. If a TMDL Implementation Plan (I-Plan) is available, the permittee may refer to the I-Plan for appropriate BMPs. The SWMP and annual report must include the selected BMPs. Permitees may not exclude BMPs associated with the minimum control measures required under 40 CFR §122.34 from their list of proposed BMPs. Proposed BMPs will be reviewed by the executive director during the NOI and SWMP review and approval process.

The BMPs shall, as appropriate, address the following:

a. Sanitary Sewer Systems
   (i) Make improvements to sanitary sewers to reduce overflows;
   (ii) Address lift station inadequacies;
   (iii) Improve reporting of overflows; and
   (iv) Strengthen sanitary sewer use requirements to reduce blockage from fats, oils, and grease.

b. On-site Sewage Facilities (for entities with appropriate jurisdiction)
   (i) Identify and address failing systems; and
   (ii) Address inadequate maintenance of On-Site Sewage Facilities (OSSFs).

c. Illicit Discharges and Dumping
   Place additional effort to reduce waste sources of bacteria; for example, from septic systems, grease traps, and grit traps.

d. Animal Sources
   Expand existing management programs to identify and target animal sources such as zoos, pet waste, and horse stables.

e. Residential Education
   Increase focus to educate residents on:
   (i) Bacteria discharging from a residential site either during runoff events or directly;
   (ii) Fats, oils, and grease clogging sanitary sewer lines and resulting overflows;
   (iii) Decorative ponds; and
   (iv) Pet waste.

(6) Monitoring or Assessment of Progress

The permittee shall monitor or assess progress in achieving benchmarks and determine the effectiveness of BMPs, and shall include documentation of this monitoring or assessment in the SWMP and annual reports. In addition, the SWMP must include methods to be used.

a. The permittee may use either of the following methods to evaluate progress towards the benchmark and improvements in water quality as follows:
i) Evaluating Program Implementation Measures

The permittee may evaluate and report progress towards the benchmark by describing the activities and BMPs implemented, by identifying the appropriateness of the identified BMPs, and by evaluating the success of implementing the measurable goals.

The permittee may assess progress by using program implementation indicators such as: (1) number of sources identified or eliminated; (2) decrease in number of illegal dumping; (3) increase in illegal dumping reporting; (4) number of educational opportunities conducted; (5) reductions in sanitary sewer flows (SSOs); or, (6) increase in illegal discharge detection through dry screening, etc.; or

ii) Assessing Improvements in Water Quality

The permittee may assess improvements in water quality by using available data for segment and assessment units of water bodies from other reliable sources, or by proposing and justifying a different approach such as collecting additional instream or outfall monitoring data, etc. Data may be acquired from TCEQ, local river authorities, partnerships, and/or other local efforts as appropriate.

b. Progress towards achieving the benchmark shall be reported in the annual report. Annual reports shall report the benchmark and the year(s) during the permit term that the MS4 conducted additional sampling or other assessment activities.

(7) Observing no Progress Towards the Benchmark

If, by the end of the third year from the effective date of the permit, the permittee observes no progress toward the benchmark either from program implementation or water quality assessments as described in Part II.D.4(a)(6), the permittee shall identify alternative focused BMPs that address new or increased efforts towards the benchmark or, as appropriate, shall develop a new approach to identify the most significant sources of the pollutant(s) of concern and shall develop alternative focused BMPs for those (this may also include information that identifies issues beyond the MS4’s control). These revised BMPs must be included in the SWMP and subsequent annual reports.

Where the permittee originally used a benchmark based on an aggregated WLA, the permittee may combine or share efforts with other MS4s discharging to the same watershed to determine an alternative sub-benchmark for the pollutant(s) of concern for their respective MS4s, as described in Part II.D.4(a)(3)(b) above. Permittees must document, in their SWMP for the next permit term, the proposed schedule for the development and subsequent adoption of alternative sub benchmark for the pollutant(s) of concern for their respective MS4s and associated assessment of progress in meeting those individual benchmarks.

(b) Discharges Directly to Water Quality Impaired Water Bodies without an Approved TMDL

The permittee shall also determine whether the permitted discharge is directly to one or more water quality impaired water bodies where a TMDL has not yet been approved by TCEQ and EPA. If the permittee discharges directly into an impaired water body without an approved TMDL, the permittee shall perform the following activities:
(1) Discharging a Pollutant of Concern

a. Within the first year following the permit effective date, the permittee shall determine whether the small MS4 may be a source of the pollutant(s) of concern by referring to the CWA §303(d) list and then determining if discharges from the MS4 would be likely to contain the pollutant(s) of concern at levels of concern.

b. If the permittee determines that the small MS4 may discharge the pollutant(s) of concern to an impaired water body without an approved TMDL, the permittee shall, no later than two years following the permit effective date, ensure that the SWMP includes focused BMPs, along with corresponding measurable goals, that the permittee will implement, to reduce, the discharge of pollutant(s) of concern that contribute to the impairment of the water body.

c. In addition, no later than three years following the permit effective date, the permittee shall submit an NOC to amend the SWMP to include any additional BMPs to address the pollutant(s) of concern.

(2) Impairment of Bacteria

Where the impairment is for bacteria, the permittee shall identify potential significant sources and develop and implement focused BMPs for those sources. The permittee may implement the BMPs listed in Part II.D.4(a)(5) or proposed alternative BMPs as appropriate.

(3) The annual report must include information on compliance with this section, including results of any sampling conducted by the permittee.

5. Discharges to the Edwards Aquifer Recharge Zone

Discharges of stormwater from regulated small MS4s, and other non-stormwater discharges, are not authorized by this general permit where those discharges are prohibited by 30 TAC Chapter 213 (Edwards Aquifer Rule). New discharges located within the Edwards Aquifer Recharge Zone, or within that area upstream from the recharge zone and defined as the Contributing Zone, must meet all applicable requirements of, and operate according to, 30 TAC Chapter 213 (Edwards Aquifer Rule) in addition to the provisions and requirements of this general permit.

For existing discharges, the requirements of the agency-approved Water Pollution Abatement Plan (WPAP) under the Edwards Aquifer Rule are in addition to the requirements of this general permit. BMPs and maintenance schedules for structural stormwater controls, for example, may be required as a provision of the rule. All applicable requirements of the Edwards Aquifer Rule for reductions of suspended solids in stormwater runoff are in addition to the effluent limitation requirements found in Part VI.D. of this general permit.

The permittee’s agency-approved WPAPs that are required by the Edwards Aquifer Rule must be referenced in the SWMP. Additional agency-approved WPAPs received after the SWMP submittal must be recorded in the annual report for each respective permit year. For discharges originating from the small MS4 permitted area, and located on or within ten stream miles upstream of the Edwards Aquifer recharge zone, applicants must also submit a copy of the MS4 NOI to the appropriate TCEQ regional office with each WPAP application submitted to TCEQ on or after August 13, 2012.
Counties: Comal, Bexar, Medina, Uvalde, and Kinney

Contact:
TCEQ, Water Program Manager
San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233-4480
(210) 490-3096

Counties: Williamson, Travis, and Hays

Contact:
TCEQ, Water Program Manager
Austin Regional Office
12100 Park 35 Circle, Bldg. A, Rm 179
Austin, Texas 78753
(512) 339-2929

6. Discharges to Specific Watersheds and Water Quality Areas

Discharges of stormwater from regulated small MS4s and other non-stormwater discharges are not authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

7. Protection of Streams and Watersheds by Home Rule Municipalities

This general permit does not limit the authority of a home-rule municipality provided by § 401.002 of the Texas Local Government Code.

8. Indian Country Lands

Stormwater runoff from small MS4s that occur on Indian Country lands are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges of stormwater require authorization under federal NPDES regulations, authority for these discharges must be obtained from the U.S. EPA.

9. Endangered Species Act

Discharges that would adversely affect a listed endangered or threatened species or its critical habitat are not authorized by this permit. Federal requirements related to endangered species apply to all TPDES permitted discharges, and site-specific controls may be required to ensure that protection of endangered or threatened species is achieved. If a permittee has concerns over potential impacts to listed species, the permittee shall contact TCEQ for additional information prior to submittal of the NOI and SWMP. If adverse impact is determined after submittal of the NOI and SWMP or after permit issuance, the permittee shall contact TCEQ immediately to determine corrective action and potential modification to the MS4’s permit.
10. Other

Nothing in Part II of the general permit is intended to negate any person’s ability to assert the force majeure (act of God, war, strike, riot, or other catastrophe) defenses found in 30 TAC § 70.7.

This permit does not transfer liability for the act of discharging without, or in violation of, a NPDES or a TPDES permit from the operator of the discharge to the permittee(s).

Section E. Obtaining Authorization

1. Application for Coverage

When submitting a notice of intent (NOI) and SWMP, for coverage under this general permit, as described in Parts II.E.3., II.E.4, and Part III, the applicant must follow the public notice and availability requirements found in Part II.E.12 of this general permit.

Applicants seeking authorization to discharge under this general permit must submit a completed NOI on a form approved by the executive director, and a SWMP as described in Part III. The NOI and SWMP must be submitted to the TCEQ Water Quality Division, at the address specified on the form. Following review of the NOI and SWMP, the executive director may determine that: 1) The submission is complete and confirm coverage by providing a notification and an authorization number, 2) The NOI or SWMP are incomplete and deny coverage and require that a new complete NOI and SWMP be submitted, 3) Approve the NOI and SWMP with revisions and provide a written description of the required revisions along with any compliance schedule(s), or 4) Deny coverage and provide a deadline by which the MS4 operator must submit an application for an individual permit.

Discharge authorization begins when the applicant is notified by TCEQ that the NOI and SWMP have been administratively and technically reviewed and the applicant has followed the public participation provisions in Part II.E.12. Denial of coverage under this general permit is subject to the requirements of 30 TAC § 205.4(c). Application deadlines are as follows:

(a) Small MS4s Located in a 2010 Urbanized Area (UA) (Newly regulated Small MS4s)

Operators of small MS4s described in Part II.A.1 that were not previously regulated under the TPDES General Permit TXR040000, shall submit an NOI and SWMP within 180 days following the effective date of this general permit.

(b) Small MS4s Located in a 2000 UA (Previously Regulated Small MS4s)

Operators of small MS4s described in Part II.A.1 that were required to obtain authorization under the previous TPDES General Permit TXR040000 based on the 2000 UA maps shall submit an NOI and revised SWMP within 180 days following the effective date of this general permit.

(c) Designated Small MS4s

Following designation, operators of small MS4s described in Part II.A.2 shall submit an NOI and SWMP, or apply for coverage under an individual TPDES stormwater permit, within 180 days of being notified in writing by the TCEQ of the need to obtain permit coverage.
(d) Individual Permit Alternative

If an operator of a small MS4 described in Part II.A.1. of this general permit elects to apply for an individual permit, the application must be submitted within 90 days following the effective date of this general permit.

2. Late Submission of the NOI and SWMP

Operators are not prohibited from submitting an NOI and SWMP after the deadlines provided. If a late NOI and SWMP are submitted, then this general permit provides authorization only for discharges that occur after permit coverage is obtained. The TCEQ reserves the right to take appropriate enforcement actions for any unpermitted discharges.

3. Stormwater Management Program (SWMP)

A SWMP must be developed and submitted with the NOI for eligible discharges that will reach waters of the U.S., including discharges from the regulated small MS4 to other MS4s or to privately-owned separate storm sewer systems that subsequently drain to waters of the U.S., according to the requirements of Part III of this general permit. The SWMP must include, as appropriate, the months and years in which the permittee will undertake required actions, including interim milestones and the frequency of the action throughout the permit term.

New elements in the program must be completely implemented within five years of the effective date of this general permit, or within five years of being designated for those small MS4s which are designated following permit issuance. Previously regulated MS4s shall assess existing program elements set forth in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP.

Changes may be made to the SWMP during the permit term. The TCEQ may notify the permittee of the need to modify the SWMP to be consistent with the general permit, in which case the permittee will have 90 days to finalize such changes to the SWMP.

Changes that are made to the SWMP before the NOI is approved by the TCEQ must be submitted in a letter providing supplemental information to the NOI. Changes to the SWMP that are made after TCEQ approval of the NOI and SWMP may be made following submittal of a notice of change (NOC) and receipt of written approval of the NOC from the TCEQ, except as follows:

(a) The following changes may be implemented without submitting an NOC form. The changes may be made immediately following revision of the SWMP, and must be included in the annual report:

(1) Adding components, controls, or requirements to the SWMP; or replacing a BMP with an equivalent BMP. An equivalent BMP is one that is intended to address the same concern as the original BMP and is substantially similar in nature to the original BMP;

(2) Nonsubstantive changes, including:
   a. A change in personnel, or a reorganization of departments responsible for implementing the SWMP;
   b. Minor clarifications to the existing BMPs;
   c. Correction of typographical errors;
d. Other similar administrative or nonsubstantive comments.

(3) Adding or subtracting area(s) during the permit term, such as by annexing land or if land is de-annexed.

(b) The permittee may replace a less effective or infeasible BMP specifically identified in the SWMP with an alternative BMP, (for example, replacing a structural BMP with a non-structural BMP). Such a change may be implemented within 60 days following submittal of an NOC form, unless the NOC is denied in writing by TCEQ. Such requests must include the following:

(1) An explanation of why the BMP was eliminated;

(2) An explanation of the effectiveness of the replacement BMP; and

(3) An explanation of how the replacement BMP is expected to achieve the goals of the previous BMP.

(c) All other changes must be submitted on an NOC form and may only be implemented following written approval by TCEQ (See Part II.E.5).

4. Contents of the NOI

The NOI must contain the following minimum information:

(a) MS4 Operator Information

(1) The name, mailing address, electronic mail (email) address, telephone number, and facsimile (fax) number of the MS4 operator; and

(2) The legal status of the MS4 operator (for example, federal government, state government, county government, city government, or other government).

