

**RESOLUTION ADOPTED BY
BUENA VISTA-BETHEL SPECIAL UTILITY DISTRICT
REGARDING LIMITATION OF NEW WATER CONNECTIONS**

Pursuant to applicable provisions of Texas law and the governing documents of the Buena Vista-Bethel Special Utility District (the "District"), the Board of Directors of the District hereby consent to, approve and adopt the following:

WHEREAS, the District was recently notified by its engineer that the District is approaching its current service capacity;

WHEREAS, the District is actively pursuing increases to its current service capacity through construction of new wells and is exploring additional ways to increase its capacity to accommodate the unprecedented growth occurring within the District's service area;

WHEREAS, based on the District's last capacity growth analysis, the District is more than a decade ahead of its growth schedule;

WHEREAS, the Board of Directors of the District deems it necessary and advisable to place limits on the availability of new connections to the District's water system until such time as, in the discretion of the Board of Directors, such limits are no longer needed;

WHEREAS, the Board of Directors of the District discussed these matters in an open, regularly scheduled monthly meeting held at the offices of the District on August 16, 2022;

WHEREAS, the Board of Directors passed a resolution on August 16, 2022 to engage legal counsel of the District to draft, for the Board of Directors' review, a resolution to provide for the adoption of a policy to address these matters, and counsel has provided such draft for consideration.

BE IT THEREFORE RESOLVED, that the Board of Directors hereby adopts the following policy to govern the allowance of new water meter connections, effective immediately:

- A. No new water meter connections which would otherwise require non-standard service agreements ("NSSA") will be approved for new developments within the District's service area; provided, however, that existing NSSA for which metered water connections have already been allocated shall be honored.
- B. The District shall not enter into any new NSSA unless such NSSA is expressly conditioned on obtaining approval of the Board of Directors in the future when the Board of Directors deems the District to have sufficient capacity to support the development for which such NSSA is sought. When the District's capacity, in the discretion of the Board of Directors, becomes sufficient to support developments, and

subdivisions, then NSSA will be considered in the order in which they were received during this moratorium period.

- C. Residential applicants seeking new metered water connections for their personal residences will be approved, subject to actual capacity being available, for one meter per ten-acre or larger property and second meters, such as a meter for an additional residence on a property, will be considered on a case-by-case basis by the Board.
- D. The Board of Directors may reject applications for new metered water connections in cases where property is subdivided into smaller parcels, which will be considered on a case-by-case basis.
- E. All applications for new metered water connections which do not conform to the approval conditions stated in this policy will be presented to the Board of Directors for consideration on a case-by-case basis.
- F. Any scenario or matter arising as to any request for a metered water connection to the District which is not contemplated by this policy shall be submitted to the Board of Directors for consideration.
- G. A copy of this policy shall be posted on the website of the District and at the District's office within a reasonable time following its adoption.

PASSED AND APPROVED on September 13 2022.

Don Walker

Don Walker, Board of Directors, President

ATTEST:

Diana Hanes

Diana Hanes, Secretary

