

## **ORDINANCE 2023-O-11A**

**AN ORDINANCE OF THE CITY OF MARBLE FALLS AMENDING CHAPTER 26, UTILITIES, ARTICLE II, WATER, DIVISION 4, WATER CONSERVATION PLAN, BY AMENDING AND REPLACING SECTION 26-55.1, UTILITY PROFILE AND SECTION 26-55.2, PLAN ELEMENTS AND ADOPTING A NEW WATER CONSERVATION PLAN TO PROMOTE THE RESPONSIBLE USE OF WATER SERVICE, AND PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING PROVISIONS; AND AN EFFECTIVE DATE.**

**WHEREAS,** the City of Marble Falls is a home rule city acting under its charter, recognizes that the amount of water available to its water customers is limited; and

**WHEREAS,** the City recognizes that due to natural limitations, drought conditions, system failures, and other acts of God that may occur, the City cannot guarantee an uninterrupted water supply for all purposes at all times; and

**WHEREAS,** the City has determined it is in the best interest of the public to amend its Water Conservation Plan; and

**WHEREAS,** pursuant to Chapter 54 of the Local Government Code, the City is authorized to adopt such policies necessary to preserve and conserve its water resources; and

**WHEREAS,** the City Council of the City of Marble Falls, Texas desires to adopt the herein after described Water Conservation Plan as described herein and as official City policy and requirements for the conservation of water; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARBLE FALLS, TEXAS:**

### **SECTION I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Marble Falls and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

### **SECTION II. AMENDMENTS**

The City hereby amends Chapter 26, Utilities, Article II Water, Division IV Water Conservation Plan by amending and replacing Section 26-55.1, Utility Profile and Section 26-55.2, Plan Elements, to read as set out in Attachment "A", attached hereto.

### **SECTION III. SEVERABILITY**

If any provision, section, sentence, clauses or phrase of this Ordinance or application of same to any persons or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portion of this Ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Marble Falls in adopting, and the Mayor in approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provisions or regulation.

### **SECTION IV. REPEALER**

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

### **SECTION V. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

### **SECTION VI. EFFECTIVE DATE**

This ordinance shall be effective immediately after its passage and publication as required by law.


DULY PASSED by the City Council of the City of Marble Falls, Texas, on the 7<sup>th</sup> day of November 2023.

**CITY OF MARBLE FALLS, TEXAS**


A handwritten signature in black ink, appearing to read 'Dave Rhodes', is written over a horizontal line.

Dave Rhodes, Mayor

Attest:

  
Christina McDonald, City Secretary

Approved as to Form:

  
Patty L. Akers, City Attorney

## **Attachment A**

### **City of Marble Falls Water Conservation Plan Ordinance 2023-O-11A**

## **1. Introduction**

The City of Marble Falls water conservation plan has been developed to meet the LCRA Water Conservation Plan Rules for Water Sale Contracts in accordance with the LCRA Water Contract Rules. This plan recognizes that conservation is a valuable tool in managing water utility systems. Benefits of water conservation include extending available water supplies; reducing the risk of shortage during periods of extreme drought; reducing water utility operating cost; improving the reliability and quality of water utility service; reducing customer cost for water service; and enhancing water quality and the environment.

This plan applies to all of City of Marble Falls's retail water customers located within its water service area, as defined in its Water Supply Contract with LCRA.

## **2. Utility Profile Information**

As of December 2022, there were approximately 3,606 total connections in the City of Marble Falls's water service area, 2,855 of these are residential connections. Based on U.S. census data, there were 2.40 persons per household in this service area, with an estimated population of 7,423 as of July 2022. The projected population in 2032 is approximately 16,126, with 2,980 new residential connections. Projected full build out is projected in 20 years, based on current service area. City of Marble Falls operates a wastewater treatment plant. The treated wastewater effluent currently produced is 871,660 gallons per day.

Table 1 in Appendix A provides tables on water use data for the past five years. The five-year average daily water use (511.014 MG Average Yearly Use/365days) was 1,400,038 gpd. The five-year average water loss was 41,178. The five-year peak daily water use was 2,373,400 mgd. Current per capita total water use is 204 total gallons per person per day (GPCD) and 490 per residential connection GPCD.

