

City Council Meeting  
Agenda Item  
Data Sheet

Meeting Date: May 20, 2024

Topic:

Adopt, on Second Reading, Ordinance No. 2024-12, an Ordinance of the City of Tomball, Texas Repealing and Replacing Chapter 46, Article VII, Water Conservation, of the City of Tomball Code of Ordinances; Providing for the Repeal of Conflicting Provisions; Providing a Savings Clause; Establishing Penalties for the Violation of and Provisions for Enforcement of These Restrictions; Providing Severability; Adopting a Water Conservation and Drought Contingency Plan; and Providing an Effective Date.

Background:

First Reading passed and approved during the May 6, 2024, Regular City Council Meeting.

Texas Water Code mandates that all public utilities that provide potable water service to 3,300 or more connections have and submit a Water Conservation and Drought Contingency Plan (Plan). Additionally, the Texas Commission on Environmental Quality (TCEQ) requires that municipalities adopt a Plan and that the Plan be reviewed and re-adopted every five years to coincide with the Regional Water Planning Cycle. The City completed the last update to the Plan in 2019 and are now required to complete the five year review and adoption.

The ultimate goal of the Plan is to conserve the available water supply and protect the integrity of water supply facilities with regard to domestic water use, sanitation, and fire protection, and protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions. The information included in the Plan includes educating the public, through a multitude of avenues, on conditions under which each stage of the Plan is to be initiated or terminated and the drought measures to be implemented in each stage. The proposed Water Conservation and Drought Contingency Plan consists of five different stages that provides the City Manager may institute if the conditions indicate there will be insufficient water supply or delivery to protect public health and meet regulatory requirements. The phases for implementation will be implemented following three consecutive days of the trigger and the phases include:

Stages	Stage 1 – Mild	Stage 2 – Moderate	Stage 3 –Severe	Stage 4 – Critical Water Condition	Stage 5 – Emergency Water Condition
Restrictions	Voluntary	Mandatory	Mandatory	Mandatory	Mandatory
Trigger	Pumping capacity exceeds 60%	Pumping capacity exceeds 70%	Pumping capacity exceeds 80%	Pumping capacity exceeds 90%	Pumping capacity exceeds 95%

Target	10% reduction	20% reduction	30% reduction	Necessary reduction to lower stage	Necessary reduction for emergency conditions
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Public Works staff has developed a decision-making matrix consisting of Water Well Pumping Capacity, Daily High Temperatures, Precipitation, and the Keetch-Byram Drought Index (KBDI), to assist in tracking our drought conditions and will continue to use the system to assist in implementation of the Plan.

Ordinance No. 2024-12 allows for the adoption of the updated Water Conservation and Drought Contingency Plan and repeals and replaces Chapter 46 Article VII, Water Conservation of the Code of Ordinances to provide consistency by removing conflicting provisions and referencing the adopted plan for ease of future updates as required.

**Origination:** Project Management

**Recommendation:**

Staff recommends approving Ordinance 2024-12 repealing and replacing Chapter 46, Article VII, Water Conservation and approving the City of Tomball Water Conservation and Drought Contingency Plan.

**Party(ies) responsible for placing this item on agenda:** Meagan Mageo, Project Manager

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_  
 If no, funds will be transferred from \_\_\_\_\_ # \_\_\_\_\_ To account # \_\_\_\_\_  
 account \_\_\_\_\_

Signed Meagan Mageo Approved by \_\_\_\_\_  
 Staff Member \_\_\_\_\_ Date \_\_\_\_\_ City Manager \_\_\_\_\_ Date \_\_\_\_\_