

**ORDER APPROVING CHANGES TO THE SERVICE RULES AND POLICIES OF TRAVIS  
COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 17 REGARDING  
SERVICE DISCONNECTION PROCEDURES, REMOVAL OF EXPIRED SUBSEQUENT  
USER FEES, AND BILLING ADJUSTMENT FOR LEAKS**

THE STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS           §

**WHEREAS**, Travis County Water Control & Improvement District No. 17 (the “District”) is a conservation and reclamation district operating pursuant to Chapters 49 and 51 of the Texas Water Code;

**WHEREAS**, the District has adopted written Bylaws, Code of Ethics and Values/Ethics Policy, and Service Rules and Policies (“Rules and Policies”) concerning the operation of the District; and

**WHEREAS**, the District’s Board of Directors has determined that certain amendments to the District’s Rules and Policies are necessary at this time to incorporate amendments proposed by the District’s Policy Committee relating to: (a) service disconnection procedures; (b) removal of expired Subsequent User Fees; and (c) billing adjustments for leaks.

**NOW THEREFORE**, it is ordered by the Board of Directors of Travis County Water Control and Improvement District No. 17 as follows:


**Section 1:**     The above recitals are true and correct and are incorporated into this Order for all purposes.

**Section 2:**     The District’s Board of Directors hereby adopts the changes and amendments to the District’s Rules and Policies relating to a) service disconnection procedures; (b) removal of expired Subsequent User Fees; and (c) billing adjustments for leaks, as shown in **Attachment A**.

**PASSED AND APPROVED** this 21<sup>st</sup> day of May 2020.

  
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Jeff Roberts  
President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Jerri Lynn Ward  
Secretary, Board of Directors

**EXHIBIT A**

- a. **Water Impact Fee:** For new Development that is not platted as of September 27, 2006, payment will be due to the District at the time of the final plat. For Development that is platted, as of September 27, 2006, payment will be due to the District upon submittal of final construction plans to the District. For single lots, payment will be due to the District at the time the property owner requests water service from the District.
- b. **Wastewater Impact Fee:** For Applicants with single-family residences in Developments less than ten (10) LUEs in size, wastewater Impact Fees are payable at the time the Applicant requests the meter to be set. For Commercial Projects, Multi-Family, and Developments over ten (10) LUEs in size, wastewater Impact Fees must be paid at the time of the final plat. For Commercial, Multi-Family, and Developments over ten (10) LUEs in size that have existing final plats recorded prior to their application for service, wastewater Impact Fees must be paid at the time of submission of plans and specifications for improvements to the District for its review and approval.

All Impact Fees will be for the amount of LUEs to be served by the proposed improvements.

Impact Fees cover only those central facilities designated in the applicable Impact Fee Study. These fees do not cover any internal On-site subdivision infrastructure or Off-site facilities not identified in an applicable capital improvement plan. All such infrastructure and connecting mains required to serve new Development are the financial responsibility of the Developer.

#### 1.21 **Service Disconnection**

A Customer must provide a written request to the District for service in his or her name to be disconnected. The written request must provide the actual date service is to be disconnected and a forwarding address for final billing or deposit refund. The District shall take a final reading of the meter on the disconnection date and turn service off. At the time a new occupant prepares to move-in, a Service Agreement with all fees paid shall be necessary to start service. If the District suspects that a new occupant has taken possession of the property but has not made an application to the District for service, a three (3) day notice shall be placed on the door notifying the new occupant of application requirements. If the new occupant has not made application by the end of the third day, service will be performed by the District as scheduled to turned off water service at the cutoff valve on the fourth day.

Commented [A1]: Approved 5.21.20

All builders and contractors within the District shall be responsible for water and wastewater service charges until such time as notice has been given to the District that service in their name is to be terminated. For this termination to be granted, all required inspections must be completed and permits closed out. If a builder or contractor does not notify the District to terminate service to a property and the homeowner has not made application for service, then, even though the homeowner is living on the property, the builder or contractor will still be responsible to the District for the bills until notice of termination of service has been made.

- all affected property owners.
- Fees must be based on the actual cost of the water/wastewater improvements and may include reasonable interest.
- Fees must be reasonable for Customers, and factors that determine this status may include lot size, potential improvements, and land use.