## **3. Water Conservation Goals**

Water conservation five- and 10-year goals are required for overall water use, residential water use and water loss. The goals proposed by the City of Marble Falls are as follows:

	Five-year goals	10-year goals
Gallons per person per day (GPCD)	199	195
Residential gallons per person per day (rGPCD)	81	79
Water loss	4%	4%
Research a drought contingency rate structure	X	
Implement direct potable reuse of treated wastewater	X	
Evaluate current landscape conservation standards to consider additional conservation standards	X	

## 4. Water Conservation Strategies

### 4.1 Water Loss

#### 4.1.1 Universal Metering and Meter Replacement and Repair - Required

The City of Marble Falls requires all water meters to be accurate within plus or minus 5% of the indicated flow over the possible flow range. All utility customers will be metered. Water will be metered in and out of all water treatment plants. A regularly scheduled maintenance program of meter repair, replacement and calibration will be performed in accordance with recommended meter manufacturer guidelines following the minimum schedule by meter size:

Production (master) meters:	Test once a year
Meters larger than 1 inch:	Test once a year
Meters 1 inch or smaller:	Test per manufacturer's recommendations

Zero consumption accounts will be checked to see if water is being used or not recorded. In addition, the meters will be checked for proper sizing.

#### 4.1.2 Distribution System Leak Detection and Repair- Required

City of Marble Falls will conduct leak detection and water audits, making appropriate repairs, in order to meet the utility water loss goal. Water loss audits will be performed in accordance with Texas Water Development Board rules and City Marble Falls will review TWDB Municipal BMP 4.2 Utility Water Audit & Water Loss prior to conducting a water loss audit. LCRA water customers may qualify for financial assistance for conducting comprehensive water audits.

Measures to proactively reduce water loss will be considered as feasible, including measures to reduce water lost within the water treatment process as well as strategies to reduce line flushing and identify/repair water line leaks quickly.

### **4.1.3 Additional Water Loss Best Management Practices (BMPs)**

- All meters are compatible with automatic reading capabilities.
- All meters are read automatically using automated meter infrastructure (AMI) and City of Marble Falls receives real-time water use data.
- A customer portal allows end users to check their water use online.
- Offer submeters for irrigation for all new commercial and industrial customers.
- Offer submeters for irrigation for all new residential properties.
- Strategies to minimize water loss on long dead-end main lines will be considered. Use automatic flush valves, except in drought conditions.
- As feasible, chlorine injection stations will be placed strategically throughout the development to avoid the need for excessive flushing to keep chlorine residuals in compliance.
- As feasible, a protective leak detection program will be developed to decrease water loss in the water distribution system.

## **4.2 Water Rates and Records Management - Required**

### **4.2.1 Increasing Block Rates**

City of Marble Falls currently uses an increasing block rate structure to reflect the cost drivers for the water systems and sends a conservation price signal to customers. City of Marble Falls will periodically evaluate its rate structure to promote conservation to the maximum extent possible. Updated rate schedules for these systems shall be submitted to LCRA within 30 days of approval. The current rate structure will be submitted with this plan to LCRA and will be located on the utility web site.

### **4.2.2 Water Monitoring and Records Management**

City of Marble Falls' staff maintain records of water distribution and sales through a common monitoring and billing system to provide a central location for water billing information and a way to compile, present, and view water use and billing information.

The billing system is capable of separating water use per customer type into the following categories: single-family residential, multi-family residential, commercial, institutional, industrial, agricultural, and wholesale. Any new billing system purchased will be capable of reporting detailed water use data by the sectors listed.

## **4.3 Permanent Watering Schedule - Required**

A permanent landscape watering schedule must limit outdoor spray irrigation for landscapes to no more than twice per week and only between the hours of midnight to 10 a.m. and 7 p.m. to midnight.

Schedule:

Residential addresses ending in odd numbers: Wednesdays and Saturdays

Residential addresses ending with even numbers: Thursdays and Sundays  
Commercial customers: Tuesdays and Fridays

#### **4.4 Water Reuse – Required to address applicability, if relevant**

For utilities operating a wastewater treatment plant:

If wastewater treatment is required on-site, a development design plan should include a reuse system designed to deliver wastewater for the following types of water uses once the wastewater volume is adequate:

- Irrigation of athletic fields (Greens Soccer Complex, 8 acres, Johnson Park Ball Fields – 2.9 acres)
- Irrigation of parks (list names and acreage-Johnson Park – 7.96 acres, Lakeside Park – 7.26 acres, Falls Creek Park – 2.9 acres)
- Irrigation of golf courses – (Hidden Falls Golf course, 50 acres)
- Other (Huber Industries for dust control)

The treated wastewater effluent currently produced is 800,600 gallons per day and 40% of that effluent is used for the irrigation uses listed above. The relocation of the new wastewater treatment plant will provide additional opportunities to expand the reuse distribution system. The City's goal is to expand the reuse distribution by 10%. Additionally, the next phase of the plant is to implement a direct potable use system.

