



City of Garden Ridge

"A way of life, not just a place to live"

AGENDA WATER COMMISSION REGULAR MEETING TUESDAY, JANUARY 17, 2023, 6:00 PM

The Water Commission will meet in a regular session on Tuesday, January 17, 2023 at 6:00 PM in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted providing time, place, date, and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretative services must be made to the City Secretary 48 hours prior to this meeting.

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Citizen Comment Period - limited to 30 minutes total

Rules for Citizens' Participation: The Commission welcomes citizen participation and comments at all Commission Meetings. The Commission offers citizens the opportunity to address them by signing up to speak prior to the meeting. If you speak, you must follow these guidelines:

a) Respect and courtesy:

1. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
2. Show the Commission the same respect that you would like to be shown.
3. End your speaking at the time allotted below.

b) Speaking:

1. First citizen comment period

- 1.1. You are required to sign up to speak and you are limited to one 3-minute period.

2. Second citizen comment period

- 2.1. You are not required to sign up and you are limited to one 2-minute period.

3. State your name and address before your comments begin.

4. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the City Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.

5. Business Items

The following items are for discussion, consideration, and/or action.

a. Approvals

1. Approval of Minutes for November 15, 2022, Water Commission Regular Meeting.

b. Discussions/Reports/Updates

1. Utility Department Monthly Activity Report.
 - i. Water Pumping/usage from City wells, Water system infrastructure maintenance, repairs and/or projects, and Water and/or Drought Management (current Watering Stage).
2. Items applicable to the Water Commission discussed at the December 2022 and January 2023 City Council Regular Meeting.
- c. Recommendations
 1. Water Pressure Regulations.
 - i. Review and make possible recommendations on Water Pressure Regulations.
 2. Drought Watering Restrictions (Ordinance No. 61-082022).
 - i. Review and make possible recommendations on Drought Watering Restrictions (Ordinance No. 61-082022).
 3. Water Commission activities and projects.
 - i. Update Commissioner's activities and projects list and receive update from Commissioners.
 - ii. Discuss and make possible recommendations on future meetings or direction regarding Water Commission activities and projects.
 4. Ordinance No. 210-102022 An Ordinance of the City Council of the City of Garden Ridge, Texas, adopting board and commission policies and procedures; providing a cumulative and savings clause; providing for severability; and declaring an effective date.
 - i. Receive recommendation and consideration for appointment of Water Commissioner Place 1, William Pohl, with term expiring September 30, 2024.
- d. Future Agenda Items
 1. Commissioners input on agenda items.
 2. Announce the date, time, and location for next meeting (February 21, 2023, at 6:00 p.m. at City Hall).

6. Citizen Comment Period

7. Adjournment

AGENDA NOTICES:

Decorum Required: Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

Action by Commission Authorized: The Commission may vote or act upon any item within this Agenda.

Attendance By Other Elected or Appointed Officials: It is anticipated that members of the City Council, other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the City Council, other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

This is to certify that I, Michelle Hinojosa, posted this Agenda at 9:45 a.m. on January 12, 2023, on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.



Michelle Hinojosa
Utility Clerk



City of Garden Ridge

"A way of life, not just a place to live"

MINUTES WATER COMMISSION REGULAR MEETING TUESDAY, NOVEMBER 15, 2022, 6:00 P.M.

Commissioners Present:

Chair James Mueller
Vice-Chair Keven Harshbarger
Commissioner Dr. Richard Carmichael
Commissioner Don Stone

Commissioners Absent:

Commissioner Joseph Haltaman
Vacant Position
Vacant Position
Mayor Robb Erickson, Ex-Officio

City Staff, City Councilmembers, and Other Commissioners Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Michelle Hinojosa, Utility Clerk
Steven Steinmetz, Public Works Director
Lisa Swint, Mayor Pro-Tem
Jesse Valdez, City Councilmember

1. Call to Order

With a quorum of the Water Commissioners present, Chair Mueller called the regular meeting of the Garden Ridge Water Commission to order at 6:00 p.m. on Tuesday, November 15, 2022, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Roll Call: See above.

3. Pledge of Allegiance: Chair Mueller led the Pledge of Allegiance.

4. Citizen Comment Period: None wished to speak.

5. Business Items

The following items are for discussion, consideration, and/or action.

a) Approvals

1. Minutes for October 18, 2022, Water Commission Regular Meeting.

Motion: A motion was made by Commissioner Stone, seconded by Commissioner Dr. Carmichael, to approve the minutes for the October 18, 2022, Water Commission Regular Meeting. The Commission voted three (3) for and none (0) opposed. The motion carried unanimously.

b) Discussions/Reports/Updates

1. Utility Department Monthly Activity Report.

i. Water Pumping/usage from City wells, Water system infrastructure maintenance, repairs and/or projects, and Water and/or Drought Management (current Watering Stage).

Steven Steinmetz, Public Works Director, reviewed the monthly activity report and answered questions from the Commission.

2. Items applicable to the Water Commission discussed at the November City Council Meeting.

Chair Mueller updated the Commission on the items applicable to the Commission discussed at the November City Council Meeting.

c) Recommendations

1. Request for water loss adjustment for 20810 Glen Cove for the billing period of June 23, 2022 – July 22, 2022.

i. Review and make recommendations regarding the request.

The Commission reviewed the water loss adjustment for 20810 Glen Cove submitted by Michael Zibert, who was not in attendance. The Commission discussed the water loss adjustment from the billing period of June 23, 2022 – July 22, 2022.

