



AGENDA MEMORANDUM

Action Item for the City Council Meeting of January 28, 2025
Second Reading for the City Council Meeting of March 18, 2025

DATE: March 18, 2025

TO: Peter Zaroni, City Manager

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Ordinance changes made after January 28, 2025, Council meeting amending the City Code of Ordinance Chapter 55, Article XII Water Resource Management and Drought Contingency Plan

CAPTION:

Presentation on the City's Drought Contingency Plan and ordinance amending City Code of Ordinances Chapter 55, Article XII Water Resource Management sections 55-150, 55-152, 55-153, 55-154, 55-155; updating the City's Drought Contingency Plan, providing an effective date of March 19, 2025, and providing for penalties and publication.

SUMMARY:

This motion authorizes changes to the Water Resource Management Ordinances Chapter 55 Article XII Water Resource Management to reflect the 2025 updates in the City's Drought Contingency Plan following the January 28 and February 11 Council meetings, and the February 5 and February 18 public listening sessions.

BACKGROUND AND FINDINGS:

Corpus Christi was the first City in Texas to develop a Water Conservation & Drought Contingency Plan as a combined policy in 1986. In the summer of 2013, the City Council separated the manual into two distinct plans, the DCP and the Water Conservation Plan (WCP). The City of Corpus Christi (City) last updated and approved the Drought Contingency Plan (DCP) on October 1, 2018. While DCPs and WCPs are both required by Texas Administrative Code Title 30 Chapter

288, the plans serve two different purposes, as described below:

- A DCP is a **responsive plan** that addresses drought conditions or water emergencies, and defines actions that will be taken when certain criteria are met. Typically, these criteria consist of three or more “stages” in response to water supply storage levels (e.g., when reservoir storage levels drop below 40%, Stage 1 is initiated), or a water emergency.
- A WCP is a **proactive plan** for addressing overall goals and actions that will help a utility implement year-round sustainable and efficient water conservation programs.

To this end, the DCP is a regulatory document that provides guidelines and regulations to (1) Conserve the available water supply by reducing the City's water demand as best appropriate during a drought, (2) Minimize the adverse impacts of water supply shortages or other water supply emergency conditions, (3) Identify and manage a drought or a state of water emergency; and (4) Preserve and protect public health, welfare, and safety. This document applies to the City's retail and wholesale customers.

The City has the authority to regulate and enforce this DCP via the attached City Code of Ordinances Chapter 55—Water Resource Management. This DCP and its associated ordinances explain the triggers for initiating and implementing steps taken during each stage. The DCP has been prepared in accordance with Texas Administrative Code (TAC) Title 30 Chapter 288 Subchapter B Rule §288.20 for Municipal Uses by Public Water Suppliers, as well as Rule §288.22 for Wholesale Water Suppliers. The plan for the City's wholesale water customers can be found in Section 16 of the City's DCP. TAC Title 30 also requires that the DCP is reviewed and updated, as appropriate, or at least every five years.

In addition, the adoption of a DCP is an eligibility requirement to receive financial assistance from the Texas Water Development Board State Water Implementation Fund for Texas (SWIFT) program. This DCP also follows U.S. Bureau of Reclamation Water SMART Drought Response Program Framework guidelines, which allow the City to apply for grants, conduct scientific studies, and receive technical assistance and scientific expertise from the federal government.

Extensive research into other cities' drought plans was conducted, as well as internal and external reviews of the City's DCP to finalize the recommendations below.

Over several months, CCW staff met numerous times with members of City Council, business groups and individuals from the community who expressed an interest in discussing proposed changes to the DCP. Some of those groups included:

- Pool and Hot Tub Alliance
- Landscape Irrigators
- Coastal Bend Home Builder Association
- Coastal Bend Industry Association
- Nursery Business Owners

- Botanical Garden representatives
- Naval Air Station Officials
- Local concerned citizens
- Wholesale Water customers
- Carwash owners

The City also hosted two public listening sessions at City Hall's council chambers on February 5th and February 18th.