#### **4.5 Education and Outreach**

##### **4.5.1 Required Measures**

Throughout the year, water conservation literature will be made available to users regarding water conservation, native landscaping and other related topics to garden clubs, homeowner associations, and various other interested groups. City of Marble Falls staff may attend such events or request a presentation from LCRA staff to promote water conservation.

##### **4.5.2 Additional Education and Outreach Best Management Practices (BMPs)**

- Hotels will be strongly encouraged to adopt a hotel linen reuse option policy where linens are only changed out upon request during multi-night short stays.
- Customers will be offered rebates for irrigation system equipment, irrigation system evaluations, pools, landscapes and soil testing from LCRA, as listed on LCRA's website. The City of Marble Falls will assist LCRA with promoting water conservation programs to its customers



#### **4.6 Other Best Management Practices for New Development**

- Temporary landscape watering schedule variance for new landscapes. New landscapes can be watered according to the following schedule for the first 30 days after installation.  
Days 1 through 10: spray irrigation allowed every day.  
Days 11 through 20: spray irrigation allowed every other day.  
Days 21 through 30: spray irrigation allowed every three days.  
Watering times: Midnight to 10 a.m. and 7 p.m. to midnight.
- The City of Marble Falls adopted landscape irrigation standards as defined by TCEQ and The State of Texas Title 30, Texas Administrative Code, (30 TAC) Chapter 344, adopted in the 2018 Water Conservation Plan. The City of Marble Falls will continue to permit and inspect new irrigation systems through its building inspections program, including review of irrigation systems to promote water conservation.

#### **5. Wholesale Water Conservation Plans - Required**

Wholesale treated water customers must develop a drought contingency and a water conservation plan in accordance with LCRA Water Contract Rules. The plans must include a governing board resolution, ordinance or other official document noting that the plan has been formally adopted by the utility. Wholesale treated water customers must include in their wholesale water supply contracts the requirement that each successive wholesale customer develop and implement a water conservation and drought contingency plan.

#### **6. Coordination with Regional Water Planning Group - Required**

The service area of City of Marble Falls is located within the Lower Colorado River Water Planning Area (Region K) of the State of Texas and the district has provided or will provide a copy of this water conservation plan to the regional water planning group. The plan can be sent to the LCRA, c/o Water Contracts and Conservation, P.O. Box 220, Austin, Texas, 78703.

#### **7. Authorization and Implementation**

The Mayor, or his/her designee, of City of Marble Falls is hereby authorized and directed to implement the applicable provisions of the plan. The Mayor, or his/her designee, will act as administrator of the water conservation program. He/she will oversee the execution and implementation of the program and will be responsible for keeping adequate records for program verification. A signed and dated copy of this plan by the Mayor, or his/her designee, will be sufficient to meet this requirement.

### 7.1 Plan Implementation

The City of Marble Falls has designated a water conservation coordinator, who will be responsible for the implementation of this water conservation plan. The current water conservation coordinator is the Director of Public Works. The City Manager, or his/her designee, may re-appoint this position. At that time, the City of Marble Falls will inform LCRA about this personnel change.

## Appendix A – Historical Water Use Data – Table 1

**Table 1: Monthly Water Use**

<b>Month MGD</b>	<b>2018 MGD</b>	<b>2019 MGD</b>	<b>2020 MGD</b>	<b>2021 MGD</b>	<b>2022 MGD</b>	<b>Average</b>
January	35.758	29.805	31.756	32.480	34.970	32.954
February	30.894	26.867	29.926	33.599	33.073	30.872
March	39.589	33.898	33.115	33.087	42.340	36.406
April	45.118	33.812	31.788	38.984	50.982	40.137
May	51.809	34.177	40.002	36.239	56.595	44.159
June	51.656	38.502	50.411	39.489	58.629	47.737
July	59.733	48.317	64.210	43.314	63.911	55.897
August	56.435	58.937	63.23	51.563	61.975	58.428
September	37.593	52.946	42.522	52.618	53.419	49.818
October	33.959	47.028	43.702	44.950	56.339	45.196
November	32.681	34.056	39.704	38.445	41.700	37.317
December	29.782	31.552	35.259	37.274	37.868	34.347
<b>Total</b>	<b>506.007</b>	<b>469.894</b>	<b>505.625</b>	<b>482.042</b>	<b>591.501</b>	<b>511.014</b>