

**RICHARDSON CITY COUNCIL  
MONDAY, APRIL 8, 2024  
COUNCIL MEETING AT 6:00 PM  
RICHARDSON CITY HALL, 2360 CAMPBELL CREEK BLVD., SUITE 525, RICHARDSON, TX 75082**

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**Closed Executive Session Authorized**

As authorized by Section 551.071 (2) of the Texas Government Code, this meeting may be convened into closed Executive Session to seek confidential legal advice from the City Attorney on any listed agenda item.

**Videoconference Call Authorized**

Pursuant to Texas Government Code Section 551.127, one or more members of the City Council may participate in this meeting by videoconference call. A quorum of the City Council and the presiding officer will be present at the physical location of the meeting.

**Meeting Information**

- City Council Rules of Order and Procedure: <https://www.cor.net/RulesofOrderandProcedure>
- Public Comment Cards for comments on agenda items, the visitors forum, or public hearings can be found at [www.cor.net/PublicCommentForm](http://www.cor.net/PublicCommentForm) and submitted online by 5 p.m. on the date of the meeting or in person before the meeting begins to be included in the public record.
- City Council meetings are available for viewing via live-stream online and on-demand at [www.cor.net/city](http://www.cor.net/city).

**COUNCIL MEETING – 6:00 PM, MULTIPURPOSE ROOM #CH 157**

• **CALL TO ORDER**

**1. INVOCATION – JENNIFER JUSTICE**

**2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – JENNIFER JUSTICE**

**3. MINUTES OF THE MARCH 25, 2024, APRIL 1, 2024 MEETINGS, AND APRIL 3, 2024 SPECIAL CALLED MEETING**

**4. PUBLIC COMMENTS ON AGENDA ITEMS AND VISITORS FORUM**

Speakers must complete a public comment card and submit it the City Secretary before the meeting begins. Speakers will have a maximum of 5 minutes to speak. The time allocated for all public comments is 30 minutes.

• **PUBLIC COMMENTS ON AGENDA ITEMS**

The public comment portion of the City Council meeting is scheduled at the beginning of the meeting to allow the public to address the City Council regarding an item listed on the agenda that is not a public hearing.

• **VISITORS FORUM**

The visitors forum portion of the meeting is set aside for members of the public to address the City Council on any topic in which the subject matter is within the jurisdiction of the City.

**5. NATIONAL LIBRARY WEEK AND LIBRARY RECOGNITION**

**6. REVIEW AND DISCUSS THE ENVISION RICHARDSON COMPREHENSIVE PLAN UPDATE STRATEGIC DIRECTION**

**7. REVIEW AND DISCUSS THE 2024 TRASH BASH**

**PUBLIC HEARING ITEM:**

8. PUBLIC HEARING, ZONING FILE 24-01, A REQUEST FOR APPROVAL OF A SPECIAL PERMIT AND SPECIAL DEVELOPMENT PLAN FOR A WINERY/DISTILLERY ON A 1.5-ACRE LOT CURRENTLY ZONED MAIN STREET/CENTRAL EXPRESSWAY PD PLANNED DEVELOPMENT (RAILSIDE SUB-DISTRICT) WITHIN AN EXISTING 19,602 SQUARE-FOOT BUILDING LOCATED AT 816 S. SHERMAN ST.

**PUBLIC INPUT:**

9. RECEIVE PUBLIC INPUT ON THE WATER CONSERVATION PLAN AND WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

**10. CONSENT AGENDA:**

*All items listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be removed from the Consent Agenda and discussed separately.*

- A. CONSIDER ADOPTION OF ORDINANCE NO. 4490, APPOINTING A PRESIDING MUNICIPAL JUDGE AND ASSISTANT MUNICIPAL JUDGES OF THE MUNICIPAL COURT OF RECORD NO. 1 OF THE CITY OF RICHARDSON.
- B. CONSIDER AWARD OF THE FOLLOWING BIDS:
  1. BID #33-24 – WE RECOMMEND THE AWARD TO LA BANDA, LLC. FOR 2021 BOND ALLEY GROUP 7 PHASE 2 PROJECT (STARDUST LN., ELIZABETH LN., BELTLINE RD., AND RORARY DR.) IN THE AMOUNT OF \$1,762,063.
  2. BID #69-24 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO NETSYNC FOR THE COOPERATIVE PURCHASE OF CISCO BREACH PROTECTION SECURITY SUITE SOFTWARE THROUGH TEXAS DEPARTMENT OF INFORMATION RESOURCES ("DIR") CONTRACT # DIR-TSO-4167 IN THE AMOUNT OF \$179,930.48.
  3. BID #70-24 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO GTS TECHNOLOGY SOLUTIONS, INC. FOR THE COOPERATIVE PURCHASE OF RADIO SYSTEM UNINTERRUPTIBLE POWER SUPPLY (UPS) UPGRADE THROUGH TEXAS DEPARTMENT OF INFORMATION RESOURCES ("DIR") CONTRACT # DIR-CPO-4751, DIR-CPO-4754 AND DIR-CPO-5097 IN THE AMOUNT OF \$168,917.48.
  4. BID #71-24 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO PONDER COMPANY, INC. FOR THE COOPERATIVE REPLACEMENT OF THE HILL PERFORMANCE HALL STAGE FLOOR AT THE EISEMANN CENTER THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #641-21 IN THE AMOUNT OF \$206,698.

**11. REPORT ON ITEMS OF COMMUNITY INTEREST**

*The City Council will have an opportunity to address items of community interest, including: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of Richardson; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City of Richardson that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City of Richardson; and announcements involving an imminent threat to the public health and safety of people in the City of Richardson that has arisen after posting the agenda.*

- **VISITORS FORUM CONTINUED (if needed)**
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**EXECUTIVE SESSION**

In compliance with Section 551.087 (1) and (2) of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Deliberation Regarding Economic Development Negotiations
  - Commercial Development – U.S. 75/Floyd Rd. Area

**RECONVENE INTO REGULAR SESSION**

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

- **ADJOURN**

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE RICHARDSON CITY HALL ON FRIDAY, APRIL 5, 2024, BY 5:00 P.M.

\_\_\_\_\_  
AIMEE NEMER, CITY SECRETARY

ACCOMMODATION REQUESTS FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS PRIOR TO THE MEETING BY CONTACTING THE ADA COORDINATOR, VIA PHONE AT (972) 744-4168, VIA EMAIL AT [ADACoordinator@cor.gov](mailto:ADACoordinator@cor.gov), OR BY APPOINTMENT AT 2360 CAMPBELL CREEK BLVD., SUITE 550, RICHARDSON, TEXAS 75082.

PURSUANT TO SECTION 46.03, PENAL CODE (PLACES WEAPONS PROHIBITED), A PERSON MAY NOT CARRY A FIREARM OR OTHER WEAPON ON THIS PROPERTY. \*

FOR THE PURPOSE OF THIS NOTICE “PROPERTY” SHALL MEAN THE COUNCIL CHAMBERS OR ANY OTHER ROOM WHERE A MEETING SUBJECT TO AN OPEN MEETING UNDER GOVERNMENT CODE CHAPTER 551 OF THE RICHARDSON CITY COUNCIL IS HELD.

*\*This does not apply to licensed carriers.*

**MINUTES**  
**RICHARDSON CITY COUNCIL MEETING**  
**MARCH 25, 2024**

• **Call to Order**

Mayor Dubey called the meeting to order at 6:00 p.m. with the following Council members present:

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Joe Corcoran	Councilmember

Attended Remotely:

Ken Hutchenrider	Councilmember
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The following staff members were also present:

Don Magner	City Manager
Kent Pfeil	Chief Financial Officer
Charles Goff	Assistant City Manager
Michaela Dollar	Assistant City Manager
Dannette Garcia	Assistant City Manager
Aimee Nemer	City Secretary
Anita Cothran	Director of Finance
Herman Chavez	Controller
Yvonne Falgout	Director of Parks and Recreation
Spencer Doyle	Interim Assistant Director of Parks and Recreation
Heidi Scalice	Recreation Center Manager
Sam Chavez	Director of Development Services

Auditors Present:

Kevin Smith, Crowe, LLP Certified Public Accountants  
Michelle Buss, Crowe, LLP Certified Public Accountants

**COUNCIL MEETING – 6:00 PM, MULTIPURPOSE ROOM #CH 157**

- 1. INVOCATION – CURTIS DORIAN**
- 2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – CURTIS DORIAN**
- 3. MINUTES OF THE FEBRUARY 26, 2024 AND MARCH 4, 2024 MEETINGS**

**Council Action**

Councilmember Dorian moved to approve the Minutes as presented. Mayor Pro Tem Shamsul seconded the motion. A vote was taken and passed, 7-0.



#### **4. PUBLIC COMMENTS ON AGENDA ITEMS AND VISITORS FORUM**

The following comments were submitted under the Visitors Forum.

- **PUBLIC COMMENTS ON AGENDA ITEMS**

- **VISITORS FORUM**

Michael Selman, 2101 Lucern Cove, addressed Council to request a ceasefire regarding the Israel-Gaza War.

Charlie Newton, 2106 Goldenrod Drive, addressed Council regarding PRAY Richardson.

Ashley Molina, 11312 Park Central Place, Dallas, addressed Council to request a ceasefire on the genocide occurring in Palestine.

#### **5. REVIEW AND DISCUSS THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR THE YEAR ENDED SEPTEMBER 30, 2023, AUDITOR PRESENTATION**

Kevin Smith, Auditor, Crowe, LLP CPA, provided this report to Council stating an Unmodified Opinion of the financial statements and federal awards. He explained that this opinion is the highest level of assurance issued by a public accounting firm and stated that the reports are prepared in accordance with generally accepted accounting principles supported by the books and records of the City. He stated that two material weaknesses or significant deficiencies in internal controls were noted that were carry-over items from the previous audit and corrective action has already been implemented.

#### **PUBLIC HEARING ITEMS:**

#### **6. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 4487, ADOPTING STANDARDS OF CARE FOR EARLY CHILD DEVELOPMENT PROGRAMS OFFERED BY THE RICHARDSON PARKS AND RECREATION DEPARTMENT.**

#### **7. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 4488, ADOPTING STANDARDS OF CARE FOR YOUTH PROGRAMS OFFERED BY THE RICHARDSON PARKS AND RECREATION DEPARTMENT.**

#### **Public Hearing – Items 6 and 7 were held together as one public hearing**

After a briefing from staff, Mayor Dubey opened the Public Hearing. With no comments submitted, Councilmember Justice moved to close the Public Hearing, seconded by Mayor Pro Tem Shamsul and approved unanimously.

#### **Council Action**

Councilmember Justice moved to approve Ordinances 4487 and 4488 as presented. Mayor Pro Tem Shamsul seconded the motion. A vote was taken and passed, 7-0.

**ACTION ITEM:**

- 8. VARIANCE NO. 24-01, A REQUEST FOR A VARIANCE TO APPENDIX A (COMPREHENSIVE ZONING ORDINANCE) OF THE CITY OF RICHARDSON'S CODE OF ORDINANCES: ARTICLE XXII-D, SEC. 1(h)(1)(l)(2) TO ALLOW A 31-SPACE PARKING REDUCTION TO ACCOMMODATE AN 11,647-SQUARE FOOT RETAIL USE WITHIN AN APPROXIMATELY 63,000-SQUARE FOOT BUILDING. THE PROPERTY IS LOCATED AT 1300 E. BELT LINE ROAD, ON THE SOUTH SIDE OF BELT LINE ROAD, WEST OF PLANO ROAD.**

**Council Action**

Councilmember Justice moved to approve Variance 24-01 as presented. Mayor Pro Tem Shamsul seconded the motion. A vote was taken and passed, 7-0.

**9. CONSENT AGENDA:**

- A. CONSIDER ADOPTION OF ORDINANCE NO. 4489, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL DEVELOPMENT PLAN TO MODIFY THE DEVELOPMENT STANDARDS OF THE MAIN STREET/CENTRAL EXPRESSWAY FORM BASED CODE FOR 0.81 ACRES OF LAND LOCATED AT 512 N. CENTRAL EXPRESSWAY, RICHARDSON, TEXAS.**

**B. CONSIDER AWARD OF THE FOLLOWING BIDS:**

- 1. BID #41-24 – WE RECOMMEND THE AWARD TO RICHMOND AND ASSOCIATES LANDSCAPING, LTD. FOR THE 2024 OPEN CHANNEL MAINTENANCE PROJECT IN THE AMOUNT OF \$70,862.**
- 2. BID #45-24 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO ORACLE ELEVATOR FOR ELEVATOR MAINTENANCE PURSUANT TO UNIT PRICES.**
- 3. BID #60-24 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO DELL MARKETING LP FOR THE COOPERATIVE PURCHASE OF REPLACEMENT OF DELL DESKTOPS AND LAPTOPS THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES ("DIR") CONTRACT #DIR-TSO-3763 IN THE AMOUNT OF \$310,026.**
- 4. BID #62-24 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO TEXAS AIR SYSTEMS FOR THE COOPERATIVE PURCHASE OF REPLACEMENT HVAC UNIT AT HUFFHINES RECREATION CENTER THROUGH THE INTERLOCAL PURCHASING SYSTEM ("TIPS") CONTRACT #23010402 IN THE AMOUNT OF \$93,843.**
- 5. BID #63-24 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO ENTECH SALES AND SERVICE FOR THE COOPERATIVE**

**PURCHASE OF SERVICE CENTER ACCESS CONTROL SYSTEM RETROFIT THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #654-21 IN THE AMOUNT OF \$101,185.**

- 6. BID #64-24 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO SDB CONTRACTING SERVICES FOR THE COOPERATIVE PURCHASE OF GREENHOUSE REPAIRS AND MAINTENANCE THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE ("BUYBOARD") CONTRACT #581-19 IN THE AMOUNT OF \$59,244.31.**
- 7. BID #65-24 – WE REQUEST AUTHORIZATION TO ISSUE A COOPERATIVE ANNUAL REQUIREMENTS CONTRACT TO DUSTROL, INC. FOR MILLING SERVICES PURSUANT TO THE UNIT PRICES SPECIFIED IN TARRANT COUNTY CONTRACT #F2024052.**
- 8. BID #66-24 – WE REQUEST AUTHORIZATION TO ISSUE A COOPERATIVE ANNUAL REQUIREMENTS CONTRACT TO TEXAS MATERIALS GROUP, INC. FOR ASPHALT OVERLAY SERVICES PURSUANT TO THE UNIT PRICES SPECIFIED IN DALLAS COUNTY SOLICITATION #2022-046-6961.**

**C. A CHANGE ORDER TO INCREASE CONTRACT #321000476 TO MART, INC. FOR 1302 E. COLLINS RENOVATION IN THE AMOUNT OF \$117,835.02.**

#### **Council Action**

Councilmember Justice moved to approve the Consent Agenda as presented. Councilmember Corcoran seconded the motion. A vote was taken and passed, 7-0.

#### **10. REPORT ON ITEMS OF COMMUNITY INTEREST**

Council reported on items of Community Interest.

#### **EXECUTIVE SESSION**

In compliance with Section 551.071 (1) and (2) of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Consultation with City Attorney
  - 425 N. Central Expressway, Richardson, Texas

#### **Council Action**

Council convened into Executive Session at 7:15 p.m.

#### **RECONVENE INTO REGULAR SESSION**

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

**Council Action**

Council reconvened into regular session at 8:00 p.m. There was no action as a result of the Executive Session.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 8:00 p.m.

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY SECRETARY

**MINUTES**  
**RICHARDSON CITY COUNCIL MEETING**  
**APRIL 1, 2024**

- **Call to Order**

Mayor Dubey called the meeting to order at 6:00 p.m. with the following Council members present:

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Joe Corcoran	Councilmember
Ken Hutchenrider	Councilmember

The following staff members were also present:

Don Magner	City Manager
Kent Pfeil	Chief Financial Officer
Charles Goff	Assistant City Manager
Michaela Dollar	Assistant City Manager
Dannette Garcia	Assistant City Manager
Aimee Nemer	City Secretary
Yvonne Falgout	Director of Parks and Recreation
Spencer Doyle	Interim Assistant Director of Parks and Recreation
Chris Cottone	Supt. of Athletics and Aquatics
Eric Robison	Director of Public Services

**WORK SESSION – 6:00 PM, MULTIPURPOSE ROOM #CH 157**

**A. PUBLIC COMMENTS ON AGENDA ITEMS AND VISITORS FORUM**

One speaker spoke under the Visitors Forum as listed below.

- **PUBLIC COMMENTS ON AGENDA ITEMS**

- **VISITORS FORUM**

Michael Selman, 2101 Lucern Cove, addressed Council requesting a formal declaration to end the Israel-Gaza War.

**B. REVIEW AND DISCUSS THE AQUATICS MASTER PLAN KICKOFF**

Yvonne Falgout, Director of Parks and Recreation, reviewed this item for Council. She explained the purpose of the briefing is to update the council on the status and launch of the Aquatics Master Plan.

- Project Goals
- Project Team Overview
- Project Approach
- Project Timelines

**C. REVIEW AND DISCUSS THE WATER CONSERVATION PLAN AND WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN**

Eric Robison, Director of Public Services, reviewed this item for Council.

- Current Water Conservation and Water Resource Management Plan adopted in 2019
- TCEQ requires the plans to be updated every 5 years
- City coordinates with NTMWD and other member cities to develop recommendations
  - Individual plans may vary slightly based on local considerations
- Comparisons between 2019 and 2024 plans
  - Restrictions
  - Gallons Per Capita per Day (GPCD)
  - Drought Conservation Triggers

#### **D. REPORT ON ITEMS OF COMMUNITY INTEREST**

Council reported on items of community interest.

#### **EXECUTIVE SESSION**

In compliance with Section 551.071 (1) and (2) and Section 551.072 of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Consultation with City Attorney
  - Regarding Ordinance granting Atmos Energy Corporation a franchise to use city public rights-of-way for the purpose of constructing and operating a gas distribution and transmission system
- Deliberation Regarding Real Property
  - Consideration of a lease of space in the IQHQ, 1302 E. Collins Blvd., Richardson

#### **Council Action**

Council convened into Executive Session at 7:50 p.m.

#### **RECONVENE INTO REGULAR SESSION**

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

#### **Council Action**

Council reconvened into regular session at 8:37 p.m. and took the following action.

Councilmember Hutchenrider moved to authorize the City Manager to negotiate and execute a lease agreement on behalf of the City of Richardson with the University of Texas at Dallas for lease space in the IQHQ, 1302 E. Collins Blvd., Richardson, Texas, and to execute any amendments or instruments related thereto. Councilmember Corcoran seconded the motion. A vote was taken and approved 7-0.

Councilmember Justice moved to authorize the City Manager to negotiate and execute a lease agreement on behalf of the City of Richardson for Project Runway for lease space in the IQHQ, 1302 E. Collins Blvd., Richardson, Texas, and to execute any amendments or instruments related thereto. Councilmember Dorian seconded the motion. A vote was taken and approved 7-0.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 8:39 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

**MINUTES**  
**RICHARDSON CITY COUNCIL SPECIAL CALLED MEETING**  
**APRIL 3, 2024**

• **Call to Order**

Mayor Dubey called the meeting to order at 7:00 p.m. with the following Council members present:

Bob Dubey	Mayor
Arefin Shamsul	Mayor Pro Tem
Curtis Dorian	Councilmember
Jennifer Justice	Councilmember
Dan Barrios	Councilmember
Joe Corcoran	Councilmember
Ken Hutchenrider	Councilmember

The following staff members were also present:

Don Magner	City Manager
Aimee Nemer	City Secretary

**SPECIAL CALLED MEETING – SPRING CREEK CONFERENCE ROOM # 127**

**A. PUBLIC COMMENTS ON AGENDA ITEMS AND VISITORS FORUM**

There were no public comments submitted.

**B. CONDUCT INTERVIEWS FOR THE COMMUNITY INCLUSION AND ENGAGEMENT COMMISSION**

Council conducted interviews for the Community Inclusion and Engagement Commission.

**ADJOURNMENT**

With no further business, the meeting was adjourned at 8:30 p.m.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY



**Item**

National Library Week and Library Recognition

**Staff**

Jennifer Davidson, Director of Library Services  
Kelly Keller, Librarian II Youth Services

**Summary**

Recognition of Richardson Public Library for National Library Week, Texas Municipal Library Director Association Achievement of Excellence in Libraries Award 2023, and Texas Library Association Conference Presentation on Young Author's Program

**City Council Strategies**

Value, protect, and create a positive return on city, resident, and other stakeholder investments in the City

**Background**

City Staff will discuss planned activities for National Library Week (April 7-13, 2024). They will also recognize the 19<sup>th</sup> consecutive Achievement of Excellence in Libraries Award from the Texas Municipal Library Directors Association. Finally, staff will highlight the Library Young Authors Program.

**Item**

Review and Discuss the Comprehensive Plan Update Strategic Direction

**Staff**

Keith Krum, AICP, Planning Projects Manager

**Summary**

The project consultant team will provide a briefing on the Envision Richardson Comprehensive Plan Update. Topics will include a discussion of preliminary key policy issues related to:

- Supporting uses for PlaceTypes
- Missing Middle Housing
- Visions for Reinvestment Areas

**City Council Strategies**

- Improve access, usability, and user experience with policies, processes, and procedures
- Continue to explore unique opportunities to attract and retain residents and all stakeholders
- Promote avenues for public engagement and input
- Value, protect, and create a positive return on city, resident, and other stakeholder investments in the City

**Background**

The City's Comprehensive Plan provides clear goals, objectives, and policies to guide the City's development and redevelopment for the next 20 years. Periodic reviews and updates are necessary to ensure that the document integrates changes in demographics, land use, transportation, environmental considerations, and development trends.

**Item**

Review and discuss Trash Bash

**Staff**

Danea Newman, Environmental Health Manager

**Summary**

Staff will review the results from the 2023 Trash Bash and share the plans for the 2024 Trash Bash.

**City Council Strategies**

Value, protect, and create a positive return on city, resident, and other stakeholder investments in the City

**Background**

The City of Richardson Health Department coordinates the annual Trash Bash public event. It initially began as a small environmental event whereby volunteers would disperse through the community to collect litter. During the event's evolution, several other activities have been added, including used cooking oil collection, used eyeglasses collection, and distribution of mulch and compost. Additionally, the Health Department has long partnered with the Citizen Police Academy Alumni Association (CPAAA), which provides electronic recycling and document shredding as a fundraiser for the organization.

**Proposed Action**

None

**Attachments**

None



**DATE:** April 8, 2024  
**TO:** Honorable Mayor and City Council  
**FROM:** Sam Chavez, AICP, Director of Development Services *SDC*  
**SUBJECT:** Zoning File 24-01: Lockwood Distilling Co.–Special Permit & Special Development Plan

### REQUEST

Evan Batt, representing Lockwood Distilling Company, is requesting approval of a Special Permit for a winery/distillery and a Special Development Plan to allow modifications to the development regulations to codify existing site conditions and proposed site design elements for the property located at 816 S. Sherman Street, on the west side of S. Sherman Street and between W. Spring Valley Road and Lingco Drive. The approximate 1.25 -acre lot is zoned Main Street/Central Expressway Planned Development District and located in the Railside Sub-district.

The applicant's intent is to repurpose the existing building to accommodate a winery/distillery which is allowed upon approval of a Special Permit in Railside Sub-district. The applicant's distilling operations will continue at their main location on Lockwood Drive with the focus for the subject site being blending, bottling and storage operations. The applicant expects one (1) delivery truck per day, Monday through Friday, to be on site for loading and unloading shipments.

The subject site consists of a single-story, 19,602 square-foot building constructed of painted off-white brick and CMU, with a double-door covered entrance located on the building's east façade. Site access to the existing forty-nine (49) parking spaces is provided via two (2) existing driveways on S. Sherman Street.

To accommodate the facility's operational needs, the applicant is proposing the following site improvements:

- Removal of existing rail fencing
- Addition of a dumpster and screen on the west side of the building
- Reconstruction of the required fire lane
- Reconstruction of the northern most driveway
- Installation of a 10-foot-tall overhead dock door on east elevation for loading/unloading

In general, the thirteen (13) requested modifications to the development regulations of the Railside Sub-district and the subject of the Special Development Plan request relate to the existing building's location and design, existing site related elements which the applicant does not propose to modify, and proposed site design elements. A description of each requested modification is detailed in the attached Staff Report.

Although the list of requested modifications is substantial and prolongs the existing non-conforming site conditions, the modifications will only apply to a "Winery/Distillery" operated by Lockwood Distilling Company. Submittal of a new application will be required for any other use and/or operator.

To date, no correspondence in response to the request has been received.

### BACKGROUND

The site was developed in 1966 with a 19,602 square foot building. In 2016, the property was rezoned as part of the Main Street/Central Expressway Planned Development District.

## **PLAN COMMISSION RECOMMENDATION**

The City Plan Commission, by a 5-1 vote, recommends approval of the request subject to the attached conditions.

## **ATTACHMENTS**

Special Conditions

CC Public Hearing Notice

Draft City Plan Commission Minutes 2024-04-02

Staff Report

Zoning/Aerial Map

Zoning Concept Plan (Exhibit "A")

Building Elevations (Exhibit "B")

Applicant's Statement

Site Photos

CPC Notice of Public Hearing

Notification List

**Special Conditions: ZF 24-01: Special Permit – Lockwood Distilling Co.**

- 1) The Property shall be developed and used in substantial conformance with the Concept Plan attached as Exhibit “A”, and Elevations attached as Exhibit “B”, and made a part hereof and which are hereby approved. The Concept Plan is referred to as “Special Development Plan” as allowed in the Main Street/Central Expressway PD Planned Development, subject to the following conditions:
  - a. The property shall be constructed in substantial conformance with the attached Special Development Plan, marked as Exhibit “A” and Exhibit “B”, and made a part thereof.
  
