

**ORDER FOR THE ELEVENTH EXTENSION OF THE TEMPORARY MORATORIUM
ON
NEW OR AMENDED WATER SERVICE AGREEMENTS**

WHEREAS, the Parker County Special Utility District (the "District") is a conservation and reclamation district and a political subdivision of the State of Texas created pursuant to Article XVI, Section 59 of the Texas Constitution and operating under Chapters 49 and 65 of the Texas Water Code;

WHEREAS, the District has been experiencing operational problems with its surface water treatment plant, in part due to water quality problems in the Brazos River; and the District is making progress in upgrading and expanding its surface water treatment plant under the District's Phase I water treatment plant expansion project, with an anticipated doubling of current treatment water production capacity being online by spring 2024; the projected time of Spring 2023 has been delayed due to delivery of several major components;

WHEREAS, the District has been approved for funding from the Texas Water Development Board for the District's Phase I distribution improvements project, which will include the addition of a new elevated water storage tank near Brock High School and major water transmission trunk lines which will allow for a significant increase in water volume and pressure for the District's central portion of its distribution system;

WHEREAS, the District is authorized under Section 65.205 of the Texas Water Code to adopt rules, including rules to "protect and regulate a safe and adequate freshwater distribution system"; in which the District has implemented its Drought Contingency Plan in an effort to manage the peak day demand for water;

WHEREAS, the District holds a water Certificate of Convenience and Necessity which requires it to provide continuous and adequate service to customers within its service territory; to protect the ability of the District to provide and regulate a safe and adequate freshwater distribution system and to provide continuous and adequate service to its customers in times of emergency or potential imminent harm to existing customers from the addition of new customers to the District's water system, the Board of Directors ("Board") of the District adopted a Temporary Moratorium by Order dated July 19, 2018, and the Board continues to find that it is in the best interests of the District to extend the Temporary Moratorium on the Execution of new water service agreements for proposed connections that cannot be served without significant distribution system modifications, as further described herein; and

WHEREAS, the extension shall be for an additional 180 days.

NOW, THEREFORE, BE IT ORDERED by the Board of Directors of the Parker County Special Utility District, acting in a duly noticed public meeting, that:

Section 1. The District finds that the recitals contained in this resolution are true and correct and are fully incorporated herein.

Section 2. The temporary Moratorium is hereby extended until midnight on May 17, 2024.

Section 3. The District is modifying the Temporary Moratorium to account for a three-phased moratorium release plan, where service request feasibility applications will be reviewed on a case-by-case basis. The three-phased moratorium release plan will focus on areas of the District's distribution system that can either **Phase 1)** support additional connections on the existing capacity of the District's distribution system following the projected increase in the District's surface water treatment production capacity, or **Phase 2)** support additional connections on the District's distribution system following the projected increase in the District's surface water treatment production capacity and an expansion of the District's distribution system via an agreed investment between the District and developers/owners of a subdivision of land or other non-standard service, or **Phase 3)** support additional connections on the District's distribution system following the projected increase in the District's surface water treatment production capacity and completion of the District's proposed Phase I distribution project including the proposed new Central elevated water storage tank and major transmission trunk lines to the central portion of the District's distribution system. Requests in the Phase 3 areas will remain on hold until the District's Phase I distribution project has been completed.

Section 4. With the understanding that many service requests may not be ready for meter installation at this time, service request applications in the Phase 1 and Phase 2 areas, that have been reviewed and approved by the District and its engineer shall be provided a "letter of intent to serve", including the anticipated timeline for anticipated start of service (based on the District's anticipated increased water treatment production capacity and the service requestor's timeline of construction) and ability to install said approved meter.

Section 5. The General Manager shall further take the following actions to implement the Temporary Moratorium:

- Place a copy of this Order prominently on the District's website, and provide such other notice that is required or appropriate;
- Notify each applicant who requests or submits a non-standard service application of This Order and whether their service request falls into the "Phase 1", "Phase 2", or "Phase 3" category for a potential review for approval currently, or whether additional infrastructure improvements are required, or if the District's proposed Phase I distribution project must be completed prior to approval; and
- Create a list of applicants and relevant details of standard and/or non-standard service requests that can be approved under the phased-release of the current

temporary moratorium, and a list of applicants and relevant details of standard and/or non-standard service requests that cannot yet be served due to ongoing distribution system capacity limitations and provide the Board an update on such requests at each monthly Board meeting during the term of this moratorium.

Section 6. Nothing herein shall prevent the General Manager from connecting new customers i) When approved by the engineer and the Board, that portion of the District's distribution system area will sustain a new service connection and/or ii) that the General Manager accedes that it is an emergency.

Section 7. The Board reserves the right to revise, amend or revoke this Order at any time based upon new information on actual or projected water demand, new or increased supply of potable water from existing or new sources, or any changed conditions which would justify such an update to the Order.

PASSED AND APPROVED on this 16th day of November 2023.

AYES: 4

NOES: 0



Cole Leatherman
President, Board of Directors

ATTEST: 

Tim Oakes, DDS
Secretary / Treasurer