

RESOLUTION NO. 2014-07-___ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY AMENDING RESOLUTION 2014-06-072 (R) BY AMENDING THE STAGE 3 DROUGHT CONTINGENCY POLICY ADOPTED PURSUANT TO SECTION 110-371(c) OF THE CITY OF MCKINNEY CODE OF ORDINANCES DROUGHT CONTINGENCY PLAN AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of McKinney has previously approved Ordinances establishing a Drought Contingency Plan, including conservation Stages 1-4; and

WHEREAS, the City Council adopted an amended version of the North Texas Municipal Water District (the "NTMWD") Model Drought Contingency Plan on May 22, 2006; and

WHEREAS, the City Council desires to amend the Stage 3 Policy to ensure sufficient water in the face of increasing customer demand and continued drought conditions; and

WHEREAS, the Stage 3 Policy, as amended and attached hereto as Exhibit "A", is intended to ensure that the City and the region maintain sufficient water resources to provide for the health and safety needs of the citizens of the City of McKinney.

WHEREAS, the amended Stage 3 Policy, attached hereto as Exhibit "A" has been modified for clarification purposes regarding turf grass watering by hand-held hose, soaker hose, or by dedicated zone using a drip irrigation system.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS:

Section 1. That the foregoing recitals are hereby found to be true and correct legislative and factual findings of the City of McKinney, Texas, and are fully incorporated into the body of this Resolution.

Section 2. The Stage 3 Policy, as amended, is attached hereto as Exhibit "A", and incorporated by reference, and is hereby adopted as the City's Policy for Stage 3 Drought Operation Conditions pursuant to Section 110-371(c) of the City of McKinney Code of Ordinances. The City shall remain in Stage 3 until further action is taken by the City Council.

Section 3. The City Manager is directed to take all actions necessary to ensure the enforcement of the Stage 3 Policy.

Section 4. This Resolution shall be effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 15th DAY OF JULY, 2014.

CITY OF MCKINNEY, TEXAS

TRAVIS USSERY
Mayor Pro Tem

ATTEST:

SANDY HART, TRMC, MMC
City Secretary
DENISE VICE
Assistant City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

EXHIBIT A

CITY OF MCKINNEY DROUGHT CONTINGENCY PLAN - STAGE 3 POLICIES (Amended July 15, 2014)

This policy is adopted pursuant to City of McKinney Code of Ordinances, Section 110-371(c). The following actions may be implemented at the direction of the Water Utilities and Infrastructure Director, or his/her designee, as deemed necessary, upon the initiation of Stage 3 drought measures by the North Texas Municipal Water District (the "NTMWD").

Measures described as "requires notification to TCEQ" impose mandatory requirements on customers. The NTMWD must notify the Texas Commission on Environmental Quality (the "TCEQ") within five (5) business days if these measures are implemented:

- a. Continue or initiate any actions available under Stages 1 and 2, as set forth in the Code of Ordinances, Section 110-371 and Chapter 110, Article VIII "Landscape Water Management."
- b. Implement viable alternative water supply strategies.
- c. Due to the continued below average rainfall and the declining water levels in the NTMWD reservoirs, as requested by the NTMWD, the City will impose alternative provisions for Stage 3 of the Drought Contingency Plan, effective July 1, 2014, and continue until they are removed by a subsequent Administrative Directive issued by the City Manager or by Resolution of the City Council.
- d. Requires Notification to TCEQ--Initiate mandatory water use restrictions as follows:
 1. Landscape watering with sprinklers or irrigation systems is limited to one (1) day every other week on an alternating schedule as follows:
 - o Even Numbered Addresses (last digit 0, 2, 4, 6, or 8) every other Tuesday, beginning July 1, 2014
 - o Odd Numbered Addresses (last digit 1, 3, 5, 7, or 9) every other Thursday, beginning July 3, 2014
 - o Common Areas and Medians every other Wednesday, beginning July 2, 2014
 2. Water use via hose with an end cut-off for washing, rinsing, or other maintenance purposes is allowed on any day.
 3. Foundations, shrubs, trees and, turf grass may be watered for up to two (2) hours on any day by a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system.
 4. Public athletic fields which are in use for competition at least once per week may be watered as needed.
 5. Golf courses may water greens and tee boxes as needed.
 6. Power washing any paved surface is permitted.
 7. A property that uses an alternate source of water supply for irrigation, other than treated water from the City, may irrigate without restrictions.

8. Newly constructed pools, Jacuzzis, and spas may be filled.
9. Pools, Jacuzzis, and spas may be drained and refilled after repairs only after a variance is issued by the Water Utilities and Infrastructure Director.
10. Existing pools, Jacuzzis, and spas may be replenished to maintain operational levels.
11. Commercial car wash facilities including service stations and automobile dealerships are permitted to operate.
12. Commercial nurseries may water inventory as needed.
13. ET/Smart irrigation systems as defined in Chapter 110, Article VIII, "Landscape Water Management," shall comply with item d.1 above.
14. Water use during any period of precipitation is prohibited.
15. Using water in such a manner as to allow excessive runoff or other waste is prohibited.
16. Landscape watering under item d.1 above is prohibited between 10:00 AM and 6:00 PM from April 1 through October 31.
17. Hydro seeding, hydro mulching, and sprigging are prohibited.
18. Wholesale customers shall implement similar procedures, including the prohibition of the operation of all ornamental fountains or other amenity impoundments to the extent they use treated water.

This list is in addition to requirements adopted by the NTMWD and does not restrict NTMWD's ability to adopt further restrictions in the future. In the event of a conflict between this policy and the City of McKinney Code of Ordinances, the Code of Ordinances shall control. Any revision of this policy adopted by City Council shall be effective as of the date of adoption, unless otherwise specified, and customers of City water shall be required to adhere to the then current City Council-approved policy.