- 2) A Special Permit shall be granted for a “winery/distillery” which shall be limited to the area shown on the Concept Plan, marked as Exhibit “A” and made a part thereof, subject to the following conditions:
  - a. No other person, company, business, or legal entity may operate a “Winery/Distillery” use on the property other than Lockwood Distilling Company. The Special Permit automatically terminates upon the change in ownership or operator, in accordance with Article XXII-A, Section 7 of the Comprehensive Zoning Ordinance, as amended.
  
  - b. A building permit shall be obtained from the city in accordance with Article XXII-A, Section 7.(b.) of the Comprehensive Zoning Ordinance, as amended.

**Order Confirmation / Invoice**

**Customer:** CITY OF RICHARDSON      **Customer Account:** 100010162  
**Ad Order #:** 0001867578      **PO Number:** CPN 93  
**Sales Rep:** Max (Mert) Tezkol      **Order Taker:** Max (Mert) Tezkol

<b>Net Amount:</b> \$260.31	<b>Tax Amount:</b> \$0.00	<b>Total Amount:</b> \$260.31
<b>Payment Method:</b> Check/Money Order	<b>Payment Amount:</b> \$0.00	<b>Amount Due:</b> <span style="border: 1px solid black; padding: 2px;">\$260.31</span>

**Ad Order #:** 0001867578

**Ad Number:** 0001867578-01

**Color:**      **Ad Size:** 3 X 23.00 Li

**Ad Content**

**City of Richardson  
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 6:00 p.m. on Monday, April 8, 2024, at Richardson City Hall, 2360 Campbell Creek Blvd, Ste. 525 Richardson, TX., to consider the following requests.

ZF 24-01

A request for approval of a Special Permit and Special Development Plan for a winery/distillery on a 1.5-acre lot currently zoned Main Street/Central Expressway PD Planned Development (Railsite Sub-District) within an existing 19,602 square-foot building located at 816 S. Sherman St. Owner: Evan Batt, representing Lockwood Distilling Company.

If you wish your opinion to be part of the record but are unable to attend, send a written reply prior to the hearing date to City Council, City of Richardson, P.O. Box 830309, Richardson, Texas 75083.

**The City of Richardson**  
/s/ Aimee Nemer, City Secretary

**APPROVED**  
By Aimee Nemer at 12:14 pm, Mar 20, 2024

Run Dates		Product	Placement/Classification - Position
Publish Date: 03/22/2024	Stop Date: 03/22/2024	Dallas Morning News	Legals Bids Notices - LN Legal Notices
Publish Date: 03/22/2024	Stop Date: 03/28/2024	DallasNews.com	Legals Bids Notices - LN Legal Notices

**DRAFT**  
**CITY OF RICHARDSON**  
**CITY PLAN COMMISSION MINUTES – APRIL 2, 2024**

**ZF 24-01 Lockwood Special Permit and Special Development Plan:** Consider and act on a request for approval of a Special Permit and Special Development Plan for a winery/distillery on a 1.5-acre lot currently zoned Main Street/Central Expressway PD Planned Development (Railside Sub-district) within an existing 19,602 square-foot building located at 816 S. Sherman Street. *Property Owner: Howard L. Nycum, HLN Enterprises, Inc. Staff: Derica Peters.*

Ms. Derica Peters began by stating the subject site is located at 816 S. Sherman Street and zoned as part of the Main Street Central Expressway Planned Development in the Railside Sub-district. The site was developed in 1966 with a 19,600 square-foot single story building constructed of CMU and brick and is 20 feet-tall.

Ms. Peters reported the applicant is requesting a special permit for a winery/distillery, which is defined in the Planned Development Ordinance. The applicant, Lockwood Distilling Company is proposing repurposing the building to expand their operations where they will be blending, mixing alcohol, and packaging them for distribution.

Ms. Peters introduced the concept plan that indicates the installation of a 10-foot-tall overhead dock door on east elevation for loading/unloading; reconstruction of the fire lane in compliance with the Fire Code; the addition of a dumpster, and additional landscape area to the north of the fire lane and the northwest corner of the building.

Ms. Peters further explained the applicant is requesting approval of a Special Development Plan which allows them to request exceptions to the required development standards of the Railside Sub-district. She summarized the modifications and stated the exceptions are primarily related to the existing conditions of the site, such as the form and aesthetics of the building, as well as required landscape areas on site, and the required streetscape improvements along S. Sherman Street.

Ms. Peters clarified that the subject exceptions and the Special Development Plan would only apply to a winery/distillery operated by Lockwood Distilling Company and any other use or operator would be required to submit a new application. She summarized the conditions of the special permit and special development plan as described in the presentation.

Ms. Peters concluded by stating no correspondence has been received related to the request.

Chairman Marsh asked staff for more context on the glazing requirement and is that related to the building type, such as commercial or industrial.

Sam Chavez responded the Railside Sub-district envisions commercial building forms with store-front windows. The rezoning changed the types of uses allowed, as it removed many industrial uses, but allows other uses such as commercial, office, retail and some limited types of warehousing and manufacturing.



Chairman Marsh asked staff to clarify if the northern driveway meets the required turning radii.

Mr. Chavez explained that they will get as close as they can however there is existing utility pole in the area that may prevent full compliance.

With no further questions, Chairman Marsh asked the applicant to come forward to speak.

Mr. Evan Batt, 506 Lockwood Drive, Richardson, TX expressed his appreciation for the Commission and introduced the team in attendance, Sean Saunders, and Adam Vandkerkolk. He provided a brief history of the company and their involvement in the Richardson community. He explained they have always prioritized compliance with safety standards. He elaborated on their advocacy in hosting charity events, charity promotions, donation of hand sanitizer during the pandemic, and other contributions. It was very important to their company's brand and culture to continue operations in the City of Richardson. He believes this location would support the business into the next decade of expansion.

Commissioner Costantino asked the applicant if they are considering using this location as a storage facility and to continue distilling at their other Richardson location.

Mr. Batt replied, yes, in addition to co-packing, mixing, and bottling at this location.

Commission Roberts asked if they anticipated a tasting room at this location.

Mr. Batt said they don't intend to be open to the public at this location as they have three (3) other public tasting rooms.

Vice Chairman Southard asked how many people will be hired for this operation.

Mr. Batt replied they will start with a production team of 10 to 20 people that would expand along with the business, which they would hope to grow by ten-fold.

Commissioner Southard asked if the product is distributed to other outlets.

Mr. Batt replied that they have distribution in Oklahoma, but they focus on North Texas. Their current production capabilities are capped and are looking to move immediately. He said they don't have immediate plans for new tasting rooms, but the business plan could lead to that.

Commissioner Roberts asked if the applicant needs to come to the Commission for approval of a tasting room.

Mr. Chavez confirmed that retail sales would be permitted so a tasting room with small quantities would be allowed, however, special events would require a special permit.

Chairman Marsh inquired about why the applicant chose this location.

Mr. Batt explained that they spent many years looking because it is challenging to find a feasible location. He found this location unique and well-suited for their business if they can obtain zoning approval for the use. He explained it is more economical to manufacture alcohol outside of the metropolitan area, but it is very important for them to keep ties here and continue to label their products as “Made in Richardson, Texas”.

Chairman Marsh asked if the proximity to the existing Lockwood distillery was important.

Mr. Batt agreed that it absolutely was important.

Chairman Marsh asked the applicant to explain if they had plans to paint the building.

Mr. Batt replied that as a small, independently owned business they are in the process of learning the development process and how these site improvements may impact their budget. He noted they made a large investment to completely renovate their existing building on Lockwood Drive. They will host meetings here, so they intend to make it impressive, and envisioned the style of this building to match their brand and to capture elements of the former skating rink that occupied the building.

Chairman Marsh asked staff to clarify the labels for paint color on the elevations and whether this indicated the building would be repainted.

Ms. Peters explained that the elevations were provided by the applicant and mainly illustrated existing conditions but could not confirm if the label for the color of the roof was accurate.

Mr. Chavez further explained that the applicant’s architect provided the elevations, and he did not believe the applicant intends to update the paint.

Mr. Batt responded to say they intended to repaint the front wall of the building as part of the entry façade improvements.

Chairman Marsh asked the applicant to elaborate on their plans for the interior of the building.

Mr. Batt described how one-third of the building would be renovated as office space and meeting rooms, and the remaining area will have a 3-filling line for production, barrel storage, and surplus dry good storage. They will also have liquid storage tanks and blending equipment.

Commissioner Costantino asked the applicant if their main objection to the development requirements was related to the cost or related to the use of the property.

Mr. Batt said it was based on the budget which includes the required improvements to meet safety codes. He said at this time they don’t have a full understanding of what the budget may be, but they are ready to move on this project as soon as possible. They wanted to be reasonable about what they could offer, and the additional landscaping would give them pause.

Chairman Marsh explained that the City modified the zoning to make this area more walkable with mixed-use commercial elements, which may be hard to imagine today. He explained it was the job of the Commission to make decisions that either stay with that intent or deviate from it. He asked the applicant if they have an estimate for the new concrete driveway, which seems like one of the biggest expenses.

Mr. Batt replied, no.

Chairman Marsh asked staff if they could explain the requirement for this concrete driveway.

Mr. Chavez explained that the parking lot is asphalt, but the fire lane will be reconstructed with concrete as required. Although the applicant is not purchasing the property but will be leasing it, every site plan is reviewed for compliance with the Code. The applicant worked with the City on the health and safety aspects of the Code and will meet those standards such as the new fire lane and a new fire suppression system in the building. Mr. Chavez provided a staff updated concept plan to show the required site improvements that would help get the concept plan closer to conforming with the Code.

Commissioner Southard asked if there were requirements from the Texas Alcoholic Beverage Commission (TABC) that would impose a significant cost to the project budget.

Mr. Batt replied that they must meet the requirements for both their federal and state permits. Their business is classified as manufacturing, so they are familiar with those requirements, which are mainly related to storage and handling of the product.

Vice Chairman Southard asked if that also included security requirements from the TABC.

Mr. Batt replied no, that would not be a requirement from them.

Chairman Marsh brought attention the updated concept plan drafted by staff and how the design would reduce non-conformities. He asked the applicant to explain their reaction to this information.

Mr. Batt indicated they engaged with an architect and engineer to develop the plans and their goal has been to comply as much as they can, so he was surprised to learn they needed additional improvements to get zoning approval. However, they want to be as accommodating as possible.

Chairman Marsh asked if the applicant needed the southern driveway.

Mr. Chavez responded the driveway allows for one-way circulation for vehicles to enter from the north and exit to the south. The parking spaces are angled to allow for east bound circulation on the southern half of the property.

Mr. Batt noted that they tried to maximize the design to not sacrifice any parking spaces.

Chairman Marsh asked the applicant to confirm if the intent is to landscape the areas to the north of the paved driveway and at the northwest corner of the building as shown on the concept plan.

Mr. Batts verified that is correct.

Chairman Marsh asked why there is landscaping proposed in the northwest corner.

Mr. Batt replied that they were required to meet a certain percentage of landscaping percentage.

Vice Chairman Southard commented they did not appear to receive much truck traffic.

Mr. Batt confirmed it would be approximately one truck a day for shipping and receiving.

Vice Chairman Southard asked what size of trucks would be used.

Mr. Batt responded that it varies; they receive some goods on 53-foot trailers, and they ship some goods on small box trucks.

Vice Chairman Southard asked if applicant was certain the site could accommodate this circulation pattern.

Mr. Batt replied with yes, and the alley to the west will also help with circulation. The front overhead door was proposed as a new loading area to alleviate increased capacity in the back.

Seeing no other questions, Chairman Marsh asked for a motion to close the public hearing. Commissioner Costantino made a Motion to close the public hearing and Vice Chairman Southard seconded the motion. Motion passed 6-0.

Commissioner Southard commented that he was in favor of the request, and he was impressed that they wanted to stay in Richardson. He was inclined to trust them based on their prior performance in Richardson.

Commissioner Costantino commented that he felt the requirements were punitive for this type of a request and felt this was a good use for the property.

Commissioner Roberts commented that the motion should include a correction to the exhibit labels in the proposal.

Commissioner Keller expressed that they may get in a dangerous position to disregard the vision, and there may be some minor modifications to be made to find a middle ground. He would be inclined to make a motion that included some of these site modifications. He commented that this proposal does not seem to be temporary.

Commissioner Bohnsack commented that this was a lot to ask of the applicant especially as this would be a leased property.

Chairman Marsh asked staff which of the required site improvements were most important for the character of the neighborhood.

Mr. Chavez responded, establishing the amenity zone which would include the 8-foot-wide sidewalk and the 5-foot-wide landscape buffer. In doing so, they would lose approximately four (4) parking spaces.

Chairman Marsh asked if that would create any issues for meeting parking requirements.

Mr. Chavez replied, no. Additional parking will not be required as no building expansion was proposed.

Vice Chairman Southard commented that the property owner must be involved in any right-of-way dedication agreement as shown on staff's version of the concept plan.

Mr. Chavez responded that the dedication would come at the time the property was platted, as it is not a platted lot. The concept plan will simply show the future right-of-way dedication, including the amenity zone and landscape buffer to establish the boundary for any future development. If the Commission wanted these conditions to be required, then a motion will need to be made to that effect.

Commissioner Costantino asked if a time limit could be placed on this request.

Mr. Chavez replied, yes.

Commissioner Costantino suggested that a way to provide balance to the request is to put a time limit on the special permit so they reapply later when the area developed, and the applicant would then be at a point to commit to addressing issues on the property when costs are easier to manage.

Chairman March commented that the Commission should be comfortable with the recommendation they make that will go to City Council for a decision and he is not comfortable with placing a time limit on the request.

Commissioner Costantino reminded the Commission of another zoning case where they applied a time limit for qualified non-conforming uses on specific properties.

Mr. Chavez further explained that occurred in 2020 when they created qualifying non-conforming uses for specific property in several sub-districts with a year 2031-time limit.

Chairman Marsh commented that since this was the repurposing of a building with a new use, and not a redevelopment, the exceptions could be justified. He believes the use fits the character of the neighborhood and Lockwood is the kind of company we want to retain in Richardson.

Commissioner Roberts asked if the applicant decides to substantially redevelop later, would they need to come back before the Commission.

Mr. Chavez confirmed yes, they would.

Commissioner Costantino asked the applicant how they felt about a time limit on the special permit.

Mr. Batt responded that they were interested in zoning approval for the use at this location, and if their time was limited then they would have to explore other options. They were open to making improvements at a later date and did not intend to make this look like every other warehouse building.

Commissioner Roberts explained that he believed this should be treated as a new business moving into the location, so some of the constraints might not apply.

**Motion:** Vice Chairman Southard made a motion to recommend approval of Zoning File 24-01 as presented with a change of Exhibit B to Exhibit A and Exhibit C to Exhibit B. Commissioner Bohnsack seconded the motion. Motion passed 5-1 (Commissioner Keller opposed).

**ADJOURN**

With no further business before the Commission, Chairman Marsh adjourned the regular business meeting at 8:24 p.m.

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Bryan Marsh, Chairman



**TO:** City Council

**THROUGH:** Sam Chavez, AICP, Director of Development Services *SDC*

**FROM:** Derica Peters, AICP, Senior Planner-Planning *DP*

**DATE:** April 8, 2024

**RE:** **Zoning File 24-01: Lockwood Distilling Co. Special Permit & Special Development Plan**

### REQUEST

Approval of a Special Permit and Special Development Plan for a winery/distillery on an approximate 1.25-acre lot currently zoned Main Street/Central Expressway Planned Development District (Railside Sub-district) within an existing 19,602 square-foot building located at 816 S. Sherman St.

### APPLICANT/ PROPERTY OWNER

Evan Batt, Lockwood Distilling Company / Howard L. Nycum, HLN Enterprises, Inc.

### EXISTING DEVELOPMENT

The subject site is developed with a 19,602-square foot single-story building.

### ADJACENT ROADWAYS

**S. Sherman Street:** Two-Lane undivided minor collector; 5,000 vehicles per day on all lanes, northbound and southbound, north of Buckingham Road (2022).

**E. Spring Valley Road:** Eight-Lane divided arterial; 43,400 vehicles per day on all lanes, eastbound and westbound, west of Lingco Drive (2022).

### SURROUNDING LAND USE AND ZONING

**North:** Retail/Commercial/Office; PD Planned Development  
**South:** Retail/Commercial/Office; PD Planned Development  
**East:** Retail/Commercial/Office; PD Planned Development  
**West:** Retail/Commercial/Office; PD Planned Development

## FUTURE LAND USE PLAN

### **Main Street/Central Expressway Planned Development District:**

*The subject property is located in the Railside Sub-district. The vision for the Railside Sub-district positions Richardson as a community concerned with sustainability and the arts, focusing on adaptive reuse of existing industrial buildings. New development, including residential and other transit supporting uses, is also envisioned with high quality urban character.*

### **Future Land Uses of Surrounding Area:**

North: Main Street/Central Expressway Planned Development District  
South: Main Street/Central Expressway Planned Development District  
East: Main Street/Central Expressway Planned Development District  
West: Main Street/Central Expressway Planned Development District

## EXISTING ZONING

Main Street/Central Expressway Planned Development District – Railside Sub-district (Ordinance 4191).

## TRAFFIC/INFRASTRUCTURE IMPACTS

The proposed request will not have a significant impact on the surrounding roadway system or the existing utilities in the area.

## STAFF COMMENTS

### **Background**

The site was developed in 1966 with a 19,602 square-foot single-story commercial building. In 2016, the property was rezoned as part of the Main Street/Central Expressway Planned Development District.

### **Request**

The applicant's intent is to repurpose the building to accommodate a winery/distillery which is allowed upon approval of a Special Permit in this sub-district. A winery/distillery is defined in the Planned Development Ordinance as:

*A facility that: (1) ferments juices from grapes and/or other fruit; (2) blends wines; (3) distills and/or blends alcoholic liquors; (4) manufactures, bottles, labels, and packages wine and/or alcoholic liquors; and/or (5) performs any other similar activity authorized by the Texas Alcoholic Beverage Code as amended or its successors.*



The applicant will continue distilling operations at their main location on Lockwood Drive; however, they are expanding operations to the proposed site where they will focus on blending, bottling and storage operations. The applicant expects one (1) truck per day, Monday through Friday, to be on site for loading and unloading shipments.

The subject site consists of:

- A 19,602 square-foot building with a gable roof that is twenty-feet-tall to the roof ridge and is constructed of brick and CMU and painted off-white.
- An existing double-door entrance with a covered canopy on the east façade, two (2) man doors on the north façade, and two (2) man doors and one (1) 10-foot-tall overhead door on the west façade.
- Two (2) driveways on S. Sherman Street.
- Forty-nine (49) parking spaces. The applicant is not expanding the building, so additional parking is not required.

To accommodate the facility's operational needs, the applicant is proposing the following site improvements:

- Removal of the existing rail fencing.
- Addition of a dumpster and screening to rear of the building to be accessed from the alley.
- Reconstruction of the fire lane in compliance with the Fire Code.
- Reconstruction of the northern most driveway.
- Installation of a 10-foot-tall overhead dock door on the east building elevation for loading/unloading.

### **Special Development Plan – Requested Exceptions:**

The Code requires approval of a Special Development Plan for modifications to the Code's regulations that are not considered Minor Modifications as identified in the Code. As proposed, the applicant's requested modifications do not qualify as Minor Modifications; therefore, a Special Development Plan is required.

The requested modifications address existing site conditions which the applicant does not propose to modify and proposed site design elements that do not conform to the Code. Except for the following items, the development complies with the Railside Sub-district development regulations of the Code:

1. Build-to-Zone – Buildings are required to be located within the Build-to-Zone along street frontages; the required Build-to-Zone along S. Sherman Street is 0 to 15 feet.

*The existing building is setback approximately 150 feet from S. Sherman Street. The applicant does not intend to expand the building so this site condition will remain.*

2. Building Frontage Buildout – In addition to the requirement for buildings to be located within the Build-to-Zone, a minimum of 70% of the building's frontage, based on the width of the lot, is required to be located within the Build-to-Zone.

*The existing building was not constructed within the required Build-to-Zone; therefore, the Building Frontage Buildout is at 0%. There are no proposed building additions so this site condition will remain.*

3. Blank Building Façade - All elevations visible from the public open space or street shall be designed as building “fronts”. Blank facades are prohibited and should include architectural details to enhance the pedestrian and visual environment such as transparent windows and doors, display windows and/or awnings.

*As depicted on the Building Elevations (Exhibit “B”), the east elevation represents a blank façade as the existing façade has one (1) man door and a metal canopy entrance cover.*

4. Building Articulation - Buildings are required to demonstrate horizontal and vertical articulation where visible from the public street.

*The existing building was constructed with continuous walls without any articulation. The applicant does not intend to modify the existing building.*

5. Building Glazing Requirement - Non-residential buildings are required to have a minimum of 50% of the ground floor façade comprised of window area (3,618 square feet of glazing).

*The existing building has no windows other than sidelights associated with the existing glass door. The applicant does not propose any additional windows.*

6. Driveway Spacing and Radii – Driveways are required to have a turning radius of 30-feet inbound and 20-feet outbound and are limited to one (1) driveway per 200 feet of street frontage for the purpose of improving vehicular safety and the safety of pedestrians through the pedestrian realm.

*The applicant would like to maintain the two (2) existing driveways along S. Sherman Street which are approximately forty (40) feet apart and thus do not conform to the spacing criteria. The driveway to the north will be reconstructed and will meet turning radius requirements, however the existing southern driveway will remain in non-compliance.*

7. Provision of Amenity Zone – The streetscape on S. Sherman Street requires a 6-foot-wide landscaped amenity zone.

*There is an existing 5-foot-wide sidewalk and 5-foot-wide paved area along the frontage which the applicant would like to maintain without the landscape amenity zone.*

8. Landscape Buffer of Surface Parking - A minimum 5-foot-wide landscape buffer is required between the required sidewalk and the parking lot.

*The site is completely paved and therefore has no area where the required landscape buffer is to be provided. The applicant does not intend to modify this existing site condition.*

9. Interior Parking Lot Landscape Islands – Minimum 10-foot-wide landscape islands are required within the interior parking lot area.

*The applicant does not intend to add landscaping so this requirement will not be met.*

10. Maximum Number of Parking Spaces without Internal Landscape Islands – A minimum 10-foot-wide landscape island is required with each run of eight (8) parking spaces and at the end of parking rows.

*The applicant does not intend to modify the existing parking lot condition; therefore, the maximum number of parking spaces will be exceeded. If the required landscape islands were constructed, the number of parking spaces would be reduced from 49 to approximately 40 spaces.*

11. Open Space Requirement - Open Space is required to be provided for the enjoyment of persons within the Railside Sub-district at a rate of 15% of the site area of open space that is not publicly accessible or 8% of the site area of open space that is publicly accessible. Based on the size of the lot (1.25-acres) the Open Space area provided should be 8,168 square-feet (15%) or 4,356 square-feet (8%).

*As depicted on the Concept Plan (Exhibit "A"), open space is not being provided. The facility is associated with a distillery manufacturing operation and not intended for public/private gatherings.*

12. Ground-Mounted Equipment - Ground-mounted equipment is required to be screened from the view of streets, public open space, and adjacent properties.

*The existing ground-mounted HVAC units are located between the north wall of the building and the fire lane which leaves no area for screening materials. The applicant does not propose to screen the ground-mounted equipment.*

13. Sidewalk Width – A minimum 8-foot-wide sidewalk is required to be constructed within the right-of-way of S. Sherman Street.

*The applicant intends to leave the streetscape as is with the existing five-foot sidewalk.*

Although the list of requested modifications is lengthy and prolongs the existing non-conforming site conditions, should the applicant's request be granted, the modifications would only be applicable to a "Winery/Distillery" operated by Lockwood Distilling Company. Any other use and/or operator would be required to submit a new application for consideration.

**Correspondence:** To date, staff has received no correspondence regarding this request.

**Motion:** On April 2, 2024, the City Plan Commission recommended approval of the applicant's request by a vote of 5-1, subject to the following conditions:

- 1) The Property shall be developed and used in substantial conformance with the Concept Plan attached as Exhibit "A", and Elevations attached as Exhibit "B", and made a part hereof and which are hereby approved. The Concept Plan is referred to as "Special Development Plan" as allowed in the Main Street/Central Expressway PD Planned Development, subject to the following conditions:
  - a. The property shall be constructed in substantial conformance with the attached Special Development Plan, marked as Exhibit "A" and Exhibit "B", and made a part thereof.

- 2) A Special Permit shall be granted for a “winery/distillery” which shall be limited to the area shown on the Concept Plan, marked as Exhibit “A” and made a part thereof, subject to the following conditions:
  - a. No other person, company, business, or legal entity may operate a “Winery/Distillery” use on the property other than Lockwood Distilling Company. The Special Permit automatically terminates upon the change in ownership or operator, in accordance with Article XXII-A, Section 7 of the Comprehensive Zoning Ordinance, as amended.
  - b. A building permit shall be obtained from the city in accordance with Article XXII-A, Section 7.(b.) of the Comprehensive Zoning Ordinance, as amended.