(b) Site Information

(1) The name, physical location description, and latitude and longitude of the approximate center of the regulated portion of the small MS4;

(2) County or counties where the small MS4 is located;

(3) An indication if all or a portion of the small MS4 is located on Indian Country Lands;

(4) The name, mailing address, telephone number, email (if available) and fax number of the designated person(s) responsible for implementing or coordinating implementation of the SWMP;

(5) A signature and certification on the NOI, according to 30 TAC § 305.44, that a SWMP has been developed according to the provisions of this permit;

(6) A statement that the applicant will comply with the Public Participation requirements described in Part II.E.12.;

(7) The name of each classified segment that receives discharges, directly or indirectly, from the small MS4. If one or more of the discharge(s) is not directly to a classified segment, then the name of the first classified segment that those discharges reach must be identified;
(8) The name of any MS4 receiving the discharge prior to discharge into waters of the U.S.;

(9) The name of all surface water(s) receiving discharges from the small MS4 that are on the latest EPA-approved CWA § 303(d) list of impaired waters;

(10) An indication of whether the small MS4 discharges within the Recharge Zone, the Contributing Zone or the Contributing Zone within the Transition Zone of the Edwards Aquifer; and

(11) Any other information deemed necessary by the executive director.

5. Notice of Change (NOC)

If the MS4 operator becomes aware that it failed to submit any relevant facts, or submitted incorrect information in the NOI, the correct information must be provided to the executive director in a NOC within 30 days after discovery. If any information provided in the NOI changes, an NOC must be submitted within 30 days from the time the permittee becomes aware of the change.

Any revisions that are made to the SWMP must be made in accordance with Part II.E.3. above. Changes that are made to the SWMP following NOI approval must be made using an NOC form, in accordance with Part II.E.3. above.

6. Change in Operational Control of a Small MS4

If the operational control of the regulated small MS4 changes, the previous operator must submit a Notice of Termination (NOT) and the new operator must submit an NOI and SWMP. The NOT and NOI must be submitted concurrently not more than ten (10) calendar days after the change occurs.

7. Notice of Termination (NOT)

A permittee may terminate coverage under this general permit by providing a Notice of Termination (NOT) on a form approved by the executive director. Authorization to discharge terminates at midnight on the day that an NOT is postmarked for delivery to the TCEQ, or immediately following confirmation of receipt of the electronic NOT form by the TCEQ. A NOT must be submitted within 30 days after the MS4 operator obtains coverage under an individual permit.

8. Signatory Requirement for NOI, NOT, NOC, and Waiver Forms

NOI, NOT, NOC, and Waiver forms must be signed and certified consistent with 30 TAC § 305.44(a) and (b) (relating to Signatories to Applications).

9. Fees

An application fee of $100.00 must be submitted with each NOI. A fee is not required for submission of a waiver form, a NOT, or an NOC.

A permittee authorized under this general permit must pay an annual Water Quality fee of $100.00 under TWC § 26.0291 and 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).
10. Permit Expiration

(a) This general permit is effective for five (5) years from the permit effective date. Authorizations for discharge under the provisions of this general permit will continue until the expiration date of the general permit. This general permit may be amended, revoked, or canceled by the commission or renewed by the TCEQ for an additional term not to exceed five (5) years.

(b) If the executive director proposes to reissue this general permit before the expiration date, the general permit will remain in effect until the date on which the commission takes final action on the proposal to reissue this general permit. For existing permittees, general permit coverage will remain in effect after the expiration date of the existing general permit, in accordance with 30 TAC, Chapter 205. No new NOIs will be accepted and no new authorizations will be processed under the general permit after the expiration date.

(c) Following issuance of a renewed or amended general permit, all permittees, including those covered under the expired general permit, may be required to submit an NOI according to the requirements of the new general permit or to obtain a TPDES individual permit for those discharges. The renewed permit will include a deadline to apply for coverage, and authorization for existing permittees will be automatically extended until the deadline to apply for coverage, or until an application is submitted for renewal, whichever occurs first.

(d) If the TCEQ does not propose to reissue this general permit within 90 days before the expiration date, permittees must apply for authorization under a TPDES individual permit or an alternative general permit. If the application for an individual permit is submitted before the expiration date of this general permit, authorization under this expiring general permit remains in effect until the issuance or denial of an individual permit.

11. Suspension of Permit Coverage

The executive director may suspend an authorization under this general permit for the reasons specified in 30 TAC § 205.4(d) by providing the discharger with written notice of the decision to suspend that authority, and the written notice will include a brief statement of the basis for the decision. If the decision requires an application for an individual permit or an alternative general permit, the written notice will also include a statement establishing the deadline for submitting an application. The written notice will state that the authorization under this general permit is either suspended on the effective date of the commission's action on the permit application, unless the commission expressly provides otherwise, or immediately, if required by the executive director.

12. Public Notice Process for NOI submittal

An applicant under this general permit shall adhere to the following procedures:

(a) The applicant shall submit an NOI and SWMP to the executive director. The SWMP must include information about:

   (1) BMPs the applicant will implement for each of the six MCMs, as appropriate;

   (2) The measurable goals for each of the BMPs, including, as appropriate the months and years in which the applicant will take the required actions, including interim milestones and the frequency of the action; and
(3) The person or persons responsible for implementing or coordinating the applicants SWMP.

(b) After the applicant receives written instructions from the TCEQ’s Office of Chief Clerk, the applicant must publish notice of the executive director’s preliminary decision on the NOI and SWMP.

(c) The notice will include the following information, at a minimum:

1. The legal name of the MS4 operator;
2. Indication of whether the NOI is for a new authorization or is a renewal of an existing authorization;
3. The address of the applicant;
4. A brief summary of the information included in the NOI, such as the general location of the small MS4 and a description of the classified receiving waters that receive the discharges from the small MS4;
5. The location and mailing address where the public may provide comments to the TCEQ;
6. The public location where copies of the NOI and SWMP, as well as the executive director’s general permit and fact sheet, may be reviewed; and
7. If required by the executive director, the date, time, and location of the public meeting.

(d) This notice must be published at least once in a newspaper of general circulation in the municipality or county where the small MS4 is located. If the small MS4 is located in multiple municipalities or counties, the notice must be published at least once in a newspaper of general circulation in the municipality or county containing the largest resident population for the regulated portion of the small MS4. This notice must provide opportunity for the public to submit comments on the NOI and SWMP. In addition, the notice must allow the public to request a public meeting. A public meeting will be held if the TCEQ determines that there is significant public interest.

(e) The public comment period begins on the first date the notice is published and lasts for at least 30 days. If a public meeting is held, the comment period will end at the closing of the public meeting (see paragraph (f) below). The public may submit written comments to the TCEQ Office of Chief Clerk during the comment period detailing how the NOI or SWMP for the small MS4 fails to meet the technical requirements or conditions of this general permit.

(f) If significant public interest exists, the executive director will direct the applicant to publish a notice of the public meeting and to hold the public meeting. The applicant shall publish notice of a public meeting at least 30 days before the meeting and hold the public meeting in a county where the small MS4 is located. TCEQ staff will facilitate the meeting.

(g) If a public meeting is held, the applicant shall describe the contents of the NOI and SWMP. The applicant shall also provide maps and other data on the small MS4. The applicant shall provide a sign in sheet for attendees to register their names and addresses and furnish the sheet to the executive director. A public meeting held under this general permit is not an evidentiary proceeding.

(h) The applicant shall file with the Chief Clerk a copy and an affidavit of the publication of notice(s) within 60 days of receiving the written instructions from the Chief Clerk.
(i) The executive director, after considering public comment, will either approve, approve with conditions, or deny the NOI based on whether the NOI and SWMP meet the requirements of this general permit.

(j) Persons whose names and addresses appear legibly on the sign-in sheet from the public meeting and persons who submitted written comments to the TCEQ will be notified by the TCEQ’s Office of Chief Clerk of the executive director’s decision regarding the authorization.

**Section F. Permitting Options**

1. **Authorization Under the General Permit**

An operator of a small MS4 is required to obtain authorization either under this general permit, or under an individual TPDES permit if it is located in a UA or designated by the TCEQ. Multiple small MS4s with separate operators must individually submit an NOI to obtain coverage under this general permit, regardless of whether the systems are physically interconnected, located in the same UA, or are located in the same watershed. Each regulated small MS4 will be issued a distinct permit number. These MS4 operators may combine or share efforts in meeting any or all of the SWMP requirements stated in Part III of this general permit. MS4 operators that share SWMP development and implementation responsibilities must meet the following conditions:

(a) Participants

The SWMP must clearly list the name and permit number for each MS4 operator that chooses to contribute to development or implementation of the SWMP, and provide written confirmation that the contributing MS4 operator has agreed to contribute. If a contributing small MS4 has submitted a NOI and SWMP to TCEQ, but has not yet received written notification of approval, along with the accompanying permit authorization number, a copy of the submitted NOI form must be made readily available or be included in the SWMP.

(b) Responsibilities

Each permittee is entirely responsible for meeting SWMP requirements within the boundaries of its small MS4. Where a separate MS4 operator is contributing to implementation of the SWMP, the SWMP must clearly define each minimum control measure and the component(s) each entity agrees to implement, within which MS4 area(s) each entity agrees to implement and clearly identify the contributing MS4 operator.

2. **Alternative Coverage under an Individual TPDES Permit**

An MS4 operator eligible for coverage under this general permit may alternatively be authorized under an individual TPDES permit according to 30 TAC Chapter 305 (relating to Consolidated Permits). The executive director may require a MS4 operator, authorized by this general permit, to apply for an individual TPDES permit because of: the conditions of an approved TMDL or TMDL implementation plan; a history of substantive non-compliance; or other 30 TAC Chapter 205 considerations and requirements; or other site-specific considerations. The executive director shall deny or suspend a facility’s authorization for disposal under this general permit based on a rating of “unsatisfactory performer” according to commission rules in 30 TAC §60.3, *Use of Compliance History*. An applicant who owns or operates a facility classified as an “unsatisfactory performer” is
entitled to a hearing before the commission prior to having its coverage denied or suspended, in accordance with TWC § 26.040(h).

Part III. Stormwater Management Program (SWMP)

To the extent allowable under state and local law, a SWMP must be developed, implemented and enforced according to the requirements of Part III of this general permit, for stormwater discharges that reach waters of the U.S., regardless of whether the discharge is conveyed through a separately operated storm sewer system. The SWMP must be developed, implemented and enforced to reduce the discharge of pollutants from the small MS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the CWA and the TWC.

A permittee that implements best management practices consistent with the provisions of their permit and SWMP constitutes compliance with the standard of reducing pollutants to the MEP and will be deemed in compliance with Part III of this permit. This permit does not extend any compliance deadlines set forth in the previous permit effective August 13, 2007.

Section A. Developing a Stormwater Management Program (SWMP)

1. SWMP Development and Schedule

(a) Existing regulated small MS4s

Permittees who were regulated under the previous TPDES general permit TXR040000, shall update and submit to the TCEQ an updated SWMP under this general permit along with the NOI for coverage. The NOI and SWMP are due within 180 days of the general permit effective date. The permittee shall continue to operate under the conditions of the previous permit and existing SWMP until the revised SWMP is approved.

(b) New regulated small MS4s

Operators of regulated small MS4s that were not required to obtain permit coverage under the previous TPDES general permit TXR040000, have 180 days from the effective date of the general permit to develop and submit their NOI and SWMP.

(c) Implementation of the SWMP

Existing small MS4 operators shall ensure full implementation of any new elements in the revised SWMP as soon as practicable, but no later than five years from the permit effective date. Previously regulated MS4 operators shall continue to implement existing elements in the approved SWMPs until the revised SWMPs has been approved.

Designated small MS4s must achieve full implementation of the SWMP as soon as practicable, but no later than five years from designation. Newly regulated small MS4s, based on the 2010 Decennial Census, must achieve full implementation of the SWMP as soon as practicable, but no later than five years from the permit effective date.

2. Content of the SWMP

At a minimum, the permittee shall include the following information in its SWMP:
(a) A description of Minimum Control Measures (MCM) with measurable goals, including, as appropriate, the months and years in which the permittee will undertake required actions, including interim milestones and the frequency of the action for each MCM described in Part III, Section B.

(b) A measurable goal that includes the development of ordinances or other regulatory mechanisms, allowed by state, federal and local law, providing the legal authority necessary to implement and enforce the requirements of this permit, including information on any limitations to the legal authority;

(c) A summary of written procedures describing how the permittee will implement the provisions in Parts III and IV of this general permit.

(d) A description of a program or a plan of compliance with the requirements in Part II.D.4. (relating to Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements)

3. Legal Authority

(a) Traditional small MS4s, such as cities

(1) Within two years from the permit effective date, the permittee shall review and revise, if needed, its relevant ordinance(s) or other regulatory mechanism(s), or shall adopt a new ordinance(s) or other regulatory mechanism(s) that provide the permittee with adequate legal authority to control pollutant discharges into and from its small MS4 in order to meet the requirements of this general permit.