Motion: A motion was made by Vice-Chair Harshbarger, seconded by Commissioner Stone, to recommend to the City Administrator approval of a water loss adjustment credit of \$426.50 for 20810 Glen Cove for the billing period of June 23, 2022 – July 22, 2022. The Commission voted three (3) for and none (0) opposed. The motion carried unanimously.

2. Water Rate Structure.

i. Review and make possible recommendations regarding Water Rate Structure.

Vice-Chair Harshbarger updated the Commission on the Water Rate Structure process.

Motion: A motion was made by Commissioner Dr. Carmichael, seconded by Commissioner Stone, to recommend to City Council approval of no changes to the Water Rate Structure for 2023. The Commission voted three (3) for and none (0) opposed. The motion carried unanimously.

3. Water Pressure Regulations.

i. Review and make possible recommendations on Water Pressure Regulations.

The Commission requested this item be placed on a future agenda.

4. Water Commission activities and projects.

i. Update of Commissioner's activities and projects list and receive update from Commissioners.

The Commissioners updated the Commission on their activities and projects.

ii. Discuss and make possible recommendations on future meetings or direction regarding Water Commission activities and projects.

The Commission had none at this time.

d) Future Agenda Items

1. Commissioners input on agenda items.

None at this time.

2. Announce the date, time, and location for next meeting (Tuesday, December 20, 2022 at 6:00 p.m. at City Hall).

Chair Mueller announced the next Water Commission Regular Meeting will be held on Tuesday, December 20, 2022, at 6:00 p.m. at City Hall in the City Council Chambers.

6. Citizen Comment Period: None wished to speak.

7. Adjournment

Motion: A motion was made by Commissioner Stone, seconded by Commissioner Dr. Carmichael, to adjourn. The Commission voted three (3) for and none (0) opposed. The motion carried unanimously. There being no further business, the Tuesday, November 15, 2022, Water Commission Regular Meeting was adjourned at 6:55 p.m. by Chair Mueller.

ATTEST:

James Mueller
Chair

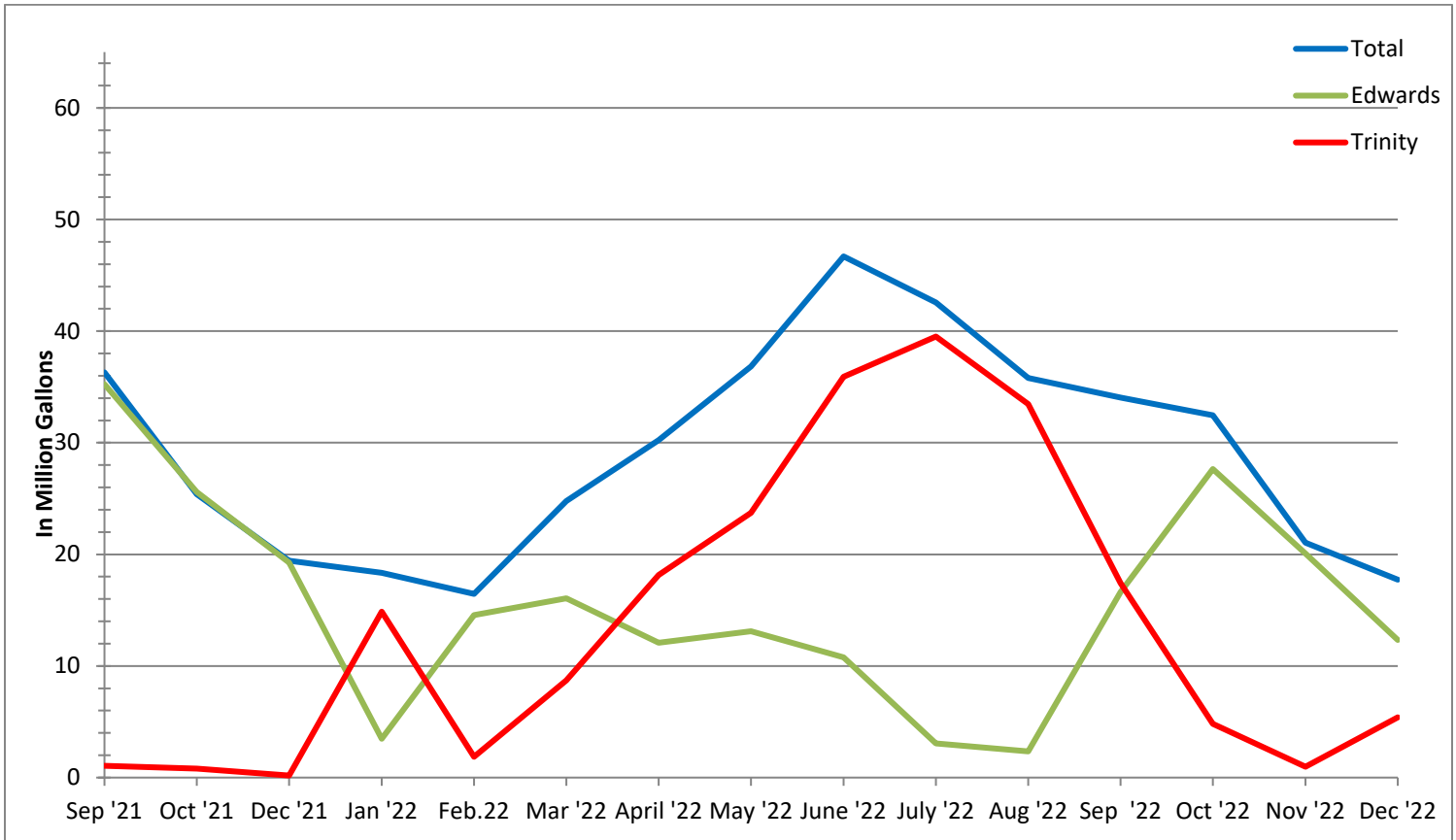
Michelle Hinojosa
Utility Clerk



Utilities Department Report

As of December 31, 2022

City of Garden Ridge Aquifer Usage

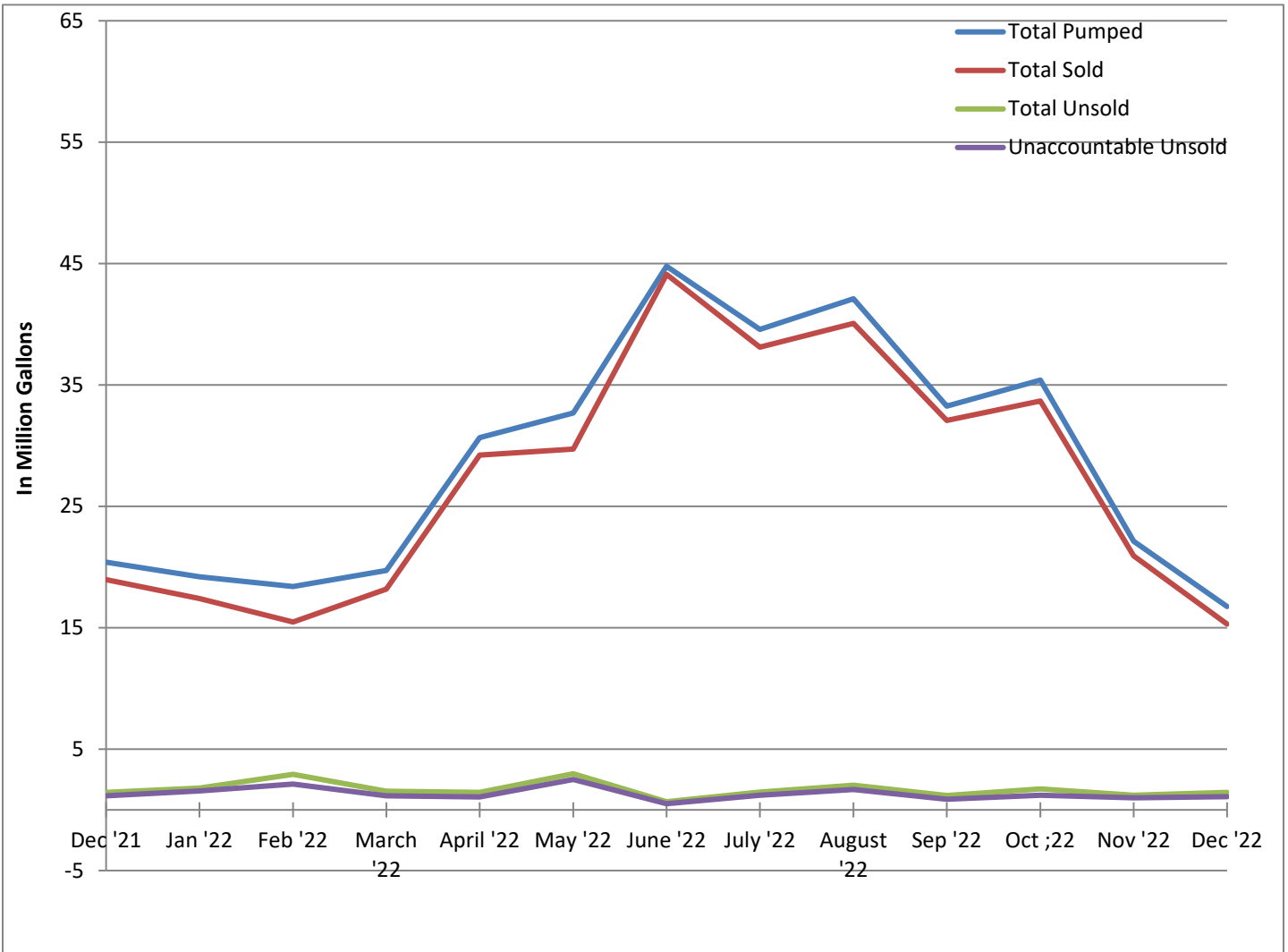


	Month:	Year:	Available:	Stage:
Edwards Well Usage AC/FT:	37.85	468.15	9.62	3
Trinity Well Usage AC/FT:	16.57	628.64	N/A	0

Water Quality

Backteriological Samples	Due :	Missed:	Passed:	Failed:
Distribution Samples :	6	0	6	0
Speacial Samples :	0	0	0	0
Chlorine Residual Test:	31	0	31	0