**ZF 24-01**

**SUBJECT PROPERTY**

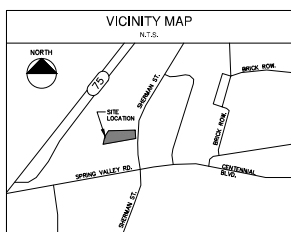


**ZF 24-01 Aerial & Zoning Map**  
**Lockwood Distilling Co.**  
**816 S. Sherman Street**

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

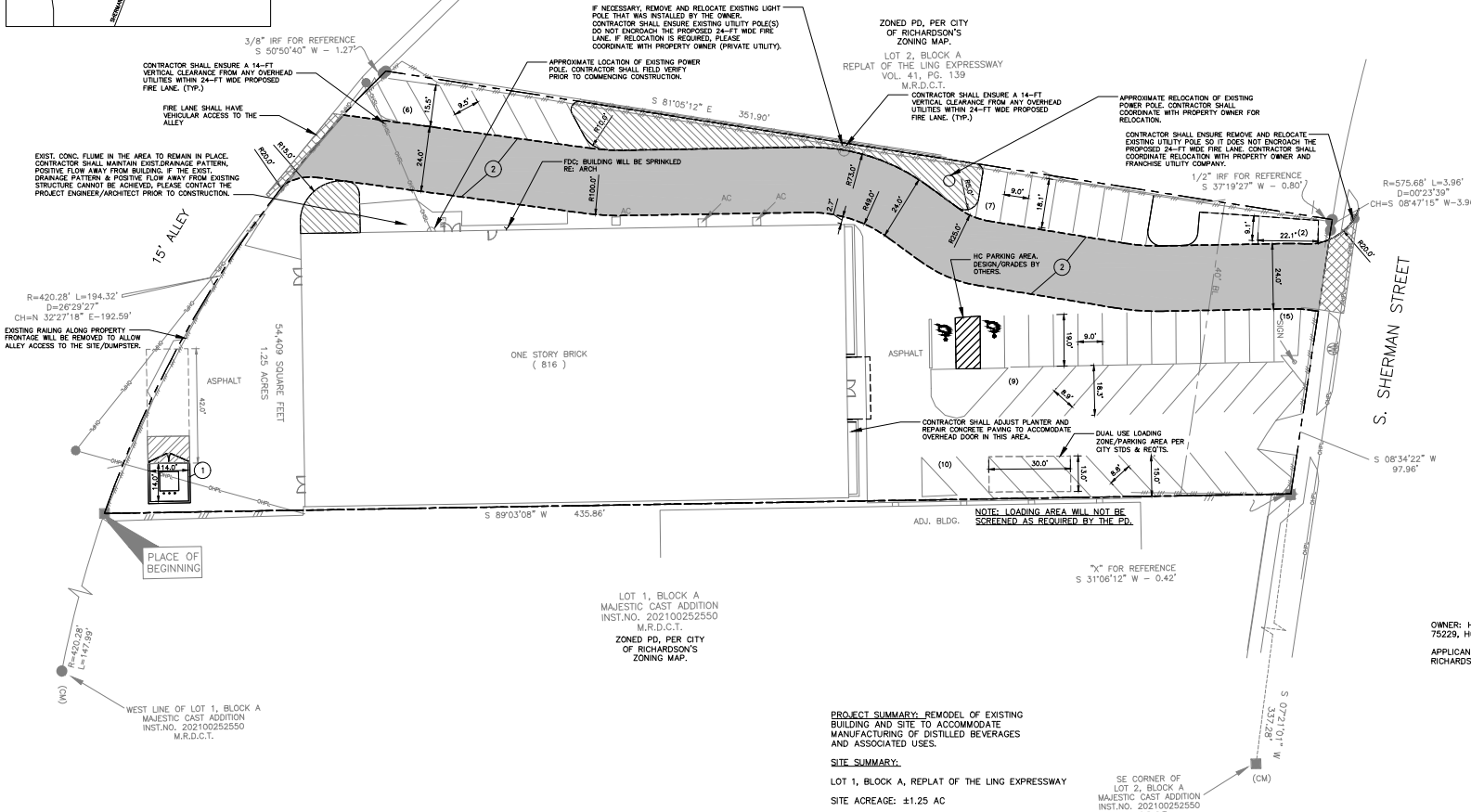






REFERENCE NUMBER NOTES	
①	PROP. DUMPSTER W/ SCREENING PER ARCH.
②	PROP. FIRE LANE STRIPING PER PLAN NOTE THIS SHEET. (TYP.)

DRAWING LEGEND	
---	PROPERTY LINE
---	ADJOINING PROPERTY LINE
---	PROP. EDGE OF PAVEMENT
---	CURB LINE
---	PROP. STRIPING
---	EASEMENT/SETBACK LINES
---	PROP. FIRE LANE
(49)	PARKING COUNT LABEL
[Hatched Box]	PROP. DUMPSTER CONCRETE PAVING PER DETAIL THIS SET, RE: SITE SPEC FOR PAVEMENT RECOMMENDATION.
[Diagonal Lines]	PROP. LANDSCAPE AREA
[Dotted Box]	PROP. MEDIUM DUTY CONCRETE PAVING PER DETAIL THIS SET, RE: SITE SPEC FOR PAVEMENT RECOMMENDATION.
[Cross-hatched Box]	PROP. PUBLIC R.O.W. CONCRETE PAVING PER CITY REQUIREMENTS.
EXST.	EXISTING
PROP.	PROPOSED
MFR	MANUFACTURER
HW	RETAINING WALL
TR	TYPICAL
HC	HANDICAP
T.A.S.	TEXAS ACCESSIBILITY STANDARDS
MFR	MANUFACTURER



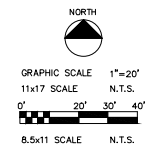
**NOTE TO CONTRACTOR**  
 CALL 811 AND ANY OTHER APPLICABLE UTILITY LOCATING SERVICES 48 HOURS PRIOR TO CONSTRUCTION ACTIVITY. LOBSINGER & POTTS STRUCTURAL ENGINEERING, INC. IS NOT RESPONSIBLE FOR KNOWING THE LOCATION OF ALL EXISTING UTILITIES OR DEPICING EXACT LOCATIONS ON ALL DRAWINGS. THE LOCATION OF EXST. UTILITIES ARE SHOWN AS APPROXIMATE ONLY. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES AS A RESULT OF FAILURE TO LOCATE AND PRESERVE EXIST. UTILITIES.

**PROJECT SUMMARY:** REMODEL OF EXISTING BUILDING AND SITE TO ACCOMMODATE MANUFACTURING OF DISTILLED BEVERAGES AND ASSOCIATED USES.

**SITE SUMMARY:**  
 LOT 1, BLOCK A, REPLAT OF THE LING EXPRESSWAY  
 SITE ACREAGE: ±1.25 AC  
 USE: PRODUCTION FACILITY  
 ZONED: PD MAIN STREET/CENTRAL EXPRESSWAY (RAILSIDE SUB-DISTRICT)  
 BUILDING SQUARE FOOTAGE: 19,602 GROSS SF, 20,067 FOOTPRINT  
 BUILDING HEIGHT: SINGLE-STORY, 20-FT  
 PARKING REQUIRED: 20 SPACES (INDUSTRIAL/MANUFACTURING > 5,000 SF, 1 SPACE PER 1,000 SF)  
 PARKING PROVIDED: 49 SPACES  
 LANDSCAPE PROVIDED: 7%  
 LANDSCAPE REQUIRED: ±4.2% RE:LS ARCH  
 DRIVEWAY TURNING RADIUS IN: ±20.0' (AS NOTED ON PLAN)

- NOTES:**
- ALL PROP. STRIPING (INCLUDING THE FIRE LANE STRIPING) SHALL CONFORM TO CITY STANDARDS AND REQUIREMENTS.
  - RE: DETAILS THIS SET FOR PROPOSED PAVING SECTIONS.
  - CONTRACTOR SHALL INSTALL ALL UNDERGROUND PVC CONDUITS PRIOR TO INSTALLING PROPOSED PAVING. RE: UTILITY PLANS (MEP & CIVIL) AND IRRIGATION PLAN FOR PROPOSED CONDUIT LOCATION.
  - ALL REQUIRED PERMITS SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO COMMENCING CONSTRUCTION.
  - RE: DETAIL THIS SET FOR PROP. PAVING CONNECTION TO EXIST. PAVING.
  - ALL CURVE RADII ARE 2.5'R UNLESS NOTED OTHERWISE ON THE PLAN.
  - RE: ARCH PLANS FOR EXACT BUILDING DIMENSIONS.
  - UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE TO BACK OF CURB OR EDGE OF PAVING.
  - IF THE DIMENSIONS SHOWN ON THE PLANS ARE INCONSISTENT WITH MEASUREMENTS FOUND IN THE FIELD, PLEASE CONTACT THE ENGINEER IMMEDIATELY.
  - SIGN LOCATION AND DIMENSIONS SHALL BE VERIFIED WITH THE SIGN MFR AND ARCH.
  - ALL PROP. STEPS LABELED ON THIS PLAN SHALL BE PER ARCH (RE: GRADING PLAN THIS SET FOR GRADES).
  - RE: GENERAL NOTES AND PAVING DETAILS SHEET FOR ADDITIONAL NOTES AND DETAILS.

OWNER: HLN ENTERPRISES INC., 11511 ROSSER ROAD, DALLAS, TX 75229, HOWARD NYCOM, 214-352-2880  
 APPLICANT: LOCKWOOD DISTILLING CO., 506 LOCKWOOD DRIVE, RICHARDSON, TX 75080, EVAN BATT, 469-995-6173





**LOCKWOOD DISTILLING CO. ENTERPRISE**  
 816 SHERMAN  
 RICHARDSON, TEXAS 75081

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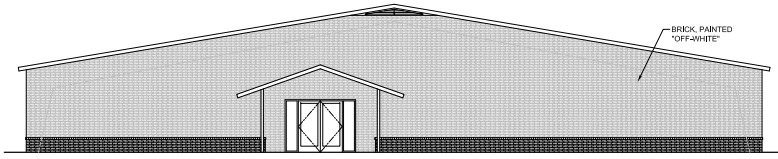
PROJECT: DATE: 3-13-24  
 DRAWN BY: L.P.S.E.  
 CHECKED BY:  
 FILE:  
 REVISIONS

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SHEET TITLE  
**ZONING EXHIBIT**

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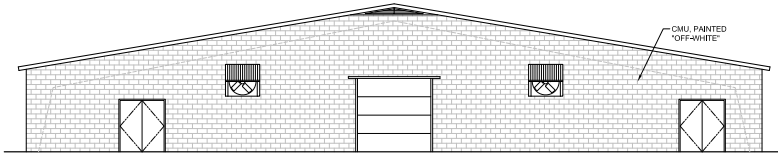
SHEET  
**C-2.1**



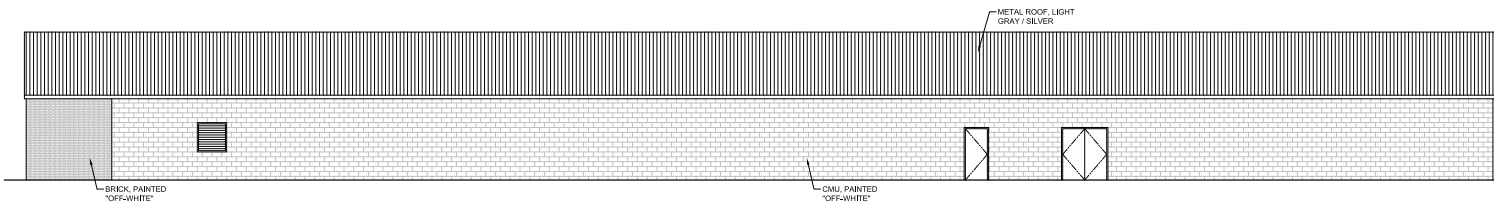
**1a** EXISTING ELEVATION - EAST  
1/4" = 1'-0"



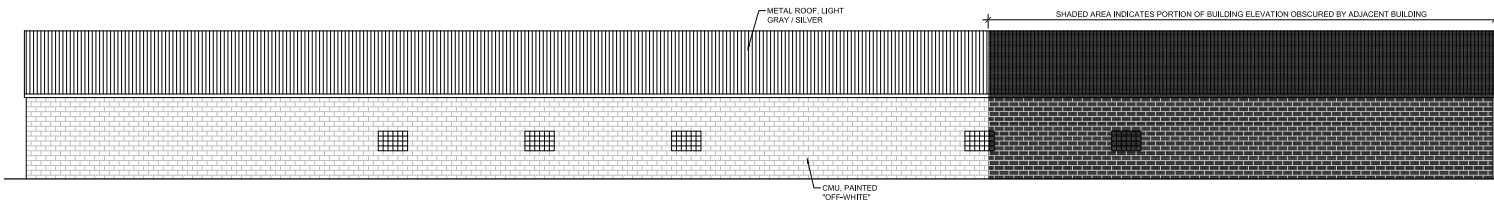
**1b** PROPOSED ELEVATION - EAST  
1/4" = 1'-0"



**2** EXISTING ELEVATION - WEST  
1/4" = 1'-0"



**3** EXISTING ELEVATION - NORTH  
1/4" = 1'-0"



**4** EXISTING ELEVATION - SOUTH  
1/4" = 1'-0"

**ELEVATION NOTES**

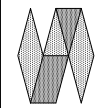
1. MECHANICAL EQUIPMENT IS UNVERIFIED, AND LIKELY TO CHANGE ANYWAY, THUS INTENTIONALLY OMITTED FROM THESE ELEVATIONS
2. GUTTERS, DOWNSPOUTS, AND EXISTING UTILITY FEATURES SUCH AS WALL MOUNTED ELECTRICAL DISCONNECTS AND PIPING, INTENTIONALLY OMITTED FOR CLARITY

REVISIONS					

**Lockwood Distilling Co.**  
816 S. Sherman St.  
Richardson, TX 75081

FOR REVIEW ONLY.  
NOT FOR  
REGULATORY  
APPROVAL,  
PERMITTING, OR  
CONSTRUCTION.

**S3 Architects**  
www.s3-architects.com  
124 Donald Drive  
Hurst, TX 76053  
P. 817.431.0741 F. 817.431.0830



DRAWN BY  
BS  
DATE  
Jan. 26, 2024  
CHECKED BY  
ES

SHEET TITLE  
BUILDING  
ELEVATIONS  
SHEET NO.  
A0.2  
JOB NO.  
23-044-CM



Subject: Lockwood Enterprise: Application Statement

This memo is our application statement outlining the proposed business model for Lockwood Distilling Company Enterprise, LLC. We will be blending and bottling distilled spirits within the building located at 816 S. Sherman St. Our business will not include distillation onsite; rather, we will focus on blending, bottling, and storage operations.

Our facility will be equipped with the necessary machinery and staff to facilitate the blending and bottling process efficiently. Additionally, we will allocate space for onsite storage and management offices to oversee operations.

We are committed to adhering to all relevant regulations and guidelines pertaining to the production and distribution of alcoholic beverages. Our goal is to contribute positively to the local economy while maintaining the highest standards of safety and compliance.

Thank you for considering our application. We look forward to the possibility of establishing our business within the city and contributing to its growth and prosperity.

Sincerely,

Sean Saunders  
Lockwood Distilling Co.  
VP Operations  
214-499-8884



**SITE PHOTOS ZF 24-01**

**1 - North Elevation**



**2 - East Elevation**



**SITE PHOTOS ZF 24-01**

**3 - West Elevation**



**4 - South Elevation**







# Notice of Public Hearing

## City Plan Commission

An application has been received by the City of Richardson for a:

### SPECIAL PERMIT & SPECIAL DEVELOPMENT PLAN

**File No.:** ZF 24-01  
**Applicant:** Evan Batt, Lockwood Distilling Company Enterprise  
**Location:** (See map on reverse side)  
**Request:** **ZF 24-01 Lockwood Special Permit and Special Development Plan:** Consider and act on a request for approval of a Special Permit and Special Development Plan for a winery/distillery on a 1.5-acre lot currently zoned Main Street/Central Expressway PD Planned Development (Railside Sub-District) within an existing 19,602 square-foot building located at 816 S. Sherman St. Property Owner: Howard L. Nycum, HLN Enterprises, Inc. Staff: Derica Peters.

The City Plan Commission will consider this request at a public hearing on:

**TUESDAY, APRIL 2, 2024**  
**7:00 p.m.**  
**Richardson City Hall**  
**2360 Campbell Creek Boulevard, Suite 525**  
**Richardson, TX 75082**

*This notice has been sent to all owners of real property affected by the zoning request and those who are within 200 feet of the request; as such ownership appears on the last approved city tax roll.*

**Process for Public Input:** Individuals attending the meeting in person will be allocated a maximum of 3 minutes to address the City Plan Commission to express whether they are in favor or oppose the request.

Persons not attending the meeting who would like their views to be made a part of the public record may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083 or by utilizing the Public Comment Card at <https://www.cor.net/PublicCommentForm>.

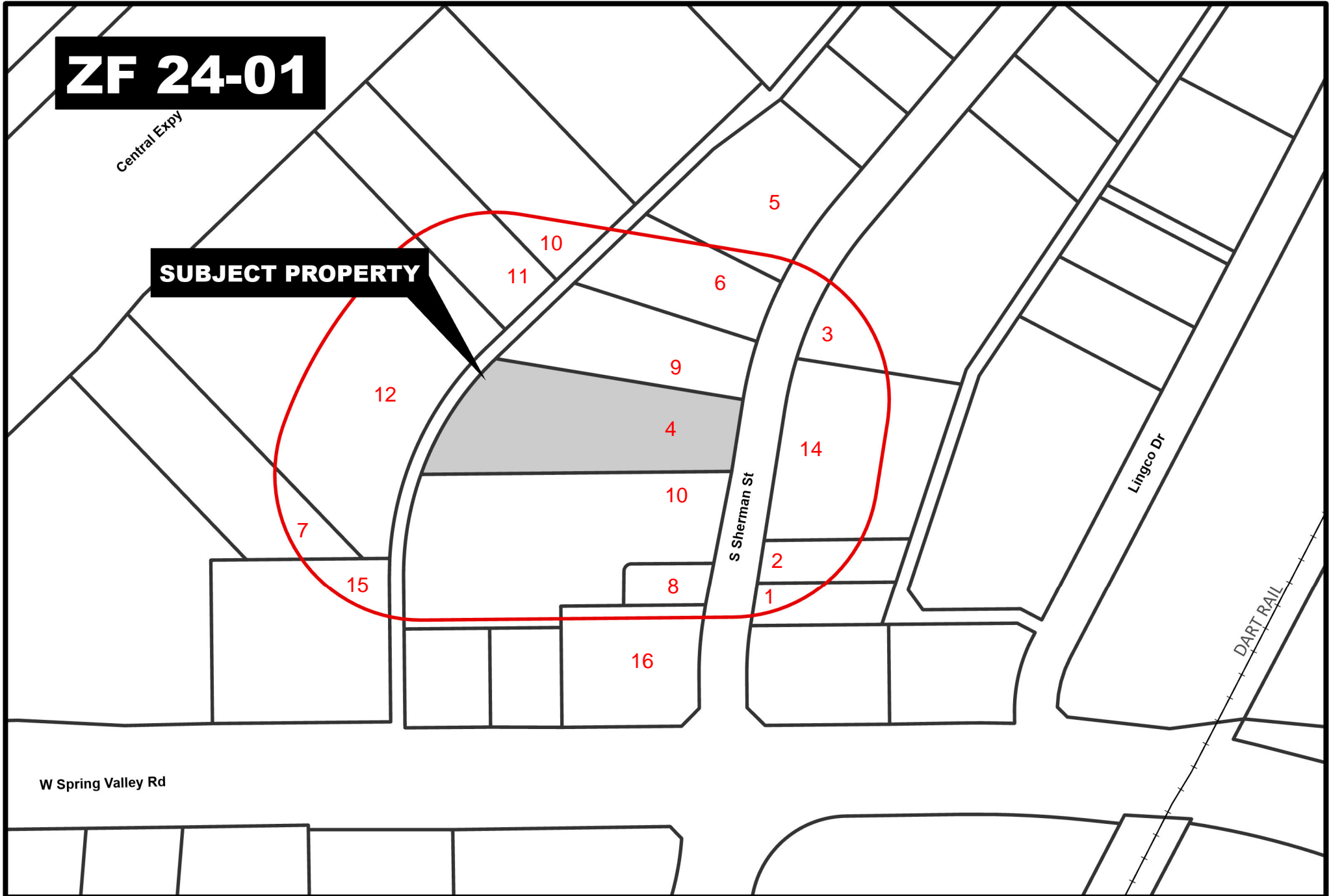
*The City Plan Commission may recommend approval of the request as presented, recommend approval with additional conditions or recommend denial. Final approval of this application requires action by the City Council.*

**Agenda:** The City Plan Commission agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: <http://www.cor.net/index.aspx?page=1331>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 24-01.

Date Posted and Mailed: March 22, 2024

# ZF 24-01



**ZF 24-01 Notification Map**  
**Lockwood Distilling Co.**  
**816 S. Sherman**

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



1. BITX LLC  
6502 LAUREL VALLEY RD  
DALLAS, TX 75248

2. BITX LLC  
6502 LAUREL VALLEY RD  
DALLAS, TX 75248

3. DK OPERATIONS SHERMAN LLC  
739 S SHERMAN ST  
RICHARDSON, TX 75081

4. HLN ENTERPRISES INC  
11511 ROSSER RD  
DALLAS, TX 75229

5. IMAD INC  
STE 400 A  
820 W SPRING CREEK PKWY  
PLANO, TX 750234634

6. IMAD INC  
22 LOCHLEVEN  
RICHARDSON, TX 75082

7. JETPURI MOHAMMED I  
905 TROON CIR  
RICHARDSON, TX 750815137

8. JIBRINMCI LLC  
1057 S SHERMAN ST STE 300  
RICHARDSON, TX 75081

9. LIVING HOPE BIBLE FELLOWSHI  
812 S SHERMAN  
RICHARDSON, TX 75081

10. MAJESTIC CAST INC  
820 S SHERMAN  
RICHARDSON, TX 75081

11. PERTH UNITED LIMITED PS  
1221 ABRAMS RD STE 340  
RICHARDSON, TX 75081

12. REBATE AT CLOSING REALTY LL  
14455 WEBB CHAPEL  
FARMERS BRANCH, TX 75234

13. REBATE AT CLOSING REALTY LL  
14455 WEBB CHAPEL  
FARMERS BRANCH, TX 75234

14. SCGE SHERMAN LTD  
% GE MANAGEMENT  
7005 CHASE OAKS BLVD STE 200  
PLANO, TX 75025

15. SPRING VALLEY HOSTS INC  
7424 BRADFORD PEAR DR  
IRVING, TX 75063

16. SQUARE CORNER PROPERTIES LLC  
5856 CORPORATE AVE  
CYPRESS, CA 90630

**EVANT BATT  
LOCKWOOD DISTILLING CO  
506 LOCKWOOD DR  
RICHARDSON, TX 75080**

**ZF 24-01 Lockwood Distilling Co.**

**Item**

Receive public input on the Water Conservation Plan and Water Resource and Emergency Management Plan

**Staff**

Eric Robison, Director of Public Services

**Summary**

Staff will provide a brief review of the council briefing from April 1, 2024, discussing the proposed 2024 Water Conservation Plan and Water Resource Emergency Management Plan.

**City Council Strategies**

Value, protect, and create a positive return on city, resident, and other stakeholder investments in the City

**Background**

Texas Commission on Environmental Quality requires the city to update its water conservation plans every five years. The current Water Conservation Plan and Water Resource Management Plan were adopted in 2019. The 2024 Water Conservation Plan and Water Resource and Emergency Management Plan will replace the 2019 plans once adopted.

**Proposed Action/Motion**

- Receive public input

April 22, 2024

- Final plans on council agenda for consideration



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T E X A S

City of Richardson

**2024 Water Conservation and  
Water Resource and Emergency  
Management Plan**

**Draft**

Adopted on April 22, 2024

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<b>APPENDIX B</b>	Texas Administrative Code Title 30 Chapter 288
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## **DEFINITIONS**

**AQUATIC LIFE** means a vertebrate organism dependent upon an aquatic environment to sustain its life.

**ATHLETIC FIELD** means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools, professional sports and league play sanctioned by the utility providing retail water supply.

**BEST MANAGEMENT PRACTICES (BMPs)** are voluntary efficiency measures that save a quantifiable amount of water, either directly or indirectly, and that can be implemented within a specific time frame.

**COMMERCIAL VEHICLE WASH FACILITY** means a permanently located business that washes vehicles or other mobile equipment with water or water-based products, including but not limited to self-service car washes, full-service car washes, roll-over/in-bay style car washes, and facilities managing vehicle fleets or vehicle inventory.

**COMMERCIAL FACILITY** means business or industrial buildings and the associated landscaping, but does not include the fairways, greens, or tees of a golf course.

**CONSERVATION** includes 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 water supply is made available for future or alternative uses.

**COOL SEASON GRASSES** are varieties of turf grass that grow best in cool climates primarily in northern and central regions of the U.S. Cool season grasses include but are not limited to perennial and annual rye grass, Kentucky blue grass and fescues.

**CUSTOMERS** include those entities to whom NTMWD provides wholesale water that are not member cities of NTMWD.

**DESIGNATED OUTDOOR WATER USE DAY** means a day prescribed by a rule on which a person is permitted to irrigate outdoors.

**DRIP IRRIGATION** is a type of micro-irrigation system that operates at low pressure and delivers water in slow, small drips to individual plants or groups of plants through a network of plastic conduits and emitters; also called trickle irrigation.

**DROUGHT**, for the purposes of this report, means an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources (in this case reservoirs) to be depleted.

---

**ET/SMART CONTROLLERS** are irrigation controllers that adjust their schedule and run times based on weather (ET) data. These controllers are designed to replace the amount of water lost to evapotranspiration.

**EVAPOTRANSPIRATION (ET)** represents the amount of water lost from plant material to evaporation and transpiration. The amount of ET can be estimated based on the temperature, wind, and relative humidity.