(2) To be considered adequate, this legal authority must, at a minimum, address the following:

a. Authority to prohibit illicit discharges and illicit connections;

b. Authority to respond to and contain other releases – Control the discharge of spills, and prohibit dumping or disposal of materials other than stormwater into the small MS4;

c. Authority to require compliance with conditions in the permittee’s ordinances, permits, contracts, or orders;

d. Authority to require installation, implementation, and maintenance of control measures;

e. Authority to receive and collect information, such as stormwater plans, inspection reports, and other information deemed necessary to assess compliance with this permit, from operators of construction sites, new or redeveloped land, and industrial and commercial facilities;

f. Authority, as needed, to enter and inspect private property including facilities, equipment, practices, or operations related to stormwater discharges to the small MS4;

g. Authority to respond to non-compliance with BMPs required by the small MS4 consistent with their ordinances or other regulatory mechanism(s);

h. Authority to assess penalties, including monetary, civil, or criminal penalties; and

i. Ability to enter into interagency or interlocal agreements or other maintenance agreements, as necessary.
(b) Non-traditional small MS4s, such as counties, drainage districts, transportation entities, municipal utility districts, military bases, prisons and universities

(1) Where the permittee lacks the authority to develop ordinances or to implement enforcement actions, the permittee shall exert enforcement authority as required by this general permit for its facilities, employees, contractors, and any other entity over which it has operational control within the portion of the UA under the jurisdiction of the permittee. For discharges from third party actions, the permittee shall perform inspections and exert enforcement authority to the MEP.

(2) If the permittee does not have inspection or enforcement authority and is unable to meet the goals of this general permit through its own powers, then, unless otherwise stated in this general permit, the permittee shall perform the following actions in order to meet the goals of the permit:

   a. Enter into interlocal agreements with municipalities where the small MS4 is located. These interlocal agreements must state the extent to which the municipality will be responsible for inspections and enforcement authority in order to meet the conditions of this general permit; or,

   b. If it is not feasible for the permittee to enter into interlocal agreements, the permittee shall notify an adjacent MS4 operator with enforcement authority or TCEQ's Field Operations Support Division as needed to report discharges or incidents that it cannot itself enforce against. In determining feasibility for entering into interlocal agreements, the permittee shall consider all factors, including, without limitations, financial considerations and the willingness of the municipalities in which the small MS4 is located.

4. Resources

It is the permittee’s responsibility to ensure that it has adequate resources and funding to implement the requirements of this permit.

5. Effluent Limitations

The controls and BMPs included in the SWMP constitute effluent limitations for the purposes of compliance with state rules. This includes the requirements of 30 TAC Chapter 319, Subchapter B, which lists the maximum allowable concentrations of hazardous metals for discharge to water in the state.

6. Enforcement Measures

Permittees with enforcement authority (i.e. traditional small MS4s) shall develop a standard operating procedure (SOP) to respond to violations to the extent allowable under state and local law. When the permittee does not have enforcement authority over the violator, and the violations continue after violator has been notified by the permittee, the permittee shall notify either the adjacent MS4 operator with enforcement authority or TCEQ's Field Operations Support Division.

Section B. Minimum Control Measures

Operators of small MS4s seeking coverage under this general permit shall develop and implement a SWMP that includes the following six minimum control measures (MCMs), as applicable.
All program elements must be implemented according to the schedule mentioned in Part III.A. All six MCMs apply to all MS4s regardless of their level as described in Part II.A.5. Specific program elements under each MCM shall be implemented by all MS4 operators, unless it is specifically stated that particular program elements only are applicable for certain levels of small MS4s.

Permittees shall provide justification within the SWMP for any requirements that were not implemented because they were not feasible as described in each MCM.

1. **Public Education, Outreach, and Involvement**

   (a) **Public Education and Outreach**

   (1) All permittees shall develop, implement, and maintain a comprehensive stormwater education and outreach program to educate public employees, businesses, and the general public of hazards associated with the illegal discharges and improper disposal of waste and about the impact that stormwater discharges can have on local waterways, as well as the steps that the public can take to reduce pollutants in stormwater.

   Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term. The program must, at a minimum:

   a. Define the goals and objectives of the program based on high priority community-wide issues (for example, reduction of nitrogen in discharges from the small MS4, promoting previous techniques used in the small MS4, or improving the quality of discharges to the Edwards Aquifer);

   b. Identify the target audience(s);

   c. Develop or utilize appropriate educational materials, such as printed materials, billboard and mass transit advertisements, signage at select locations, radio advertisements, television advertisements, and websites;

   d. Determine cost effective and practical methods and procedures for distribution of materials.

   (2) Throughout the permit term, all permittees shall make the educational materials available to convey the program’s message to the target audience(s) at least annually.

   (3) All permittees shall review and update as necessary, the SWMP and MCM implementation procedures required by Part III.A.2.. Any changes must be reflected in the annual report. Such written procedures must be maintained, either on site or in the SWMP and made available for inspection by the TCEQ.

   (4) MS4 operators may partner with other MS4 operators to maximize the program and cost effectiveness of the required outreach.

   (b) **Public Involvement**

   All permittees shall involve the public, and, at minimum, comply with any state and local public notice requirements in the planning and implementation activities related
to developing and implementing the SWMP, except that correctional facilities are not required to implement this portion of the MCM.

Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term. At a minimum, all permittees shall:

1. If feasible, consider using public input (for example, the opportunity for public comment, or public meetings) in the implementation of the program;

2. If feasible, create opportunities for citizens to participate in the implementation of control measures, such as stream clean-ups, storm drain stenciling, volunteer monitoring, volunteer “Adopt-A-Highway” programs, and educational activities;

3. Ensure the public can easily find information about the SWMP.

2. Illicit Discharge Detection and Elimination (IDDE)

   (a) Program Development

   (1) All permittees shall develop, implement and enforce a program to detect, investigate, and eliminate illicit discharges into the small MS4. The program must include a plan to detect and address non-stormwater discharges, including illegal dumping to the MS4 system.

   Existing permittees must assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term. See also Part III.A.1(c).

   The Illicit Discharge Detection and Elimination (IDDE) program must include the following:

   a. An up-to-date MS4 map (see Part III.B.2.(c)(1));
   b. Methods for informing and training MS4 field staff (See Part III.B.2.(c)(2));
   c. Procedures for tracing the source of an illicit discharge (see Part III.B.2.(c)(5));
   d. Procedures for removing the source of the illicit discharge (see Part III.B.2.(c)(5));
   e. For Level 2, 3 and 4 small MS4s, if applicable, procedures to prevent and correct any leaking on-site sewage disposal systems that discharge into the small MS4;
   f. For Level 4 small MS4s, procedures for identifying priority areas within the small MS4 likely to have illicit discharges, and a list of all such areas identified in the small MS4 (See Part III.B.2.(g)(1));
   g. For Level 4 small MS4s, field screening to detect illicit discharges (See Part III.B.2.(g)(2)).
(2) For non-traditional small MS4s, if illicit connections or illicit discharges are observed related to another operator’s MS4, the permittee shall notify the other MS4 operator within 48 hours of discovery. If notification to the other MS4 operator is not practicable, then the permittee shall notify the appropriate TCEQ regional office of the possible illicit connection.

(3) If another MS4 operator notifies the permittee of an illegal connection or illicit discharge to the small MS4, then the permittee shall follow the requirements specified in Part III.B.2.(c)(3).

(4) All permittees shall review and update as necessary, the SWMP and MCM implementation procedures required by Part III.A.2. Any changes must be reflected in the annual report. Such written procedures must be maintained, either on site or in the SWMP and made available for inspection by the TCEQ.

(b) Allowable Non-Stormwater Discharges
Non-stormwater flows listed in Part II.C do not need to be considered by the permittee as an illicit discharge requiring elimination unless the permittee or the TCEQ identifies the flow as a significant source of pollutants to the small MS4.

(c) Requirements for all Permittees
All permittees shall include the requirements described below in Parts III.B.2(c)(1)-(6)

(1) MS4 mapping
All permittees shall maintain an up-to-date MS4 map, which must be located on site and available for review by the TCEQ. The MS4 map must show at a minimum the following information:

- The location of all small MS4 outfalls that are operated by the permittee and that discharge into waters of the U.S;
- The location and name of all surface waters receiving discharges from the small MS4 outfalls;
- Priority areas identified under Part III.B.2(e)(1) if applicable.

(2) Education and Training
All permittees shall implement a method for informing or training all the permittee’s field staff that may come into contact with or otherwise observe an illicit discharge or illicit connection to the small MS4 as part of their normal job responsibilities. Training program materials and attendance lists must be maintained on site and made available for review by the TCEQ.

(3) Public Reporting of Illicit Discharges and Spills
To the extent feasible, all permittees shall publicize and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from the small MS4. The permittee shall provide a central contact point to receive reports; for example by including a phone number for complaints and spill reporting.

(4) All permittees shall develop and maintain on site procedures for responding to illicit discharges and spills.
(5) Source Investigation and Elimination

a. Minimum Investigation Requirements – Upon becoming aware of an illicit discharge, all permittees shall conduct an investigation to identify and locate the source of such illicit discharge as soon as practicable.

   (i) All permittees shall prioritize the investigation of discharges based on their relative risk of pollution. For example, sanitary sewage may be considered a high priority discharge.

   (ii) All permittees shall report to the TCEQ immediately upon becoming aware of the occurrence of any illicit flows believed to be an immediate threat to human health or the environment.

   (iii) All permittees shall track all investigations and document, at a minimum, the date(s) the illicit discharge was observed; the results of the investigation; any follow-up of the investigation; and the date the investigation was closed.

b. Identification and Investigation of the Source of the Illicit Discharge – All permittees shall investigate and document the source of illicit discharges where the permittees have jurisdiction to complete such an investigation. If the source of illicit discharge extends outside the permittee’s boundary, all permittees shall notify the adjacent permitted MS4 operator or TCEQ’s Field Operation Support Division according to Part III.A.3.b.

c. Corrective Action to Eliminate Illicit Discharge

   (i) If and when the source of the illicit discharge has been determined, all permittees shall immediately notify the responsible party of the problem, and shall require the responsible party to perform all necessary corrective actions to eliminate the illicit discharge.

(6) Inspections – The permittee shall conduct inspections, as determined appropriate, in response to complaints, and shall conduct follow-up inspections as needed to ensure that corrective measures have been implemented by the responsible party.

d) Additional Requirements for Level 3 and 4 small MS4s

In addition to the requirements described in Parts III.B.2(c)(1)-(6) above, permittees who operate level 3 and 4 small MS4s shall meet the following requirements:

(1) Source Investigation and Elimination

Permittees who operate level 3 and 4 small MS4 shall upon being notified that the discharge has been eliminated, conduct a follow-up investigation or field screening, consistent with Part III.B.2.(c)(2), to verify that the discharge has been eliminated. The permittee shall document its follow-up investigation. The permittee may seek recovery and remediation costs from responsible parties consistent with Part III.A.3., and require compensation related costs. Resulting enforcement actions must follow the procedures for enforcement action in Part III.A.3. If the suspected source of the illicit discharge is authorized under an NPDES/TPDES permit or the discharge is listed as an authorized non-stormwater discharge, as described in Part III.C, no further action is required.

(e) Additional Requirements for Level 4 small MS4s

In addition to the requirements described in Parts III.B.2(c)-(d) above, permittees who operate level 4 small MS4s shall meet the following requirements:
(1) Identification of Priority Areas
Permittees who operate level 4 small MS4s shall identify priority areas and shall document the basis for the selection of each priority area and shall create a list of all priority areas identified. This priority area list must be available for review by the TCEQ.

(2) Dry Weather Field Screening
By the end of the permit term, permittees who operate level 4 small MS4s shall develop and implement a written dry weather field screening program to assist in detecting and eliminating illicit discharges to the small MS4. Dry weather field screening must consist of (1) field observations; and (2) as needed, field screening. If dry weather field screening is necessary, at a minimum, the permittee shall:

a. Conduct dry weather field screening in priority areas as identified by the permittee in Part III.B.2(e)(1). By the end of the permit term, all of those priority areas, although not necessarily all individual outfalls must be screened.

b. Field observation requirements – The permittee shall develop written procedures for observing flows from outfalls when there has been at least 72 hours of dry weather. The written procedures should include the basis used to determine which outfalls would be observed. The permittee shall record visual observations such as odor, color, clarity, floatables, deposits or stains.

c. Field screening requirements – The permittee shall develop written procedures to determine which dry weather flows will be screened, based on results of field observations or complaint from the public or the permittee’s trained field staff. At a minimum, when visual observations indicate a potential problem such as discolored flows, foam, surface sheen, and other similar indicators of contamination, the permittee shall conduct a field screening analysis for selected indicator pollutants as determined by the permittee. Screening methodology may be modified based on experience gained during the actual field screening activities. The permittee shall document the method used.

3. Construction Site Stormwater Runoff Control

(a) Requirements and Control Measures

(1) All permittees shall develop, implement and enforce a program requiring operators of small and large construction activities, as defined in Part I of this general permit, to select, install, implement, and maintain stormwater control measures that prevent illicit discharges to the MEP. The program must include the development and implementation of an ordinance or other regulatory mechanism, as well as sanctions to ensure compliance to the extent allowable under state, federal, and local law, to require erosion and sediment control.

Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term.
If TCEQ waives requirements for stormwater discharges associated with small construction from a specific site(s), the permittee is not required to enforce the program to reduce pollutant discharges from such site(s).

(b) Requirements for all Permittees

All permittees shall include the requirements described below in Parts III.B.3(b)(1)-(7)

(1) All permittees shall review and update as necessary, the SWMP and MCM implementation procedures required by Part III.A.2. Any changes must be included in the annual report. Such written procedures must be maintained on site or in the SWMP and made available for inspection by the TCEQ.