#### Subsequent User Fees:

**Commented [A3]:** These fee updates for CH & CT were approved 5.21.20

**Cardinal Hills:** \$5,9615,690 per Water LUE;  
\$7,9067,547 per Wastewater LUE

**Commented [A4]:** New Fees Adopted 1.30.2020 Based on Prime +1%

\*Fees increase by 8.5% bi annually effective October 5, 2006.

Shall be charged to any Applicant located in the Subsequent User Fee Area established in that certain "Order Adopting Water and Wastewater Subsequent User Fees for Preserve at Lakeway, Cardinal Hills Units 4-7" dated November 20, 2003, and as amended by Order dated September 15, 2004. The fees shall be collected at the time a Service Commitment is requested for the property and shall be a condition of providing service to such property. Fees will be collected for fifteen (15) years from the date of acceptance, April 29, 2005, (2020) or until the Developer recovers the maximum reimbursable amount, whichever comes first.

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**Casa Trinidad - Shared Facilities:** \$8,633.50 per Wastewater LUE

**Casa Trinidad - Wastewater Line Construction:** \$6,417.00 per Wastewater LUE

Shall be charged to any Applicant needing to connect to the Shared Facilities eight-inch force main for wastewater service. The fees shall be collected at the time a Service Commitment is requested for the property and shall be a condition of providing service to such property. Fees will be collected for ten (10) years from the date of creation, March 10, 2010.

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**McCormick Mountain Service Area:** \$6,760 per Water LUE

The fee shall be charged to any Applicant located in the McCormick Mountain Subsequent User Fee Area, as established on July 20, 2017, by the Board of Directors. The fee shall be collected at the time a Service Commitment for water service is requested for the property and shall be a condition of providing service to such defined property. This area consists of the properties to include McCormick Mountain Subdivision Phases I and III. The Subsequent User Fee will be collected until the 42 residential connections reflected in the current subdivision plats are made.

#### **Travis Vista/Marshall Ford:**

\$ 9,395.00 per Wastewater LUE (effective January 1, 2014)

The fees shall be charged to any Applicant for wastewater service located in the Subsequent User Fee Area established in that certain "Order Adopting a Subsequent User Fee for Wastewater Improvements in the Travis Vista/Marshall Ford Service Area", dated October 17, 2013. The fees shall be collected at the time a Service Commitment is requested for the property and/or a customer



- c. For a period of twelve (12) months prior to the date, the error is discovered for a commercial customer who was underbilled; or
- d. Only to customers currently receiving service, unless the discovery is less than ninety (90) days after service has been terminated for any reason for the account in question.

The District shall make an adjustment due to an inaccurate meter by estimating the customer's utility consumption using prior consumption history, comparisons to similarly situated customers under similar weather conditions, readings from a replacement meter, or such other methods and information that it reasonably deems appropriate.

In the event of an adjustment for water utility service, wastewater charges will be adjusted for the same period.

If a customer is liable for a balance under an inactive account, the District may transfer that balance to any of the customer's active accounts. The time limitations above shall not apply to a transfer made under this subsection.

The time limitations above shall not apply if the District determines that it has failed to accurately meter or otherwise properly bill for utility service because of utility service diversion. The customer shall be liable for all diverted utility service regardless of when the diversion occurred and regardless of whether the customer is shown to have committed, aided, allowed, or been aware of the diversion. The District is not required to extend any deferred payment arrangements in cases of utility service diversion.

Customers may request a bill adjustment for excess water use due to a leak on the customer's side. One leak adjustment per calendar year, per customer will be allowed. In order to qualify for a leak adjustment, the customer must report the leak within six months of the leak occurrence. To obtain the adjustment the customer must submit:

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- a. Written Request – The request should provide a brief description of the leak, and over what period of time the leak is estimated to have occurred. (Email is acceptable)
- b. A copy of the plumber's repair bill showing the leak to be repaired or other proof such as a photograph. District staff may also verify repairs.

District staff will review the claim and make the appropriate adjustment to the account. The adjustment is calculated by taking the customer's account average of the three (3) months of water usage prior to the month leak was first detected. This figure establishes an estimate of actual usage ("Average Usage"). Regular rates are applied to Average Usage.

Any usage above the Average Usage is billed at the water rate appropriate for the average usage calculated, the current surplus water rate, detailed in Section 2.1, on a flat rate basis. If no historical usage data is available, the District-wide average will be used to determine usage.

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