

EXHIBIT A

CITY OF MASON, TEXAS

**WATER CONSERVATION
AND
DROUGHT CONTINGENCYPLAN**

Public Water System 1600001

November 2017

CITY OF MASON DROUGHT CONTINGENCY PLAN

Section I: 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 Mason hereby adopts the following policy on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (Plan) are considered to be non-essential. 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 X of this Plan.

Section II: Water Supply

The City of Mason operates seven wells to supply groundwater to the City of Mason water system. Groundwater from the City's wells is disinfected and then pumped to the Mason water distribution system where the water is stored and distributed to system users. The City is also in the process of developing a new radionuclide treatment system for the City's groundwater supply.

Section III: Public Education

The City of Mason will provide the public with information about the Plan by means of regular City Commission meetings, press releases and utility bill inserts. The public will be informed 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.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Mason is located within the Region F Regional Water Planning Area. The City of Mason has provided a copy of this Plan to the Region F Regional Water Planning Group.

Section V: Authorization

The City Administrator 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 Administrator 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 VI: Application

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

Section VII: 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 the City of Mason.

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.

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 use of water from hydrants for construction purposes or any other purposes other than firefighting.

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

The City Administrator or his/her designee shall monitor water supply and/or demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the "triggers" described below are reached.

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, as defined in Section IX of this Plan, when distribution system tank storage levels remain below 75 percent for a continuous three (3) day period, or at the discretion of the City Administrator in consultation with the Water Supervisor, supply limitations warrant declaration of Stage 1.

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 six (6) consecutive days or such a time deemed appropriate by the City Administrator in consultation with the Water Supervisor.

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 distribution system tank storage levels remain below 60 percent for a continuous three (3) day period, or at the discretion of the City Administrator in consultation with the Water Supervisor, supply limitations warrant declaration of Stage 2.

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 six (6) consecutive days or such a time deemed appropriate by the City Administrator in consultation with the Water Supervisor. Upon termination of Stage 2, Stage 1 may become operative.

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 distribution system tank storage levels remain below 50 percent for a continuous three (3) day period, or at the discretion of the City Administrator in consultation with the Water Supervisor, supply limitations warrant declaration of Stage 3.

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 six (6) consecutive days or such a time deemed appropriate by the City Administrator in consultation with the Water Supervisor. Upon termination of Stage 3, Stage 2 may become operative.

Stage 4 Triggers -- EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 4 of this Plan when City Administrator, 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 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of six (6) consecutive days or such a time deemed appropriate by the City Administrator in consultation with the Water Supervisor. Upon termination of Stage 4, Stage 3 may become operative.

Section IX: Drought Response Stages

The City Administrator, 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, or emergency condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

The City Administrator or his/ her designee shall notify the public by means of:

1. Publication in a newspaper of general circulation,
2. Direct mail to each customer,
3. Signs posted in public places,
4. Telephone, and
5. Radio and television.

Additional Notification:

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

1. Mayor / City Commission,
2. Fire Chief,
3. TCEQ (required when mandatory restrictions are imposed),
4. Major water users, and

5. Critical water users.

Stage 1 Response -- MILD Water Shortage Conditions

Goal: Achieve a voluntary 10 percent reduction in total daily water use.

Supply Management Measures:

1. Reduce flushing of water mains.

Voluntary Water Use Restrictions:

1. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be restricted from 10:00 a.m. and 7:00 p.m.

Stage 2 Response -- MODERATE Water Shortage Conditions

Goal: Achieve a 25 percent reduction in total daily water use.

Supply Management Measures:

1. Reduce flushing of water mains
2. Reduce park water

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

1. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be restricted from 10:00 a.m. to 7:00 p.m.
2. Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of unmetered water for construction purposes may be allowed under special permit from the City of Mason.
3. The following uses of water are defined as non-essential and are prohibited:
 - a. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - b. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - c. use of water for dust control other than that required for construction
 - d. flushing gutters; and
 - e. 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

Goal: Achieve a 35 percent reduction in total daily water use.

Supply Management Measures:

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1. Refrain from flushing of mains
2. Refrain from park watering
3. Refrain from filling of swimming pools

Water Use Restrictions. All requirements of Stage 2 shall remain in effect during Stage 3 except:

1. Irrigation of landscaped areas shall be prohibited between the hours of 10:00 a.m. and between 7 p.m. 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.
2. The use of unmetered water for construction purposes under special permit is to be discontinued.

Stage 4 Response -- EMERGENCY Water Shortage Conditions

Goal: Achieve a 50 percent reduction in total daily water use.