**EXECUTIVE DIRECTOR** means the Executive Director of NTMWD and includes a person the Executive Director has designated to administer or perform any task, duty, function, role, or action related to this Plan or on behalf of the Executive Director.

**FOUNDATION WATERING** means an application of water to the soils directly abutting (within 2 feet of) the foundation of a building or structure.

**INTERACTIVE WATER FEATURES** means water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads that are maintained for recreation.

**IRRIGATION SYSTEM** means a permanently installed, custom-made, site-specific system of delivering water generally for landscape irrigation via a system of pipes or other conduits installed below ground.

**LANDSCAPE** means any plant material on a property, including any tree, shrub, vine, herb, flower, succulent, ground cover, grass or turf species, that is growing or has been planted out of doors.

**MEMBER CITIES** include the cities of Allen, Farmersville, Forney, Frisco, Garland, McKinney, Mesquite, Plano, Princeton, Richardson, Rockwall, Royse City, and Wylie, Texas, which are members of NTMWD.

**MUNICIPAL USE** means the use of potable water provided by a public water supplier as well as the use of treated wastewater effluent for residential, commercial, industrial, agricultural, institutional, and wholesale uses.

**NEW LANDSCAPE** means: (a) vegetation installed at the time of the construction of a residential or commercial facility; (b) installed as part of a governmental entity's capital improvement project; or (c) installed to stabilize an area disturbed by construction.

**ORNAMENTAL FOUNTAIN** means an artificially created structure from which a jet, stream, or flow of treated water emanates and is not typically utilized for the preservation of aquatic life.

**POND** is considered to be a still body of water with a surface area of 500 square feet or more. This does not include recreational swimming pools.

---

**PUBLIC WATER SUPPLIER** is an individual or entity that supplies water to the public for human consumption.

**REGIONAL WATER PLANNING GROUP** is a group established by the Texas Water Development Board to prepare a regional water plan under Texas Water Code §16.053.

**REGULATED IRRIGATION PROPERTY** means any property of a designated customer class (i.e., commercial) that uses one million gallons of water or more for irrigation purposes in a single calendar year or is greater than one acre in size.

**RESIDENTIAL GALLONS PER CAPITA PER DAY (RESIDENTIAL GPCD)** means the total gallons sold for retail residential use by a public water supplier divided by the residential population served and then divided by the number of days in the year.

**RETAIL CUSTOMERS** include those customers to whom the utility provides retail water from a water meter.

**REUSE** is the authorized use for one or more beneficial purposes of use of water that remains unconsumed after the water is used for the original purpose of use and before that water is either disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.

**SOAKER HOSE** means a perforated or permeable garden-type hose or pipe that is laid above ground that provides irrigation at a slow and constant rate.

**SPRINKLER/SPRAY IRRIGATION** is the method of applying water in a controlled manner that is similar to rainfall. The water is distributed through a network that may consist of pumps, valves, pipes, and sprinklers.

**SPRINKLER** means an above-ground water distribution device that may be attached to a garden hose.

**RECREATIONAL/SWIMMING POOL** is defined as a body of water that involves contact recreation. This includes activities that are presumed to involve a significant risk of ingestion of water (e.g. wading by children, swimming, water skiing, diving, tubing, surfing, etc.)

**TOTAL GALLONS PER CAPITA PER DAY (TOTAL GPCD)** means the total amount of water diverted and/or pumped for potable use less wholesale sales divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in TAC §288.1 shall be credited against total diversion volumes for the purposes of calculating GPCD for targets and goals.

**WATER CONSERVATION COORDINATOR** is the person designated by a retail public water supplier that is responsible for implementing a water conservation plan.

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**WATER CONSERVATION PLAN** means the Member City or Customer water conservation plan approved and adopted by the utility.

**WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN** means a plan for temporary supply management and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies required by Texas Administrative Code Title 30, Chapter 288, Subchapter B. This is sometimes called a drought contingency plan.

**ABBREVIATIONS**

Ac-Ft/Yr..... Acre-Feet per Year

BMP..... Best Management Practices

CDC..... Centers for Disease Control and Prevention

DWU..... Dallas Water Utilities

E&O..... Education and Outreach

ED..... Executive Director

EPA..... Environmental Protection Agency

ET..... Evapotranspiration

FNI..... Freese and Nichols, Inc.

gpf..... Gallons per Flush

gpm.....Gallons per Minute

LAMP..... Linear Asset Management Plan

LRWSP.....Long Range Water Supply Plan

FWSD..... Fresh Water Supply District

GPCD..... Gallons per Capita per Day

ICIM..... Industrial, Commercial, Institutional and Multifamily

MGD..... Million Gallons per Day

MUD..... Municipal Utility District

NCTCOG..... North Central Texas Council of Governments

NTMWD..... North Texas Municipal Water District

SUD.....Special Utility District

TCEQ..... Texas Commission on Environmental Quality

TRWD..... Tarrant Regional Water District

TWDB..... Texas Water Development Board

UTRWD..... Upper Trinity Regional Water District

UD..... Utility District

WCAC..... Water Conservation Advisory Council

WCP..... Water Conservation Plan

WREMP..... Water Resource and Emergency Management Plan

WSC..... Water Supply Corporation

WENNT..... Water Efficiency Network of North Texas

WTP..... Water Treatment Plant

WWTP..... Wastewater Treatment Plant





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**T E X A S**

## **2024 Water Conservation Plan**

*This Water Conservation Plan has been developed in accordance with the requirements of 30 Texas Administrative Code (TAC) Chapter 288. A copy of the version of 30 TAC Chapter 288 in place at the time of this Plan preparation is included in Appendix B.*



## **1.00 INTRODUCTION**

This Plan was developed following TCEQ guidelines and requirements governing the development of water conservation plans.

**The goal of the Water Conservation Plan is to serve as good stewards of water resources by preserving water supplies for essential uses and the protection of public health. The objectives to achieve this goal are as follows:**

- To reduce the loss and waste of water.
- To improve efficiency in both indoor and outdoor water use.
- To maximize the level of recycling and reuse.
- To protect and preserve environmental resources.
- To extend the life of current water supplies.
- To raise public awareness of water conservation and encourage responsible personal behavior through public education programs.

### **1.01 MINIMUM REGULATORY REQUIREMENTS CHECKLIST**

A water conservation plan is defined as “[a] strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. A water conservation plan may be a separate document identified as such or may be contained within another water management document”. Recognizing the need for efficient use of existing water supplies, TCEQ has developed guidelines and requirements governing the development of water conservation and drought contingency plans. The minimum TCEQ requirements and where they are addressed within this document are included in **Appendix B**.

### **1.02 ADDITIONAL REQUIREMENTS AND GUIDANCE**

In addition to TCEQ rules regarding water conservation, this Plan also incorporates elements from several conservation initiatives.

- **2024 NTMWD Water Conservation Plan** – Member Cities and Customers of the NTMWD are required to implement water conservation strategies as designated in the NTMWD Water Conservation Plan. The City of Richardson utilizes some of these strategies as minimum measures to be implemented and

enforced to promote water conservation and are to remain in effect on a permanent basis.

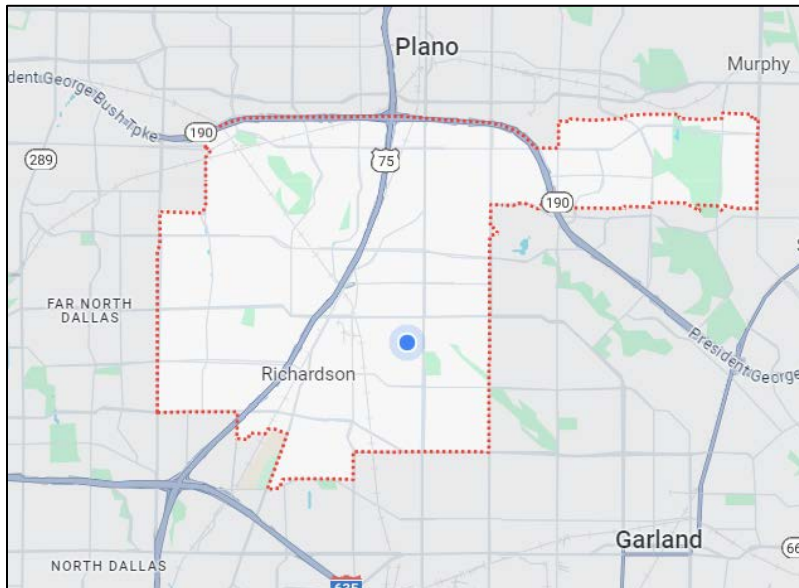
- **Guidance and Methodology for Reporting on Water Conservation and Water Use** - Developed by TWDB and TCEQ in consultation with the Water Conservation Advisory Council (the Guidance). The Guidance was developed in response to a charge by the 82<sup>nd</sup> Texas Legislature to develop water use and calculation methodology and guidance for preparation of water use reports and water conservation plans in accordance with TCEQ rules.
- **North Texas Regional Landscape Initiative** – The North Texas regional water providers (NTMWD, DWU and TRWD) collaborated to create the Regional Landscape Initiatives. This document was developed as a resource of best management practices for municipal staff to help reduce water waste and encourage long-term water conservation in the North Texas region. Information consists of the background, importance, and benefits of each BMP and key talking points to consider when implementing the strategy. Several of the optional water management measures included in this Plan are from this collaborative initiative.

## 2.00 WATER UTILITY PROFILE

This section contains a description of the City of Richardson's service area and water system. This information can also be reviewed in **Appendix C**, which contains a completed TCEQ Water Utility Profile.

### 2.01 DESCRIPTION OF THE SERVICE AREA

The City of Richardson provides treated potable water to a 29 square mile service area East of Dallas, TX. The City of Richardson is generally bound by the City of Plano to the North at President George Bush Turnpike, the City of Dallas to the West at Coit Road and South at Spring Valley Road/Buckingham Road and the City of Garland to the East at Jupiter Road. A portion of the City extends East of President George Bush Turnpike North of Renner Road and South at Lookout Drive/Campbell Road to Murphy Road.



### 2.02 WATER UTILITY PROFILE

City of Richardson's existing water supply is composed of the following sources.

- Purchased Treated Water from NTMWD
- Purchased Treated Water from Dallas (for emergency supply only)

## 3.00 WATER CONSERVATION GOALS

TCEQ rules require the adoption of specific 5-year and 10-year water conservation goals for a water conservation plan.

### 3.01 5- AND 10-YEAR GOALS

Per capita water use varies from year to year based on several factors including weather conditions, changing demographics and other variables. The TWDB requires specific 5- and 10-year goals which are summarized in **Table 1**.

Table 1: Five- and 10-Year Per Capita Water Use Goals

	Historic 5-Year Average	5-Year Goal 2029	10-Year Goal 2034
Total (GPCD) <sup>1</sup>	213	254	246
Residential (GPCD) <sup>2</sup>	87	117	111
Water Loss (GPCD) <sup>3</sup>	38	30	25
Water Loss (Percentage) <sup>4</sup>	18	12	10

<sup>1</sup>Total GPCD = (Total Gallons in System / Permanent Population) / 365

<sup>2</sup>Residential GPCD = (Gallons Used for Residential Use / Residential Population) / 365

<sup>3</sup>Water Loss GPCD = (Total Water Loss / Permanent Population) / 365

<sup>4</sup>Water Loss Percentage = (Total Water Loss / Total Gallons in System) x 100; or (Water Loss GPCD / Total GPCD) x 100

### 3.02 METHOD FOR TRACKING

The city will complete an annual conservation report by March 31 of the following year and submit them to NTMWD. A copy of the form is included as **Appendix D**.

The completion of this Annual Water Conservation Report allows City of Richardson to track the effectiveness of its water conservation programs over time and reassess those programs that are not providing water savings, ensuring maximum water use efficiency, and greater levels of conservation.

## 4.00 METERING, RECORDS AND WATER LOSS CONTROL

### 4.01 METERING PROGRAM

One of the key elements in water conservation is careful tracking of water use and control of losses. Careful metering of water deliveries and water use, detection and repair of leaks in the distribution system, and regular monitoring of unaccounted water are important in controlling losses.

## **METERING OF CUSTOMER AND PUBLIC USES**

The provision of water to all customers including municipal use is metered. The City of Richardson utilizes Neptune T-10 meters with automated meter reading technology.

## **METER TESTING, REPAIR AND REPLACEMENT**

In 2016, the City of Richardson started a new meter replacement program. This program will complete replacement of all meters within the City of Richardson in 2024. The City of Richardson tests all meters 3” and up annually and make repairs or replacements regularly.

## **4.02 MONITORING AND RECORD MANAGEMENT PROGRAM**

As required by TAC Title 30, Chapter 288, a record management system should allow for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories. This information is included in the City of Richardson annual water conservation report that is included in **Appendix D**.

## **4.03 WATER LOSS CONTROL PROGRAM**

### **DETERMINATION AND CONTROL OF WATER LOSS**

Total water loss is the difference between treated water pumped and authorized consumption or metered deliveries to customers. Authorized consumption includes billed metered uses, unbilled metered uses, and unbilled unmetered uses such as firefighting and releases for flushing of lines.

Water losses include two categories:

- Apparent losses such as inaccuracies in customer meters. (Customer meters tend to run more slowly as they age and under-report actual use). Unauthorized consumption due to illegal connections and theft.
- Real losses due to water main breaks and leaks in the water distribution system and unreported losses.

### **LEAK DETECTION AND REPAIR**

Water utility crews and personnel will look for and report evidence of leaks in the water distribution system. Areas of the water distribution system in which numerous leaks and line breaks occur should be targeted for replacement as funds are available.

## **5.00 CONTRACT REQUIREMENTS FOR WHOLESALE CUSTOMERS**

Every water supply contract entered into or renewed after official adoption of this water conservation plan, including any contract extension, will include a requirement that each wholesale customer of City of Richardson must develop and implement a water conservation plan and water conservation measures. If the customer intends to resell the water, then the contract between the initial supplier and customer must specify that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of Title 30 TAC Chapter 288.

## **6.00 RESERVOIR SYSTEM OPERATIONS PLAN**

The City of Richardson purchases treated water from NTMWD and does not have surface water supplies for which to implement a reservoir system operations plan. NTMWD operates multiple sources of water supply as a system. The operation of the reservoir system is intended to optimize the use of the District's sources (within the constraints of existing water rights) while minimizing energy use cost for pumping, maintaining water quality, minimizing potential impacts on recreational users of the reservoirs and fish and wildlife.

## **7.00 CONSERVATION PLAN ADOPTION AND ENFORCEMENT**

### **7.01 MEANS OF IMPLEMENTATION AND ENFORCEMENT**

Staff will implement the Plan in accordance with adoption of the Plan. **Appendix G** contains a copy of the ordinance adopted regarding this Plan. The document designates responsible officials to implement and enforce the Plan.

#### **Enforcement**

- a) For a first violation of any provision of this article, the city shall issue a letter and provide educational materials on water conservation, including a copy of the relevant provisions of this article, to the water user violating the provisions of the ordinance. The city shall give the water user reasonable time to correct the violation.
- b) For second violation of any provision of this article, the city may issue the water user a citation and a fine not to exceed the sum of \$2,000.
- c) The city's current, five-tier level conservation rate structure is in effect year-round to encourage ongoing water conservation. Additional rate surcharges may be established when it is required to meet the reduction goal in each respective stage of this article.

## **7.02 REVIEW AND UPDATE OF WATER CONSERVATION PLAN**

TCEQ requires that the water conservation plan be updated every five years. This Plan will be updated as required and as appropriate based on new or updated information.

## **7.03 REGIONAL WATER PLANNING GROUP AND NTMWD NOTIFICATION**

In accordance with TCEQ regulations, a copy of this water conservation plan was provided to the Region C Water Planning Group. In accordance with NTMWD contractual requirements, a copy of this water conservation plan was also sent to NTMWD. **Appendix F** includes a copy of the letters sent.

## **8.00 WATER CONSERVATION PROGRAM**

### **8.01 PUBLIC EDUCATION PROGRAM**

The City of Richardson will utilize an environmental outreach and education plan to help achieve the City's water conservation goals.

### **8.02 REQUIRED CONSERVATION STRATEGIES**

The following water conservation strategies are required. These strategies represent minimum measures to be implemented and enforced to promote water conservation and are to remain in effect on a permanent basis.

#### **A. TCEQ CONSERVATION PLAN REQUIREMENTS**

The preceding sections cover the regulatory requirements identified in TAC Title 30, Part 1, Chapter 288, Subchapter B, Rule 288. These rules are included in **Appendix B**.

#### **B. CONSERVATION COORDINATOR**

The designation of a Conservation Coordinator is required by House Bill 1648, effective September 1, 2017 for all retail public water utilities with 3,300 service connections or more. The NTMWD requires that all Member Cities and Customers, regardless of number of connections, appoint a Conservation Coordinator who will serve as the primary point of contact between the entity and the District on conservation matters.

The duties of the Conservation Coordinator are as follows:

- Submit an annual conservation report to NTMWD by March 31. This is referred to as the 'Appendix D Report'. NTMWD will provide a blank workbook for each Member City and Customer to fill out prior to the deadline.



- Submit an adopted water conservation and water resource and emergency management plan by May 1, 2024 (and every five years afterwards). These plans must be submitted to NTMWD, the applicable Regional Water Planning Group, TCEQ and TWDB. The conservation coordinator is also responsible for submitting a copy of the Plan if it is updated after initial adoption and submission.

The City of Richardson's Conservation Coordinator is identified below. City of Richardson will notify NTMWD if this changes at any point before the water conservation plan is updated. Questions regarding this Water Conservation Plan should be addressed to the Conservation Coordinator.

Bradley Due  
972-744-4416  
Bradley.due@cor.gov

### **C. WATER CONSERVATION PRICING**

The City has increasing block rate water structure that is intended to encourage water conservation and to discourage excessive use and waste of water.

The City of Richardson's water rate structure is as follows:

#### **Residential Rates/Commercial/Industrial Rates**

Minimum of \$8.00 and per each 1,000 gallons consumed as described below:

\$7.12 for 1,000 – 11,000 gallons

\$7.70 for 11,001 – 20,000 gallons

\$8.03 for 20,001 – 40,000 gallons

\$9.34 for 40,001 – 60,000 gallons

\$9.77 for 60,001 and over

## **D. ORDINANCES, PLUMBING CODES, OR RULES ON WATER-CONSERVING FIXTURES**

The City of Richardson's plumbing code standards encourages water conservation and meets the minimum statutory requirements. The state has required water-conserving fixtures in new construction and renovations since 1992. The state standards call for flows of no more than 2.5 gallons per minute (gpm) for faucets, 2.5 gpm for showerheads. As of January 1, 2014, the state requires maximum average flow rates of 1.28 gallons per flush (gpf) for toilets and 0.5 gpf for urinals. Similar standards are now required under federal law. These state and federal standards assure that all new construction and renovations will use water-conserving fixtures.

## **E. YEAR-ROUND OUTDOOR WATERING SCHEDULES**

The City of Richardson has implemented a year-round outdoor watering schedule as follows.

- **Summer (April 1 – October 31)** – Spray irrigation with sprinklers or irrigation systems at each service address must be limited to no more than **two days per week**. Additionally, prohibit lawn irrigation watering from **10 a.m. to 6 p.m.** Education should be provided that irrigation **should only be used when needed**, which is often less than twice per week, even in the heat of summer.
- **Winter (November 1 – March 31)** – Spray irrigation with sprinklers or irrigation systems at each service address must be limited to no more than **one day per week** with education that less than once per week (or not at all) is usually adequate.

Additional irrigation may be provided by hand-held hose with shutoff nozzle, use of dedicated irrigation drip zones, and/or soaker hose provided no runoff occurs.

## **F. TIME OF DAY WATERING SCHEDULE**

The City of Richardson requires that during the summer months (April 1 – October 31) under normal conditions, spray irrigation with an irrigation system or sprinkler is only permitted on authorized watering days, before 10 a.m. or after 6 p.m. The primary purpose of this measure is to reduce wind drift and evaporation losses during the active growing season. The time-of-day watering schedule requirement increases watering efficiency by eliminating outdoor irrigation use when climatic factors negatively impact irrigation system efficiencies. Midday irrigation is not an optimal time to irrigate because evapotranspiration rates are higher, and plants are more susceptible to stress associated with factors such as higher temperatures and lower relative humidity.

## **G. IRRIGATION SYSTEM REQUIREMENTS FOR NEW AND COMMERCIAL SYSTEMS**

The City of Richardson *requires* all Customers adhere to a minimum set of irrigation standards:

- 1) Require that all new irrigation systems be in compliance with state design and installation regulations (Texas Administrative Code Title 30, Chapter 344).
- 2) Require operational rain and freeze sensors and/or ET or Smart controllers on all new irrigation systems. Rain and freeze sensors and/or ET or Smart controllers must be properly maintained to function properly.
- 3) Require that irrigation systems be inspected and an initial backflow preventer inspection.

## **H. WATER WASTE PROVISIONS**

The main purpose of a water waste ordinance is to provide for a means to enforce that water waste is prevented during lawn and landscape irrigation, that water resources are conserved for their most beneficial and vital uses, and that public health is protected. It provides a defined enforcement mechanism for exceptional neglect related to the proper maintenance and efficient use of water fixtures, pipes, and irrigation systems. The ordinance can provide additional assistance or enforcement actions if no corrective action has been taken after a certain number of correspondences.

The City of Richardson *requires* that the following water waste ordinance offenses include:

- 1) The use of irrigation systems that water impervious surfaces. (Wind-driven water drift will be taken into consideration.)
- 2) Outdoor watering during precipitation or freeze events.
- 3) The use of poorly maintained sprinkler systems that waste water.
- 4) Excess water runoff or other obvious waste.
- 5) Non-commercial car washing that does not use a water hose with an automatic shut-off valve.

## **8.03 ADDITIONAL CONSERVATION STRATEGIES**

### **A. USE OF ET-BASED WEEKLY WATERING ADVICE/RECOMMENDATIONS**

The City of Richardson requires Customers adhere to a year-round outdoor watering schedule. However, while not a requirement of this plan, the City recognizes this conservation practice can be improved with the use of ET-based weekly watering advice and recommendations. The following are resources available to the City's customers for the ET-based weekly watering advice and recommendations.

- **Water My Yard** – An online platform where homeowners can sign up to receive weekly watering recommendations based on their location and a few specifications about their sprinkler system. Users can then choose to accept the recommendations by email, text, or both. Recommendations are available for select cities in Collin, Dallas, Denton, Fannin, Hunt, Kaufman, and Rockwall Counties. Sponsored by NTMWD and Texas A&M AgriLife Extension Service ([WaterMyYard.org](http://WaterMyYard.org)).
- **Water Is Awesome Weekly Watering Advice** – Weekly watering recommendations for most of North Texas based on data from weather stations scattered throughout the DFW area. The recommendations are distributed by email and text every week and are provided in inches of water needed and the number of minutes necessary to apply that amount of water for spray, rotor, and multi-stream sprinklers. Advice service is available for all of North Central Texas and sponsored by DWU and TRWD. (<https://waterisawesome.com/weekly-watering-advice>).

### **B. WATER EFFICIENT LANDSCAPE INITIATIVES**

A water efficient landscape is a landscape that is designed and maintained according to basic good horticultural principles that allow for a beautiful healthy landscape with minimal or no supplemental irrigation and no adverse runoff from the landscape property. The city does not require but recommends the use of water efficient landscapes and the following are available resources for customers to design and implement water efficient landscapes.

- Water Wise (<http://urbanlandscapeguide.tamu.edu/waterwise.html>)
- Texas SmartScape™ (<http://www.txsmartscape.com/>)
- EARTH-KIND™ (<https://aggie-horticulture.tamu.edu/earthkind/publications/#water>)

### **C. ADDITIONAL WATER SAVING MEASURES FOR NEW IRRIGATION SYSTEM REQUIREMENTS**

The City of Richardson requires certain irrigation system requirements for new and commercial systems. However, this conservation practice can be improved with additional water savings measures. As discussed previously, Texas legislation regulates irrigation systems and irrigators by adopting minimum standards and specifications for designing, installing, and operating irrigation systems.

Many cities within Region C have adopted irrigation system standards above the minimum state requirements. Some of these standards include:

- *Require property owners who install their irrigation system to also comply with the adopted city ordinance.*
- *Require the irrigation plan at the time of inspection by the applicable city official/department.*
- *Require all new irrigation systems to not utilize above-ground spray in landscapes that are less than 48 inches in either length or width and which contain impervious pedestrian or vehicular traffic surfaces along two or more perimeters. The use of subsurface or drip irrigation and pressure compensating tubing is permitted if the qualifying area will be irrigated.*
- *Require all areas 48" or less that are adjacent to impervious areas included in the irrigation plan to be designed with subsurface irrigation, drip irrigation, and/or pressure compensating tubing. If the irrigation plan includes a foundation watering system, require a separate zone to be dedicated for drip irrigation for the purpose of watering a structure's foundation.*
- *Require an isolation valve on the supply side of the backflow prevention device on all new installations.*
- *Require that pop-up heads shall be installed at grade level and operated to extend above all landscape turfgrass.*
- *Require the irrigator to provide the property owner a maintenance checklist.*

## **D. ICIM RECOMMENDATIONS**

NTMWD has partnered with Plummer Associates, Inc. to develop the ICIM program to identify where additional ICIM water savings can be achieved.

- **Providing Water Efficiency Opportunity Surveys for ICIM Customers** - A detailed water efficiency survey can enable end users to understand how they use water, develop a complete inventory of water using equipment and processes, identify potential leaks and losses, set realistic reduction goals, identify and implement useful policies, identify low cost/no cost projects and assess potential investments in significant projects aimed at reducing long-term water demand. Members can reach out to NTMWD to participate in the ongoing Water Efficiency Opportunity Surveys.