2021 – 2022 Pumping Report



	Total Pumped (Thousands)	Total Sold (Thousands)	Total Unsold (Thousands)	Unaccountable Unsold (Thousands)	Unaccountable Unsold %
Dec '21	20,393	18,955	1,438	1,149	5.6%
Jan '22	19,203	17,414	1,789	1,553	8.1%
Feb '22	18,402	15,471	2,931	2,131	11.6%
Mar '22	19,708	18,182	1,526	1,160	5.9%
April '22	30,656	29,217	1,439	1,073	3.5%
May '22	32,689	29,713	2,976	2,505	7.7%
June '22	44,778	44,108	6,703	506	1.1%
July '22	39,584	38,121	1,463	1,196	3.0%
Aug '22	42,087	40,066	2,021	1,687	4.0%
Sep '22	33,266	32,087	1,179	879	2.6%
Oct '22	35,400	33,684	1,716	1,204	3.4%
Nov '22	22,132	20,924	1,208	988	4.5%
Dec '22	16,749	15,305	1,444	1,094	6.5%
Yearly Average	31,229	27,173	2,141	1,317	5.2%

Utilities Department Monthly Activities:

New Installed Meters	1	Work Orders	322
Meter Replacements	2	Locates	27
City Owned Leaks	0	Irrigations Permits Issued	0
Meters Read	1701	Total Rebates	2
Meter Tests	0		

AMI Information

	Nov.	Dec.		Nov.	Dec.		
Total AMI Notifications	1,414	1146	↓ 268	Abnormal Usage	138	26	↓ 112
Automatic Draft Customers	686	686	Same	Continuous Flow	111	139	↑ 28
AMI Customer Portal Profiles	739	746	↑ 7	Leak Info Code	613	634	↑ 21
E-Billing Customers	390	394	↑ 4	Usage Trend	113	40	↓ 73

Stage 2 restriction alerts

December alerts 307

Down 131 from November

*Active Leak Info Code Alerts – The firmware on the meter is measuring the flow rate through the meter and will only be triggered if water is flowing continuously above the configurable parameter of the meter's max-flow rate threshold for 24 hours. The city has set a standard max-flow rate of .1% and is notified of any triggered alert.

Leak Adjustments

New Requests	3	Waiting for Customer	5	Approved	0	Amount Approved	0	Denied	1	Sent to Water Commission	0
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7.06 -- CUSTOMER AND NON-CUSTOMER COMPLAINTS.

Upon complaint to the Water Department, either at the Water Department office, by letter or by telephone, the Operations Manager will promptly make a suitable investigation and advise the complainant of the results. The manager may respond to the complainant in writing or by telephone. In either case, a written record of the complaint and disposition will be kept by the manager and reported monthly to the Water Commission. If the results are not to the complainant's satisfaction, the complainant may submit to the Water Department a written request to appear before the Water Commission. The complainant will be placed on the agenda of the next regular Water Commission meeting.

7.07 -- SERVICE AGREEMENT.

There must be a Service Agreement on file for each property that is connected to the Garden Ridge Water System. The agreement must be executed by the property owner, tenant, or agent for the property and by their signature agree to comply with the requirements of this Ordinance. Any property that was connected to the water system prior to its acquisition by the City of Garden Ridge is considered to have an agreement on file and through such agreement the property owner, tenant, or agent for the property agrees to the requirements of this Ordinance.

Failure by a property owner, tenant, or agent for a property connected to the Garden Ridge Water System to execute a Service Agreement, when required, shall result in refusal of service, disconnection of service and/or unauthorized connection to services.

Service Agreements are in "Appendix D" of this Ordinance.

7.08 -- PRIORITY OF SERVICE.

Priority of service will be in the order of: (1) Emergency Services (Cooperative effort only); (2) Residential in-home use; (3) Agricultural and livestock; (4) Industrial and Commercial; (5) Other.

7.09 -- OPERATING PRESSURES.

Minimum service pressure shall not be below 20 psi operating pressure. Maximum pressures may be at the Water Department's discretion. It will be the customer's responsibility to protect plumbing on the customer's side of the water meter against excessive pressures or surge using individual pressure regulators or other approved devices set forth in the State Plumbing Codes.

7.10 -- SERVICE AREAS.

The Water Department's service area is that area within which its lines and customers are located, and which area is approved by the Certificate of Convenience and Necessity issued by the Texas Water Commission. This area is located in Comal County, Texas, and includes the City of Garden Ridge, Texas, and the ETJ areas of the City of Garden Ridge, Texas, not serviced by another water system having possession of a valid Certificate of Convenience and Necessity to serve said areas.

ORDINANCE NO. 61-082022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS, ESTABLISHING THE DROUGHT MANAGEMENT PLAN FOR THE CITY OF GARDEN RIDGE; ESTABLISHING TRIGGER POINTS AND DEMAND REDUCTION MEASURES; PROVIDING A VARIANCE PROCEDURE; PROVIDING A PENALTY FOR VIOLATIONS OF THIS ORDINANCE; PROVIDING A CUMULATIVE AND SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Garden Ridge is a Type A, General Law Municipality located in Comal County, Texas; and

WHEREAS, the Edwards Aquifer Authority is a regional authority managing water pumped out of the Edwards Aquifer by the City of Garden Ridge and has set standards for the Emergency Water Use Reduction Program in the region; and

WHEREAS, the City of Garden Ridge uses both water from the Edwards Aquifer and from the Trinity Aquifer to provide water to residents of the City of Garden Ridge as well as persons residing within the Certificate of Convenience and Necessity (CCN) of the City of Garden Ridge; and

WHEREAS, the Trinity Aquifer is currently an unregulated water source; and

WHEREAS, the level of the Trinity well affects the ability of the city to provide unrestricted water sources; and

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

WHEREAS, the City Council finds that the proposed revisions promote the health, safety and welfare of the City and Ordinance No. 61 is amended as contained herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS, THAT:

SECTION 1. FINDINGS.