(2) All permittees shall require that construction site operators implement appropriate erosion and sediment control BMPs. The permittee’s construction program must ensure the following minimum requirements are effectively implemented for all small and large construction activities discharging to its small MS4.

a. Erosion and Sediment Controls - Design, install and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants.

b. Soil Stabilization - Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Stabilization must be completed within a period of time determined by the permittee. In arid, semiarid, and drought-stricken areas, as determined by the permittee, where initiating vegetative stabilization measures immediately is infeasible, alternative stabilization measures must be employed as specified by the permittee.

c. BMPs – Design, install, implement, and maintain effective BMPs to minimize the discharge of pollutants to the small MS4. At a minimum, such BMPs must be designed, installed, implemented and maintained to:

(i) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters;

(ii) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater; and

(iii) Minimize the discharge of pollutants from spills and leaks.

d. As an alternative to (a) through (c) above, all permittees shall ensure that all small and large construction activities discharging to the small MS4 have developed and implemented a stormwater pollution prevention plan (SWP3) in accordance with the TPDES CGP TXR150000. In arid, semiarid, and drought-stricken areas, as determined by the permittee, where initiating vegetative stabilization measures immediately is infeasible, alternative stabilization measures must be employed as specified by the permittee. As an alternative, vegetative stabilization measures may be implemented as soon as practicable.
(3) Prohibited Discharges - The following discharges are prohibited:
   a. Wastewater from washout of concrete and wastewater from water well drilling operations, unless managed by an appropriate control;
   b. Wastewater from washout and cleanout of stucco, paint, from release oils, and other construction materials;
   c. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and,
   d. Soaps or solvents used in vehicle and equipment washing;
   e. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, unless managed by appropriate BMPs.

(4) Construction Plan Review Procedures

To the extent allowable by state, federal, and local law, all permittees shall maintain and implement site plan review procedures, that describe which plans will be reviewed as well as when an operator may begin construction. For those permittees without legal authority to enforce site plan reviews, this requirement is limited to those sites operated by the permittee and its contractors and located within the permittee's regulated area. The site plan procedures must meet the following minimum requirements:

a. The site plan review procedures must incorporate consideration of potential water quality impacts.

b. The permittee may not approve any plans unless the plans contain appropriate site specific construction site control measures that, at a minimum, meet the requirements described in Part III.B.3.(a) or in the TPDES CGP, TXR150000.

The permittee may require and accept a plan, such as a SWP3, that has been developed pursuant to the CGP, TXR150000.

(5) Construction Site Inspections and Enforcement

To the extent allowable by state, federal, and local law, all permittees shall implement procedures for inspecting large and small construction projects. Permittees without legal authority to inspect construction sites shall at a minimum conduct inspections of sites operated by the permittee or its contractors and that are located in the permittee’s regulated area.

a. Inspections must occur at a frequency determined by the permittee, based on the evaluation of factors that are a threat to water quality, such as: soil erosion potential; site slope; project size and type; sensitivity of receiving waterbodies; proximity to receiving waterbodies; non-stormwater discharges; and past record of non-compliance by the operators of the construction site.

b. Inspections must occur during the active construction phase.

   (i) All permittees shall develop, implement, and revise as necessary, written procedures outlining the inspection and enforcement requirements. These procedures must be maintained on site or in the SWMP and be made available to TCEQ.
(ii) Inspections of construction sites must, at a minimum:

1. Determine whether the site has appropriate coverage under the TPDES CGP, TXR150000. If no coverage exists, notify the permittee of the need for permit coverage.
2. Conduct a site inspection to determine if control measures have been selected, installed, implemented, and maintained according to the small MS4’s requirements.
3. Assess compliance with the permittee’s ordinances and other regulations.
4. Provide a written or electronic inspection report.

   c. Based on site inspection findings, all permittees shall take all necessary follow-up actions (for example, follow-up inspections or enforcement) to ensure compliance with permit requirements and the SWMP. These follow-up and enforcement actions must be tracked and maintained for review by the TCEQ.

   For non-traditional small MS4s with no enforcement powers, the permittee shall notify the adjacent MS4 operator with enforcement authority or the TCEQ’s Field Operations Support Division according to Part III.A.3(b).

(6) Information submitted by the Public

All permittees shall develop, implement and maintain procedures for receipt and consideration of information submitted by the public.

(7) MS4 Staff Training

All permittees shall ensure that all staff whose primary job duties are related to implementing the construction stormwater program (including permitting, plan review, construction site inspections, and enforcement) are informed or trained to conduct these activities. The training may be conducted by the permittee or by outside trainers.

(c) Additional Requirements for Level 3 and 4 small MS4s

In addition to the requirements described in Parts III.B.3(b)(1)-(7) above, permittees who operate level 3 and 4 small MS4s shall meet the following requirements:

(1) Construction Site Inventory

Permittees who operate level 3 and 4 small MS4s shall maintain an inventory of all permitted active public and private construction sites, that result in a total land disturbance of one or more acres or that result in a total land disturbance of less than one acre if part of a larger common plan or development or sale. Notification to the small MS4 should be made by submittal of a copy of an NOI or a small construction site notice. The permittee shall make this inventory available to the TCEQ upon request.

4. Post-Construction Stormwater Management in New Development and Redevelopment

(a) Post-Construction Stormwater Management Program

   (1) All permittees shall develop, implement and enforce a program, to the extent allowable under state, federal, and local law, to control stormwater discharges
from new development and redeveloped sites that discharge into the small MS4 that disturb one acre or more, including projects that disturb less than one acre that are part of a larger common plan of development or sale. The program must be established for private and public development sites. The program may utilize an offsite mitigation and payment in lieu of components to address this requirement.

Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, to continue reducing the discharge of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of the permit term.

(2) All permittees shall use, to the extent allowable under state, federal, and local law and local development standards, an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects. The permittees shall establish, implement, and enforce a requirement, that owners or operators of new development and redeveloped sites design, install, implement, and maintain a combination of structural and non-structural BMPs appropriate for the community and that protects water quality. If the construction of permanent structures is not feasible due to space limitations, health and safety concerns, cost effectiveness, or highway construction codes, the permittee may propose an alternative approach to TCEQ. Newly regulated permittees shall have the program element fully implemented by the end of the permit term.

(b) Requirements for all Permittees

All permittees shall include the requirements described below in Parts III.B.4.(b)(1)-(3)

(1) All permittees shall review and update as necessary, the SWMP and MCM implementation procedures required by Part III.A.2.. Any changes must be included in the annual report. Such written procedures must be maintained either on site or in the SWMP and made available for inspection by TCEQ.

(2) All permittees shall document and maintain records of enforcement actions and make them available for review by the TCEQ.

(3) Long-Term Maintenance of Post-Construction Stormwater Control Measures

All permittees shall, to the extent allowable under state, federal, and local law, ensure the long-term operation and maintenance of structural stormwater control measures installed through one or both of the following approaches:

a. Maintenance performed by the permittee. See Part III.B.5

b. Maintenance performed by the owner or operator of a new development or redeveloped site under a maintenance plan. The maintenance plan must be filed in the real property records of the county in which the property is located. The permittee shall require the owner or operator of any new development or redeveloped site to develop and implement a maintenance plan addressing maintenance requirements for any structural control measures installed on site. The permittee shall require operation and maintenance performed is documented and retained on site, such as at the offices of the owner or operator, and made available for review by the small MS4.
(c) Additional Requirements for Level 4 small MS4s

In addition to the requirements described in Parts III.B.5(b)(1)-(3) above, permittees who operate level 4 small MS4s shall meet the following requirements:

1. Inspections - Permittees who operate level 4 small MS4s shall develop and implement an inspection program to ensure that all post construction stormwater control measures are operating correctly and are being maintained as required consistent with its applicable maintenance plan. For small MS4s with limited enforcement authority, this requirement applies to the structural controls owned and operated by the small MS4 or its contractors that perform these activities within the small MS4's regulated area.
   a. Inspection Reports - The permittee shall document its inspection findings in an inspection report and make them available for review by the TCEQ.

5. Pollution Prevention and Good Housekeeping for Municipal Operations

(a) Program development

1. All permittees shall develop and implement an operation and maintenance program, including an employee training component that has the ultimate goal of preventing or reducing pollutant runoff from municipal activities and municipally owned areas including but not limited to park and open space maintenance; street, road, or highway maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; municipal parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations.

Existing permittees shall assess program elements that were described in the previous permit, modify as necessary, and develop and implement new elements, as necessary, to continue reducing the discharges of pollutants from the MS4 to the MEP. New elements must be fully implemented by the end of this permit term and newly regulated permittees shall have the program fully implemented by the end of this permit term. See also Part III.A.1.(c))

(b) Requirements for all Permittees

All permittees shall include the requirements described below in Parts III.B.5.(1)-(6) in the program:

1. Permittee-owned Facilities and Control Inventory

   All permittees shall develop and maintain an inventory of facilities and stormwater controls that it owns and operates within the regulated area of the small MS4. If feasible, the inventory may include all applicable permit numbers, registration numbers, and authorizations for each facility or controls. The inventory must be available for review by TCEQ and must include, but is not limited to, the following, as applicable:
   a. Composting facilities;
   b. Equipment storage and maintenance facilities;
   c. Fuel storage facilities;
   d. Hazardous waste disposal facilities;
   e. Hazardous waste handling and transfer facilities;
f. Incinerators;
g. Landfills;
h. Materials storage yards;
i. Pesticide storage facilities;
j. Buildings, including schools, libraries, police stations, fire stations, and office buildings;
k. Parking lots;
l. Golf courses;
m. Swimming pools;
n. Public works yards;
o. Recycling facilities;
p. Salt storage facilities;
q. Solid waste handling and transfer facilities;
r. Street repair and maintenance sites;
s. Vehicle storage and maintenance yards; and
t. Structural stormwater controls.

(2) Training and Education

All permittees shall inform or train appropriate employees involved in implementing pollution prevention and good housekeeping practices. All permittees shall maintain a training attendance list for inspection by TCEQ when requested.

(3) Disposal of Waste Material - Waste materials removed from the small MS4 must be disposed of in accordance with 30 TAC Chapters 330 or 335, as applicable.

(4) Contractor Requirements and Oversight

a. Any contractors hired by the permittee to perform maintenance activities on permittee-owned facilities must be contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures described in Parts III B.5.(2)-(6).

b. All permittees shall provide oversight of contractor activities to ensure that contractors are using appropriate control measures and SOPs. Oversight procedures must be developed before the end of the permit term and maintained on site and made available for inspection by TCEQ.

(5) Municipal Operation and Maintenance Activities

a. Assessment of permittee-owned operations

All permittees shall evaluate operation and maintenance (O&M) activities for their potential to discharge pollutants in stormwater, including but not limited to:

(i) Road and parking lot maintenance may include such areas as pothole repair, pavement marking, sealing, and re-paving;
(ii) Bridge maintenance may include such areas as re-chipping, grinding, and saw cutting;

(iii) Cold weather operations, including plowing, sanding, and application of deicing and anti-icing compounds and maintenance of snow disposal areas; and

(iv) Right-of-way maintenance, including mowing, herbicide and pesticide application, and planting vegetation.

b. All permittees shall identify pollutants of concern that could be discharged from the above O&M activities (for example, metals; chlorides; hydrocarbons such as benzene, toluene, ethyl benzene, and xylenes; sediment; and trash).

c. All permittees shall develop and implement a set of pollution prevention measures that will reduce the discharge of pollutants in stormwater from the above activities. These pollution prevention measures may include the following examples:

(i) Replacing materials and chemicals with more environmentally benign materials or methods;

(ii) Changing operations to minimize the exposure or mobilization of pollutants to prevent them from entering surface waters; and

(iii) Placing barriers around or conducting runoff away from deicing chemical storage areas to prevent discharge into surface waters.

d. Inspection of pollution prevention measures - All pollution prevention measures implemented at permittee-owned facilities must be visually inspected at a frequency determined by the permittee to ensure they are working properly. A log of inspections must be maintained and made available for review by the TCEQ upon request.

(6) Structural Control Maintenance

If BMPs include structural controls, maintenance of the controls must be performed at a frequency determined by the permittee and consistent with maintaining the effectiveness of the BMP.

(c) Additional Requirements for Level 3 and 4 small MS4s:

In addition to the requirements described in Parts.B.5.(b)(1)-(6) above, permittees who operate level 3 or 4 small MS4s shall meet the following requirements:

(1) Storm Sewer System Operation and Maintenance

a. Permittees who operate level 3 or 4 small MS4s shall develop and implement an O&M program to reduce to the maximum extent practicable the collection of pollutants in catch basins and other surface drainage structures.

b. Permittees who operate level 3 or 4 small MS4s shall develop a list of potential problem areas. The permittees shall identify and prioritize problem areas for increased inspection (for example, areas with recurrent illegal dumping).

(2) Operation and Maintenance Program to Reduce Discharges of Pollutants from Roads

Permittees who operate level 3 or 4 small MS4s shall implement an O&M program that includes, if feasible and practicable, a street sweeping and cleaning program,
or an equivalent BMP such as an inlet protection program, which must include an implementation schedule and a waste disposal procedure. The basis for the decision must be included in the SWMP. If a street sweeping and cleaning program is implemented, the permittee shall evaluate the following permittee-owned and operated areas for the program: streets, road segments, and public parking lots including, but not limited to, high traffic zones, commercial and industrial districts, sport and event venues, and plazas, as well as areas that consistently accumulate high volumes of trash, debris, and other stormwater pollutants.

a. Implementation schedules – If a sweeping program is implemented, the permittee shall sweep the areas in the program (for example, the streets, roads, and public parking lots) in accordance with a frequency and schedule determined in the permittee’s O&M program.

b. For areas where street sweeping is technically infeasible (for example, streets without curbs), the permittee shall focus implementation of other trash and litter control procedures, or provide inlet protection measures to minimize pollutant discharges to storm drains and creeks.

c. Sweeper Waste Material Disposal – If utilizing street sweepers, the permittee shall develop a procedure to dewater and dispose of street sweeper waste material and shall ensure that water and material will not reenter the small MS4.

(3) Mapping of Facilities

Permittees who operate level 3 or 4 small MS4s shall, on a map of the area regulated under this general permit, identify where the permittee-owned and operated facilities and stormwater controls are located.