## **E. ADDITIONAL RECOMMENDED STRATEGIES**

The following strategies are not required but recommended for additional conservation.

- Limit or refrain from overseeding, sodding, sprigging, broadcasting or plugging with cool season grasses or watering cool season grasses, except for golf courses and athletic fields.
- Refrain from the use of potable water to fill or refill residential, amenity, and any other natural or manmade ponds. A pond is considered to be a still body of water with a surface area of 500 square feet or more. This does not include recreational swimming pools.
- Hotels and motels to offer a linen reuse water conservation option to customers.
- Restaurants, bars, and other commercial food or beverage establishments to only provide drinking water to customers unless a specific request is made by the customer for drinking water.



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**T E X A S**

# **2024 Water Resource and Emergency Management Plan**

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*Under Texas Water Code Chapter 11 and Title 30 Texas Administrative Code Chapter 288, Retail, Irrigation and Wholesale Public Water Suppliers are required to develop, implement and submit updated Drought Contingency Plans to TCEQ every five years.*

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## **1.00 INTRODUCTION**

City of Richardson is a Member City of the North Texas Municipal Water District (NTMWD). This Plan was developed following TCEQ guidelines and requirements governing the development of drought contingency plans.

**The goal of the water resource and emergency management plan is to prepare for potential water shortages and to preserve water for essential uses and the protection of public health. The objectives to achieve this goal are as follows:**

- To save water during droughts, water shortages, and emergencies.
- To save water for domestic use, sanitation, and fire protection.
- To protect and preserve public health, welfare, and safety.
- To reduce the adverse impacts of shortages.
- To reduce the adverse impacts of emergency water supply conditions.

Note: The City of Richardson refers to their drought contingency plan (DCP) as the water resource and emergency management plan (WREMP) and should be considered synonymous with a DCP.

### **1.01 MINIMUM REGULATORY REQUIREMENTS**

A drought contingency plan is defined as “a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies”. Recognizing the need for efficient use of existing water supplies, TCEQ has developed guidelines and requirements governing the development of water conservation and drought contingency plans.

The minimum TCEQ requirements and where they are addressed within this document are described in **Appendix B**.

## **2.00 IMPLEMENTATION AND ENFORCEMENT**

### **2.01 PROVISIONS TO INFORM THE PUBLIC AND OPPORTUNITY FOR INPUT**

City of Richardson provided opportunity for public input in the development of this Plan by the following means:

- Providing written notice of the proposed Plan and the opportunity to comment on the Plan by posted notice.
- Posting the draft Plan on the community website and/or social media.



- Providing the draft Plan to anyone requesting a copy.
- Public input opportunity and draft plans submitted on 4/8/2024 Public notice of this meeting was provided on the community website.
- Approving the Plan at a public City Council meeting on 4/22/2024. Public notices of this meeting were provided on the community website and live audio was available during the meeting.

## **2.02 PROGRAM FOR CONTINUING PUBLIC EDUCATION AND INFORMATION**

City of Richardson informs and educates the public about the Plan by the following means:

- Preparing a bulletin describing the plan and making it available at City Hall and/or other appropriate locations.
- Including information and making the Plan available to the public through the community website and/or social media.
- Notifying local organizations, schools, and civic groups that utility staff are available to make presentations on the Plan (usually in conjunction with presentations on water conservation programs).
- At any time that the Plan is activated or changes, City of Richardson will notify local media of the issues, the water resource management stage (if applicable), and the specific actions required of the public. The information will also be publicized on the community website and/or social media. Billing inserts will also be used as appropriate.

## **2.03 COORDINATION WITH THE REGIONAL WATER PLANNING GROUPS AND NTMWD**

Appendix F of this Plan includes copies of letters sent to the Chairs of the appropriate regional water planning groups as well as NTMWD.

## **2.04 INITIATION AND TERMINATION OF WATER RESOURCE MANAGEMENT STAGES**

### **A. INITIATION OF A WATER RESOURCE MANAGEMENT STAGE**

The City Manager may order the implementation of a water resource management stage when one or more of the trigger conditions for that stage is met.

- NTMWD has initiated a water resource management stage.
- The City of Richardson's supply source is interrupted, or delivery capacity is inadequate.

- The City Manager deems there are emergency conditions that warrant the initiation of a stage.

The following actions will be taken when a water resource management stage is initiated:

- The public will be notified through local media and the supplier's website.
- Wholesale customers and NTMWD will be notified by email that provides details of the reasons for initiation of the water resource management stage.
- If any mandatory provisions of the Plan are activated, City of Richardson will notify TCEQ and the NTMWD Executive Director within five business days. Instructions to report drought contingency plan water use restrictions to TCEQ is available online at [https://www.tceq.texas.gov/drinkingwater/homeland\\_security/security\\_pws](https://www.tceq.texas.gov/drinkingwater/homeland_security/security_pws).

## **B. TERMINATION OF A WATER RESOURCE MANAGEMENT STAGE**

Water resource management stages initiated by NTMWD may be terminated after NTMWD has terminated the stage. For stages initiated by the City Manager, they may order the termination of a water resource management stage when the conditions for termination are met or at their discretion.

The following actions will be taken when a water resource management stage is terminated:

- The public will be notified through local media and the supplier's website.
- Wholesale customers and NTMWD will be notified by email.
- If any mandatory provisions of the Plan that have been activated are terminated, City of Richardson will notify TCEQ Executive Director and the NTMWD Executive Director within five business days. Instructions to report drought contingency plan water use restrictions to TCEQ is available online at [https://www.tceq.texas.gov/drinkingwater/homeland\\_security/security\\_pws](https://www.tceq.texas.gov/drinkingwater/homeland_security/security_pws).

The City Manager may decide not to order the termination of a water resource management stage even though the conditions for termination of the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, or the anticipation of potentially changed conditions that warrant the continuation of the water resource management stage. The reason for this decision should be documented.

## **2.05 PROCEDURE FOR GRANTING VARIANCES TO THE PLAN**

The City Manager or official designee may grant temporary variances for existing water uses otherwise prohibited under this Plan if one or more of the following conditions are met:

- Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person or entity requesting the variance.
- Compliance with this Plan cannot be accomplished due to technical or other limitations.
- Alternative methods that achieve the same level of reduction in water use can be implemented.

Variances shall be granted or denied at the discretion of the City Manager or official designee. All petitions for variances should be in writing and should include the following information:

- Name and address of the petitioners.
- Purpose of water use.
- Specific provisions from which relief is requested.
- Detailed statement of the adverse effect of the provision from which relief is requested.
- Description of the relief requested.
- Period of time for which the variance is sought.
- Alternative measures that will be taken to reduce water use and the level of water use reduction.
- Other pertinent information.

## **2.06 PROCEDURES FOR ENFORCING MANDATORY WATER USE RESTRICTIONS**

Mandatory water use restrictions may be imposed in Stage 1, Stage 2 and Stage 3.

- For a first violation of any provision in this article, the city shall issue a letter and provide educational materials on water conservation, including a copy of the relevant provisions of this article, to the water user violating the provisions of this article. The city shall give the water user a reasonable time to correct the violation.
- For a second violation of any provision of this article, the city may issue the water user a citation and fine not to exceed the sum of \$2,000.
- The city's current, five-tier level conservation rate structure is in effect year-round to encourage ongoing water conservation. Additional rate surcharges may be established when it is required to meet the reduction goal in each respective stage of this article.

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## 2.07 REVIEW AND UPDATE OF WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

As required by TCEQ rules, City of Richardson must review their respective Plan every five years. The plan will be updated as appropriate based on new or updated information.

## 3.00 WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN

Initiation and termination criteria for water management stages include general, demand, supply, and emergency criteria. One of the major indicators of approaching or ongoing drought conditions is NTMWD's combined reservoir storage, defined as storage at Lavon Lake plus storage in Bois d'Arc Lake. Percent storage is determined by dividing the current storage by the total conservation storage when the lakes are full. **Table 1** summarizes the water management stages by triggers based on percent combined storage and associated demand reduction goals and outdoor watering restrictions. The following sections go into more detail on the three water management stages.

TCEQ requires notification when mandatory restrictions are placed on a customer. NTMWD must notify TCEQ when they impose mandatory restrictions on Member Cities and Customers. The City of Richardson must likewise notify TCEQ when they impose mandatory restrictions on their customers (wholesale or retail). Measures that impose mandatory requirements on customers are denoted with “**requires notification to TCEQ**”.

NTMWD and the City must notify TCEQ within five business days if these measures are implemented (<https://www.tceq.texas.gov/response/drought/drought-and-public-water-systems>).

**Table 2: Water Management Plan Stages Summary**

Drought Stage		April to October	November to March	Demand Reduction Goal	Outdoor Watering Restrictions
		Percent Combined Storage			
Stage 1	Initiation	70%	60%	2%	2X per week (Apr-Oct) 1X per week (Nov-Mar)
	Termination	75%	65%		
Stage 2	Initiation	55%	45%	5%	1X per week (Apr-Oct) 1X every other week (Nov-Mar)
	Termination	70%	60%		
Stage 3	Initiation	30%	20%	30%	No outdoor watering
	Termination	55%	45%		

**3.01 WATER RESOURCE MANAGEMENT – STAGE 1**

**A. INITIATION AND TERMINATION CRITERIA FOR STAGE 1**

The City of Richardson has initiated Stage 1, which may be initiated when one or more of the following criteria is met:

- **General Criteria**
  - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 1.
  - One or more source(s) is interrupted, unavailable, or limited due to contamination, invasive species, equipment failure or other cause.
  - The water supply system is unable to deliver needed supplies due to the failure or damage of major water system components.
  - Part of the system has a shortage of supply or damage to equipment. (The City of Richardson may implement measures for only that portion of the system impacted.)
  - A portion of the service area is experiencing an extreme weather event or power grid/supply disruptions.
  
- **Demand Criteria**
  - Water demand has exceeded or is expected to exceed 90% of maximum sustainable production or delivery capacity for an extended period.

- **Supply Criteria**

- The combined storage in Lavon and Bois d'Arc Lake, as published by the TWDB, is less than:
  - 70% of the combined conservation pool capacity during any of the months of April through October
  - 60% of the combined conservation pool capacity during any of the months of November through March
- The Sabine River Authority (SRA) has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 1 drought.
- NTMWD is concerned that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, Main Stem Pump Station, and/or some other NTMWD water source may be limited in availability within the next six months.

**Stage 1 may terminate when one or more of the following criteria is met:**

- **General Criteria**

- The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 1.
- The circumstances that caused the initiation of Stage 1 no longer prevail.

- **Supply Criteria**

- The combined storage in Lavon and Bois d'Arc Lakes, as published by the TWDB, is greater than:
  - 75% of the combined conservation pool capacity during any of the months of April through October
  - 65% of the combined conservation pool capacity during any of the months of November through March

**B. GOAL FOR USE REDUCTION UNDER STAGE 1**

The goal for water use reduction under Stage 1 is an annual reduction of 2% in the use that would have occurred in the absence of water management measures. Because discretionary water use is highly concentrated in the summer months, savings should be higher than 5% in summer to achieve an annual savings goal of 2%. **If circumstances warrant, the City Manager can set a goal for greater or less water use reduction.**

### C. WATER MANAGEMENT MEASURES AVAILABLE UNDER STAGE 1

The actions listed below are provided as potential measures to reduce water demand. The City of Richardson may choose to implement any or all of the available restrictions in Stage 1.

- Continue actions described in the water conservation plan.
- Increase enforcement of landscape watering restrictions from the water conservation plan.
- Accelerate public education efforts on ways to reduce water use.
- Reduce non-essential city water use.
- Encourage the public to wait until the current drought or water emergency situation has passed before establishing new landscaping.
- Encourage all users to reduce the frequency of draining and refilling swimming pools.
- **Requires notification to TCEQ by City.** Parks, golf courses, and athletic fields using potable water for landscape watering are required to meet the same reduction goals and measures outlined in this stage. As an exception, golf course greens and tee boxes may be watered as needed.

## 3.02 WATER RESOURCE MANAGEMENT – STAGE 2

### A. INITIATION AND TERMINATION CRITERIA FOR STAGE 2

The City of Richardson has initiated Stage 2, which may be initiated due to one or more of the following criteria is met:

- **General Criteria**
  - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 2.
  - One or more supply source(s) is interrupted, unavailable, or limited due to contamination, invasive species, equipment failure or other cause.
  - The water supply system is unable to deliver needed supplies due to the failure or damage of major water system components.
  - Part of the system has a shortage of supply or damage to equipment. (The City of Richardson may implement measures for only that portion of the system impacted.)
  - A portion of the service area is experiencing an extreme weather event or power grid/supply disruptions.

- **Demand Criteria**
  - Water demand has exceeded or is expected to exceed 95% of maximum sustainable production or delivery capacity for an extended period.
- **Supply Criteria**
  - The combined storage in Lavon and Bois d'Arc Lake, as published by the TWDB, is less than
    - 55% of the combined conservation pool capacity during any of the months of April through October
    - 45% of the combined conservation pool capacity during any of the months of November through March
  - SRA has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Stage 2 drought.
  - NTMWD is concerned that Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, and/or some other NTMWD water source may be limited in availability within the next three months.

**Stage 2 may terminate when one or more of the following criteria is met:**

- **General Criteria**
  - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 2.
  - The circumstances that caused the initiation of Stage 2 no longer prevail.
- **Supply Criteria**
  - The combined storage in Lavon and Bois d'Arc Lake, as published by the TWDB, is greater than
    - 70% of the combined conservation pool capacity during any of the months of April through October
    - 60% of the combined conservation pool capacity during any of the months of November through March

**B. GOAL FOR USE REDUCTION UNDER STAGE 2**

The goal for water use reduction under Stage 2 is an annual reduction of 5% in the use that would have occurred in the absence of water resource management measures. Because discretionary water use is highly concentrated in the summer months, savings should be higher than 5% in summer to achieve an annual savings goal of 5%. **If circumstances warrant, the City Manager can set a goal for greater or less water use reduction.**



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### C. WATER MANAGEMENT MEASURES AVAILABLE UNDER STAGE 2

The actions listed below are provided as potential measures to reduce water demand. The City of Richardson may choose to implement any or all of the available restrictions in Stage 2.

- Continue or initiate any actions available under the water conservation plan and Stage 1.
- **Requires notification to TCEQ by NTMWD and/or the City.** Limit landscape watering with sprinklers or irrigation systems at each service address to once per week on designated days between April 1 and October 31. Limit landscape watering with sprinklers or irrigation systems at each service address to once every other week on designated days between November 1 and March 31. Exceptions are as follows:
  - New construction may be watered as necessary for 30 days from the installation with an approved variance.
  - Foundation watering (within 2 feet), watering of new plantings (first year) of shrubs, and watering of trees (within a 10-foot radius of its trunk) for up to two hours on any day by a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system, provided no runoff occurs.
  - Athletic fields may be watered twice per week.
  - Locations using alternative sources of water supply only for irrigation may irrigate without day-of-the-week restrictions provided proper signage is employed to notify the public of the alternative water source(s) being used. However, irrigation using alternative sources of supply is subject to all other restrictions applicable to this stage. If the alternative supply source is a well, proper proof of well registration with your local water supplier (e.g., city, water supply corporation) is required. Other sources of water supply may not include imported treated water.
  - Registered and properly functioning ET/Smart irrigation systems and drip irrigation systems may irrigate with an approved variance.
- **Requires notification to TCEQ by the City.** Prohibit overseeding, sodding, sprigging, broadcasting or plugging, except for golf courses and athletic fields.
- **Requires notification to TCEQ by the City and/or NTMWD.** Initiate a rate surcharge for all water use over a certain level.
- **Requires notification to TCEQ by the City.** Parks, golf courses, and athletic fields using potable water for landscape watering are required to meet the same reduction goals and measures outlined in this stage. As an exception, golf course greens and tee boxes may be watered as needed.

### 3.03 WATER RESOURCE MANAGEMENT – STAGE 3

#### A. INITIATION AND TERMINATION CRITERIA FOR STAGE 3

The City of Richardson has initiated Stage 3, which may be initiated due to one or more of the following criteria is met:

- **General Criteria**
  - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 3.
  - One or more supply source(s) is interrupted, unavailable, or limited due to contamination, invasive species, equipment failure, or other cause.
  - The water supply system is unable to deliver needed supplies due to the failure or damage of major water system components.
  - Part of the system has a shortage of supply or damage to equipment. (The City of Richardson may implement measures for only that portion of the system impacted.)
  - A portion of the service area is experiencing an extreme weather event or power grid/supply disruptions.
- **Demand Criteria**
  - Water demand has exceeded or is expected to exceed maximum sustainable production or delivery capacity for an extended period.
- **Supply Criteria**
  - The combined storage in Lavon and Bois d’Arc Lake, as published by the TWDB, is less than
    - 30% of the combined conservation pool capacity during any of the months of April through October
    - 20% of the combined conservation pool capacity during any of the months of November through March
- SRA has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a drought and have significantly reduced supplies available to NTMWD.
- The supply from Lake Texoma, Jim Chapman Lake, the East Fork Water Reuse Project, the Main Stem Pump Station, and/or some other NTMWD water source has become limited in availability.

Stage 3 may terminate when one or more of the following criteria is met:

- **General Criteria**
  - The Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the termination of Stage 3.
  - Other circumstances that caused the initiation of Stage 3 no longer prevail.
- **Supply Criteria**
  - The combined storage in Lavon and Bois d'Arc Lake, as published by the TWDB, is greater than:
    - 55% of the combined conservation pool capacity during any of the months of April through October
    - 45% of the combined conservation pool capacity during any of the months of November through March

**B. GOAL FOR USE REDUCTION UNDER STAGE 3**

The goal for water use reduction under Stage 3 is an annual reduction of 30% in the use that would have occurred in the absence of water resource management measures, or the goal for water use reduction is whatever reduction is necessary. Because discretionary water use is highly concentrated in the summer months, savings should be higher than 30% in summer to achieve an annual savings goal of 30%. **If circumstances warrant, the City Manager can set a goal for greater or less water use reduction.**

**C. WATER MANAGEMENT MEASURES AVAILABLE UNDER STAGE 3**

The actions listed below are provided as potential measures to reduce water demand. The City of Richardson may choose to implement any or all of the available restrictions in Stage 3.

- Continue or initiate any actions available under the water conservation plan and Stages 1 and 2.
- **Requires notification to TCEQ by the City.** Initiate mandatory water use restrictions as follows:
  - Hosing and washing of paved areas, buildings, structures, windows or other surfaces is prohibited except by variance and performed by a professional service using high efficiency equipment.
  - Prohibit operation of ornamental fountains or ponds that use potable water except where supporting aquatic life.
- **Requires notification to TCEQ by the City.** Prohibit new sod, overseeding, sodding, sprigging, broadcasting or plugging.

- **Requires notification to TCEQ by the City.** Prohibit the use of potable water for the irrigation of landscape.
- **Requires notification to TCEQ by NTMWD and/or the City.** Prohibit all commercial and residential landscape watering, except foundations (within 2 feet) and trees (within a 10-foot radius of its trunk) may be watered for two hours one day per week with a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system provided no runoff occurs. Drip irrigation systems are not exempt from this requirement.
- **Requires notification to TCEQ by the City.** Prohibit washing of vehicles except at a commercial vehicle wash facility or as necessary for health sanitation, and safety reasons.
- **Requires notification to TCEQ by the City.** Landscape watering of parks, golf courses, and athletic fields with potable water is prohibited. As an exception, golf course greens and tee boxes may be hand watered as needed. Variances may be granted by the water provider under special circumstances.
- **Requires notification to TCEQ by the City.** Prohibit the filling, draining, and/or refilling of existing swimming pools, wading pools, Jacuzzi and hot tubs except to maintain structural integrity, proper operation and maintenance or to alleviate a public safety risk. Existing pools may add water to replace losses from normal use and evaporation. Permitting of new swimming pools, wading pools, Jacuzzi and hot tubs is prohibited.
- **Requires notification to TCEQ by the City.** Prohibit the operation of interactive water features such as water sprays, dancing water jets, waterfalls, dumping buckets, shooting water cannons, inflatable pools, temporary splash toys or pools, slip-n-slides, or splash pads that are maintained for recreation.
- **Requires notification to TCEQ by the City.** Require all commercial water users to reduce water use by a set percentage.
- **Requires notification to TCEQ by NTMWD and/or the City.** Initiate a rate surcharge over normal rates for all water use or for water use over a certain level.

# **Appendix A**

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## **List of References**

*The following appendix contains a list of references used throughout the plans.*

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**APPENDIX A**  
**LIST OF REFERENCES**

1. Texas Commission on Environmental Quality Water Conservation Implementation Report. <https://www.tceq.texas.gov/assets/public/permitting/forms/20645.pdf>
  2. Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter A, Rules 288.1 and 288.5, and Subchapter B, Rule 288.22, downloaded from [http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=4&ti=30&pt=1&ch=288](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288), April 2023.
  3. Water Conservation Implementation Task Force: “Texas Water Development Board Report 362, Water Conservation Best Management Practices Guide,” prepared for the Texas Water Development Board, Austin, November 2004.
  4. Texas Water Development Board, Texas Commission on Environmental Quality, Water Conservation Advisory Council: Guidance and Methodology for Reporting on Water Conservation and Water Use, December 2012
  5. Freese and Nichols, Inc.: Model Water Conservation Plan for NTMWD Members Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, January 2019.
  6. Freese and Nichols, Inc.: Model Water Resource and Emergency Management Plan for NTMWD Members Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, January 2019.
  7. Freese and Nichols Inc, Alan Plummer Associates, Inc., CP & Y Inc., Cooksey Communications. “2021 Region C Water Plan”
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# **Appendix B**

## **Texas Administrative Code Title 30**

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### **Chapter 288**

*The following appendix contains the Texas Administrative Code that regulates both water conservation and drought contingency plans. Prior to the code, a summary is given that outlines where each requirement is fulfilled within the plans.*

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## **APPENDIX B**

### **TEXAS ADMINISTRATIVE CODE TITLE 30 CHAPTER 288**

TCEQ rules governing development of water conservation plans are contained in Title 30, Chapter 288, Subchapter A of the Texas Administrative Code, which is included in this Appendix for reference.

The water conservation plan elements required by TCEQ water conservation rules that are covered in this water conservation plan are listed below.

#### **Minimum Conservation Plan Requirements for Public Water Suppliers**

- 288.2(a)(1)(A) – Utility Profile – Section 2
- 288.2(a)(1)(B) – Record Management System – Section 4
- 288.2(a)(1)(C) – Specific, Quantified Goals – Section 3
- 288.2(a)(1)(D) – Accurate Metering – Section 4
- 288.2(a)(1)(E) – Universal Metering – Section 4
- 288.2(a)(1)(F) – Determination and Control of Water Loss – Section 4
- 288.2(a)(1)(G) – Public Education and Information Program – Section 8
- 288.2(a)(1)(H) – Non-Promotional Water Rate Structure – Section 8
- 288.2(a)(1)(I) – Reservoir System Operation Plan – Section 6
- 288.2(a)(1)(J) – Means of Implementation and Enforcement – Section 7
- 288.2(a)(1)(K) – Coordination with Regional Water Planning Group – Section 7
- 288.2(c) – Review and Update of Plan – Section 7

#### **Additional Requirements for Public Water Suppliers (Population over 5,000)**

- 288.2(a)(2)(A) – *Leak Detection, Repair, and Water Loss Accounting* – Section 4
- 288.2(a)(2)(B) – *Requirement for Water Conservation Plans by Wholesale Customers* – Section 5

#### **Minimum Conservation Plan Requirements for Wholesale Water Suppliers**

- 288.5(1)(A) – *Description of Service Area* – Section 2
  - 288.5(1)(B) – *Specific, Quantified Goals* – Section 3
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- 288.5(1)(C) – *Measure and Account for Water Diverted* – Section 4
  - 288.5(1)(D) – *Monitoring and Record Management Program* – Section 4
  - 288.5(1)(E) – *Program of Metering and Leak Detection and Repair* – Section 4
  - 288.5(1)(F) – *Requirement for Water Conservation Plans by Wholesale Customers* – Section 5
  - 288.5(1)(G) – *Reservoir System Operation Plan* – Section 6
  - 288.5(1)(H) – *Means of Implementation and Enforcement* – Section 7
  - 288.5(1)(I) – *Documentation of Coordination with Regional Water Planning Group* – Section 7
  - 288.5(3) – *Review and Update of Plan* – Section 7
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<b><u>TITLE 30</u></b>	ENVIRONMENTAL QUALITY
<b><u>PART 1</u></b>	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
<b><u>CHAPTER 288</u></b>	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
<b><u>SUBCHAPTER A</u></b>	WATER CONSERVATION PLANS
<b>RULE §288.1</b>	<b>Definitions</b>

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The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Agricultural or Agriculture--Any of the following activities:

(A) cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers;

(B) the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media by a nursery grower;

(C) raising, feeding, or keeping animals for breeding purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value;

(D) raising or keeping equine animals;

(E) wildlife management; and

(F) planting cover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure.

(2) Agricultural use--Any use or activity involving agriculture, including irrigation.

(3) Best management practices--Voluntary efficiency measures that save a quantifiable amount of water, either directly or indirectly, and that can be implemented within a specific time frame.

(4) 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 water supply is made available for future or alternative uses.

(5) Commercial use--The use of water by a place of business, such as a hotel, restaurant, or

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office building. This does not include multi-family residences or agricultural, industrial, or institutional users.

(6) Drought contingency plan--A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).

