

CITY OF SEGUIN

ORDINANCE NUMBER:

STATE OF TEXAS

ORDINANCE AMENDING THE SEGUIN CODE OF ORDINANCES CHAPTER 102, UTILITIES, ARTICLE VI, WATER CONSERVATION PLAN, TO ADOPT THE 2024 WATER CONSERVATION PLAN; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF THIS ORDINANCE; AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CITY CODE OF ORDINANCES; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Texas Water Development Board requires that public water suppliers with more than 3,300 connections, which includes Seguin, develop and submit an updated water conservation plan every five years; and

WHEREAS, the City of Seguin last updated its water conservation plan effective June 18, 2019; and

WHEREAS, the proposed plan includes updated water storage and capacity information and permitted water supply information.

NOT THEREFORE BE IT ORDAINED, by the City Council of Seguin, Texas:

SECTION ONE: The Seguin Code of Ordinances, Chapter 102, Utilities, Article VI, Water Conservation Plan, Section 102-278, Water Storage and Capacity, is amended as follows underlining indicates added text, ~~strikethrough~~ indicates deleted text):

- (a) Storage reservoirs and tanks are a necessary part of the city water system. During periods of high consumption, the storage tanks provide water to meet peak demand. The elevated storage tanks also provide adequate pressure uniformly across the city and allow the treatment plant to be operational at a consistent rate.
- (b) The city maintains a reservoir which is part of the natural river channel behind the dam in Max Starcke Park. The city received authorization to maintain the reservoir in its 1914 Water Rights Permit from the state. The city can impound 425 acre-feet of water (~138,500,000 gallons) and divert this water through the treatment plant for municipal use.
- (c) The water treatment plant has a rated capacity to purify 11,600,000 gallons per day. The water that is purified is stored at the plant in a ground storage tank and clear wells. The combined capacity of the clear well and ground storage at the treatment plant is 5,300,000 gallons. This volume of water is held in storage at the plant to meet peak hour flow demand and emergency events.
- (d) To meet the immediate needs of the public, elevated storage tanks are located throughout the system to maintain pressure and supply as demand dictates. The city has four elevated storage tanks in the distribution system. A 500,000 gallon elevated tank is located on East Ireland Street to meet the needs of the central area of town. A 1,000,000 gallon elevated tank is located on West Kingsbury Street to service the west side of town and an additional 1,000,000 gallon elevated tank is located on Lucille Street to service the eastern portion of

Seguin. To service the Industrial Park and the north side of Seguin, a 1,000,000 gallon elevated tank was provided. These four elevated storage tanks have a total capacity of ~~3,150,000~~ 3,500,000 gallons of readily available water.

- (e) The total water storage capacity of the city is 9,010,000 gallons.

Location	Type	Capacity (gallons)
Water plant	Ground storage	3,000,000
Water plan	Ground storage	2,000,000
Water plant	Clear well ground storage	300,000
Vetter Street	Ground storage	210,000
Ireland Street	Elevated storage	500,000
West Kingsbury Street	Elevated storage	1,000,000
Lucille Street	Elevated storage	1,000,000
123 Bypass North	Elevated storage	1,000,000

SECTION TWO: The Seguin Code of Ordinances, Chapter 102, Utilities, Article VI, Water Conservation Plan, Section 102-279, Permitted Water, is amended as follows underlining indicates added text, ~~strikethrough~~ indicates deleted text):

- (a) The City holds a Certificate of Adjudication No. 18-3839, which authorizes the City to divert 7,000 acre-feet of water per year from the run of the river flow of the Guadalupe River for municipal purposes. This certification of adjudication has an original priority date of 1914, giving the city a senior permit over later permit holders. The original 1914 Water Right Permit authorized the city to divert 7,000 acre-feet of water at a rate of 12 cubic feet per second (cfs) [or] 5,380 gallons per minute (gpm). In 1988, the diversion rate was increased to 23 cfs (10,316 gpm) to meet the projected increase in water use due to population increase. The 23 cfs did not receive the same senior rights dated as the original 12 cfs of June 24, 1914, but carries the date it was granted, October 25, 1988. On February 21, 2018, the city was granted an amendment to Certificate of Adjudication No. 18-3839 designated as Certificate of Adjudication 18-3839D. This amendment adds municipal purposes to the 200 acre-feet of the water originally authorized for agricultural purposes and to change the place of use for municipal purposes to within the service area of the city.
- ~~(b)~~ (b) The City also holds a Certificate of Adjudication No. 18-3839C which authorizes the City to divert up to 9200 acre-feet of water per year from the City's ground water based effluent discharge from its wastewater treatment facilities. This Bed and Banks permit is limited based on streamflow requirements in the Guadalupe river and is calculated using the TCEQ approved accounting plan. These water rights have been issued by the Texas Commission on Environmental Quality and are recognized by the state. The Texas Commission on Environmental Quality will require the city to comply with all terms, conditions, and provisions of the permit. In turn, the TCEQ will protect the city's water rights and the rights to divert water from the Guadalupe River by using its branch division, the South Texas Water Master, to enforce all water rights. The city recognizes that its run-of-river water right, regardless of the priority date, will not supply the city's needs during a repeat of the drought of record.

- (c) These water rights have been issued by the Texas Commission on Environmental Quality and are recognized by the state. The Texas Commission on Environmental Quality will require the city to comply with all terms, conditions, and provisions of the permit. In turn, the TCEQ will protect the city's water rights and the rights to divert water from the Guadalupe River by using its branch division, the South Texas Water Master, to enforce all water rights. The city recognizes that its run-of-river water right, regardless of the priority date, will not supply the city's needs during a repeat of the drought of record.

SECTION THREE. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION FOUR. All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION FIVE. City staff is authorized to prepare this Ordinance for submission as a supplement to the Seguin Code of Ordinances.

SECTION SIX. This ordinance shall be effective upon ten (10) days following passage on second reading.

PASSED AND APPROVED on first reading on the 16th day of April 2024.

PASSED, APPROVED, and ADOPTED on second reading on the 7th day of May, 2024.

DONNA DODGEN, Mayor

ATTEST:

Kristin Mueller, City Secretary