The findings set out herein are found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes.

SECTION 2. DEFINITIONS.

The following words and terms, when used in this plan, shall have the following meanings unless the context clearly indicates otherwise:

Act is the Act creating the Edwards Aquifer Authority, namely the Edwards Aquifer Authority Act of May 30, 1993, 73rd Leg.R.S. Ch. 626, 1993 Texas General Laws 2353, as amended.

Aesthetic Use is the use of water for fountains, waterfalls, and landscape lakes and ponds where such use is entirely ornamental and serves no other functional purpose.

Agricultural Irrigation means irrigation for the purpose of growing crops commercially for human consumption or to use as feed for livestock or poultry.

Bucket means a bucket or other container holding five gallons or less, used singly by one person.

Connection is a metered or unmetered delivery point to a customer or other receiver of water from an organized water distribution system.

Conservations are those practices, techniques, and technologies that will reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

Demand Reduction Measure is a specific action to be taken by defined categories of users to reduce the pump age demand on the Edwards Aquifer during a drought.

Domestic Type Use is the use of water, other than uses in the outdoor category, for personal needs or for household purposes, such as drinking, bathing, heating, cooking, sanitation or cleaning, whether the use occurs in a residence or in a commercial or industrial facility.

Drought is a period of shortage of precipitation of seasonal or longer duration.

Edwards Aquifer means that portion of an arcuate belt of porous, water-bearing limestones composed of the Edwards Group Limestone and Associated Formations trending from west to east to northeast through Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties.

Hand-Held Hose is a hose physically held by one person, fitted with a manual or automatic shutoff nozzle.

Healthcare Facility is any hospital, clinic, nursing home or other healthcare or medical research facility.

Impervious Surface Area is any structure, or any street, driveway, sidewalk, patio, or other surface area covered with brick, paving, tile or other impervious material.

Industrial Use is the use of water integral to the production of primary goods and services provided by industrial or commercial facilities, Industrial facilities include facilities which perform such process-specific activities as cooling, boiler feed, cleaning and washing, pollution control, extraction and separation of desirable material from products and waste materials and the incorporation of water into final products, Commercial facilities include, but are not limited to, food service facilities, hotels, retail facilities and nursery operations.

Industrial User is an industrial or commercial water user whose use of water is integral to the production of primary goods and services provided by industrial or commercial facilities.

Industrial Well User is an industrial user who owns one or more wells that produce water used for industrial or commercial facilities.

Irrigator is a well owner who uses water to irrigate land for growing commercial crops.

Landscape Watering means the application of water to grow landscaping plants.

Landscape Plant is any member of the plant kingdom, including any tree, shrub, vine, herb, flower, succulent, groundcover or grass species that grows or has been planted out-of-doors and is used for landscaping purposes or for the support of intensive recreational areas such as playgrounds and playing fields.

Livestock is cattle, sheep, goats, hogs, poultry, horses and game, domestic, exotic and other animals and birds, including zoo animals, used for commercial or personal purposes.

Livestock Use is the use of water for drinking by or washing of livestock.

MSL is mean sea level.

Municipality is a city or other governmental unit with the authority to make and enforce ordinances.

Order is a written order of the City Council or Mayor of the City of Garden Ridge, Texas.

Other Outside Use means the use of water outdoors for the maintenance, cleaning and washing of structures and mobile equipment, including automobiles and boats, the washing of streets, driveways, sidewalks, patios and other similar areas.

Person means any individual, firm, entity, corporation, municipal corporation, governmental or proprietary body, including the United States or the State of Texas, or association of persons.

Reduction Goal means the amount of reduction in pumpage volume, expressed in a percentage from baseline pumpage volume for each drought stage.

Reuse is the use by any user of Edwards Aquifer water that has been recycled or reclaimed for any beneficial purpose, after such water has been previously used for any beneficial purpose, whether or not any treatment of such groundwater may be required in connection with such recycling or reclamation.

Stage means one of the five designated drought stages, which may be declared by the City or the Edwards Aquifer Authority.

Supplier is any person who supplies water to customers for residential, commercial, industrial, military or other uses, including a public or private water company, water supply corporation, municipality and water district.

Trigger Conditions means those specific conditions of rainfall amounts, Edwards Aquifer water level elevations, spring discharges and water quality which the Authority will monitor and use as indicators of the occurrence of drought conditions for purposes of declaring the various stages.

Trigger Points are special conditions experienced by the City of Garden Ridge, which authorize the city to initiate Stage 1 through 5 of the City of Garden Ridge Drought Management Plan.

Trinity Aquifer Well is a source of water for the City of Garden Ridge which is located in the Cow-Creek formation of the Trinity Aquifer.

Use for a Beneficial Purpose means water which is used, without regard to priority, for:

- a) agricultural, commercial, domestic, gardening, industrial, manufacturing, mining, municipal, pleasure, recreational, or stock raising purposes; or

- b) exploring for, producing, handling, or treating oil, gas, sulfur, or other materials; or
- c) any other purpose that is useful and beneficial to the user.

User is a person, public or private, who produces, distributes, or uses water from an Edwards Aquifer well or from the Trinity Aquifer well.

Variance is an authorized exception from compliance by the user with any provision of the Rules granted by this Ordinance.