Supply Management Measures:

1. Refrain from flushing mains
2. Refrain from watering all parks
3. Refrain from filling swimming pool

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

1. Irrigation of landscaped areas is absolutely prohibited.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.
3. The filling, refilling, or adding of water to swimming pools, wading pools, and jacuzzi-type pools is prohibited.
4. 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.
5. All restaurants are prohibited from serving water to patrons except upon request of the patrons.

Water Allocation Under Stage 4 EMERGENCY Water Shortage Conditions: In the event that water shortage conditions threaten public health, safety, and welfare, the City Administrator is hereby authorized to allocate water according to the following water allocation plan while under Stage 4 EMERGENCY Water Shortage Conditions:

Single-Family Residential Customers

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

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Persons per Household	Gallons per Month
1 or 2	5,000
3 or 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000
11 or more	12,000

"Household" means the residential premises served by the customer's meter. "Persons per household" includes 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 Mason of a greater number of persons per household on a form prescribed by the City Administrator. The City Administrator 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 Mason 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 Administrator. 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 of Mason 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 of Mason in writing within two (2) days.

In prescribing the method for claiming more than two (2) persons per household, the City Administrator shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify the City of Mason of a reduction in the number of person in a household shall be fined not less than \$100.

Residential water customers shall pay the following surcharges:

1. \$10 for the first 1,000 gallons over allocation.
2. \$25 for the second 1,000 gallons over allocation.
3. \$35 for the third 1,000 gallons over allocation.
4. \$50 for each additional 1,000 gallons over allocation.

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 (e.g., apartments, mobile homes) shall be allocated 4,000 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 Mason of a greater number on a form prescribed by the City Administrator. The City Administrator 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 Mason 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 Administrator. If the number of dwelling units served by a master meter is reduced, the customer shall notify the City of Mason in writing within two (2) days.

In prescribing the method for claiming more than two (2) dwelling units, the City Administrator shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of dwelling units served by a master meter or fails to timely notify the City of Mason of a reduction in the number of person in a household shall be fined not less than \$100. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

1. \$10 for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit.
2. \$25, thereafter, for each additional 1,000 gallons over allocation up through a second 1,000 gallons for each dwelling unit.
3. \$35, thereafter, for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit.
4. \$50, thereafter for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

Commercial Customers

A monthly water allocation shall be established by the City Administrator, or his/her designee, for each nonresidential commercial customer. The non-residential customer's allocation shall be approximately 65 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. The City Administrator 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 Administrator to determine the allocation. Upon request of the customer or at the initiative of the City Administrator, 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 Administrator or City Commission. Nonresidential commercial customers shall pay the following surcharges:

Customers water customers shall pay the following surcharges:

1. \$25 per thousand gallons for the first 1,000 gallons over allocation.
2. \$40 per thousand gallons for the second 1,000 gallons over allocation.
3. \$50 per thousand gallons for the third 1,000 gallons over allocation.
4. \$100 per thousand gallons for each additional 1,000 gallons over allocation.

The surcharges shall be cumulative.

Industrial Customers

A monthly water allocation shall be established by the City Administrator, or his/her designee, 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 85percent 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 six-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 six-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 Administrator shall give his/her 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 Mason 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 Administrator, 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 Administrator or city Commission. Industrial customers shall pay the following surcharges:

Industrial water customers shall pay the following surcharges:

1. \$40 per thousand gallons for the first 1,000 gallons over allocation.
2. \$50 per thousand gallons for the second 1,000 gallons over allocation.
3. \$75 per thousand gallons for the third 1,000 gallons over allocation.
4. \$150 per thousand gallons for each additional 1,000 gallons over allocation.

The surcharges shall be cumulative.

Section X: Enforcement

1. No person shall knowingly or intentionally allow the use of water from the City of Mason 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 the City Administrator, or his/her designee, in accordance with provisions of this Plan.
2. Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than one dollars (\$100) and not more than five dollars (\$500). 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 Administrator 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, hereby established at \$100, and any other costs incurred by the City of Mason in discontinuing service. In addition, suitable assurance must be given to the City Administrator 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.

3. Any person, including a person classified as a water customer of the City of Mason, 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 parents' 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.
4. Any employee of the City of Mason, law enforcement officer, or other city employee designated by the City Administrator, 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 addresses of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the Mason 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 Mason 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 Mason 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 Mason Municipal Court before all other cases.

Section XI: Variances

The City Administrator, 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:

1. 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.
2. Alternative methods can be implemented which will achieve the same level of reduction in water use.
3. Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Mason 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 Administrator, 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 of Mason shall be subject to the following conditions, unless waived or modified by the City Administrator or his/her designee:

- a. Variances granted 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 specified requirements.

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