(7) Industrial use--The use of water in processes designed to convert materials of a lower order of value into forms having greater usability and commercial value, and the development of power by means other than hydroelectric, but does not include agricultural use.

(8) Institutional use--The use of water by an establishment dedicated to public service, such as a school, university, church, hospital, nursing home, prison or government facility. All facilities dedicated to public service are considered institutional regardless of ownership.

(9) Irrigation--The agricultural use of water for the irrigation of crops, trees, and pastureland, including, but not limited to, golf courses and parks which do not receive water from a public water supplier.

(10) Irrigation water use efficiency--The percentage of that amount of irrigation water which is beneficially used by agriculture crops or other vegetation relative to the amount of water diverted from the source(s) of supply. Beneficial uses of water for irrigation purposes include, but are not limited to, evapotranspiration needs for vegetative maintenance and growth, salinity management, and leaching requirements associated with irrigation.

(11) Mining use--The use of water for mining processes including hydraulic use, drilling, washing sand and gravel, and oil field re-pressuring.

(12) Municipal use--The use of potable water provided by a public water supplier as well as the use of sewage effluent for residential, commercial, industrial, agricultural, institutional, and wholesale uses.

(13) Nursery grower--A person engaged in the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or nonsoil media, who grows more than 50% of the products that the person either sells or leases, regardless of the variety sold, leased, or grown. For the purpose of this definition, grow means the actual cultivation or propagation of the product beyond the mere holding or maintaining of the item prior to sale or lease, and typically includes activities associated with the production or multiplying of stock such as the development of new plants from cuttings, grafts, plugs, or seedlings.

(14) Pollution--The alteration of the physical, thermal, chemical, or biological quality of, or the

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contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(15) Public water supplier--An individual or entity that supplies water to the public for human consumption.

(16) Regional water planning group--A group established by the Texas Water Development Board to prepare a regional water plan under Texas Water Code §16.053.

(17) Residential gallons per capita per day--The total gallons sold for residential use by a public water supplier divided by the residential population served and then divided by the number of days in the year.

(18) Residential use--The use of water that is billed to single and multi-family residences, which applies to indoor and outdoor uses.

(19) Retail public water supplier--An individual or entity that for compensation supplies water to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants when that water is not resold to or used by others.

(20) Reuse--The authorized use for one or more beneficial purposes of use of water that remains unconsumed after the water is used for the original purpose of use and before that water is either disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.

(21) Total use--The volume of raw or potable water provided by a public water supplier to billed customer sectors or nonrevenue uses and the volume lost during conveyance, treatment, or transmission of that water.

(22) Total gallons per capita per day (GPCD)--The total amount of water diverted and/or pumped for potable use divided by the total permanent population divided by the days of the year. Diversion volumes of reuse as defined in this chapter shall be credited against total diversion volumes for the purposes of calculating GPCD for targets and goals.

(23) Water conservation coordinator--The person designated by a retail public water supplier that is responsible for implementing a water conservation plan.

(24) Water conservation plan--A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. A water conservation

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plan may be a separate document identified as such or may be contained within another water management document(s).

(25) Wholesale public water supplier--An individual or entity that for compensation supplies water to another for resale to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants as an incident of that employee service or tenancy when that water is not resold to or used by others, or an individual or entity that conveys water to another individual or entity, but does not own the right to the water which is conveyed, whether or not for a delivery fee.

(26) Wholesale use--Water sold from one entity or public water supplier to other retail water purveyors for resale to individual customers.

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**Source Note:** The provisions of this §288.1 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective August 15, 2002, 27 TexReg 7146; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective January 10, 2008, 33 TexReg 193; amended to be effective December 6, 2012, 37 TexReg 9515; amended to be effective August 16, 2018, 43 TexReg 5218

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**TITLE 30** ENVIRONMENTAL QUALITY  
**PART 1** TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
**CHAPTER 288** WATER CONSERVATION PLANS, DROUGHT CONTINGENCY  
PLANS, GUIDELINES AND REQUIREMENTS  
**SUBCHAPTER A** WATER CONSERVATION PLANS  
**RULE §288.2** **Water Conservation Plans for Municipal Uses by Public Water  
Suppliers**

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(a) A water conservation plan for municipal water use by public water suppliers must provide information in response to the following. If the plan does not provide information for each requirement, the public water supplier shall include in the plan an explanation of why the requirement is not applicable.

(1) Minimum requirements. All water conservation plans for municipal uses by public water suppliers must include the following elements:

(A) a utility profile in accordance with the Texas Water Use Methodology, including, but not limited to, information regarding population and customer data, water use data (including total gallons per capita per day (GPCD) and residential GPCD), water supply system data, and wastewater system data;

(B) a record management system which allows for the classification of water sales and uses into the most detailed level of water use data currently available to it, including, if possible, the sectors listed in clauses (i) - (vi) of this subparagraph. Any new billing system purchased by a public water supplier must be capable of reporting detailed water use data as described in clauses (i) - (vi) of this subparagraph:

- (i) residential;
    - (I) single family;
    - (II) multi-family;
  - (ii) commercial;
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- (iii) institutional;
- (iv) industrial;
- (v) agricultural; and,
- (vi) wholesale.

(C) specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in total GPCD and residential GPCD. The goals established by a public water supplier under this subparagraph are not enforceable;

(D) metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply;

(E) a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement;

(F) measures to determine and control water loss (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.);

(G) a program of continuing public education and information regarding water conservation;

(H) a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water;

(I) a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies; and

(J) a means of implementation and enforcement which shall be evidenced by:

(i) a copy of the ordinance, resolution, or tariff indicating official adoption of the water conservation plan by the water supplier; and

(ii) a description of the authority by which the water supplier will implement and enforce the conservation plan; and

(K) documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

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(2) Additional content requirements. Water conservation plans for municipal uses by public drinking water suppliers serving a current population of 5,000 or more and/or a projected population of 5,000 or more within the next ten years subsequent to the effective date of the plan must include the following elements:

(A) a program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system;

(B) a requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

(3) Additional conservation strategies. Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements in paragraphs (1) and (2) of this subsection, if they are necessary to achieve the stated water conservation goals of the plan. The commission may require that any of the following strategies be implemented by the water supplier if the commission determines that the strategy is necessary to achieve the goals of the water conservation plan:

(A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

(B) adoption of ordinances, plumbing codes, and/or rules requiring water-conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;

(C) a program for the replacement or retrofit of water-conserving plumbing fixtures in

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existing structures;

(D) reuse and/or recycling of wastewater and/or graywater;

(E) a program for pressure control and/or reduction in the distribution system and/or for customer connections;

(F) a program and/or ordinance(s) for landscape water management;

(G) a method for monitoring the effectiveness and efficiency of the water conservation plan;

and

(H) any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(b) A water conservation plan prepared in accordance with 31 TAC §363.15 (relating to Required Water Conservation Plan) of the Texas Water Development Board and substantially meeting the requirements of this section and other applicable commission rules may be submitted to meet application requirements in accordance with a memorandum of understanding between the commission and the Texas Water Development Board.

(c) A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan every five years to coincide with the regional water planning group.

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**Source Note:** The provisions of this §288.2 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective December 6, 2012, 37 TexReg 9515

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<b><u>TITLE 30</u></b>	ENVIRONMENTAL QUALITY
<b><u>PART 1</u></b>	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
<b><u>CHAPTER 288</u></b>	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
<b><u>SUBCHAPTER A</u></b>	WATER CONSERVATION PLANS
<b>RULE §288.5</b>	<b>Water Conservation Plans for Wholesale Water Suppliers</b>

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A water conservation plan for a wholesale water supplier must provide information in response to each of the following paragraphs. If the plan does not provide information for each requirement, the wholesale water supplier shall include in the plan an explanation of why the requirement is not applicable.

(1) Minimum requirements. All water conservation plans for wholesale water suppliers must include the following elements:

(A) a description of the wholesaler's service area, including population and customer data, water use data, water supply system data, and wastewater data;

(B) specific, quantified five-year and ten-year targets for water savings including, where appropriate, target goals for municipal use in gallons per capita per day for the wholesaler's service area, maximum acceptable water loss, and the basis for the development of these goals. The goals established by wholesale water suppliers under this subparagraph are not enforceable;

(C) a description as to which practice(s) and/or device(s) will be utilized to measure and account for the amount of water diverted from the source(s) of supply;

(D) a monitoring and record management program for determining water deliveries, sales, and losses;

(E) a program of metering and leak detection and repair for the wholesaler's water storage, delivery, and distribution system;

(F) a requirement in every water supply contract entered into or renewed after official adoption of the water conservation plan, and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements of this chapter. If the customer intends to resell the water, then the contract between the initial supplier and customer must provide

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that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with applicable provisions of this chapter;

(G) a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin. The reservoir systems operations plans shall include optimization of water supplies as one of the significant goals of the plan;

(H) a means for implementation and enforcement, which shall be evidenced by a copy of the ordinance, rule, resolution, or tariff, indicating official adoption of the water conservation plan by the water supplier; and a description of the authority by which the water supplier will implement and enforce the conservation plan; and

(I) documentation of coordination with the regional water planning groups for the service area of the wholesale water supplier in order to ensure consistency with the appropriate approved regional water plans.

(2) Additional conservation strategies. Any combination of the following strategies shall be selected by the water wholesaler, in addition to the minimum requirements of paragraph (1) of this section, if they are necessary in order to achieve the stated water conservation goals of the plan. The commission may require by commission order that any of the following strategies be implemented by the water supplier if the commission determines that the strategies are necessary in order for the conservation plan to be achieved:

(A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

(B) a program to assist agricultural customers in the development of conservation pollution prevention and abatement plans;

(C) a program for reuse and/or recycling of wastewater and/or graywater; and

(D) any other water conservation practice, method, or technique which the wholesaler shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(3) Review and update requirements. The wholesale water supplier shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. A wholesale water supplier shall review and update the next revision of its water conservation plan every five years to coincide with the regional water planning group.

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**Source Note:** The provisions of this §288.5 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective December 6, 2012, 37 TexReg 9515

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## **APPENDIX B**

### **TEXAS ADMINISTRATIVE CODE TITLE 30 CHAPTER 288**

TCEQ rules governing development of water conservation plans are contained in Title 30, Chapter 288, Subchapter A of the Texas Administrative Code, which is included in this Appendix for reference.

The water conservation plan elements required by TCEQ water conservation rules that are covered in this drought contingency plan are listed below.

#### **Minimum Drought Contingency Plan Requirements for Public Water Suppliers**

- **288.20(a)(1)(A)** – Provisions to Inform Public and Provide Opportunity for Public Input - Section 2
- **288.20(a)(1)(B)** – Program for Continuing Public Education and Information – Section 2
- **288.20(a)(1)(C)** –Coordination with Regional Water Planning Groups – Section 2
- **288.20(a)(1)(D)** – Description of Information to Be Monitored and Criteria for the Initiation and Termination of Water Resource Management Stages – Sections 2
- **288.20(a)(1)(E)** – Stages for Implementation of Measures in Response to Situations – Section 3
- **288.20(a)(1)(F)** – Specific, Quantified Targets for Water Use Reductions During Water Shortages – Section 3
- **288.20(a)(1)(G)** – Specific Water Supply or Water Demand Measures to Be Implemented at Each Stage of the Plan – Section 3
- **288.20(a)(1)(H)** – Procedures for Initiation and Termination of Drought Contingency and Water Emergency Response Stages – Section 2
- **288.20(a)(1)(I)** – Description of Procedures to Be Followed for Granting Variances to the Plan – Section 2
- **288.20(a)(1)(J)** – Procedures for Enforcement of Mandatory Water Use Restrictions – Section 2
- **288.20(b)** – TCEQ Notification of Implementation of Mandatory Provisions – Sections 2 and 3
- **288.20(c)** – Review of Drought Contingency and Water Emergency Response Plan Every Five (5) Years – Section 2

#### **Minimum Drought Contingency Plan Requirements for Wholesale Water Suppliers**

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- **288.22(a)(1)** – *Provisions to Inform the Public and Provide Opportunity for Public Input – Section 2*
  - **288.22(a)(2)** – *Coordination with the Regional Water Planning Groups – Section 2*
  - **288.22(a)(3)** – *Criteria for Initiation and Termination of Drought Stages – Section 3*
  - **288.22(a)(4)** – *Drought and Emergency Response Stages – Section 3*
  - **288.22(a)(5)** – *Procedures for Initiation and Termination of Drought Stages – Section 2*
  - **288.22(a)(6)** – *Specific, Quantified Targets for Water Use Reductions During Water Shortages – Section 3*
  - **288.22(a)(7)** – *Specific Water Supply or Water Demand Management Measures to be Implemented during Each Drought Stage – Section 3*
  - **288.22(a)(8)** – *Provision in Wholesale Contracts to Require Water Distribution According to Texas Water Code Section §11.039 – Sections 2 and 3*
  - **288.22(a)(9)** – *Procedures for Granting Variances to the Plan - Section 2*
  - **288.22(a)(10)** - *Procedures for Enforcement of Mandatory Restrictions – Section 2*
  - **288.22(b)** – *TCEQ Notification of Implementation of Mandatory Measures – Sections 2 and 3*
  - **288.22(c)** – *Review and Update of the Plan – Section 2*
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<b><u>TITLE 30</u></b>	ENVIRONMENTAL QUALITY
<b><u>PART 1</u></b>	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
<b><u>CHAPTER 288</u></b>	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
<b><u>SUBCHAPTER B</u></b>	DROUGHT CONTINGENCY PLANS
<b>RULE §288.20</b>	<b>Drought Contingency Plans for Municipal Uses by Public Water Suppliers</b>

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(a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.

(1) Minimum requirements. Drought contingency plans must include the following minimum elements.

(A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.

(C) The drought contingency plan must document coordination with the regional water planning groups for the service area of the retail public water supplier to ensure consistency with the appropriate approved regional water plans.

(D) The drought contingency plan must include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:

- (i) reduction in available water supply up to a repeat of the drought of record;
  - (ii) water production or distribution system limitations;
  - (iii) supply source contamination; or
-

(iv) system outage due to the failure or damage of major water system components (e.g., pumps).

(F) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.

(G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(i) curtailment of non-essential water uses; and

(ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including procedures for notification of the public.

(I) The drought contingency plan must include procedures for granting variances to the plan.

(J) The drought contingency plan must include procedures for the enforcement of mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.

(2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.

(3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.

(b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

(c) The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.

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Source Note: The provisions of this §288.20 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384



<a href="#"><u>TITLE 30</u></a>	ENVIRONMENTAL QUALITY
<a href="#"><u>PART 1</u></a>	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
<a href="#"><u>CHAPTER 288</u></a>	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
<a href="#"><u>SUBCHAPTER B</u></a>	DROUGHT CONTINGENCY PLANS
<b>RULE §288.22</b>	<b>Drought Contingency Plans for Wholesale Water Suppliers</b>

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(a) A drought contingency plan for a wholesale water supplier must include the following minimum elements.

(1) Preparation of the plan shall include provisions to actively inform the public and to affirmatively provide opportunity for user input in the preparation of the plan and for informing wholesale customers about the plan. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.

(2) The drought contingency plan must document coordination with the regional water planning groups for the service area of the wholesale public water supplier to ensure consistency with the appropriate approved regional water plans.

(3) The drought contingency plan must include a description of the information to be monitored by the water supplier and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.

(4) The drought contingency plan must include a minimum of three drought or emergency response stages providing for the implementation of measures in response to water supply conditions during a repeat of the drought-of-record.

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(5) The drought contingency plan must include the procedures to be followed for the initiation or termination of drought response stages, including procedures for notification of wholesale customers regarding the initiation or termination of drought response stages.

(6) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this paragraph are not enforceable.

(7) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:

(A) pro rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code, §11.039; and

(B) utilization of alternative water sources with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

(8) The drought contingency plan must include a provision in every wholesale water contract entered into or renewed after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

(9) The drought contingency plan must include procedures for granting variances to the plan.

(10) The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions including specification of penalties (e.g., liquidated damages, water rate surcharges, discontinuation of service) for violations of such restrictions.

(b) The wholesale public water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.

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(c) The wholesale public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as adoption or revision of the regional water plan.

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**Source Note:** The provisions of this §288.22 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384

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# **Appendix C**

## **TCEQ Water Utility Profile**

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*The following appendix contains the form TCEQ-10218 and/or TCEQ-20162.*

*To be added with the final plans submitted on May 1, 2024*

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# **Appendix D**

## **City of Richardson Annual Water Conservation Report**

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*City of Richardson Annual Water Conservation Report. This is updated by the City and reviewed by NTMWD on an annual basis.*

*To be added with the final plans submitted on May 1, 2024*

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## **Appendix E**

# **TCEQ Water Conservation Implementation Report**

*To be added with the final plans submitted on May 1, 2024*

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## **Appendix F**

# **Letters to Regional Water Planning Group and NTMWD**

*To be added with the final plans submitted on May 1, 2024*

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# **Appendix G**

## **Adoption of Plans**

*To be added with the final plans submitted on May 1, 2024*

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**ORDINANCE NO. 4490**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPOINTING A PRESIDING MUNICIPAL JUDGE AND ASSISTANT MUNICIPAL JUDGES OF THE MUNICIPAL COURT OF RECORD NO. 1 OF THE CITY OF RICHARDSON; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Richardson, Texas, previously appointed a Presiding Municipal Judge and Assistant Municipal Judges to the Municipal Court of Record No. 1; and

**WHEREAS**, the Home Rule Charter of the City of Richardson authorizes the City Council to appoint assistant judges of the municipal court; and

**WHEREAS**, the City Council finds that the judges of the Municipal Court of Record No. 1 should be appointed; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:**

**SECTION 1.** That the City Council specifically finds and determines that Thomas A. D'Amore shall be and is hereby appointed as the Presiding Municipal Judge of the Municipal Court of Record No. 1 of the City of Richardson, and that Kevin S. Harris, Roger E. Haynes and Raymond D. Noah shall be and are hereby appointed as the Assistant Municipal Judges of the Municipal Court of Record No. 1 of the City of Richardson, each to serve a term of office of two (2) years commencing on April 27, 2024, and ending April 27, 2026.

**SECTION 2.** That all provisions of the ordinances of the City of Richardson, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 3.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be invalid, void or unconstitutional, the same shall

not affect the validity of the remaining portions of said Ordinance which shall remain in full force and effect.

**SECTION 4.** That this Ordinance shall take effect immediately upon its passage as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Richardson, Texas, on the 8th day of April 2024.

**APPROVED:**

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**MAYOR**

**APPROVED AS TO FORM:**

**CORRECTLY ENROLLED:**

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**CITY ATTORNEY**  
(PGS:4-3-24))

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**CITY SECRETARY**



**RICHARDSON®**  
**T E X A S**

**MEMO**

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**DATE:** April 1, 2024  
**TO:** Todd Gastorf – Assistant Director of Finance  
**FROM:** Lisa TerMorshuizen – Purchasing Supervisor   
**SUBJECT:** Award of Bid #33-24 for 2021 Bond Alley Group 7 Phase 2 Project (Stardust Ln., Elizabeth Ln., Beltline Rd., and Rorary Dr.) to La Banda, LLC. in the amount of \$1,762,063

**Proposed Date of Award: April 8, 2024**

I concur with the recommendation of Nick Kohel – Assistant Director of Engineering and Capital Projects, and request permission to award a contract to the lowest responsible bidder, La Banda, LLC. for the above referenced project in the amount of \$1,762,063 as outlined in the attached memo.

Funding is from the 2021 Bond Program.

The bid was advertised in *The Dallas Morning News* on January 29, February 5 & 12, 2024 and posted on Periscope. A total of 31,580 electronic solicitations were distributed and fifty-six (56) vendors viewed the bid. A pre-bid conference was held online via Cisco Webex on February 14, 2024, and eight (8) bids were received.

Concur:

  
Todd Gastorf

ATTACHMENTS



**RICHARDSON**  
T E X A S

**MEMO**

TO: Ally Dobbins, Purchasing Manager  
THROUGH: Charles Goff, Assistant City Manager   
FROM: Nick Kohel, P.E., Assistant Director of Engineering and Capital Projects  
SUBJECT: Permission to Award Construction Contract for 2021 Bond Alley Group 7 Phase 2 Project (Stardust Ln., Elizabeth Ln., Beltline Rd., and Rorary Dr.), Bid No. 33-24.

COUNCIL DATE: April 8, 2024

DATE: March 19, 2024

***ACTION REQUESTED:***

Council to consider contract award to La Banda, LLC. for the construction of the 2021 Bond Alley Group 7 Phase 2 Project (Stardust Ln., Elizabeth Ln., Beltline Rd., and Rorary Dr.), in the amount of \$1,762,063.00

***BACKGROUND INFORMATION:***

The 2021 Bond Alley Group 7 Phase 2 Project (Stardust Ln., Elizabeth Ln., Beltline Rd., and Rorary Dr.) calls for the reconstruction of the following alleys:

- North of 600 Block of Stardust Ln.
- North of 1100 Block of Elizabeth Ln.
- North of 600 Block of Beltline Rd.
- South of 500 Block of Rorary Dr.

On 2/29/2024, the Engineering and Capital Projects Department opened bids for 2021 Bond Alley Group 7 Phase 2 Project (Stardust Ln., Elizabeth Ln., Beltline Rd., and Rorary Dr.). The attached bid tabulation certifies the lowest responsive bid was submitted by La Banda, LLC. in the amount of \$1,762,063.00. City staff recommends awarding contract to La Banda, LLC. in the amount of \$1,762,063.00. They have successfully completed several similar projects for municipalities in Texas within the last 5 years.

***FUNDING:***

Funding is from 2021 Bond Program.

***SCHEDULE:***

Construction is expected to start in May 2024, and be complete by March 2025.

Attachments: Bid Tabulation  
Project Map

**2021 Bond Alley Group 7 Phase 2 (Stardust Ln., Elizabeth Ln., Beltline Rd., and Roryr Dr.)**  
**BID NO. 33-24**  
**Bids opened 2/29/2024**