A timeline summary of the past months:

- January 28, 2025 – City Council Presentation - First Reading of the DCP
- February 5, 2025 – First Listening Session at City Council Chambers
- February 11, 2025 – City Council Presentation
- February 18, 2025 – Second Listening Session at City Council Chambers

A summary of the changes that were incorporated into the DCP are provided below:

1. January 28, 2025, City Council Meeting – City staff presented the proposed changes to the DCP at City Council, which included the following:

- Addition of a voluntary stage: Water Shortage Watch
- Car washes
 - Stage 2: Water used for washing a motor vehicle, not occurring at a commercial car wash, is allowed on the designated watering day.
 - Stage 3: Amending the prohibition on car washes to permit handwashing with a bucket on the designated watering day.
- Pool Maintenance in Stage 3
 - Amending the prohibition on pool filling to allow the filling, draining, and refilling of existing swimming pools and Jacuzzis to maintain structural integrity.
- Landscape Watering in Stage 3
 - Drip irrigation for foundations and landscaped beds is permitted every other week on the designated watering schedule.
 - Watering trees, vegetable beds, shrubs, and potted plants with a handheld hose is allowed on any day.
 - Variances up to 30 days for new sod plantings will be considered.
- Surcharge Modifications for Residents

- Modified surcharge by increasing the optional surcharge for residents from 3,000 gallons per month to 7,000 gallons per month to minimize the impact on working families.

- Renaming Stage 4 to Water Emergency

2. February 11, 2025, City Council Meeting – City staff incorporated feedback from the February 5th Listening Session and subsequent meetings with the Coastal Bend Home Builders Association and Corpus Christi Naval Air Station. The proposed changes to the DCP based on the additional comments from the groups above presented at City Council included the following:

- Surcharge Increase for Non-Exempt Large Volume Users
 - Increased the surcharge amount per 1,000 gallons for non-exempt large-volume accounts.
 - Stage 2: from \$1.00 to \$3.00
 - Stage 3: from \$2.00 to \$6.00
 - Water Emergency: from \$4.00 to \$12.00
 - Changed the language for surcharges from “For other accounts” to “For wholesale customers” and included language for accounts with contracts.
- Moratorium on New Water Services
 - Moved the Optional Measure not to allow the issuance of new water services applications from Stage 3 to Water Emergency.

3. February 18, 2025, City Second Listening Session – Based on the second listening session and additional City Council input, the proposed changes to the DCP will be presented to City Council on March 18th:

- Triggers for Water Emergency (Sections 8.5 & 16.7).
 - Level 1 Water Emergency:
 - When the City is within 180 days of its total water supply not meeting its water demands.
 - Level 2 Water Emergency:
 - When a water supply emergency exists, which causes the demand to exceed the supply, subsequently leading to imminent failure to maintain pressure that meets TCEQ minimum standards.
- Authorization in Section 5 of the DCP

- Any non-emergency changes to the drought stages and restrictions outside this DCP must have City Council approval.
- Targeted Demand Reduction Levels for proposed Drought Stages (Sections 10 & 16.8). The reductions associated with each drought stage are not cumulative but total; for example, Stage 2 reduces water demand by 10%, NOT 15%.
 - Water Shortage Watch 5% water reduction
 - Stage 1: Mild Water Shortage 5% water reduction
 - Stage 2: Moderate Water Shortage 10% water reduction
 - Stage 3: Critical Water Shortage 15% water reduction
 - Water Emergency
 - Level 1 25% water reduction
 - Level 2 50% water reduction
- Changed notification requirements for Wholesale water customers (Section 16.8)

ALTERNATIVES:

An alternative would be to approve the Amended 2018 DCP as the new 2025 Plan with no changes.

FISCAL IMPACT:

No fiscal impact

FUNDING DETAIL:

Fund: N/A
 Department: N/A
 Project: N/A
 Account: N/A
 Activity: N/A
 Amount: N/A

RECOMMENDATION:

Staff recommends approval of the authorization

LIST OF SUPPORTING DOCUMENTS:

DCP Redlined Version

Ordinance 55-150

Ordinance 55-152

Ordinance 55-153

Ordinance 55-154

Ordinance 55-155