Waste is:

- a) The flowing or producing of groundwater from wells in the Edwards Aquifer or Trinity Aquifer if the water flowing or produced is not used for a beneficial purpose by any user,
- b) The unreasonable loss of groundwater through faulty design or negligent operation of a well or water delivery or application system; or
- c) Using quantities of groundwater for a purpose that otherwise would be considered beneficial in excess of quantities reasonably necessary for that purpose.

Water Utility Use is water used for withdrawal, treatment, transmission, and distribution by potable water systems.

SECTION 3. DEMAND REDUCTION MEASURES.

The demand reduction measures for all water uses for Stages 1, 2, 3, 4, and 5 are set out in Appendix A. For clarification, certain permitted and exempt water uses are listed. Listed below are the trigger points for the various stages of the Drought Management Plan.

TABLE 1	
Reduction Stage	J-17 Well Level
1	660' (10 day rolling average)
2	650' (10 day rolling average)
3	640' (10 day rolling average)
4	630' (10 day rolling average)
5	625' (10 day rolling average)

SECTION 4. EMERGENCY WATER USE REDUCTION.

- a) **Declaration of Emergency Stages:** The Mayor of Garden Ridge is authorized to order, by proclamation, implementation of provisions of Stages 1 through 5 of the City of Garden Ridge Drought Management Plan when the appropriate trigger points as established in this Ordinance are met.

The City of Garden Ridge shall determine when conditions warrant implementation of the Emergency Water Use Reduction Program. The program is implemented when any one of the below Trigger Points is reached. The City of Garden Ridge may advance stages, as needed to effect compliance with pumping limit goals. The various stages may be declared as shown in Appendix A.

b) Trigger Points:

1. Declaration of Stages 1 through 5 by the Edwards Aquifer Authority and/or at the discretion of the Mayor, City of Garden Ridge, based upon consideration of water supplies, pumping trends, seasonal adjustments, current and forecast precipitation, and other relevant factors impacting the City's water supply.
2. The level of the Edwards Aquifer Authority Test Well J-17 reaches a level of Stages 1 through 5 Emergency Water Use Reduction as defined by Edwards Aquifer Authority.
3. When the pumping ability of the Trinity Aquifer well drops to 600 GPM or Draw down level of the well reaches seventy-five (75) feet above the transponder.
4. When the City's pumping capacity is reduced by infrastructure damage or equipment failure.

c) Public Issuance of Drought Stage Declaration: The Declaration of a critical use stage will be publicly issued by the City of Garden Ridge. Such declaration shall be placed on the City sign, distributed through the Garden Ridge Emergency Alert System, posted on the City's website, posted on the City's social media pages, and/or published in the official City newspaper.

d) Restricting the Use of Water:

1. Upon declaration of a critical use stage by the City of Garden Ridge, compliance with the Emergency Water Use Reduction Program demand reduction measures shall be required and compliance with the voluntary measures shall be encouraged.
2. Demand reduction measures are attached as Appendix A and are herein incorporated for all purposes.
3. Upon declaration of a critical use stage by the City of Garden Ridge, the sale of water to a temporary user for use outside the City shall be prohibited. The sale of water to a temporary user for use within the City shall be at the discretion of the Public Works Director.

e) Water Rate Surcharges:

1. Critical Period Surcharges will be implemented in accordance with the following schedule:
 - i. Stage 3: Customers will be charged the current water rate plus a 100% surcharge for use over 40,000 gallons.
 - ii. Stage 4: Customers will be charged the current water rate plus a 200% surcharge for use over 40,000 gallons.
 - iii. Stage 5: Customers will be charged the current water rate plus a 200% surcharge for use over 40,000 gallons.
2. Water rate surcharges will remain in effect only so long as the City is in Stages 3, 4, or 5 of the Drought Management Plan.
3. Water rate surcharges shall coincide with the normal billing cycle of the Garden Ridge Water Department. Surcharges shall be applied to the next billing cycle following the implementation of Stages 3, 4, or 5.
4. Surcharge revenues shall be deposited in the Water Fund and such revenue is to be used for Water Company Operations.

f) End of Emergency Use Restrictions:

1. Trinity Aquifer: The program and/or each stage may be terminated or changed at the discretion of the Mayor, City of Garden Ridge, after the trigger condition of a stage has been exceeded and after considering the 10 day rolling average of the appropriate index well level, pumping trends, current precipitation, and the outlook for additional precipitation.
2. Edwards Aquifer: The program and/or each stage may be terminated or changed upon declaration of the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

SECTION 5. PENALTIES.

- a) A person who knowingly or intentionally violates the provisions of this Ordinance shall be deemed guilty of a misdemeanor offense and upon conviction be punished by a fine of not less than ten dollars (\$10.00) and not more than two thousand dollars (\$2,000). Each day's violation constitutes a separate offense. Compliance may also be sought through injunctive relief in the District Court.
- b) No violation, definition, or penalty under this section shall have bearing on any violation, definition, or penalty under any other section of this Ordinance.

SECTION 6. ENFORCEMENT.

- a) **Applicable to Resident and Non-Resident Customers:** The enforcement provisions of this Ordinance shall apply to all persons, customers, and property utilizing water purchased from and provided by the City. For purposes of this Ordinance, it shall be presumed that any person, corporation, or association in whose name a water meter connection is registered with the City of Garden Ridge Water Company, has knowingly made, caused, used, or permitted to use the water received from the City and that use of said water in a manner contrary to the provisions of Ordinance No. 61, or in an amount in excess of the use permitted by the conservation stage in effect, is considered a violation of Ordinance No. 61 by that resident person, non-resident person, corporation, or association. Proof that the particular premises have a water meter connection registered in the name of the defendant named in a complaint issued under the auspices of Ordinance No. 61 shall constitute in evidence a prima facie presumption that the person in whose name such water connection was registered was the person who permitted the illegal use of water to occur on the premises.