(4) Facility Assessment

Permittees who operate level 3 or 4 small MS4s shall perform the following facility assessment in the regulated portion of the small MS4 operated by the permittee:

a. Assessment of Facilities’ Pollutant Discharge Potential - The permittee shall review the facilities identified in Part III.B.5.(b) once per permit term for their potential to discharge pollutants into stormwater.

b. Identification of high priority facilities - Based on the Part III.B.5.(c)(4)a. assessment, the permittee shall identify as high priority those facilities that have a high potential to generate stormwater pollutants and shall document this in a list of these facilities. Among the factors that must be considered in giving a facility a high priority ranking are the amount of urban pollutants stored at the site, the identification of improperly stored materials, activities that must not be performed outside (for example, changing automotive fluids, vehicle washing), proximity to waterbodies, proximity to sensitive aquifer recharge features, poor housekeeping practices, and discharge of pollutant(s) of concern to impaired water(s). High priority facilities must include, at a minimum, the permittee’s maintenance yards, hazardous waste facilities, fuel storage locations, and any other facilities at which chemicals or other materials have a high potential to be discharged in stormwater.

c. Documentation of Assessment Results - The permittee shall document the results of the assessments and maintain copies of all site evaluation checklists used to conduct the assessments. The documentation must include the results
of the permittee’s initial assessment, and any identified deficiencies and corrective actions taken.

(5) Development of Facility Specific SOPs

Permittees who operate level 3 or 4 small MS4s shall develop facility specific stormwater management SOPs. The permittee may utilize existing plans or documents that may contain the following required information:

a. For each high priority facility identified in Part III.B.5.(c)(4)b., the permittee shall develop a SOP that identifies BMPs to be installed, implemented, and maintained to minimize the discharge of pollutants in stormwater from each facility.

b. A hard or electronic copy of the facility-specific stormwater management SOP (or equivalent existing plan or document) must be maintained and be available for review by the TCEQ. The SOP must be kept on site when possible and must be updated as necessary.

(6) Stormwater Controls for High Priority Facilities

Permittees who operate level 3 or 4 small MS4s shall implement the following stormwater controls at all high priority facilities identified in Part III.B.5.(c)(4)b. A description of BMPs developed to comply with this requirement must be included in each facility specific SOP:

a. General good housekeeping – Material with a potential to contribute to stormwater pollution should be sheltered from exposure to stormwater when feasible.

b. De-icing and anti-icing material storage - The permittee shall ensure, to the MEP, that stormwater runoff from storage piles of salt and other de-icing and anti-icing materials is not discharged; or shall ensure that any discharges from the piles are authorized under a separate discharge permit.

c. Fueling operations and vehicle maintenance - The permittee shall develop SOPs (or equivalent existing plans or documents) which address spill prevention and spill control at permittee-owned and operated vehicle fueling, vehicle maintenance, and bulk fuel delivery facilities.

d. Equipment and vehicle washing - The permittee shall develop SOPs that address equipment and vehicle washing activities at permittee-owned and operated facilities. The discharge of equipment and vehicle wash water to the small MS4 or directly to receiving waters from permittee-owned facilities is not authorized under this general permit. To ensure that wastewater is not discharged under this general permit, the permittee’s SOP may include installing a vehicle wash reclaim system, capturing and hauling the wastewater for proper disposal, connecting to sanitary sewer (where applicable and approved by local authorities), ceasing the washing activity, or applying for and obtaining a separate TPDES permit.

(7) Inspections

Permittees who operate level 3 or 4 small MS4s shall develop and implement an inspection program, which at a minimum must include periodic inspections of high priority permittee-owned facilities. The results of the inspections and observations must be documented and available for review by the TCEQ.
(d) Additional Requirements for Level 4 small MS4s:

In addition to all the requirements described in Parts III.B.5(b) and III.B.5.(c) above, permittees who operate level 4 small MS4s shall meet the following requirements:

1) Pesticide, Herbicide, and Fertilizer Application and Management
   a. Landscape maintenance - The permittee shall evaluate the materials used and activities performed on public spaces owned and operated by the permittee such as parks, schools, golf courses, easements, public rights of way, and other open spaces for pollution prevention opportunities. Maintenance activities for the turf landscaped portions of these areas may include mowing, fertilization, pesticide application, and irrigation. Typical pollutants include sediment, nutrients, hydrocarbons, pesticides, herbicides, and organic debris.
   b. The permittee shall implement the following practices to minimize landscaping-related pollutant generation with regard to public spaces owned and operated by the permittee:
      (i) Educational activities, permits, certifications, and other measures for the permittee’s applicators and distributors.
      (ii) Pest management measures that encourage non-chemical solutions where feasible. Examples may include:
         (a) Use of native plants or xeriscaping;
         (b) Keeping clippings and leaves out the small MS4 and the street by encouraging mulching, composting, or landfiling;
         (c) Limiting application of pesticides and fertilizers if precipitation is forecasted within 24 hours, or as specified in label instructions;
         (d) Reducing mowing of grass to allow for greater pollutant removal, but not jeopardizing motorist safety.
   c. The permittee shall develop schedules for chemical application in public spaces owned and operated by the permittee that minimize the discharge of pollutants from the application due to irrigation and expected precipitation.
   d. The permittee shall ensure collection and proper disposal of the permittee’s unused pesticides, herbicides, and fertilizers.

6. Industrial Stormwater Sources

(a) Permittees operating a level 4 small MS4 shall include the requirements described below in Part III. B.6.(1) – this requirement is only applicable to level 4 MS4s

1) Permittees who operate level 4 small MS4s shall identify and control pollutants in stormwater discharges to the small MS4 from permittee’s landfills; other treatment, storage, or disposal facilities for municipal waste (for example, transfer stations and incinerators); hazardous waste treatment, storage, disposal and recovery facilities and facilities that are subject to Emergency Planning and Community Right-to-Know Act (EPCRA) Title III, Section 313; and any other industrial or commercial discharge the permittee determines are contributing a substantial pollutant loading to the small MS4. The program must include priorities and procedures for inspections and for implementing control measures for such discharges.
7. Authorization for Construction Activities where the Small MS4 is the Site Operator

The development of this MCM for construction activities, where the small MS4 is the site operator, is optional and provides an alternative to the MS4 operator seeking coverage under TPDES CGP, TXR150000 for each construction activity. Permittees that choose to develop this measure will be authorized to discharge stormwater and certain non-stormwater from construction activities where the MS4 operator meets the definition of a construction site operator in Part I of this general permit. When developing this measure, permittees are required to meet all requirements of, and be consistent with, applicable effluent limitation guidelines for the Construction and Development industry (40 CFR Part 450), TPDES CGP TXR150000, and Part III.B.3 of this permit. The authorization to discharge under this MCM is limited to the regulated area, such as the portion of the small MS4 located within a UA or the area designated by TCEQ as requiring coverage. However, an MS4 operator may also utilize this MCM over additional portions of their small MS4 that are also in compliance with all of the MCMs listed in this general permit. This MCM must be developed as a part of the SWMP that is submitted with the NOI for permit coverage. If this MCM is developed after submitting the initial NOI, a NOC must be submitted notifying the executive director of this change, and identifying the geographical area or boundary where the activities will be conducted under the provisions of this general permit. Utilization of this MCM does not preclude a small MS4 from obtaining coverage under the TPDES CGP, TXR150000, or under an individual TPDES permit.

This MCM is only available for projects where the small MS4 is a construction site operator or owner, and the MCM does not provide any authorization for other construction site operators at a municipal project.

Controls required under this MCM must be implemented prior to discharge from a municipal construction site into surface water in the state.

(a) The MCM must include:

(1) A description of how construction activities will generally be conducted by the permittee so as to take into consideration local conditions of weather, soils, and other site specific considerations;

(2) A description of the area that this MCM will address and where the permittee’s construction activities are covered (for example within the boundary of the urbanized area, the corporate boundary, a special district boundary, an extra territorial jurisdiction, or other similar jurisdictional boundary);

(3) Either a description of how the permittee will supervise or maintain oversight over contractor activities to ensure that the SWP3 requirements are properly implemented at the construction site; or how the permittee will make certain that contractors have a separate authorization for stormwater discharges;

(4) A general description of how a SWP3 will be developed for each construction site, according to Part VI of this general permit, "Authorization for Municipal Construction Activities"; and

(5) Records of municipal construction activities authorized under this optimal MCM, in accordance with Part VI of this general permit.
Section C. General Requirements

Permittees shall provide information in the SWMP documenting the development and implementation of the program. At a minimum, the documentation must include:

1. A list of any public or private entities assisting with the development or implementation of the SWMP;
2. If applicable, a list of all MS4 operators contributing to the development and implementation of the SWMP, including a clear description of the contribution;
3. A list of all BMPs and measurable goals for each of the MCMs;
4. A schedule for the implementation of all SWMP requirements. The schedule must include, as appropriate, the months and years in which the permittee will undertake required actions, including interim milestones and the frequency of the action throughout the permit term.
5. A description of how each measurable goal will be evaluated; and
6. A rationale statement that addresses the overall program, including how the BMPs and measurable goals were selected.

Part IV. Recordkeeping and Reporting

Section A. Recordkeeping

1. The permittee shall retain all records, a copy of this TPDES general permit, and records of all data used to complete the application (NOI) for this general permit and satisfy the public participation requirements, for a period of at least three (3) years, or for the remainder of the term of this general permit, whichever is longer. This period may be extended by request of the executive director at any time.
2. The permittee shall submit the records to the executive director only when specifically asked to do so. The SWMP required by this general permit (including a copy of the general permit) must be retained at a location accessible to the TCEQ.
3. The permittee shall make the NOI and the SWMP available to the public at reasonable times during regular business hours, if requested to do so in writing. Copies of the SWMP must be made available within ten (10) working days of receipt of a written request. Other records must be provided in accordance with the Texas Public Information Act. However, all requests for records from federal facilities must be made in accordance with the Freedom of Information Act.
4. The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

Section B. Reporting

1. General Reporting Requirements

(a) Noncompliance Notification

According to 30 TAC § 305.125(9), any noncompliance which may endanger human health or safety, or the environment, must be reported by the permittee to the TCEQ. Report of such information must be provided orally or by electronic facsimile
transmission (FAX) to the TCEQ regional office within 24 hours of becoming aware of the noncompliance. A written report must be provided by the permittee to the appropriate TCEQ regional office and to the TCEQ Enforcement Division (MC-224) within five working days of becoming aware of the noncompliance. The written report must contain:

(1) A description of the noncompliance and its cause;
(2) The potential danger to human health or safety, or the environment;
(3) The period of noncompliance, including exact dates and times;
(4) If the noncompliance has not been corrected, the anticipated time it is expected to continue; and
(5) Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

(b) Other Information
When the permittee becomes aware that it either submitted incorrect information or failed to submit complete and accurate information requested in an NOI, NOT, or NOC, or any other report, the permittee shall promptly submit the facts or information to the executive director.

2. Annual Report
The MS4 operator shall submit a concise annual report to the executive director within 90 days of the end of each reporting year. For the purpose of this section, the reporting year may include either the permit year, the permittee’s fiscal year or the calendar year, as elected by the small MS4 and notified to the TCEQ in the application submittal. The annual report must address the previous reporting year.

The first reporting year for annual reporting purposes shall begin on the permit effective date, and shall last for a period of one (1) year (the end of the “permit year”). Alternatively, if the permittee elects to report based on its fiscal year, the first reporting year will last until the end of the fiscal year following the end of the first permit year. If the permittee elects to report based on the calendar year, then the first reporting year will last until December 31, 2014.

Subsequent calendar years will begin at the beginning of the first reporting year (which will vary based on the previous paragraph) and last for one (1) year. The MS4 operator shall also make a copy of the annual report readily available for review by TCEQ personnel upon request. The report must include:

(a) The status of the compliance with permit conditions, an assessment of the appropriateness of the identified BMPs, progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, the measurable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals;

(b) A summary of the results of information collected and analyzed, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP;

(c) If applicable, a summary of any activities taken to address the discharge to impaired waterbodies, including any sampling results and a summary of the small MS4s BMPs used to address the pollutant of concern;
(d) A summary of the stormwater activities the MS4 operator plans to undertake during the next reporting year;

(e) Proposed changes to the SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements;

(f) Description and schedule for implementation of additional BMP’s that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementations plans;

(g) Notice that the MS4 operator is relying on another government entity to satisfy some of its permit obligations (if applicable);

(h) The number of construction activities where the small MS4 is the operator and authorized under the 7th optional MCM, including the total number of acres disturbed; and

(i) The number of construction activities that occurred within the jurisdictional area of the small MS4 (as noticed to the permittee by the construction operator), and that were not authorized under the 7th MCM.

An annual report must be prepared whether or not the NOI and SWMP have been approved by the TCEQ. If the permittee has either not implemented the SWMP or not begun to implement the SWMP because it has not received approval of the NOI and SWMP, then the annual report may include that information.

If permittees share a common SWMP, they shall contribute to and submit a single system-wide report. Each permittee shall sign and certify the annual report in accordance with 30 TAC § 305.128 (relating to Signatories to Reports).

The annual report must be submitted with the appropriate TCEQ reporting forms if available, or as otherwise approved by TCEQ.

The annual report must be submitted to the following address:

Texas Commission on Environmental Quality
Stormwater & Pretreatment Team; MC - 148
P.O. Box 13087
Austin, Texas  78711-3087

A copy of the annual report must also be submitted to the TCEQ Regional Office that serves the area of the regulated small MS4.


Part V.  Standard Permit Conditions

A. The permittee has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the general permit and statutes under which it was issued, and is grounds for enforcement action, for terminating coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit.
B. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

C. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

D. Authorization under this general permit may be suspended or revoked for cause. Filing a notice of planned changes or anticipated non-compliance by the permittee does not stay any permit condition. The permittee shall furnish to the executive director, upon request and within a reasonable timeframe, any information necessary for the executive director to determine whether cause exists for modifying, revoking, suspending, reissuing or terminating authorization under this general permit. Additionally, the permittee shall provide to the executive director, upon request, copies of all records that the permittee shall maintain as a condition of this general permit.

E. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve compliance with the conditions of this permit and with the condition of the permittee’s SWMP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed only when the operation is necessary to achieve compliance with the conditions of this permit.

F. Inspection and entry shall be allowed under the TWC Chapters 26-28, Health and Safety Code §§ 361.032-361.033 and 361.037, and 40 CFR §122.41(i). The statement in TWC § 26.014 that commission entry of a facility shall occur according to an establishment's rules and regulations concerning safety, internal security, and fire protection is not grounds for denial or restriction of entry to any part of the facility or site, but merely describes the commission's duty to observe appropriate rules and regulations during an inspection.

G. The discharger is subject to administrative, civil, and criminal penalties, as applicable, under the TWC, Chapters 26, 27, and 28, and the Texas Health and Safety Code, Chapter 361 for violations including but not limited to the following:

1. Negligently or knowingly violating CWA, §§ 301, 302, 303, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under CWA, § 402; and

2. Knowingly making any false statement, representation, or certification in any record or other document submitted or required to be maintained under a permit, including monitoring reports or reports of compliance or noncompliance.

H. All reports and other information requested by or submitted to the executive director must be signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

I. Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.
J. The permittee shall implement its SWMP on any new areas under its jurisdiction that are located in a UA or that are designated by the TCEQ. Implementation of the SWMP in these areas is required the greater of three (3) years from acquiring the new area, or five (5) years from the date of initial permit coverage.

Part VI. Authorization for Municipal Construction Activities – Applicable only if the 7th Optional MCM is selected

The MS4 operator may obtain authorization under TPDES CGP, TXR150000 to discharge stormwater runoff from each construction activity performed by the MS4 operator that results in a land disturbance of one (1) acre or more of land or less than one (1) acre of land, if the construction activity is part of a larger common plan of development or sale that would disturb one acre or more. Alternatively, the MS4 operator may develop the SWMP to include the optional seventh (7th) stormwater MCM listed in Part III.B.7 of this general permit if the eligibility requirements in Part VI.A. below are met. If an MS4 operator decides to utilize this MCM, then the MS4 operator must include this MCM in its SWMP submitted with the NOI or submit an NOC notifying the executive director of the addition of this MCM to its SWMP. The MS4 operator must identify the geographic area or boundary where the construction activities will be conducted under the provisions of this general permit. If the permittee meets the terms and requirements of this general permit, then discharges from these construction activities may be authorized under this general permit as long as they occur within the regulated geographic area of the small MS4. An MS4 operator may utilize this MCM over additional portions of their small MS4 if those areas are also in compliance with all MCMs listed in this general permit. Even if an MS4 operator has developed this optional seventh stormwater MCM, the MS4 operator may apply under TPDES CGP TXR150000 for authorization for particular municipal construction activities including those activities that occur during periods of low potential for erosion (for which no SWP3 must be developed).

Section A. Eligible Construction Sites

Discharges from construction activities within the regulated area where the MS4 operator meets the definition of construction site operator are eligible for authorization under this general permit. Discharges from construction activities outside of the regulated area, where the MS4 operator meets the definition of construction site operator, are only eligible for authorization under this general permit in those areas where the MS4 operator meets the requirements of Parts III.B.1. through III.B.6 of this general permit, related to MCMs.

Section B. Discharges Eligible for Authorization

1. Stormwater Associated with Construction Activity

Discharges of stormwater runoff from small and large construction activities may be authorized under this general permit.

2. Discharges of Stormwater Associated with Construction Support Activities

Discharges of stormwater runoff from construction support activities, including concrete batch plants, asphalt batch plants, equipment staging areas, material storage yards, material borrow areas, and excavated material disposal areas may be authorized under this general permit provided:
(a) The activity is located within a one-mile distance from the boundary of the permitted construction site and directly supports the construction activity;

(b) A SWP3 is developed according to the provisions of this general permit and includes appropriate controls and measures to control sediment and erosion and discharge of pollutants in stormwater runoff from the supporting construction activity site;

(c) The construction support activity either does not operate beyond the completion date of the construction activity or obtains separate TPDES authorization for discharges as required; and

(d) Discharge of stormwater from concrete production facilities must meet the requirements in Section E below

3. Non-Stormwater Discharges

The following non-stormwater discharges from construction sites authorized under this general permit are also eligible for authorization under this MCM:

(a) Discharges from emergency fire fighting activities (fire fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities);

(b) Uncontaminated fire hydrant flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life), which include flushings from systems that utilize potable water, surface water, or groundwater that does not contain additional pollutants (uncontaminated fire hydrant flushings do not include systems utilizing reclaimed wastewater as a source water);

(c) Water from the routine external washing of vehicles, the external portion of buildings or structures, and pavement, where detergents and soaps are not used and where spills or leaks of toxic or hazardous materials have not occurred (unless spilled materials have been removed; and if local state, or federal regulations are applicable, the materials are removed according to those regulations), and where the purpose is to remove mud, dirt, or dust;

(d) Uncontaminated water used to control dust;

(e) Potable water sources including waterline flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);

(f) Uncontaminated air conditioning condensate; and

(g) Uncontaminated ground water or spring water, including foundation or footing drains where flows are not contaminated with industrial materials such as solvents.

4. Other Permitted Discharges

Any discharge authorized under a separate TPDES or TCEQ permit may be combined with discharges from construction sites operated by the small MS4, provided the discharge complies with the associated permit.
Section C. Limitations on Permit Coverage

Discharges that occur after construction activities have been completed, and after the construction site and any supporting activity site have undergone final stabilization, are not eligible for coverage under Part VI of the general permit.

Section D. Stormwater Pollution Prevention Plan (SWP3) Requirements

Operators of municipal construction activities that qualify for coverage under this general permit and that discharge stormwater associated with construction activities into surface water in the state must:

1. Develop a SWP3 according to the provisions of this general permit that covers the entire site and begin implementation of that plan prior to commencing construction activities;
2. Post a signed copy of a TCEQ approved site notice in a location at the construction site where it is readily available for viewing prior to commencing construction activities and maintain the notice in that location until completion of the construction activity and final stabilization of the site;
3. Ensure the project specifications allow or provide that adequate BMPs may be developed and modified as necessary to meet the requirements of this general permit and the SWP3;
4. Ensure all contractors are aware of the SWP3 requirements, are aware that municipal personnel are responsible for the day-to-day operations of the SWP3, and who to contact concerning SWP3 requirements; and
5. Ensure that the SWP3 identifies the municipal personnel responsible for implementation of control measures described in the plan.

Section E. Stormwater Runoff from Concrete Batch Plants

Discharges of stormwater runoff from concrete batch plants at regulated construction sites may be authorized under the provisions of this general permit provided that the following requirements are met for concrete batch plant(s) authorized under this permit. If discharges of stormwater runoff from concrete batch plants are not covered under this general permit, then discharges must be authorized under an alternative general permit or an individual permit. This permit does not authorize the discharge or land disposal of any wastewater from concrete batch plants at regulated construction sites. Authorization for these wastes must be obtained under an individual permit or an alternative general permit.

1. Benchmark Sampling Requirements

(a) Operators of concrete batch plants authorized under this section must sample the stormwater runoff from the concrete batch plants according to the requirements of this section of the general permit, and must conduct evaluations of the effectiveness of the SWP3 based on the following benchmark monitoring values:

<table>
<thead>
<tr>
<th>Benchmark Parameters</th>
<th>Benchmark Value</th>
<th>Sampling Frequency</th>
<th>Sample Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil and Grease</td>
<td>15 mg/L</td>
<td>1/quarter (*1)(*2)</td>
<td>Grab (*3)</td>
</tr>
</tbody>
</table>
### Benchmark Parameters

<table>
<thead>
<tr>
<th>Benchmark Parameters</th>
<th>Benchmark Value</th>
<th>Sampling Frequency</th>
<th>Sample Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Suspended Solids</td>
<td>100 mg/L</td>
<td>1/quarter (*1)(*2)</td>
<td>Grab (*3)</td>
</tr>
<tr>
<td>pH</td>
<td>6.0-9.0 S.U.</td>
<td>1/quarter (*1)(*2)</td>
<td>Grab (*3)</td>
</tr>
<tr>
<td>Total Iron</td>
<td>1.3 mg/L</td>
<td>1/quarter (*1)(*2)</td>
<td>Grab (*3)</td>
</tr>
</tbody>
</table>

(*1) When discharge occurs. Sampling is required within the first 30 minutes of discharge. If it is not practicable to take the sample, or to complete the sampling, within the first 30 minutes, sampling must be completed within the first hour of discharge. If sampling is not completed within the first 30 minutes of discharge, the reason must be documented and attached to all required reports and records of the sampling activity.

(*2) Sampling must be conducted at least once during each of the following periods. The first sample must be collected during the first full quarter that a stormwater discharge occurs from a concrete batch plant authorized under this general permit.

- January through March
- April through June
- July through September
- October through December

For projects lasting less than one full quarter, a minimum of one sample shall be collected, provided that a stormwater discharge occurred at least once following submission of the NOI.

(*3) A grab sample shall be collected from the stormwater discharge resulting from a storm event that is at least 0.1 inches of measured precipitation that occurs at least 72 hours from the previously measurable storm event. The sample shall be collected downstream of the concrete batch plant, and where the discharge exits any BMPs utilized to handle the runoff from the batch plant, prior to commingling with any other water authorized under this general permit.

(b) The permittee shall compare the results of sample analyses to the benchmark values above, and must include this comparison in the overall assessment of the SWP3’s effectiveness. Analytical results that exceed a benchmark value are not a violation of this permit, as these values are not numeric effluent limitations. Results of analyses are indicators that modifications of the SWP3 should be assessed and may be necessary to protect water quality. The operator must investigate the cause for each exceedance and must document the results of this investigation in the SWP3 by the end of the quarter following the sampling event.

The operator’s investigation must identify the following:

1. Any additional potential sources of pollution, such as spills that might have occurred;
2. Necessary revisions to good housekeeping measures that are part of the SWP3;
3. Additional BMPs, including a schedule to install or implement the BMPs; and
(4) Other parts of the SWP3 that may require revisions in order to meet the goal of the benchmark values.

Background concentrations of specific pollutants may also be considered during the investigation. If the operator is able to relate the cause of the exceedance to background concentrations, then subsequent exceedances of benchmark values for that pollutant may be resolved by referencing earlier findings in the SWP3. Background concentrations may be identified by laboratory analyses of samples of stormwater run-on to the permitted facility, by laboratory analyses of samples of stormwater run-off from adjacent non-industrial areas, or by identifying the pollutant is a naturally occurring material in soils at the site.

2. BMPs and SWP3 Requirements

Minimum Stormwater Pollution Prevention Plan (SWP3) Requirements - The following are required in addition to other SWP3 requirements listed in this section:

(a) Description of Potential Pollutant Sources - The SWP3 must provide a description of potential sources (activities and materials) that may reasonably be expected to affect the quality of stormwater discharges associated with concrete batch plants authorized under this permit. The SWP3 must describe practices that will be used to reduce the pollutants in these discharges to assure compliance with this general permit, including the protection of water quality, and must ensure the implementation of these practices. The following must be developed, at a minimum, in support of developing this description:

(1) Drainage – The site map must include the following information:
   a. The location of all outfalls for stormwater discharges associated with concrete batch plants that are authorized under this permit;
   b. A depiction of the drainage area and the direction of flow to the outfall(s);
   c. Structural controls used within the drainage area(s);
   d. The locations of the following areas associated with concrete batch plants that are exposed to precipitation: vehicle and equipment maintenance activities (including fueling, repair, and storage areas for vehicles and equipment scheduled for maintenance); areas used for the treatment, storage, or disposal of wastes listed in the TPDES Construction General Permit TXR150000; liquid storage tanks; material processing and storage areas; and loading and unloading areas; and
   e. The locations of the following: any bag house or other dust control device(s); recycle or sedimentation pond, clarifier or other device used for the treatment of facility wastewater (including the areas that drain to the treatment device); areas with significant materials; and areas where major spills or leaks have occurred.

(2) Inventory of Exposed Materials – A list of materials handled at the concrete batch plant that may be exposed to stormwater and that have a potential to affect the quality of stormwater discharges associated with concrete batch plants that are authorized under this general permit.

(3) Spills and Leaks - A list of significant spills and leaks of toxic or hazardous pollutants that occurred in areas exposed to stormwater and that drain to
stormwater outfalls associated with concrete batch plants authorized under this general permit must be developed, maintained, and updated.

(4) Sampling Data - A summary of existing stormwater discharge sampling data must be maintained, if available.

(b) Measures and Controls - The SWP3 must include a description of management controls to regulate pollutants identified in the SWP3’s “Description of Potential Pollutant Sources” from Part VI.E.2.(a) of this permit, and a schedule for implementation of the measures and controls. This must include, at a minimum:

(1) Good Housekeeping - Good housekeeping measures must be developed and implemented in the area(s) associated with concrete batch plants.
   a. Operators must prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), settled dust, or other significant materials from paved portions of the site that are exposed to stormwater.

   Measures used to minimize the presence of these materials may include regular sweeping or other equivalent practices. These practices must be conducted at a frequency that is determined based on consideration of the amount of industrial activity occurring in the area and frequency of precipitation, and shall occur at least once per week when cement or aggregate is being handled or otherwise processed in the area.

   b. Operators must prevent the exposure of fine granular solids, such as cement, to stormwater. Where practicable, these materials must be stored in enclosed silos, hoppers or buildings, in covered areas, or under covering.

