

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AMENDING THE LEON VALLEY CODE OF ORDINANCES, CHAPTER 14 UTILITIES, ARTICLE 14.11 WATER CONSERVATION AND DROUGHT MANAGEMENT, DIVISION 2. LANDSCAPE WATERING TO ADD SECTION 14.11.038 CONSERVATION PROGRAMS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE, AND PROVIDING A NOTICE AND MEETING CLAUSE**

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**WHEREAS**, the City of Leon Valley owns and operates a water system which relies on water supply from the Edwards Aquifer; and

**WHEREAS**, it is the goal of the City to conserve water usage as much as possible in order to preserve the delicate nature of the aquifer; and

**WHEREAS**, the City encourages its water customers to also conserve water and in order to provide incentives for conservation now wishes to create several conservation programs.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS:**

**SECTION 1.** That Chapter 14 Utilities, Article 14.11 Water Conservation and Drought Management, Division 2. Landscape Watering, is here by amended to add a new Section 14.11.038 Conservation Programs as stated below:

“Section 14.11.038 Conservation Programs

The City of Leon Valley encourages its Leon Valley Water System water customers to reduce the use of water from the City’s water system by offering rebates for several conservation programs. The following rebate programs are promoted for water conservation:

- a. Toilet Rebate - Replacement of regular toilets with low flow toilets. Rebates are \$50 per toilet with a two-toilet maximum per household.
- b. Washing Machine - Replacement of older washing machines with high efficiency washing machines. Rebates are \$100 per washing machine per household.
- c. Rain Barrel Rebate - Installation of a rain barrel for landscape watering use. Customers may purchase a rain barrel at any store but must have the barrel installed and inspected by the City prior to a rebate being applied to their account. A one-time rebate of \$40 for one rain barrel per household is allowed.
- d. Xeriscape Rebate - Customer must install two hundred (200) square feet of xeriscape/hardscape plantings. Customer must take “before” pictures and City

staff must inspect the site after xeriscaping is installed. Plantings must be proven to be drought tolerant. Customers are encouraged to refer to the wildscape and xeriscape plant lists provided by the Texas A & M Agrilife Extension Service. The rebate is a one-time \$100 per xeriscaped area per household.

- e. Resident's water billing account must be in good standing and not past due before a rebate may be issued.
- f. Residents who installed a rain barrel or a xeriscape garden prior to the passage of this Ordinance may request a one-time rebate upon proof of purchase, installation, and inspection by City personnel."


**SECTION 2. REPEALER CLAUSE.** The provisions of the 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 by any other ordinance.

**SECTION 3. EFFECTIVE DATE.** That this Ordinance shall take effect immediately from and after its passage as required by law.


**SECTION 4. NOTICE OF MEETING CLAUSE.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public 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.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 3rd day of October 2022.

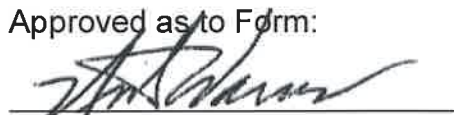
**APPROVED**

  
**CHRIS RILEY**  
MAYOR

Attest :

  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

  
City Attorney



## **MAYOR AND COUNCIL COMMUNICATION**

**DATE:** October 3, 2022

**TO:** Mayor and Council

**FROM:** Melinda Moritz, Public Works Director

**THROUGH:** Crystal Caldera, City Manager

**SUBJECT:** Presentation and Discussion of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 14 Utilities, Article 14.11 Water Conservation and Drought Management, Division 2. Landscape Watering to Add a New Section 14.11.038 Conservation Programs (1st Read was Held 09-20-2022)

**SPONSOR(S):** N/A

### **PURPOSE**

The purpose of this agenda item is to consider approving an Ordinance amending Chapter 14 Utilities, Article 14.11 Water Conservation and Drought Management, Division 2. Landscape Watering to add a new Section 14.11.038 Conservation Programs. This amendment will establish the existing water conservation programs and add a one-time rebate for prior conservation efforts.

The City has water conservation rebate programs:

- Replacement of regular toilets with low flow toilets - \$50 per toilet, 2 toilets per household
- Replacement of older washing machines with high efficiency washing machines - \$100, 1 machine per household
- Installation of rain barrel - \$40, 1 rain barrel per household
- Xeriscape landscape - \$100 per 200 sq ft of xeriscape area, twice a year

Rain barrel and xeriscape rebates were added to our policies last November, but they were never placed into the Utilities Ordinance. In the past year, the City has received two requests for retroactive rebates – one for rain barrels and one for a xeriscaped area. The City does not have a rebate for persons who installed a rain barrel or xeriscape area prior to November of last year.

The new section of Code would read as follows:

“Section 14.11.038 Conservation Programs

The City of Leon Valley encourages its Leon Valley Water System water customers to reduce the use of water from the City's water system by offering rebates for several conservation programs. The following rebate programs are promoted for water conservation:

- a. Toilet Rebate - Replacement of regular toilets with low flow toilets. Rebates are \$50 per toilet with a two-toilet maximum per household.
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- c. Rain Barrel Rebate – Installation of a rain barrel for landscape watering use. Customers may purchase a rain barrel at any store but must have the barrel installed and inspected by the City prior to a rebate being applied to their account. A one-time rebate of \$40 for one rain barrel per household is allowed.
- d. Xeriscape Rebate – Customer must install two hundred (200) square feet of xeriscape/hardscape plantings. Customer must take “before” pictures and City staff must inspect the site after xeriscaping is installed. Plantings must be proven to be drought tolerant. Customers are encouraged to refer to the wildscape and xeriscape plant lists provided by the Texas A & M Agrilife Extension Service. The rebate is a one-time \$100 per xeriscaped area per household.
- e. Resident's water billing account must be in good standing and not past due before a rebate may be issued.
- f. Residents who installed a rain barrel or a xeriscape garden prior to the passage of this Ordinance may request a one-time rebate upon proof of purchase, installation, and inspection by City personnel.”

### **FISCAL IMPACT**

Rebates are credited to the person's water billing account. In the past four years, we have issued the following rebates:

Xeriscape	6 rebates	\$600
Rain Barrel	2 rebates	\$ 80

- 2019 1 rain barrel and 1 xeriscape
- 2020 1 rain barrel and 1 xeriscape
- 2021 0 rain barrel and 2 xeriscape
- 2022 0 rain barrel and 2 xeriscape

### **SEE LEON VALLEY**

***Social Equity*** - The rebates help to conserve water for all citizens.

**Economic Development** - Providing additional rebates can lower customer bills and promotes an aesthetic value, which assists in attracting new residents and businesses.

**Environmental Stewardship** - Rain barrels benefit the environment by reducing the amount of rainwater runoff from roofs and protect our local watershed. Xeriscaping will reduce customer irrigation water use and lower water bills, while conserving a valuable resource.

**RECOMMENDATION**

At Council discretion.

APPROVED: \_\_\_\_\_ ✓ \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

**CITY COUNCIL ACTION:**

A motion was made by Councilor Rey Orozco to approve the Consent Agenda with the amendment to be made to the minutes as discussed. The motion was seconded by Councilor Jed Hefner.

Voting Yea: Council Place 1 Martinez, Council Place 2 Stevens, Council Place 3 Hefner, Mayor Pro Tem, Council Place 4 Orozco, Council Place 5 Bradshaw

ATTEST :

  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