SECTION 7. VARIANCES.

- a) **Request For Variance:** A person may file a written request for a variance from these rules with the City of Garden Ridge. The request must contain the following information:
 1. The specific nature of the variance requested; and
 2. A detailed explanation of why the person believes they should be granted the variance, including any supporting documentation; and
 3. A signed statement that the facts contained in the request are true and within the person's personal knowledge.
- b) **Additional Information:** The City of Garden Ridge may request the variance requester to provide additional information, which must be filed within ten (10) calendar days of the request or as otherwise directed in the request.

- c) **When Variance May Be Granted:** A variance may be granted only when the variance is not contrary to the public interest and is in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured and that substantial justice may be done. The Water Commission shall recommend to City Council a variance from these regulations when, due to special conditions, an undue hardship will result from requiring compliance. The City Council is the final authority on variances. The variance, if granted, would be the minimum necessary relief required to alleviate the undue hardship, with the following considerations:
1. That the requested variance does not violate the intent of the drought regulations; and
 2. That the relief sought will not cause significant harm to any other person or group of persons or result in the City of Garden Ridge being in violation of regulatory requirements; and
 3. That the granting of a variance will be in harmony with the spirit and purpose of these regulations; and
 4. That the hardship is in no way the result of the applicant's own actions.
- d) **Terms and Conditions of the Variance:**
1. The City Council may grant a variance for such a term and in accordance with any conditions they deem appropriate.
 2. It shall be a term of every variance granted by the City Council that the variance may be rescinded based on changed circumstances, new information, or failure of the holder of the variance to abide by the terms and conditions of the variance or to comply with these rules or any other order or rule of the City of Garden Ridge.
 3. The City Council may require a person granted a variance to file reports with the City of Garden Ridge containing such information as the City believes relevant to monitoring the continuing appropriateness of the variance.

SECTION 8. SEVERABILITY.

If any section, paragraph, subdivision, clause, or phrase of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of any provision thereof other than the part so decided to be invalid or unconstitutional.

SECTION 9. EFFECTIVE DATE.

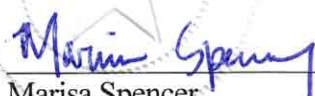
This ordinance shall take effect immediately upon its passage, approval, and publication according to law.

PASSED AND APPROVED ON this 29th day of August, 2022.



Robb Erickson
Mayor

ATTEST:



Marisa Spencer
City Secretary

APPENDIX A
DEMAND REDUCTION MEASURES

Watering by automated irrigation systems is restricted year-round between the hours of 10 am and 8 pm.

STAGE 1

Stage One Alert begins when the Edwards Aquifer Authority Test Well J-17 level reaches **660** feet mean sea level (10 day rolling average) at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor of the City of Garden Ridge.

1. Water waste is prohibited to include, allowing water to run off onto a gutter, ditch, drain, into the street, or failing to repair a controllable leak.
2. Watering with an irrigation system or sprinkler, permitted only during the hours of 12 a.m. to 10 a.m. and 8 p.m. to 12 a.m.
3. Watering with an irrigation system or sprinkler, permitted only once a week on the designated watering day.

Last Digit of Address	Day
0	Monday
1&2	Tuesday
3&4	Wednesday
5&6	Thursday
7&8	Friday
9	Saturday

Areas without a street address such as medians, neighborhood entryways, or common areas water as if their address ended in a 2.

4. Watering with hand-held hose or drip irrigation permitted any day, any time.
5. Residential, commercial, industrial, and agricultural Edwards Aquifer water users should reduce water consumption by any means available.
6. Washing impervious cover such as parking lots, driveways, streets, or sidewalks is prohibited.
7. Non-commercial washing of vehicles and mobile equipment (e.g. washing vehicles at a residence) is permitted any day at any time over landscape or other surface where run off is minimized and with the use of a hose using an automatic shut-off nozzle or bucket of 5 gallons or less.
8. No building permits will be issued to homeowners or pool contractors for the construction of new swimming pools unless verification is provided that 100% of water for filling of pool will be brought in from a water source outside of the City.

This does not apply to non-potable water, gray water, or treated effluent.

Stage 1 restrictions continue until there is an announcement that Stage 1 has been canceled or that Stage 2 is in effect.

STAGE 2

Stage Two Alert begins when the Edwards Aquifer Authority Test Well J-17 level reaches **650** feet mean sea level (10 day rolling average) at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor of the City of Garden Ridge.

1. Water waste is prohibited to include, allowing water to run off onto a gutter, ditch, drain, into the street, or failing to repair a controllable leak.
2. Watering with an irrigation system or sprinkler, permitted only once a week on the designated watering day during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m.

Last Digit of Address	Day
0	Monday
1&2	Tuesday
3&4	Wednesday
5&6	Thursday
7&8	Friday
9	Saturday

Areas without a street address, such as medians, neighborhood entryways, or common areas water as if their address ended in a 2.