(2) Spill Prevention and Response Procedures - Areas where potential spills that can contribute pollutants to stormwater runoff, and the drainage areas from these locations, must be identified in the SWP3. Where appropriate, the SWP3 must specify material handling procedures, storage requirements, and use of equipment. Procedures for cleaning up spills must be identified in the SWP3 and made available to the appropriate personnel.

(3) Inspections - Qualified facility personnel (for example, a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) must be identified to inspect designated equipment and areas of the facility specified in the SWP3. The inspection frequency must be specified in the SWP3 based upon a consideration of the level of concrete production at the facility, but must be a minimum of once per month while the facility is in operation. The inspection must take place while the facility is in operation and must, at a minimum, include all areas that are exposed to stormwater at the site, including material handling areas, above ground storage tanks, hoppers or silos, dust collection or containment systems, truck wash down and equipment cleaning areas. Follow-up procedures must be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections must be maintained and be made readily available for inspection upon request.

(4) Employee Training - An employee training program must be developed to educate personnel responsible for implementing any component of the SWP3, or personnel otherwise responsible for stormwater pollution prevention, with the provisions of the SWP3. The frequency of training must be documented in the SWP3, and at a
minimum, must consist of one training prior to the initiation of operation of the concrete batch plant.

(5) Record Keeping and Internal Reporting Procedures - A description of spills and similar incidents, plus additional information that is obtained regarding the quality and quantity of stormwater discharges, must be included in the SWP3. Inspection and maintenance activities must be documented and records of those inspection and maintenance activities must be incorporated in the SWP3.

(6) Management of Runoff - The SWP3 shall contain a narrative consideration for reducing the volume of runoff from concrete batch plants by diverting runoff or otherwise managing runoff, including use of infiltration, detention ponds, retention ponds, or reusing of runoff.

(c) Comprehensive Compliance Evaluation – At least once per year, one (1) or more qualified personnel (for example, a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) shall conduct a compliance evaluation of the plant. The evaluation must include the following:

(1) Visual examination of all areas draining stormwater associated with regulated concrete batch plants for evidence of, or the potential for, pollutants entering the drainage system. These include but are not limited to: cleaning areas, material handling areas, above ground storage tanks, hoppers or silos, dust collection or containment systems, and truck wash down and equipment cleaning areas. Measures implemented to reduce pollutants in runoff (including structural controls and implementation of management practices) must be evaluated to determine if they are effective and if they are implemented in accordance with the terms of this permit and with the permittee’s SWP3. The operator shall conduct a visual inspection of equipment needed to implement the SWP3, such as spill response equipment.

(2) Based on the results of the evaluation, the following must be revised as appropriate within two (2) weeks of the evaluation: the description of potential pollutant sources identified in the SWP3 (as required in Part VI.E.2(a), “Description of Potential Pollutant Sources”); and pollution prevention measures and controls identified in the SWP3 (as required in Part VI.E.2.(b) “Measures and Controls”). The revisions may include a schedule for implementing the necessary changes.

(3) The permittee shall prepare and include in the SWP3 a report summarizing the scope of the evaluation, the personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the SWP3, and actions taken in response to the findings of the evaluation. The report must identify any incidents of noncompliance. Where the report does not identify incidences of noncompliance, the report must contain a statement that the evaluation did not identify any incidence(s), and the report must be signed according to 30 TAC Section 305.128, relating to Signatories to Reports.

(4) The Comprehensive Compliance Evaluation may substitute for one of the required inspections delineated in Part VI.E.2.(b)(3) of this general permit.

3. Prohibition of Wastewater Discharges

Wastewater discharges associated with concrete production including wastewater disposal by land application are not authorized under this general permit. These wastewater
discharges must be authorized under an alternative TCEQ water quality permit or otherwise disposed of in an authorized manner. Discharges of concrete truck washout at construction sites may be authorized if conducted in accordance with the requirements of Part VI of this general permit.

4. Concrete Truck Wash Out Requirements

This general permit authorizes the wash out of concrete trucks at construction sites regulated under this section of the general permit, provided the following requirements are met. Authorization is limited to the land disposal of wash out water from concrete trucks. Any other direct discharge of concrete production waste water must be authorized under a separate TCEQ general permit or individual permit.

(a) Direct discharge of concrete truck wash out water to surface water in the state, including discharge to storm sewers, is prohibited by this general permit.

(b) Concrete truck wash out water shall be discharged to areas at the construction site where structural controls have been established to prevent direct discharge to surface waters or to areas that have a minimal slope that allow infiltration and filtering of wash out water to prevent direct discharge to surface waters. Structural controls may consist of temporary berms, temporary shallow pits, temporary storage tanks with slow rate release, or other reasonable measures to prevent runoff from the construction site.

(c) Wash out of concrete trucks during rainfall events shall be minimized. The direct discharge of concrete truck wash out water is prohibited at all times, and the operator shall insure that its BMPs are sufficient to prevent the discharge of concrete truck washout as the result of rain.

(d) The discharge of wash out water shall not cause or contribute to groundwater contamination.

(e) If a SWP3 is required to be implemented, the SWP3 shall include concrete wash out areas on the associated map.

Section F. Effective Date of Coverage

Construction activities may not commence under this section until the MS4 NOI and SWMP are approved in writing by the TCEQ. Following approval of the NOI and SWMP, operators of construction activities eligible for coverage under this general permit are authorized to discharge stormwater associated with construction activity immediately upon posting the signed construction site notice required under this section.

Section G. Deadlines for SWP3 Preparation and Compliance

The SWP3 must:

1. Be completed and initially implemented prior to commencing construction activities that result in soil disturbance;

2. Be updated as necessary to reflect the changing conditions of new contractors, new areas of responsibility, and changes in best management practices; and

3. Provide for compliance with the terms and conditions of this general permit.
Section H. Plan Review and Making Plans Available

The SWP3 must be retained on-site at the construction site or made readily available at the time of an on-site inspection to: the executive director; a federal, state, or local agency approving sediment and erosion plans, grading plans, or stormwater management plans; and to local government officials.

Section I. Keeping Plans Current

The permittee shall amend the SWP3 whenever either of the following occurs:

1. There is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants and that has not been previously addressed in the SWP3; or

2. Results of inspections or investigations by site operators, authorized TCEQ personnel, or a federal, state or local agency approving sediment and erosion plans indicate the SWP3 is proving ineffective in eliminating or significantly minimizing pollutants in discharges authorized under this general permit.

Section J. Contents of SWP3

The SWP3 must include, at a minimum, the information described in this section.

1. Site Description

A site description, or project description, which must include:

(a) A description of the nature of the construction activity, potential pollutants and sources;

(b) A description of the intended schedule or sequence of major activities that will disturb soils for major portions of the site;

(c) The number of acres of the entire construction site property and the total number of acres of the site where construction activities will occur, including off-site material storage areas, overburden and stockpiles of dirt, and borrow areas;

(d) Data describing the soil type or the quality of any discharge from the site;

(e) A map showing the general location of the site (e.g. a portion of a city or county map);

(f) A detailed site map indicating the following:

   (1) Drainage patterns and approximate slopes anticipated after major grading activities;

   (2) Areas where soil disturbance will occur;

   (3) Locations of all major structural controls either planned or in place;

   (4) Locations where temporary or permanent stabilization practices are expected to be used;

   (5) Locations of construction support activities, including off-site activities that are authorized under the permittee’s NOI, including material, waste, borrow, fill, or equipment storage areas;

   (6) Surface waters (including wetlands) either at, adjacent, or in close proximity to the site;
(7) Locations where stormwater discharges from the site directly to a surface water body or a MS4; and

(8) Vehicle wash areas.

(g) The location and description of asphalt plants and concrete plants (if any) providing support to the construction site and that are also authorized under this general permit;

(h) The name of receiving waters at or near the site that will be disturbed or that will receive discharges from disturbed areas of the project; and

(i) A copy of Part VI of this TPDES general permit.

2. Structural and non-structural controls

The SWP3 must describe the structural and the non-structural controls (best management practices) that will be used to minimize pollution in runoff. The description must identify the general timing or sequence for implementation and the party responsible for implementation. At a minimum, the description must include the following components:

(a) Erosion and Sediment Controls

   (1) Erosion and sediment controls must be designed to retain sediment on-site to the maximum extent practicable with consideration for local topography and rainfall.

   (2) Control measures must be properly selected, installed, and maintained according to the manufacturer’s or designer’s specifications. If periodic inspections or other information indicates a control has been used incorrectly, or that the control is performing inadequately, the operator must replace or modify the control.

   (3) Sediment must be removed from sediment traps and sedimentation ponds no later than the time that design capacity has been reduced by 50 per cent.

   (4) If sediment escapes the site, accumulations must be removed at a frequency to minimize further negative effects and, whenever feasible, prior to the next rain event.

   (5) Controls must be developed to limit offsite transport of litter, construction debris, and construction materials by stormwater runoff.

3. Stabilization Practices

The SWP3 must include a description of interim and permanent stabilization practices for the site, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where possible.

(a) Stabilization practices may include but are not limited to: establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of existing trees and vegetation and other similar measures.

(b) The following records must be maintained and either attached to or referenced in the SWP3 and made readily available upon request to the parties in Part VI.H. of this general permit:

   (1) The dates when major grading activities occur;

   (2) The dates when construction activities temporarily or permanently cease on a portion of the site; and
(3) The dates when stabilization measures are initiated.

(c) Stabilization measures must be initiated immediately in portions of the site where construction activities have temporarily or permanently ceased, and will not resume for a period exceeding 14 calendar days, except as provided in (1) and (2) below.

(1) Where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable.

(2) Where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased is precluded by seasonably arid conditions, stabilization measures must be initiated as soon as practicable. These conditions exist in arid areas, semiarid areas, and areas experiencing drought conditions.

4. Structural Control Practices

The SWP3 must include a description of any structural control practices used to divert flows away from exposed soils, to limit the contact of runoff with disturbed areas, or to lessen the off-site transport of eroded soils.

(a) Sites with a drainage area of ten (10) or more acres:

(1) A sediment basin is required, where feasible, for a common drainage location that serves an area with ten (10) or more acres disturbed at one time. A sedimentation basin may be temporary or permanent, but must provide sufficient storage to contain a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained. When calculating the volume of runoff from a 2-year, 24-hour storm event, it is not required to include the flows from off-site areas and flow from on-site areas that are either undisturbed or have already undergone final stabilization, if these flows are diverted around both the disturbed areas of the site and the sediment basin. Capacity calculations must be included in the SWP3.

(2) Where rainfall data is not available or a calculation cannot be performed the sedimentation basin must provide at least 3,600 cubic feet of storage per acre drained until the site reaches final stabilization.

(3) If a sedimentation basin is not feasible, then the permittee shall provide equivalent control measures until the site reaches final stabilization. In determining whether installing a sediment basin is feasible, the permittee may consider factors such as site soils, slope, available area, public safety, precipitation pattern, site geometry, site vegetation, infiltration capacity, geotechnical factors, depth to groundwater, and other similar considerations. The permittee shall document the reason that the sediment basins are not feasible, and shall utilize equivalent control measures, which may include a series of smaller sediment basins.

(4) Perimeter Controls – At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.

(b) Controls for sites with drainage areas less than ten acres:

(1) Sediment traps and sediment basins may be used to control solids in stormwater runoff for drainage locations serving less than ten (10) acres. At a minimum, silt
fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.

(2) Alternatively, a sediment basin that provides storage for a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained may be utilized. Where rainfall data is not available or a calculation cannot be performed, a temporary or permanent sediment basin providing 3,600 cubic feet of storage per acre drained may be provided. If a calculation is performed, then the calculation shall be included in the SWP3.

5. Permanent Stormwater Controls

A description of any measures that will be installed during the construction process to control pollutants in stormwater discharges that will occur after construction operations have been completed must be included in the SWP3. Permittees are only responsible for the installation and maintenance of stormwater management measures prior to final stabilization of the site.

6. Other Controls

(a) Off-site vehicle tracking of sediments and the generation of dust must be minimized.

(b) The SWP3 must include a description of construction and waste materials expected to be stored on-site and a description of controls to reduce pollutants from these materials.

(c) The SWP3 must include a description of pollutant sources from areas other than construction (including stormwater discharges from dedicated asphalt plants and dedicated concrete plants), and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.

7. Effluent Limits

The federal Effluent Limitations Guidelines at 40 CFR Part 450.21(a) apply to all regulated construction activities under this 7th optional MCM, where the small MS4 is the operator.

8. Approved State and Local Plans

(a) The permittee shall ensure the SWP3 is consistent with requirements specified in applicable sediment and erosion site plans or site permits, or stormwater management site plans or site permits approved by federal, state, or local officials.

(b) SWP3s must be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment erosion site plans or site permits, or stormwater management site plans or site permits approved by state or local official for whom the permittee receives written notice.

9. Maintenance

All erosion and sediment control measures and other protective measures identified in the SWP3 must be maintained in effective operating condition. If through inspections the permittee determines that BMPs are not operating effectively, maintenance must be performed before the next anticipated storm event or as necessary to maintain the continued effectiveness of stormwater controls. If maintenance prior to the next anticipated
10. Inspections of Controls

(a) Personnel provided by the permittee must inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, discharge locations, and structural controls for evidence of, or the potential for, pollutants entering the drainage system. Personnel conducting these inspections must be knowledgeable of this general permit, familiar with the construction site, and knowledgeable of the SWP3 for the site. Sediment and erosion control measures identified in the SWP3 must be inspected to ensure that they are operating correctly. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking. Inspections must be conducted at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

Where sites have been finally or temporarily stabilized or where runoff is unlikely due to winter conditions (e.g., site is covered with snow, ice, or frozen ground exists), inspections must be conducted at least once every month. In arid or semi-arid, or drought stricken areas, inspections must be conducted at least once every month and within 24 hours after the end of a storm event of 0.5 inches or greater.