Item	Description	Quantity	Units	La Banda LLC		Western Municipal Construction		Jeske Construction Co		Muniz Construction, Inc.	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
1	Right-of-Way of Preparation, Mobilization, Bonds & Insurance	1	L.S.	\$ 140,000.00	\$ 140,000.00	\$ 293,043.83	\$ 293,043.83	\$ 95,000.00	\$ 95,000.00	\$ 70,000.00	\$ 70,000.00
2	Unclassified Alley Excavation for Full-width Section including Hauling & Disposal	1,771	C.Y.	\$ 40.00	\$ 70,840.00	\$ 30.68	\$ 54,334.28	\$ 44.00	\$ 77,924.00	\$ 11.00	\$ 19,481.00
3	Remove & Dispose of Existing Concrete Alley Pavement, including Curb	3,980	S.Y.	\$ 20.00	\$ 79,600.00	\$ 21.24	\$ 84,535.20	\$ 28.00	\$ 111,440.00	\$ 16.00	\$ 63,680.00
4	Remove & Dispose of Existing Concrete Driveway Pavement and Miscellaneous Concrete	501	S.Y.	\$ 20.00	\$ 10,020.00	\$ 72.31	\$ 36,227.31	\$ 24.00	\$ 12,024.00	\$ 16.00	\$ 8,016.00
5	Full Depth Concrete Sawcut	1,863	L.F.	\$ 1.00	\$ 1,863.00	\$ 2.11	\$ 3,930.93	\$ 4.00	\$ 7,452.00	\$ 4.00	\$ 7,452.00
6	Furnish & Install 6-Inch Thick Class "C" Reinforced Concrete Alley Pavement, including Minimum 6-inch Compacted Subgrade	4,892	S.Y.	\$ 102.00	\$ 498,984.00	\$ 79.98	\$ 391,262.16	\$ 115.00	\$ 562,580.00	\$ 105.00	\$ 513,660.00
7	Furnish & Install 5-Inch Thick Class "C" Reinforced Concrete Driveway, including Compacted Subgrade	340	S.Y.	\$ 80.00	\$ 27,200.00	\$ 79.98	\$ 27,193.20	\$ 90.00	\$ 30,600.00	\$ 106.00	\$ 36,040.00
8	Remove & Replace 8-inch Thick Class "C" Reinforced Concrete Street Pavement, including Minimum 6-inch Compacted Subgrade	43	S.Y.	\$ 112.00	\$ 4,816.00	\$ 79.98	\$ 3,439.14	\$ 108.00	\$ 4,644.00	\$ 110.00	\$ 4,730.00
9	Furnish & Install 6-inch Class "C" Reinforced Monolithic Concrete Curb	1,185	L.F.	\$ 20.00	\$ 23,700.00	\$ 42.27	\$ 50,089.95	\$ 8.00	\$ 9,480.00	\$ 23.00	\$ 27,255.00
10	Furnish & Install Variable Height Class "C" Reinforced Monolithic Concrete Curb (15" Max Height)	257	L.F.	\$ 50.00	\$ 12,850.00	\$ 54.34	\$ 13,965.38	\$ 16.00	\$ 4,112.00	\$ 50.00	\$ 12,850.00
11	Furnish & Install 4-Inch Thick Class "A" Reinforced Concrete Sidewalks	106	S.Y.	\$ 100.00	\$ 10,600.00	\$ 79.98	\$ 8,477.88	\$ 90.00	\$ 9,540.00	\$ 80.00	\$ 8,480.00
12	Furnish & Install 2-Foot Wide Asphalt Pavement Repair	23	S.Y.	\$ 100.00	\$ 2,300.00	\$ 48.91	\$ 1,124.93	\$ 90.00	\$ 2,070.00	\$ 100.00	\$ 2,300.00
13	Furnish & Install Solid Sod with 4-Inch Top Soil (Bermuda, St. Augustine, or Match Existing)	1,790	S.Y.	\$ 23.00	\$ 41,170.00	\$ 17.19	\$ 30,770.10	\$ 15.00	\$ 26,850.00	\$ 18.00	\$ 32,220.00
14	Remove Existing 6-Inch Sanitary Sewer	1,209.00	L.F.	\$ 4.00	\$ 4,836.00	\$ 6.12	\$ 7,399.08	\$ 11.00	\$ 13,299.00	\$ 3.00	\$ 3,627.00
15	Remove Existing 8-Inch Sanitary Sewer	1,978	L.F.	\$ 4.00	\$ 7,912.00	\$ 6.12	\$ 12,105.36	\$ 7.00	\$ 13,846.00	\$ 3.00	\$ 5,934.00
16	Remove Existing 10-Inch Sanitary Sewer	6	L.F.	\$ 4.00	\$ 24.00	\$ 6.23	\$ 37.38	\$ 8.00	\$ 48.00	\$ 3.00	\$ 18.00
17	Remove Existing Sanitary Sewer Cleanout	5	EA.	\$ 150.00	\$ 750.00	\$ 25.18	\$ 125.90	\$ 1,600.00	\$ 8,000.00	\$ 1,000.00	\$ 5,000.00
18	Remove Existing Manhole	5	EA.	\$ 300.00	\$ 1,500.00	\$ 1,694.53	\$ 8,472.65	\$ 1,200.00	\$ 6,000.00	\$ 1,500.00	\$ 7,500.00
19	Remove Existing Inlet	2	EA.	\$ 500.00	\$ 1,000.00	\$ 1,265.96	\$ 2,531.92	\$ 1,300.00	\$ 2,600.00	\$ 2,000.00	\$ 4,000.00
20	Furnish & Install 8-Inch PVC Sanitary Sewer Line (SDR-26) with Embedment by Open Cut	832	L.F.	\$ 85.00	\$ 70,720.00	\$ 94.68	\$ 78,773.76	\$ 138.00	\$ 114,816.00	\$ 120.00	\$ 99,840.00
21	Furnish & Install 8-Inch PVC Sanitary Sewer Line (SDR-35) with Embedment by Open Cut	2,352	L.F.	\$ 85.00	\$ 199,920.00	\$ 90.58	\$ 213,044.16	\$ 103.00	\$ 242,256.00	\$ 110.00	\$ 258,720.00
22	Furnish & Install 10-Inch PVC Sanitary Sewer Line (SDR-35) with Embedment by Open Cut	6	L.F.	\$ 100.00	\$ 600.00	\$ 98.94	\$ 593.64	\$ 220.00	\$ 1,320.00	\$ 200.00	\$ 1,200.00
23	Furnish & Install 4" PVC Sanitary Sewer Services, including Double Cleanout, Box and Lid	87	EA.	\$ 2,200.00	\$ 191,400.00	\$ 1,218.20	\$ 105,983.40	\$ 1,840.00	\$ 160,080.00	\$ 1,850.00	\$ 160,950.00
24	Furnish & Install 4-Foot Dia. Standard Sanitary Sewer Manhole with Frame & Cover, Rain Pan and Gator Wrap	13	EA.	\$ 8,500.00	\$ 110,500.00	\$ 4,261.98	\$ 55,405.74	\$ 9,000.00	\$ 117,000.00	\$ 19,000.00	\$ 247,000.00
25	Furnish & Install 4-Inch PVC Sanitary Sewer, including Dallas Shorty Cleanout Model #B&H340-1, and Box with Lid Model DFW 1300.12S	5	EA.	\$ 3,800.00	\$ 19,000.00	\$ 1,104.90	\$ 5,524.50	\$ 2,200.00	\$ 11,000.00	\$ 2,000.00	\$ 10,000.00
26	Furnish & Install Standard Two-Grate Inlet	2	EA.	\$ 8,800.00	\$ 17,600.00	\$ 10,908.85	\$ 21,817.70	\$ 7,900.00	\$ 15,800.00	\$ 15,000.00	\$ 30,000.00
27	Furnish & Install Standard Three-Grate Inlet	1	EA.	\$ 9,800.00	\$ 9,800.00	\$ 13,109.80	\$ 13,109.80	\$ 9,500.00	\$ 9,500.00	\$ 16,000.00	\$ 16,000.00
28	Storm Sewer Line Point Repair with Utility Crossing Encasement	1	L.S.	\$ 3,000.00	\$ 3,000.00	\$ 1,233.71	\$ 1,233.71	\$ 11,000.00	\$ 11,000.00	\$ 25,000.00	\$ 25,000.00
29	Connect to Existing Sanitary Sewer Pipe	6	EA.	\$ 500.00	\$ 3,000.00	\$ 6,677.81	\$ 40,066.86	\$ 1,300.00	\$ 7,800.00	\$ 1,500.00	\$ 9,000.00
30	Connect to Existing 24-inch Storm Pipe	1	EA.	\$ 2,500.00	\$ 2,500.00	\$ 4,177.39	\$ 4,177.39	\$ 1,600.00	\$ 1,600.00	\$ 2,000.00	\$ 2,000.00
31	Trench Safety Plan and Implementation	3,184	L.F.	\$ 3.00	\$ 9,552.00	\$ 6.04	\$ 19,231.36	\$ 6.00	\$ 19,104.00	\$ 2.00	\$ 6,368.00
32	Furnish, Install, Maintain & Remove Erosion Control Devices, Sediment Barriers, and P-2 Inlet Protection	1	L.S.	\$ 16,000.00	\$ 16,000.00	\$ 37,223.70	\$ 37,223.70	\$ 6,000.00	\$ 6,000.00	\$ 8,000.00	\$ 8,000.00
33	Furnish, Install, Maintain & Remove Turf Reinforcement (For Erosion Control)	72	S.Y.	\$ 125.00	\$ 9,000.00	\$ 46.33	\$ 3,335.76	\$ 18.00	\$ 1,296.00	\$ 50.00	\$ 3,600.00
34	Furnish, Install, Maintain & Remove Stabilized Construction Entrance	8	EA.	\$ 2,500.00	\$ 20,000.00	\$ 2,937.30	\$ 23,498.40	\$ 2,200.00	\$ 17,600.00	\$ 1,500.00	\$ 12,000.00
35	Furnish, Install, Maintain & Remove Traffic Control and Barricades	1	L.S.	\$ 10,000.00	\$ 10,000.00	\$ 18,113.72	\$ 18,113.72	\$ 14,000.00	\$ 14,000.00	\$ 25,000.00	\$ 25,000.00
36	Furnish, Install, Maintain & Remove Project Signs	2	EA.	\$ 1,000.00	\$ 2,000.00	\$ 603.79	\$ 1,207.58	\$ 2,000.00	\$ 4,000.00	\$ 1,500.00	\$ 3,000.00
37	Furnish & Install (6" & 8") Wood Fence Per Special Specification Section SS.43	40	L.F.	\$ 70.00	\$ 2,800.00	\$ 90.57	\$ 3,622.80	\$ 120.00	\$ 4,800.00	\$ 120.00	\$ 4,800.00
38	Remove & Salvage Large Stone	1	EA.	\$ 2,000.00	\$ 2,000.00	\$ 1,219.50	\$ 1,219.50	\$ 300.00	\$ 300.00	\$ 3,000.00	\$ 3,000.00
39	Remove & Replace Existing Drain with Pop-Up Drain	7	EA.	\$ 200.00	\$ 1,400.00	\$ 66.37	\$ 464.59	\$ 900.00	\$ 6,300.00	\$ 1,000.00	\$ 7,000.00
40	Remove & Reset Existing Sign	3	EA.	\$ 300.00	\$ 900.00	\$ 603.79	\$ 1,811.37	\$ 200.00	\$ 600.00	\$ 600.00	\$ 1,800.00
41	Salvage & Reset Brick Pavers	26	S.Y.	\$ 100.00	\$ 2,600.00	\$ 102.64	\$ 2,668.64	\$ 40.00	\$ 1,040.00	\$ 150.00	\$ 3,900.00
42	Remove & Replace Chainlink Fence	86	L.F.	\$ 45.00	\$ 3,870.00	\$ 52.06	\$ 4,477.16	\$ 90.00	\$ 7,740.00	\$ 70.00	\$ 6,020.00
43	Remove & Replace 4-ft Wide Chainlink Gate	1	EA.	\$ 1,800.00	\$ 1,800.00	\$ 1,513.24	\$ 1,513.24	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00
44	Remove Wood Fence, Posts and Foundations	40	L.F.	\$ 20.00	\$ 800.00	\$ 48.30	\$ 1,932.00	\$ 20.00	\$ 800.00	\$ 25.00	\$ 1,000.00
45	Remove & Dispose Existing Bush	6	EA.	\$ 100.00	\$ 600.00	\$ 120.76	\$ 724.56	\$ 60.00	\$ 360.00	\$ 1,000.00	\$ 6,000.00
46	Remove & Dispose Existing Tree	5	EA.	\$ 600.00	\$ 3,000.00	\$ 1,509.48	\$ 7,547.40	\$ 2,000.00	\$ 10,000.00	\$ 3,000.00	\$ 15,000.00
47	Pre-Construction and Post Construction Closed Circuit Television (CCTV) Pipe Inspection	3,184	L.F.	\$ 4.00	\$ 12,736.00	\$ 2.42	\$ 7,705.28	\$ 6.00	\$ 19,104.00	\$ 5.00	\$ 15,920.00
48	Construction Contingency	1	L.S.	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00
<b>TOTAL BID:</b>					\$ 1,762,063.00		\$ 1,800,094.30		\$ 1,898,725.00		\$ 1,910,861.00
<b>Contractor's Submitted Bid Totals:</b>					\$ 1,771,863.00*		SAME		\$ 1,908,225.00**		SAME

\*La Banda entered an incorrect Total Bid amount, the correct Total Bid amount is \$ 1,762,063.00 based on the sum of total items.

\*\*Jeske Construction Co entered an incorrect Total Amount for Bid Item #27, the correct Bid Item #27 Total amount is \$9,500.00

3-25-2024

Date

03/26/2024

Date

*David Cruz*

David Cruz, P.E., Project Engineer

*Nick Kohel, P.E.*

Nick Kohel, P.E., Assistant Director of Engineering

**2021 Bond Alley Group 7 Phase 2 (Stardust Ln., Elizabeth Ln., Beltline Rd., and Roryr Dr.)**  
**BID NO. 33-24**  
**Bids opened 2/29/2024**



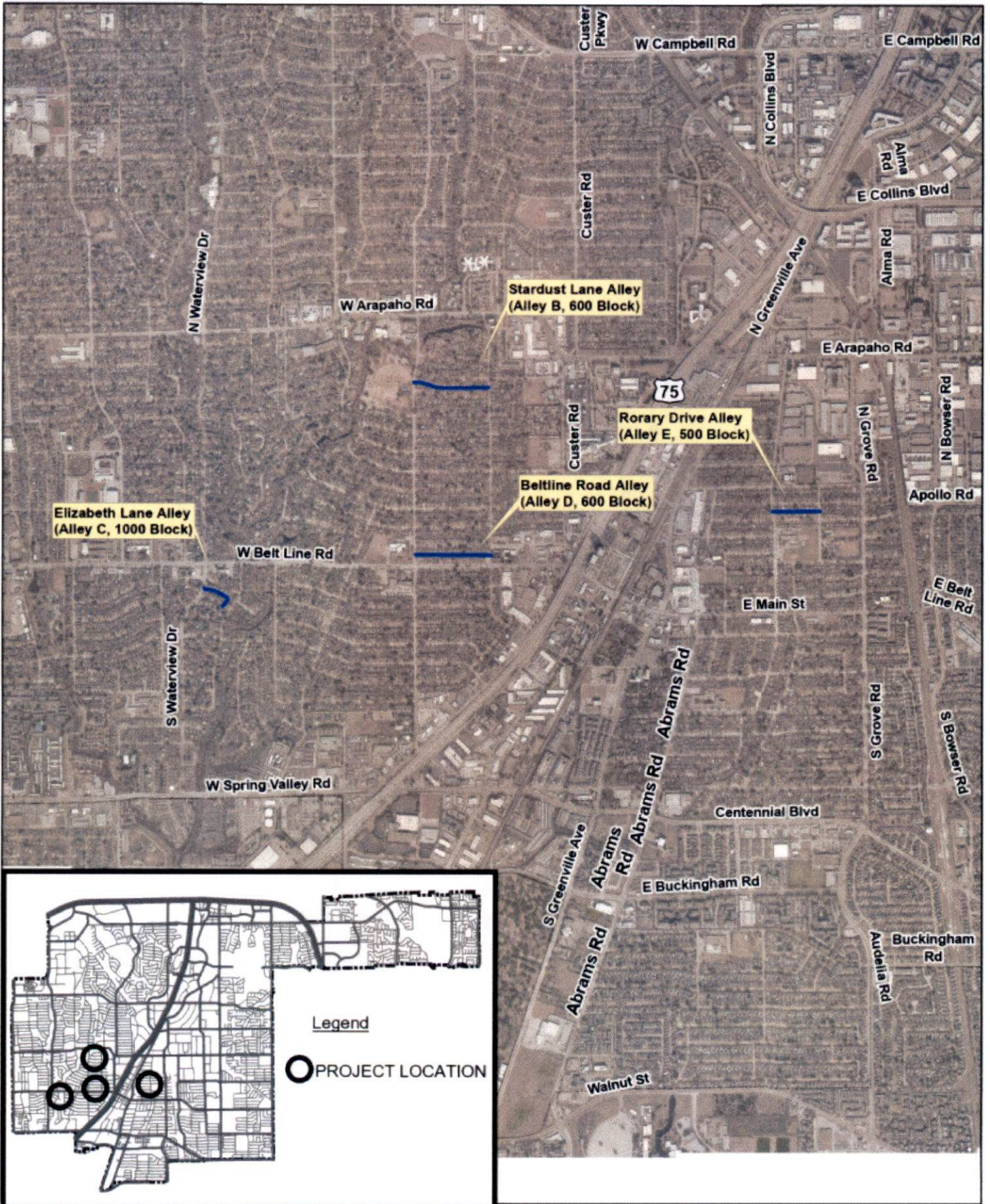
Item	Description	Quantity	Units	Ratliff Hardscape, Ltd		Canary Construction, Inc.		AXIS Contracting		Grodc Construction LLC	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
1	Right-of-Way of Preparation, Mobilization, Bonds & Insurance	1	L.S.	\$ 72,500.00	\$ 72,500.00	\$ 100,000.00	\$ 100,000.00	\$ 418,000.00	\$ 418,000.00	\$ 200,000.00	\$ 200,000.00
2	Unclassified Alley Excavation for Full-width Section including Hauling & Disposal	1,771	C.Y.	\$ 49.00	\$ 86,779.00	\$ 75.00	\$ 132,825.00	\$ 65.00	\$ 115,115.00	\$ 100.00	\$ 177,100.00
3	Remove & Dispose of Existing Concrete Alley Pavement, including Curb	3,980	S.Y.	\$ 33.00	\$ 131,340.00	\$ 100.00	\$ 398,000.00	\$ 22.00	\$ 87,560.00	\$ 40.00	\$ 159,200.00
4	Remove & Dispose of Existing Concrete Driveway Pavement and Miscellaneous Concrete	501	S.Y.	\$ 32.00	\$ 16,032.00	\$ 100.00	\$ 50,100.00	\$ 22.00	\$ 11,022.00	\$ 40.00	\$ 20,040.00
5	Full Depth Concrete Sawcut	1,863	L.F.	\$ 3.00	\$ 5,589.00	\$ 3.00	\$ 5,589.00	\$ 10.00	\$ 18,630.00	\$ 5.00	\$ 9,315.00
6	Furnish & Install 6-Inch Thick Class "C" Reinforced Concrete Alley Pavement, including Minimum 6-inch Compacted Subgrade	4,892	S.Y.	\$ 95.00	\$ 464,740.00	\$ 100.00	\$ 489,200.00	\$ 140.00	\$ 684,880.00	\$ 150.00	\$ 733,800.00
7	Furnish & Install 5-Inch Thick Class "C" Reinforced Concrete Driveway, including Compacted Subgrade	340	S.Y.	\$ 95.00	\$ 32,300.00	\$ 90.00	\$ 30,600.00	\$ 135.00	\$ 45,900.00	\$ 145.00	\$ 49,300.00
8	Remove & Replace 8-inch Thick Class "C" Reinforced Concrete Street Pavement, including Minimum 6-inch Compacted Subgrade	43	S.Y.	\$ 108.00	\$ 4,644.00	\$ 110.00	\$ 4,730.00	\$ 225.00	\$ 9,675.00	\$ 250.00	\$ 10,750.00
9	Furnish & Install 6-inch Class "C" Reinforced Monolithic Concrete Curb	1,185	L.F.	\$ 8.00	\$ 9,480.00	\$ 100.00	\$ 118,500.00	\$ 5.00	\$ 5,925.00	\$ 6.00	\$ 7,110.00
10	Furnish & Install Variable Height Class "C" Reinforced Monolithic Concrete Curb (15" Max Height)	257	L.F.	\$ 20.00	\$ 5,140.00	\$ 165.00	\$ 42,405.00	\$ 25.00	\$ 6,425.00	\$ 12.00	\$ 3,084.00
11	Furnish & Install 4-Inch Thick Class "A" Reinforced Concrete Sidewalks	106	S.Y.	\$ 76.00	\$ 8,056.00	\$ 120.00	\$ 12,720.00	\$ 85.00	\$ 9,010.00	\$ 108.00	\$ 11,448.00
12	Furnish & Install 2-Foot Wide Asphalt Pavement Repair	23	S.Y.	\$ 315.00	\$ 7,245.00	\$ 155.00	\$ 3,565.00	\$ 200.00	\$ 4,600.00	\$ 375.00	\$ 8,625.00
13	Furnish & Install Solid Sod with 4-Inch Top Soil (Bermuda, St. Augustine, or Match Existing)	1,790	S.Y.	\$ 12.00	\$ 21,480.00	\$ 20.00	\$ 35,800.00	\$ 25.00	\$ 44,750.00	\$ 33.00	\$ 59,070.00
14	Remove Existing 6-Inch Sanitary Sewer	1,209.00	L.F.	\$ 6.00	\$ 7,254.00	\$ 15.00	\$ 18,135.00	\$ 15.00	\$ 18,135.00	\$ 30.00	\$ 36,270.00
15	Remove Existing 8-Inch Sanitary Sewer	1,978	L.F.	\$ 6.00	\$ 11,868.00	\$ 16.00	\$ 31,648.00	\$ 16.00	\$ 31,648.00	\$ 30.00	\$ 59,340.00
16	Remove Existing 10-Inch Sanitary Sewer	6	L.F.	\$ 6.00	\$ 36.00	\$ 17.00	\$ 102.00	\$ 17.00	\$ 102.00	\$ 30.00	\$ 180.00
17	Remove Existing Sanitary Sewer Cleanout	5	EA.	\$ 608.00	\$ 3,040.00	\$ 200.00	\$ 1,000.00	\$ 150.00	\$ 750.00	\$ 600.00	\$ 3,000.00
18	Remove Existing Manhole	5	EA.	\$ 3,650.00	\$ 18,250.00	\$ 1,200.00	\$ 6,000.00	\$ 4,500.00	\$ 22,500.00	\$ 2,500.00	\$ 12,500.00
19	Remove Existing Inlet	2	EA.	\$ 3,040.00	\$ 6,080.00	\$ 650.00	\$ 1,300.00	\$ 2,500.00	\$ 5,000.00	\$ 2,500.00	\$ 5,000.00
20	Furnish & Install 8-Inch PVC Sanitary Sewer Line (SDR-26) with Embedment by Open Cut	832	L.F.	\$ 158.00	\$ 131,456.00	\$ 145.00	\$ 120,640.00	\$ 195.00	\$ 162,240.00	\$ 225.00	\$ 187,200.00
21	Furnish & Install 8-Inch PVC Sanitary Sewer Line (SDR-35) with Embedment by Open Cut	2,352	L.F.	\$ 110.00	\$ 258,720.00	\$ 140.00	\$ 329,280.00	\$ 140.00	\$ 329,280.00	\$ 195.00	\$ 458,640.00
22	Furnish & Install 10-Inch PVC Sanitary Sewer Line (SDR-35) with Embedment by Open Cut	6	L.F.	\$ 365.00	\$ 2,190.00	\$ 155.00	\$ 930.00	\$ 155.00	\$ 930.00	\$ 850.00	\$ 5,100.00
23	Furnish & Install 4" PVC Sanitary Sewer Services, including Double Cleanout, Box and Lid	87	EA.	\$ 2,431.00	\$ 211,497.00	\$ 1,500.00	\$ 130,500.00	\$ 900.00	\$ 78,300.00	\$ 1,700.00	\$ 147,900.00
24	Furnish & Install 4-Foot Dia. Standard Sanitary Sewer Manhole with Frame & Cover, Rain Pan and Gator Wrap	13	EA.	\$ 9,116.00	\$ 118,508.00	\$ 6,000.00	\$ 78,000.00	\$ 18,500.00	\$ 240,500.00	\$ 14,500.00	\$ 188,500.00
25	Furnish & Install 4-Inch PVC Sanitary Sewer, including Dallas Shorty Cleanout Model #B&H340-1, and Box with Lid Model DFW 1300.12S	5	EA.	\$ 3,039.00	\$ 15,195.00	\$ 950.00	\$ 4,750.00	\$ 1,100.00	\$ 5,500.00	\$ 1,600.00	\$ 8,000.00
26	Furnish & Install Standard Two-Grate Inlet	2	EA.	\$ 15,193.00	\$ 30,386.00	\$ 3,500.00	\$ 7,000.00	\$ 9,500.00	\$ 19,000.00	\$ 10,000.00	\$ 20,000.00
27	Furnish & Install Standard Three-Grate Inlet	1	EA.	\$ 17,624.00	\$ 17,624.00	\$ 4,800.00	\$ 4,800.00	\$ 10,000.00	\$ 10,000.00	\$ 11,000.00	\$ 11,000.00
28	Storm Sewer Line Point Repair with Utility Crossing Encasement	1	L.S.	\$ 12,155.00	\$ 12,155.00	\$ 6,000.00	\$ 6,000.00	\$ 22,500.00	\$ 22,500.00	\$ 13,000.00	\$ 13,000.00
29	Connect to Existing Sanitary Sewer Pipe	6	EA.	\$ 912.00	\$ 5,472.00	\$ 2,200.00	\$ 13,200.00	\$ 5,500.00	\$ 33,000.00	\$ 5,000.00	\$ 30,000.00
30	Connect to Existing 24-inch Storm Pipe	1	EA.	\$ 1,824.00	\$ 1,824.00	\$ 2,200.00	\$ 2,200.00	\$ 3,500.00	\$ 3,500.00	\$ 5,000.00	\$ 5,000.00
31	Trench Safety Plan and Implementation	3,184	L.F.	\$ 6.00	\$ 19,104.00	\$ 3.00	\$ 9,552.00	\$ 10.00	\$ 31,840.00	\$ 30.00	\$ 95,520.00
32	Furnish, Install, Maintain & Remove Erosion Control Devices, Sediment Barriers, and P-2 Inlet Protection	1	L.S.	\$ 28,652.00	\$ 28,652.00	\$ 15,600.00	\$ 15,600.00	\$ 41,442.50	\$ 41,442.50	\$ 11,500.00	\$ 11,500.00
33	Furnish, Install, Maintain & Remove Turf Reinforcement (For Erosion Control)	72	S.Y.	\$ 33.00	\$ 2,376.00	\$ 60.00	\$ 4,320.00	\$ 105.00	\$ 7,560.00	\$ 40.00	\$ 2,880.00
34	Furnish, Install, Maintain & Remove Stabilized Construction Entrance	8	EA.	\$ 2,796.00	\$ 22,368.00	\$ 1,600.00	\$ 12,800.00	\$ 3,500.00	\$ 28,000.00	\$ 2,500.00	\$ 20,000.00
35	Furnish, Install, Maintain & Remove Traffic Control and Barricades	1	L.S.	\$ 16,646.00	\$ 16,646.00	\$ 15,000.00	\$ 15,000.00	\$ 65,000.00	\$ 65,000.00	\$ 48,000.00	\$ 48,000.00
36	Furnish, Install, Maintain & Remove Project Signs	2	EA.	\$ 608.00	\$ 1,216.00	\$ 1,500.00	\$ 3,000.00	\$ 3,500.00	\$ 7,000.00	\$ 750.00	\$ 1,500.00
37	Furnish & Install (6' & 8') Wood Fence Per Special Specification Section SS.43	40	L.F.	\$ 84.00	\$ 3,360.00	\$ 60.00	\$ 2,400.00	\$ 300.00	\$ 12,000.00	\$ 250.00	\$ 10,000.00
38	Remove & Salvage Large Stone	1	EA.	\$ 608.00	\$ 608.00	\$ 2,200.00	\$ 2,200.00	\$ 3,500.00	\$ 3,500.00	\$ 500.00	\$ 500.00
39	Remove & Replace Existing Drain with Pop-Up Drain	7	EA.	\$ 425.00	\$ 2,975.00	\$ 950.00	\$ 6,650.00	\$ 650.00	\$ 4,550.00	\$ 375.00	\$ 2,625.00
40	Remove & Reset Existing Sign	3	EA.	\$ 243.00	\$ 729.00	\$ 1,500.00	\$ 4,500.00	\$ 750.00	\$ 2,250.00	\$ 500.00	\$ 1,500.00
41	Salvage & Reset Brick Pavers	26	S.Y.	\$ 117.00	\$ 3,042.00	\$ 420.00	\$ 10,920.00	\$ 350.00	\$ 9,100.00	\$ 100.00	\$ 2,600.00
42	Remove & Replace Chainlink Fence	86	L.F.	\$ 54.00	\$ 4,644.00	\$ 50.00	\$ 4,300.00	\$ 200.00	\$ 17,200.00	\$ 97.00	\$ 8,342.00
43	Remove & Replace 4-ft Wide Chainlink Gate	1	EA.	\$ 669.00	\$ 669.00	\$ 1,000.00	\$ 1,000.00	\$ 700.00	\$ 700.00	\$ 500.00	\$ 500.00
44	Remove Wood Fence, Posts and Foundations	40	L.F.	\$ 21.00	\$ 840.00	\$ 40.00	\$ 1,600.00	\$ 150.00	\$ 6,000.00	\$ 25.00	\$ 1,000.00
45	Remove & Dispose Existing Bush	6	EA.	\$ 365.00	\$ 2,190.00	\$ 350.00	\$ 2,100.00	\$ 500.00	\$ 3,000.00	\$ 150.00	\$ 900.00
46	Remove & Dispose Existing Tree	5	EA.	\$ 608.00	\$ 3,040.00	\$ 1,500.00	\$ 7,500.00	\$ 2,500.00	\$ 12,500.00	\$ 1,650.00	\$ 8,250.00
47	Pre-Construction and Post Construction Closed Circuit Television (CCTV) Pipe Inspection	3,184	L.F.	\$ 12.00	\$ 38,208.00	\$ 5.00	\$ 15,920.00	\$ 8.00	\$ 25,472.00	\$ 2.00	\$ 6,368.00
48	Construction Contingency	1	L.S.	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00	\$ 95,000.00
<b>TOTAL BID:</b>					<b>\$ 1,962,547.00</b>		<b>\$ 2,393,881.00</b>		<b>\$ 2,816,491.50</b>		<b>\$ 2,956,457.00</b>
<b>Contractor's Submitted Bid Totals:</b>					<b>SAME</b>		<b>SAME</b>		<b>SAME</b>		<b>SAME</b>

\*La Banda entered an incorrect Total Bid amount, the correct Total Bid amount is \$ 1,762,063 based on the sum of total items.