3. Watering with drip irrigation or a 5-gallon bucket permitted during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. any day.
4. Watering with a handheld hose permitted any day, any time.
5. Residential, commercial, industrial, and agricultural Edwards Aquifer water users should reduce water consumption by any means available.
6. Washing impervious cover such as parking lots, driveways, streets, or sidewalks is prohibited.
7. Non-commercial washing of vehicles and mobile equipment (e.g. washing vehicles at a residence) is permitted any day at any time over landscape or other surface where run off is minimized and with the use of a hose using an automatic shut-off nozzle or bucket of 5 gallons or less.
8. No building permits will be issued for the construction of new swimming pools. The City Administrator may grant a variance for the construction of a swimming pool with proof that water for construction and filling of the pool will be brought in from a water source outside of the City.

This does not apply to non-potable water, gray water, or treated effluent.

Stage 2 restrictions continue until there is an announcement that Stage 2 has been canceled or that Stage 3 is in effect.

STAGE 3

Stage Three Alert begins when the Edwards Aquifer Authority Test Well J-17 level reaches **640** feet mean sea level (10 day rolling average) at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor of the City of Garden Ridge.

1. Water waste is prohibited to include, allowing water to run off onto a gutter, ditch, drain, into the street, or failing to repair a controllable leak.
2. Watering with an irrigation system, soaker hose or sprinkler is permitted every other week beginning on the second Monday after Stage 3 has been declared and only on designated watering day from 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m.

A watering day calendar based upon the last digit of each address will be prepared, distributed, and posted monthly during Stage 3 watering restrictions with the following watering schedule.

Last Digit of Address	Day
0	Monday
1&2	Tuesday
3&4	Wednesday
5&6	Thursday
7&8	Friday
9	Saturday

Areas without a street address, such as medians, neighborhood entryways, or common areas water as if their address ended in a 2.

3. Watering with a drip irrigation or 5-gallon bucket permitted during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. on Monday, Wednesday, and Friday.
4. Watering with a handheld hose permitted any day, any time.
5. Watering newly planted landscapes permitted only with a variance from City Council.
6. Washing cars at home is permitted any day at any time over landscape or other surface where run off is minimized and with the use of hose using automatic shut-off nozzle or bucket of 5 gallons or less. Water runoff from property is prohibited.
7. No person may use groundwater or City provided water for an ornamental outdoor fountain or similar feature.
8. No building permits will be issued for the construction of new swimming pools. The City Administrator may grant a variance for the construction of a swimming pool with proof that water for construction and filling of the pool will be brought in from a water source outside of the City.
9. Water customers subject to a 100% surcharge for use over 40,000 gallons.

This does not apply to non-potable water, gray water, or treated effluent.

Stage 3 restrictions continue until there is an announcement that Stage 3 has been canceled or that Stage 4 is in effect.

STAGE 4

Stage Four Alert begins when the Edwards Aquifer Authority Test Well J-17 level reaches **630** feet mean sea level (10 day rolling average) at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor of the City of Garden Ridge.

1. All restrictions in Stage 3.
2. Water customers subject to a 200% surcharge for use over 40,000 gallons.
3. The Mayor may establish interim restrictions until the City Council is able to meet to establish additional restrictions.

This does not apply to non-potable water, gray water, or treated effluent.

Stage 4 restrictions continue until there is an announcement that Stage 4 has been canceled or that Stage 5 is in effect.

STAGE 5

Stage Five Alert begins when the Edwards Aquifer Authority Test Well J-17 level reaches **625** feet mean sea level (10 day rolling average) at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor of the City of Garden Ridge.

1. All restrictions in Stage 4.
2. Conditions as directed by the Mayor and City Council.
3. Use Necessary for Public Health or Safety.
4. Notwithstanding any provision of these rules, groundwater may be used when and to the extent it is necessary to prevent danger to public health, safety, or welfare or to the extent required by State or Federal law.
6. Water customers subject to a 200% surcharge for use over 40,000 gallons.

This does not apply to non-potable water, gray water, or treated effluent.

Future Agenda Items

Water Commission

February 21, 2023 Regular Meeting

14 days before Meeting	(02/07/2023)	Water Commission and Staff items are due.
11 days before Meeting	(02/10/2023)	Water Commission Chair reviews agenda. City Attorney is sent agenda.
7 days before Meeting	(02/14/2023)	Post agenda on bulletin board. Water Commission receives packet (allowing a day for corrections/request additional information be added)
5 days before Meeting	(02/16/2023)	Post agenda packet to City Website.
4 days before Meeting	(02/17/2023)	(72 hours) – Local Government Code requirement for posting

City Council = Red
 Planning & Zoning = Green
 Water Commission = Blue
 Municipal Court = Dark Gray
 City Holiday = Orange

Sun	Mon	Tues	Wed	Thur	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 21, 2023 Regular Meeting

14 days before Meeting	(03/07/2023)	Water Commission and Staff items are due.
11 days before Meeting	(03/10/2023)	Water Commission Chair reviews agenda. City Attorney is sent agenda.
7 days before Meeting	(03/14/2023)	Post agenda on bulletin board. Water Commission receives packet (allowing a day for corrections/request additional information be added)
5 days before Meeting	(03/16/2023)	Post agenda packet to City Website.
4 days before Meeting	(03/17/2023)	(72 hours) – Local Government Code requirement for posting

City Council = Red
 Planning & Zoning = Green
 Water Commission = Blue
 Municipal Court = Dark Gray

Sun	Mon	Tues	Wed	Thur	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

PENDING FUTURE AGENDA ITEMS