As an alternative to the above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, then the inspection must occur on a specifically defined day, regardless of whether or not there has been a rainfall event since the previous inspection. The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may be changed a maximum of one time each month, the schedule change must be implemented at the beginning of a calendar month, and the reason for the schedule change must be documented in the SWP3 (e.g., end of “dry” season and beginning of “wet” season).

(b) Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may provide inspection personnel with limited access to the areas described in Part VI.J.10(a) above. Inspection of these areas could require that vehicles compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, and increase the potential for erosion. In these circumstances, controls must be inspected at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches, but representative inspections may be performed. For representative inspections, personnel must inspect controls along the construction site for 0.25 mile above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described in Part VI.J.10(a) above. The conditions of the controls along each inspected 0.25 mile portion may be considered as representative of the condition of controls along that reach extending from the end of the 0.25 mile portion to either the end of the next 0.25 mile inspected portion, or to the end of the project, whichever occurs first.

As an alternative to the above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, the SWP3 may be
developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, the inspection must occur on a specifically defined day, regardless of whether or not there has been a rainfall event since the previous inspection. The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may be changed a maximum of one time each month, the schedule change must be implemented at the beginning of a calendar month, and the reason for the schedule change must be documented in the SWP3 (e.g., end of “dry” season and beginning of “wet” season).

(c) In the event of flooding or other uncontrollable situations which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable.

(d) The SWP3 must be modified based on the results of inspections, as necessary, to better control pollutants in runoff. Revisions to the SWP3 must be completed within seven (7) calendar days following the inspection. If existing BMPs are modified or if additional BMPs are necessary, an implementation schedule must be described in the SWP3 and wherever possible those changes implemented before the next storm event. If implementation before the next anticipated storm event is impracticable, these changes must be implemented as soon as practicable.

(e) A report summarizing the scope of the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWP3 must be made and retained as part of the SWP3. Major observations should include: The locations of discharges of sediment or other pollutants from the site; locations of BMPs that need to be maintained; locations of BMPs that failed to operate as designed or proved inadequate for a particular location; and locations where additional BMPs are needed. Actions taken as a result of inspections must be described within, and retained as a part of, the SWP3. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWP3 and this permit. The report must be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

(f) The names and qualifications of personnel making the inspections for the permittee may be documented once in the SWP3 rather than being included in each report.

11. Pollution Prevention Measures

The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for all eligible non-stormwater components of the discharge.

Section K. Additional Retention of Records

The permittee shall retain the following records for a minimum period of three (3) years from the date that final stabilization has been achieved on all portions of the site. Records include:

1. A copy of the SWP3; and

2. All reports and actions required by this section, including copies of the construction site notices.
AGENDA ITEM NO.: 10A.  
AGENDA DATE: April 02, 2015

PRESENTED BY: Seth Gipson, City Secretary

ITEM: Consideration and possible action on the meeting minutes for the March 11, 2015 City Council and Economic Development Corporation Board of Directors work session and March 19, 2015 City Council regular session.

STRATEGIC GUIDE POLICY: Leadership

ITEM BACKGROUND: The City Council meeting minutes for the March 11, 2015 City Council and Economic Development Corporation Board of Directors work session and March 19, 2015 City Council regular session have been drafted for the City Council's review and consideration.

BUDGETARY AND FINANCIAL SUMMARY: Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS: Not applicable.

CITY ATTORNEY REVIEW: Not applicable.

STAFF RECOMMENDATION: Staff recommends approval of the City Council meeting minutes for the March 11, 2015 City Council and Economic Development Corporation Board of Directors work session and March 19, 2015 City Council regular session.

SUPPORTING MATERIAL: 
1. Draft - March 11, 2015 Council & EDC Work Session Minutes
2. Draft - March 19, 2015 Council Meeting Minutes
The Hutto City Council and Hutto Economic Development Corporation Board of Directors met in a work session on Wednesday, March 11, 2015 in room A219 in the East Williamson County Higher Education Center, 1600 Innovation Blvd., Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Debbie Holland called the session to order at 7:03 p.m.

ROLL CALL

Members of the City Council that were present were Mayor Debbie Holland, Mayor Pro-tem Ronnie Quintanilla-Perez, Councilmember Anne Cano, Councilmember Paul Prince, Councilmember Michael J. Smith, and Councilmember Max V. Yeste. Councilmember Melanie Rios arrived at 7:05 pm.

Members of the Hutto Economic Development Corporation Board of Directors that were present were Mario Perez, Chair, Douglas Fell, Vice-chair, Doug Gaul, Treasurer, Anne Cano, Secretary, Michael J. Smith, member, and Paul Prince, member.

Members of staff that were present were Karen Daly, City Manager, Micah Grau, Assistant City Manager, and Erin Klingemann, Interim President of the Hutto Economic Development Corporation.

WORK SESSION

This work session was conducted for information and educational purposes. No action was taken by the Council on the item listed.

3A. Presentation and discussion regarding the Target Industry Analysis.

Mayor Debbie Holland welcomed everyone to the work session and Mario Perez introduced the speaker, John Rees with Avalanche Consulting.

Mr. Rees began his presentation with the Baseline Analysis which showed comparisons of Hutto to Williamson County and the Austin Area in regards to educational attainment, employment, median household income, and labor force diversity. These comparisons showed strengths and areas that need attention. The presentation transitioned to the Target Industry Analysis, which concluded that the recommended target industries are:
Mr. Rees listed the community's strengths and advantages with regard to each industry and recommended an immediate focus on manufacturing followed by Transportation & Logistics and Professional & Support Services.

Mr. Rees concluded his presentation and no additional questions were raised.

ADJOURNMENT

There being no further discussion, the meeting adjourned at 8:21 p.m.

CITY OF HUTTO, TEXAS

__________________________
Debbie Holland, Mayor

ATTEST:

__________________________
Christine Martinez, City Secretary
The Hutto City Council met in a regular session on Thursday, March 19, 2015, in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Holland called the session to order at 7:00 p.m.

ROLL CALL

Members of the City Council that were present were Mayor Debbie Holland, Mayor Pro-tem Ronnie Quintanilla-Perez, Councilmember Anne Cano, Councilmember Paul Prince, Councilmember Michael J. Smith, and Councilmember Max V. Yeste. Councilmember Melanie Rios was absent.

Members of staff that were present were Karen Daly, City Manager, Micah Grau, Assistant City Manager, Charlie Crossfield, City Attorney, Melanie Hudson, Finance Director, Will Guerin, Development Services Director, and Earl Morrison, Chief of Police.

INVOCATION

The invocation was given by Councilmember Anne Cano.

PLEDGE OF ALLEGIANCE

Mayor Holland led the Pledge of Allegiance.

PROCLAMATIONS

5A. Proclamation recognizing March as National Nutrition Month in Hutto.

Mayor Holland read the following proclamation and presented it to Laura Salinas, Registered Dietitian from the Williamson County & Cities Health District.

WHEREAS, National Nutrition Month was actually started as National Nutrition Week in 1973, but interest and excitement grew so much that the month of March was inaugurated as National Nutrition Month in 1980; and

WHEREAS, National Nutrition Month provides the opportunity for awareness of nutrition education and information and is sponsored annually by the Academy of Nutrition and Dietetics; and
WHEREAS, The goal of this awareness campaign is to focus attention on the importance of making informed food choices to develop sound eating and physical activity habits; and

WHEREAS, With the help of Registered Dietitian and Nutritionists, who are indispensable providers of food and nutrition services and are committed to increase awareness of healthy eating,

NOW THEREFORE, I, Debbie Holland, Mayor of the City Of Hutto, Texas do hereby recognize the month of March as National Nutrition Month and encourage our citizens to educate themselves about healthy eating habits and to choose a physical activity that the whole family can participate so they can commit themselves to enjoy healthy lives.

PROCLAIMED this 19th day of March, 2015.

Laura Salinas talked about what they do to help educate the public on healthy eating and habits. The District also supports community gardens and ways to make them better.

PUBLIC COMMENT

6A. Remarks from visitors.

There were no remarks from the visitors.

PRESENTATIONS

7A. Presentation regarding the 2013-14 Comprehensive Annual Financial Report and audit.

Melanie Hudson, Finance Director, gave the staff presentation. The City Charter requires the City Council to have a certified public accountant conduct an independent audit of all accounts of the City at the close of the fiscal year, or as necessary. On July 19, 2014, the Council engaged the audit firm of Brockway, Gersbach, Franklin & Niemeier, P. C. for the City's independent financial audit for the fiscal year ending September 30, 2014. The firm has conducted the City's audit since 2006 and assisted staff with the preparation of the Comprehensive Annual Financial Report (CAFR).

In October of 2014, the Fiscal & Budgetary Committee met with Stephen Niemeier, Partner, with Brockway, Gersbach, Franklin & Niemeier to discuss the audit process and the committee met with Mr. Niemeier again on March 9, 2015, to review the results of the audit in detail.

Mr. Niemeier presented the results of the audit and explained the following financial highlights. Daniel Jones, who assisted with the audit, was also present for questions regarding the audit.
Significant Impacts in FY 2014

- Local economy strengthens
  - Increases in sales tax (7.2% over fiscal year 2013), property values (8.0% over fiscal year 2013), and contributed infrastructure for subdivisions totaled $2.4 million
- City invested $7.1 million during fiscal year 2014 in capital asset additions
- City's net assets exceed liabilities by $66.6 million at the end of fiscal year 2014
- Increased unrestricted net assets 9.3% over 2013 to 42% of expenses in fiscal year 2014
- $528,000 of grant funds utilized from TxDOT to improve FM 685
- Over the past 7 years, the City’s TMRS retirement plan strengthened (funded portion of retirement obligation from 51.7% to 80.1%)

Mr. Niemeier also gave a brief overview of the following graphs.

- Revenues By Component of Primary Government
- Expenses By Component of Primary Government
- Summary of Net Assets of Primary Government
- TMRS Unfunded and Funded

He completed the presentation by stating that the City had an Unmodified Report, which means there were not any serious weaknesses and no new recommendations. Mr. Niemeier also outlined the changes in pension accounting for 2015.

CONSENT AGENDA ITEMS

All items listed on the consent agenda were considered to be routine by the City Council and were enacted by one motion. There was no separate discussion of the items and no items were removed from the consent agenda.

8A. Consideration and possible action on a resolution concerning the proposed Subdivision Case #1370-PLAT, Case Name: Glenwood Phase 5 Final Plat, (21.190 acres, more or less, of land, 68 single-family lots), located at FM 1660 S and Luna Vista Drive. (Owner: Continental Homes of Texas LP; Agent: ALM Engineering Inc)

8B. Consideration and possible action on a resolution concerning the proposed Subdivision Case #1373-PLAT, Case Name: Star Ranch Phase 2 Section 1 Final Plat, (10.56 acres, more or less, of land, 24 single-family lots, 1 commercial lot), located within Hutto’s extraterritorial jurisdiction at Muirfield Bend Drive and Muirfield Bend Cove. (Owner: Tack Development LTD; Applicant: Randall Jones & Associates Engineering Inc)

8C. Consideration and possible action on the meeting minutes for the February 26, 2015 City Council and Economic Development Corporation Board of Directors work session, February 28, 2015 City Council work session, March 4, 2015 City Council and
Economic Development Corporation Board of Directors work session, and March 5, 2015 City Council regular session.

**MOTION:** Councilmember Paul Prince moved to approve all the items listed on the consent agenda as presented. Councilmember Michael Smith seconded the motion. The motion carried with 6 ayes and 0 nays.

**EXECUTIVE SESSION**

*The City Council recessed into the City Hall conference room at 7:19pm to address the following executive session items.*

9A. Executive Session as authorized by §551.074, Texas Government Code, Personnel Matters, regarding appointments to the Hutto Economic Development Corporation Board of Directors.

9B. Executive Session as authorized by §551.074, Texas Government Code, related to the discussion, deliberation, and/or negotiations regarding the annual performance evaluation of the City Manager.

*The City Council reconvened back into the regular session at 9:27pm.*

**ACTION RELATIVE TO EXECUTIVE SESSION**

10A. Consideration and possible action concerning the Executive Session regarding the annual performance evaluation of the City Manager.

**MOTION:** Mayor Pro-tem Ronnie Quintanilla-Perez moved to direct staff to increase the City Manager’s salary by 3% based on her yearly evaluation effective April 1, 2015. Councilmember Paul Prince seconded the motion. The motion carried with 6 ayes and 0 nays.

**ADJOURNMENT**

*There being no further business, the meeting was adjourned at 9:29p.m.*

CITY OF HUTTO, TEXAS

________________________________________
Debbie Holland, Mayor

**ATTEST:**

________________________________________
Christine Martinez, City Secretary
AGENDA ITEM NO.: 10B.  AGENDA DATE: April 02, 2015

PRESENTED BY: Seth Gipson, City Secretary

ITEM: Consideration and possible action on the recommendation from the Leadership and Legislative Committee regarding the appointment to the Building and Standards Commission.

STRATEGIC GUIDE POLICY: Leadership

ITEM BACKGROUND: The Leadership and Legislative Committee met and discussed the appointments and interviewed applicants for the Building and Standards Commission on March 23, 2015. A recommendation will be provided at the Council meeting.

BUDGETARY AND FINANCIAL SUMMARY:
Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:
The Leadership and Legislative Committee recommends the City Council approve the appointments, terms and selection of Chair and Vice-Chair.

CITY ATTORNEY REVIEW:
Not applicable.

STAFF RECOMMENDATION:
It is recommended that the City Council approve the Leadership and Legislative Committee's recommendation.

SUPPORTING MATERIAL:
There are no supporting documents.