\*Jeske Construction Co entered an incorrect Total Amount for Bid Item #27, the correct Bid Item #27 Total amount is \$9,500.00



2021 Bond Alley Group 7 Phase 2 Project  
 (Stardust Ln, Elizabeth Ln., Beltline Rd, and Rorary Dr.)



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**RICHARDSON**  
**TEXAS**

**MEMO**

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**DATE:** April 1, 2024  
**TO:** Todd Gastorf – Assistant Director of Finance  
**FROM:** Lisa TerMorshuizen – Purchasing Supervisor *LT*  
**SUBJECT:** Award of Bid #69-24 for the Cooperative Purchase of Cisco Breach Protection Security Suite Software to Netsync in the amount of \$179,930.48 through Texas Department of Information Resources (“DIR”) Contract # DIR-TSO-4167

**Proposed Date of Award: April 8, 2024**

I concur with the recommendations of Dan Steege – Chief Information Officer and Leo Gonzales – Assistant Director IT Infrastructure, and request permission to issue a purchase order for Cisco Breach Protection Security Suite Software to Netsync in the amount of \$179,930.48, as provided in the attached quote.

The above referenced software has been competitively bid through DIR Contract # DIR-TSO-4167. The City of Richardson is a member of DIR through its existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code Section 791.025 and Texas Local Government Code Section 271.102.

Funding is provided from the Technology Replacement Fund.

Concur:

  
Todd Gastorf

ATTACHMENTS



**RICHARDSON**  
TEXAS

# MEMO

**DATE:** March 25, 2024  
**TO:** Ally Dobbins, Purchasing Manager  
**FROM:** Leo Gonzales Jr., Assistant Director IT Infrastructure *LGJ*  
**CC:** Dan Steege, Chief Information Officer *DSS*

**SUBJECT:** Purchase of Cisco Breach Protection Security Suite Software

Information Technology (IT) is requesting your consideration and approval for the purchase of Cisco Breach Protection Security Suite Software to strengthen the city's cybersecurity posture. This investment aligns with our commitment to ensuring the confidentiality, integrity, and availability of critical city systems and data. Cisco is a leading provider of cloud-delivered endpoint protection, threat intelligence, and response services. Their platform offers advanced threat detection capabilities, proactive threat hunting, and rapid incident response, empowering organizations to defend against cyber threats. These services include a Security Operations Center (SOC) utilizing Security Information and Event Management (SIEM) utilities.

The proposed investment in the Cisco Breach Protection Security Suite Software is \$179,930.48 and is within the allocated cybersecurity budget for the fiscal year. The total cost of ownership, including licensing fees and implementation costs, has been thoroughly evaluated and deemed cost-effective compared to potential losses from cybersecurity incidents.

The funding for this effort is provided as follows:

Project Name: IT Security - Cisco Breach Protection Security Suite  
Account Number: 6660-04-10-700-000-604323

It is recommended that the City Council approve the purchase of Cisco Breach Protection Security Suite Software. By investing in this cutting-edge cybersecurity solution, we can enhance the city's resilience against cyber threats, protect sensitive data, and ensure the continuity of essential services for our residents at a purchase price \$179,930.48, utilizing the State of Texas DIR contract (DIR-TSO-4167).

# NETSYNC

2500 West Loop South, Ste.  
410/510  
Houston, TX 77027 USA  
713.218.5000

# QUOTE

AAAQ424333-02

Quote #:	AAAQ424333-02
Date:	03/28/2024
Valid for:	30 Days

### Customer

City of Richardson  
leo.gonzales@cor.gov  
(972) 744 - 4060

### Inside Sales

Kim Ramirez  
KRamirez2@netsync.com  
469-858-9351

### Account Manager

Mark Forehand  
MForehand@netsync.com

Please send purchase order to: [PO@netsync.com](mailto:PO@netsync.com)

Line #	Part	Description	Qty	Unit Price	Ext Price
Main Site					Sub Total 179,930.48
Breach Protection (03/02/2024-03/01/2025)					
1.0	BRCHPRT-SEC-SUITE	Cisco Breach Protection Security Suite	1	0.00	0.00
1.1.0	BPT-SEC-PRE	Cisco Breach Protection Security Suite - Premier Unit Price: 114.00 Each for 1 Year Duration: 1 Years, Billing Frequency: Prepaid	970	114.00	110,580.00
1.2.0	FRL-SUITE	Cisco Secure Network Analytics Flow Rate License - Suites	4850	0.00	0.00
1.3.0	TB-SUITE-100GB	Cisco Telemetry Broker 100GB/day License - Suites	20	0.00	0.00
1.4.0	SVS-BPT-SUP-E	Cisco Breach Protection Suite Enhanced Suite Support Unit Price: 2,104.29 Each for 1 Month Duration: 1 Years, Billing Frequency: Prepaid	1	25,251.48	25,251.48
PROFESSIONAL SERVICES					
2.0	NET-PRO-3RD	XDR Core Services Implementation w/Secure Endpoint deployment	1	64,000.00	64,000.00
3.0	Credit	One-Time Credit: Professional Services	-1	19,901.00	-19,901.00

### Notes: 220050505-147088-20

Breach Protection Suite


Cisco Systems TX | DIR-TSO-4167

Total	179,930.48
Tax/Vat	0.00
Shipping	0.00
<b>Grand Total USD</b>	<b>179,930.48</b>



**RICHARDSON**<sup>®</sup>  
**T E X A S**

**MEMO**

**DATE:** April 1, 2024  
**TO:** Todd Gastorf – Assistant Director of Finance  
**FROM:** Lisa TerMorshuizen – Purchasing Supervisor   
**SUBJECT:** Award of Bid #70-24 for the Cooperative Purchase of Radio System Uninterruptible Power Supply (UPS) Upgrade to GTS Technology Solutions, Inc in the amount of \$168,917.48 through Texas Department of Information Resources (“DIR”) Contract # DIR-CPO-4751, DIR-CPO-4754 and DIR-CPO-5097

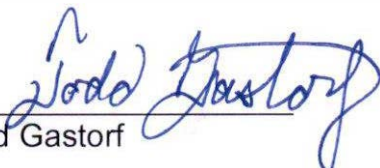
**Proposed Date of Award: April 8, 2024**

I concur with the recommendations of Dan Steege – Chief Information Officer and Leo Gonzales – Assistant Director IT Infrastructure, and request permission to issue a purchase order for Radio System UPS Upgrade to GTS Technology Solutions, Inc in the amount of \$168,917.48, as provided in the attached quote.

The above referenced equipment has been competitively bid through DIR Contract # DIR-CPO-4751, DIR-CPO-4754 and DIR-CPO-5097. The City of Richardson is a member of DIR through its existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code Section 791.025 and Texas Local Government Code Section 271.102.

Funding is provided from 2023 C.O.s.

Concur:

  
Todd Gastorf

ATTACHMENTS



**RICHARDSON**  
TEXAS

# MEMO

**DATE:** March 25, 2024

**TO:** Ally Dobbins, Purchasing Manager

**FROM:** Leo Gonzales Jr., Assistant Director IT Infrastructure LA

**CC:** Dan Steege, Chief Information Officer DSS

**SUBJECT:** Radio System UPS Upgrade

Information Technology (IT) is requesting your consideration and approval for the purchase of new Uninterruptible Power Supply (UPS) Systems for the City's Radio Tower Site locations. The need for the site upgrades was noted in the March 20, 2023, Radio Project presentation to City Council. The current UPS equipment utilized by the City's Radio infrastructure is outdated, posing risks of potential power failures. Power outages or fluctuations pose a significant risk to the functionality of the radio system. Interruptions in power supply can lead to communication failures, hindering emergency response efforts and impeding the overall efficiency of city operations. To mitigate this risk and uphold the reliability of the radio system, the installation of UPS equipment is imperative.

The City's radio system provides critical communications for both Public Safety and General Government. It plays a pivotal role in ensuring efficient coordination, emergency response, and day-to-day operations across the city.

The UPS systems purchase price is \$168,917.48.

The funding for this effort is provided as follows:

Project Name: Radio System  
Project Number: IT2302  
Account Number: 2490-04-10-700-000-707451

The purchase of new UPS equipment for the City's radio system is paramount to safeguarding communication reliability and resilience. By proactively addressing the risk of power disruptions, we can uphold the efficiency of city operations, enhance emergency response capabilities, and ultimately better serve the community. Therefore, it is recommended that City Council approve the purchase of the new UPS equipment to replace the aging infrastructure through GTS Technology Solutions at a purchase price \$168,917.48, utilizing the State of Texas DIR contract (DIR-CPO-4751, DIR-CPO-4754 and DIR-CPO-5097).





TECHNOLOGY SOLUTIONS

GTS Technology Solutions, Inc.
9211 Waterford Centre Blvd Suite 275
Austin, Texas 78758
Phone: 512.452.0651

QUOTE

Quote Number: Q-01565
Quoted Date: 03/28/2024
Expiration Date: 04/25/2024
Account Exec: Kelli Petty
Inside Sales Rep: Jacob Jiongo
jacob.jiongo@gts-ts.com
(512) 681-6281

QUOTE FOR:

City of Richardson

1

Table with 8 columns: LINE, ITEM, DESCRIPTION, SPECIFICATIONS, CONTRACT, QTY, PRICE, EXTENDED PRICE. Contains 13 rows of item details including Eaton 9PXM Series 12-Slot UPS Cabinet, Power Modules, Battery Modules, Network Management Card, and various warranties.

SERVICES: Radio Site UPS Turnkey

Quote Number:

**Q-01565**

Installation Quote. Please review GTS SOW for more details.

14	SERVICES: PROJECT MANAGEMENT	GTS Project Management	DIR-CPO-4754	10	\$ 100.00	\$ 1,000.00
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<i>Prices do NOT include taxes, insurance, shipping, delivery, setup fees, or any cables or cabling services or material unless specifically listed above. If a customer requests expedited or special delivery, causes carrier delays or requests redelivery, customer will be responsible for any additional charges for these services directly billed by the carrier. All prices are subject to change without notice. Supply subject to availability.</i>	<b>Sales Total:</b>	<b>\$ 168,917.48</b>
	<b>Freight &amp; Misc:</b>	<b>\$ 0.00</b>
	<b>Tax Total:</b>	<b>\$ 0.00</b>
	<b>Total (USD):</b>	<b>\$ 168,917.48</b>



# Radio Site UPS Turnkey Installation

## Statement of Work

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By and Between

GTS Technology Solutions  
9211 Waterford Centre Blvd. Ste. 275  
Austin, TX 78758

In Partnership With

City of Richardson

Submission Date: 08/28/2023



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## EXECUTIVE SUMMARY

### PURPOSE

GTS has been requested to provide the Installation services for 4 UPS and associated equipment for the City of Richardson.

### SCOPE

This section articulates the activities and services that will be considered in scope for the Contractor team during this project.

### IN SCOPE

The following items are in scope during this Contract:

#### ON-SITE

##### AV INSTALLATION

- Receive (4) New Eaton 9PXM UPS Systems & Associated Equipment At DFW Storage Facility.
  - Eaton 9PXM UPS Systems To Be Delivered To Site By Installing Technicians On Day of Scheduled Replacement.
- Intercept Existing 100A Circuit & Install Wall Mounted External Maintenance Bypass.
- Install UPS Input & Output Circuits Between Maintenance Bypass & UPS.
- Install Output Circuit From Maintenance Bypass To Load.
- All Equipment Installed Per Code & Anchored As Needed.
- Dispose of Symmetra LX UPS Systems Upon Completion.
  - Return To Site After Replacement To Remove Symmetra LX UPS Systems From Site.
- All Work Will Be Performed During Pre-Approved Service Windows Per City of Richardson's Instruction.
  - Technicians Will Replace (1) UPS Per Night Starting At 3 PM & Shutting Power Down At 5 PM.
    - Will Start On Monday Night & Complete 4th Replacement On Thursday Night.
- Site Cleanup & Removal of All Trash / Debris.

### OUT OF SCOPE

The following items are out of scope during this Contract:

- Any services not included in the In Scope section of this document.

## ROLES AND RESPONSIBILITIES

### CONTRACTOR WILL PERFORM THE FOLLOWING

- Contractor will be responsible for accomplishing assigned activities within project scope and schedule for the negotiated price.
- Contractor will lead/develop requirements gathering sessions specific to document management and workflow as needed with active participation from relevant staff.
- Contractor will manage risks to ensure project quality and schedule adherence.
- Contractor will provide a weekly status report to the CUSTOMER project manager.
- Contractor will appoint a point of contact to communicate with CUSTOMER.
- Contractor point of contact will escalate issues and needed changes to CUSTOMER project manager as appropriate.
- Contractor will review and acknowledge in writing CUSTOMER Computer usage, confidentiality and non-disclosure policies.
- Contractor will invoice CUSTOMER upon completion and CUSTOMER acceptance of each deliverable.

### CUSTOMER WILL PERFORM THE FOLLOWING

- CUSTOMER will appoint a project manager (PM) as the primary contact for the Contractor
- CUSTOMER will be responsible for final acceptance of deliverables
- CUSTOMER will identify and assemble necessary CUSTOMER resources
- The PM will assist the Contractor with business related activities and decisions, as necessary.
- The PM will baseline all deliverables provided by the Contractor.
- The PM will assist the Contractor with the coordination of technical resources
- The PM will review and make comments on Contractor's progress and ensure that the deadlines, work items, reporting, and invoicing are being met and accomplished as described in the SOW
- The PM will assist with budget and procurement issues, as needed.

### DELIVERABLES

- The following deliverables will be developed during the term of the Contract.

No.	Deliverable	Description	Completion Criteria
1	Deployment Signoff	Signoff sheet by onsite contact confirming deliver and installation of units has been completed	Onsite contact signs document

## ASSUMPTIONS

- Customer is responsible for all software licenses.
- The Customer Project Manager shall obtain and provide project requirements, information, data, decisions and approvals according to the project plan unless both parties agree to a different response time and provided the information is available from the customer.
- The Customer shall provide GTS Project personnel with reasonable and safe access to the project site and adequate office space, as required.
- Scope of this project is based on information gathered to-date and is subject to re-scoping in the event additional tasks or technical issues arise. Any time spent beyond the projected project hours will be billed to the customer at the project staff standard Time and Material (T&M) hourly rate. Hourly work will not be performed without written approval from the customer.
- An elevator shall be available to transport equipment between floors
- Service Hours:
  - Business Hours – Monday through Friday 8:00am to 5:00 pm local time (excluding State of Texas and nationally-observed holidays).
  - Outside Business Hours – (Monday – Friday) – (may incur an additional charge)
  - Weekends – (may incur an additional charge)
  - Holidays – (may incur an additional charge)

## REPORTS AND MEETINGS

The Contractor assigned Project Manager will work with CUSTOMER's assigned personnel to create the deliverables for this project.

- Contractor will document milestone completion status, issues, risks and open action items in weekly status reports to CUSTOMER
  - Weekly status reports and associated information will be considered accepted by CUSTOMER if not objected to in writing within 3 business days
- Contractor will conduct weekly project meetings with CUSTOMER
  - Additional meetings may be requested by CUSTOMER or Contractor
- Contractor will conduct any meetings required to determine the best solution forward for an issue or risk

## PERIOD OF PERFORMANCE

The term of this contract begins upon full execution of this document and continues until project completion. Contractor estimates it will take approximately 4 days to complete this project.

## PRICING

### PAYMENT ADDRESS

GTS Technology Solutions  
DEPT. 6877  
P.O. Box 4264  
Dallas, TX 75266

## PROJECT ACCEPTANCE

### CHANGE MANAGEMENT

When the Contractor or CUSTOMER determines that a change is necessary to refine a process, procedure, or specific responsibility identified in this SOW, the party proposing the change will document the request using the change request form provided in Appendix A. The request will be presented in a change management meeting where both parties will mutually agree to accept or reject the change request. This change management meeting will be within 5 business days of the request. A conference call between both parties that addresses the change request will be considered a change management meeting as long as both parties are present.

The receiving party will review the proposed Change Request and determine whether the change is acceptable or requires modifications. Both parties will review the proposed Change Request and will (i) approve it, (ii) agree to further investigation, or (iii) reject it ("Change Management Process"). When the parties agree to the change, they will sign the Change Request, which upon signing by both parties will constitute authorization to implement the change.

### ACCEPTANCE

CUSTOMER shall either accept or reject the Contractor's Services or Work Product within a reasonable number of days from performance. For this Project SOW, Services or Work Product shall be accepted or rejected within 25 days from performance. Services or Work Product will be deemed acceptable to CUSTOMER if it conforms in all material respects with Services described in this SOW.

- The Contractor will have full responsibility for the deliverables and the tasks listed in this SOW.
- All work products will be submitted to the CUSTOMER PM for acceptance and approval. The CUSTOMER PM may request that a deliverable outline be submitted for approval prior to work commencing on the deliverable. All correspondence and documentation will be delivered in both paper and electronic format unless otherwise agreed to by the Contractor and the CUSTOMER PM.
- CUSTOMER will complete a review of each submitted deliverable within five work days from the date of receipt. CUSTOMER feedback which indicates revisions to a deliverable are required will be addressed and re-submitted by the Contractor within ten work days unless approval (in writing) for a different length of time is obtained from the CUSTOMER PM or designate.

- CUSTOMER will either accept or reject the Contractor's Services or Work Product within a reasonable number of days from performance. For this Project SOW, Services or Work Product will be accepted or rejected within 5 days from performance completion date. Failure to provide acceptance or rejection within 5 days will be considered acceptance of the deliverable.
- If CUSTOMER gives notice of rejection, then the Contractor will have an additional ten (10) days, within which to cure any deficiencies identified in writing by CUSTOMER.

#### PROJECT COMPLETION CRITERIA

The project will be considered complete when all deliverables described in the SOW have been accepted and approved by the CUSTOMER PM.

#### PAYMENT TERMS

CUSTOMER agrees to be invoiced based on completion and acceptance of each deliverable. CUSTOMER upon receipt of the invoice(s) agrees to a net payment term of (30) days.

## APPENDIX A – CHANGE REQUEST FORM

<b>Change# 001</b>	Between:	GTS	CUSTOMER	Priority (select one)	Low, Medium, High
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Client Name		Date	
Change Manager		Related Issue #	


CONTACT INFORMATION							
Prepared by				Phone	Email		
Change Owner				Phone	Email		
Client/Contractor Contact				Phone	Email		
DESCRIPTION OF EXISTING STATE ↓							
Details:							
REQUESTED CHANGE ↓	IMPACT →			Schedule	Quality or Quantity	Related SOW Section	
	Cost						
Details:							
IMPACT ↓							
Details:							
Total Cost of this Change		Paid By → (keep all that apply)			CUSTOMER	GTS	
GTS				CUSTOMER			
Signature				Signature			
Name				Name			



**RICHARDSON**<sup>®</sup>  
**TEXAS**

**MEMO**

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**DATE:** April 1, 2024  
**TO:** Todd Gastorf – Assistant Director of Finance  
**FROM:** Lisa TerMorshuizen – Purchasing Supervisor   
**SUBJECT:** Award of Bid #71-24 for the Cooperative Replacement of the Hill Performance Hall Stage Floor at the Eisemann Center to Ponder Company, Inc. in the amount of \$206,698 through The Local Government Purchasing Cooperative ("BuyBoard") Contract #641-21

**Proposed Date of Award: April 8, 2024**

I concur with the recommendation of Ally Haynes-Hamblen – Executive Director of the Eisemann Center and request permission to issue a purchase order for the Hill Performance Hall Stage Floor Replacement Project at the Eisemann Center to Ponder Company, Inc. in the amount of \$206,698, as provided in the attached quote.

The above referenced purchase has been competitively bid through BuyBoard Contract #641-21. The City of Richardson is a member of BuyBoard through its existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code Section 791.025 and Texas Local Government Code Section 271.102.

Funding is from the Eisemann Center Facility Maintenance Fund.

Concur:

  
Todd Gastorf

ATTACHMENTS






RICHARDSON


TEXAS

MEMO

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TO: Ally Dobbins, Purchasing Manager

THROUGH: Michaela Dollar, Assistant City Manager 

FROM: Ally Haynes-Hamblen, Eisemann Center Executive Director 

SUBJECT: Eisemann Center Hill Performance Hall Floor Replacement

DATE: March 28, 2024

**ACTION REQUESTED:**

Council to consider award of Buyboard Contract No. 641-21 for the Hill Performance Hall Stage Floor Replacement Project at the Eisemann Center to Ponder Company in the amount of \$206,698.00.

**BACKGROUND INFORMATION:**

The Hill Performance Hall sprung-wood stage floor is the original floor installed when the Eisemann Center was built in 2000-2002. The typical stage floor, if well maintained, has a life expectancy of 20 years. Now at 23+ years old, it has passed its expected lifespan and needs to be replaced.

Funding was allocated in the FY 2024 Eisemann Center budget to replace the entire stage floor with the specialty materials and installation method that will retain its use as one of the premier stage floors in the country.

The Eisemann Center's annual maintenance calendar has been extended in the summer of 2024 to allow for six-to-eight weeks to complete this replacement project from late July to mid-September 2024, as the theater will be inoperable during this project.

**FUNDING:**

Funding is from the Eisemann Center Facility Maintenance Fund account number EC2413-3140-09-27-750-000-707524.

# PONDER COMPANY, INC.

6825 LEVELLAND, #3B\*\*\*DALLAS, TEXAS 75252

PH--972-248-9001\*\*\*FAX--972-248-9002

## PROPOSAL/AGREEMENT

TO: Eisemann Center  
Attn: Virgil Justice  
Richardson, TX

Date: 28-Mar-24

**JOB LOCATION:** Eisemann Center 2351 Performance Dr, Richardson, TX 75082

### WE PROPOSE TO FURNISH THE FOLLOWING:

#### Replace Stage flooring

Materials and labor to tear out approx. 6,240 SF of stage flooring and replace with a Robbins Le Lena B on the entire stage. Ponder will block in the wheel paths of the back walls. System to include 6 mil poly on the plywood decking with 9/16" Zero G Force and Noise damping pad with attenuation damping pad with 2 layers of 15/32" subfloor panels glued and stapled, with Robbins 25/32 x 2 1/4" XL+ 2nd and better pre sanded maple on top. Maple to be buffed, and painted with the Wilko Paint. Vent cove base to be installed where the floor meets the walls and aluminum at the doorways.

#### New Black/Grey Marley

Materials only, 8 rolls of Black and Grey Rosco Duette Marley that is 1.6m x 131' long. Material to be drop shipped to the Eisemann Center. Ponder will unload and load on the racks after cutting.

CONTRACT TO BE COMPLETED FOR THE SUM OF: **\$206,698.00** Tax not included

**Exclusions: Slab preparation/levelness/repair, Cleaning of areas other than the floor itself, moving the back walls, and sales tax, and protection of finished flooring.**

**Terms: Net 30  
Buy Board #641-21**

PONDER COMPANY, INC.

  
Abby Mitchell / Ponder Company, Inc.

- (1) This proposal is made for acceptance within 15 days and subject to conditions herein.
- (2) All payments due at Ponder Company, Inc. As shown on this address.
- (3) Failure to pay in accordance with terms contained herein will breach this contract and all work will cease.
- (4) All prices and agreements are contingent upon strikes, accidents, and other causes unavoidable or beyond our control.
- (5) Goods proven defective will be repaired/replaced, but no claims for damages incurred, or work, will be allowed.
- (6) It is agreed that no back charges of any nature will be made against Ponder Company, Inc.
- (7) Title of said materials shall not pass until cash payment in full is received by Ponder Company, Inc.