

RESOLUTION NO. 19-274

**A RESOLUTION ADOPTING A WATER CONSERVATION PLAN AND
A DROUGHT CONTINGENCY PLAN FOR THE CITY OF PORT
ARTHUR TO PROMOTE RESPONSIBLE USE OF WATER AND TO
ESTABLISH CRITERIA FOR THE INITIATION AND TERMINATION
OF DROUGHT RESPONSE STAGES**

WHEREAS, THE City applied to the Texas Water Development Board (TWDB) for various sanitary water and sewer projects funded by the Texas Water Development Board through the Drinking Water and Clean Water State Revolving Fund program; and,

WHEREAS, a Water Conservation Plan and a Drought Contingency Plan are required to be updated every five (5) years, by the TWDB, as set forth in the Texas Water Code, for those applicants seeking financial assistance over \$500,000 from water and wastewater project funds; and,

WHEREAS, the Texas Commission on Environmental Quality (TCEQ) requires, per 30 TAC Chapter 288, that the City develop and maintain a Drought Contingency Plan; and,

WHEREAS, the City of Port Arthur Code of Ordinances, Chapter 110 (Utilities), Article II (Water), Section 110-34 requires the City Manager to develop, implement, and modify, as necessary, a Water Conservation Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ARTHUR:

THAT, the City Council hereby approves the City of Port Arthur Water Conservation Plan, which incorporates a Drought Contingency Plan, in substantially the same form as attached hereto as Exhibit "A".

THAT, the City Manager shall issue the Water Conservation Plan in writing to the City staff for implementation and shall publish a notice in the Port Arthur News at the time of need for public information and guidance.

THAT, a copy of the caption of this Resolution be spread upon the Minutes of the City Council.

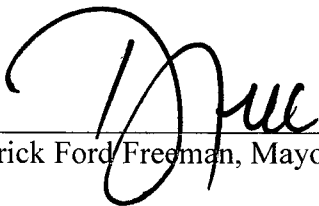
READ, ADOPTED AND APPROVED THIS 2nd day of July

A.D., 2019, at Regular Meeting of the City Council of the City of Port Arthur, Texas, by the following vote: AYES:

Mayor: Freeman; Mayor Pro Tem Duval

Councilmembers: Scott, Jones, Kinlaw, Moser and Frank.

NOES: None.


Derrick Ford Freeman, Mayor

ATTEST:

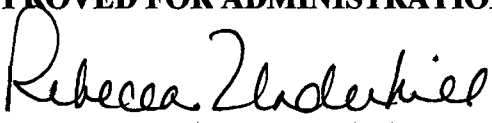

Sherri Bellard, City Secretary

APPROVED AS TO FORM:




Valecia Tizeng, City Attorney

APPROVED FOR ADMINISTRATION:



Rebecca Underhill
Interim City Manager



Clyde J. Trahan
Utility Operations Manager

EXHIBIT

“A”

Water Conservation Plan

I. Purpose

Water Conservation and Drought Contingency Plans are required by the Texas Water Development board (TWDB), set forth in the Texas Water Code, for those applications seeking financial assistance over \$500,000 from water and wastewater project fund accounts.

This Water Conservation and Drought Contingency document is written to provide the City of Port Arthur with plans and methods to use water more efficiently by reducing the consumption and loss or waste of water. It also contains a plan for implementing measures to significantly, but temporarily, reduce water use during drought conditions or other emergency situations.

II. Planning Area

Raw water is supplied to Port Arthur through a canal system owned and operated by the Lower Neches Valley Authority (LNVA). The City of Port Arthur operates a surface water clarification and filtration facility and after an expansion project, completed in 2018, has a firm capacity of 40.0 MGD (Million Gallons per Day) and a peak capacity of 52.0 MGD. The water treatment plant produces all of the City's potable water.

The planning area encompasses southern Jefferson County, which is presently served by the City's water treatment plant through its water distribution system. The area consists of the City of Port Arthur, and has a population of approximately 53,800 persons and an area of 110 square miles.

III. Utility Evaluation Data

The City of Port Arthur utilizes Texas Water Development Board guidelines, historical data obtained from our accounting and operational records, along with benchmarking information from similar sized cities. In March 2006, JBS Associates completed a Water Distribution System Audit to identify and address unaccounted-for water and develop recommendations to implement which will save water. In July 2014, Siemens completed a City wide water leak detection survey to identify all water leaks in the distribution system. The survey covered approximately 1,848,000 lineal feet and conservatively estimated a water loss of 43,920,000 gallons per month. From May 2015 to November 2015, Siemens replaced 117 leaking fire hydrants, 229 large meters (3" to 8"), and converted 18,706 existing small meters from drive-by AMR system to Fixed Based AMI. Also installed were 7 new network collectors and 58 repeaters, including associated tower infrastructure. The City spent \$8,021,021 to implement this project. Within two and a half years, the transmitters started to fail and required replacing. At the time of this

revision, the City has changed a total of 5,200 transmitters and more failures are expected. The transmitter failures coupled with the TWDB Annual Report number of 1,613 leaks repaired due to aging infrastructure were the major contributors to the current TWDB Water Use Survey total of unaccounted-for water loss at approximately 40%.

IV. 5-Year and 10-Year Targets and Goals

The present goal of the City is to reduce the unaccounted for water losses in the City's water distribution system by a minimum of 50 percent over the next ten (10) years. Our losses for 2018 were 3,371,890,779 gallons and our goal is to reduce that number to about 1,685,945,390 gallons. The City has also established a goal of reducing average per capita consumption to the Texas Water Conservation Implementation Task Force recommended statewide goal of 140 gpcd, a reduction of 51% from the current historic 5 year Annual Report average level of 290 gpcd. It should be noted that approximately 12% of the Total System Input Volume delivered to the distribution system goes to the state of Louisiana to our industrial partner Cheniere LNG, which reduces the average level to a more realistic 270 gpcd.

5-Year Targets & Goals

Un-metered Losses

Over the next five (5) years, the City has established a goal of reducing un-metered losses by 24%, an average of 4.8% reduction per year. To accomplish this, the City has implemented the following Best Management Practices (BMPs):

1. Metering of all new connections and retrofit of existing connections – continuing to replace the Automatic Meter Reader (AMR) transmitters and the Meter Change-out Program, and continuing to enforce the requirement for metering all new customer connections.
2. System Water Audit and Water Loss – Our current Water Line Replacement Program is targeted at replacing 57 water lines with the worst leak history that total approximately 24.4 miles. We have applied for funding from the TWDB and the design phase has been approved by the TWDB. This replacement program is to be completed within a five (5) year period.

Per Capita Consumption

The Texas Water Conservation Implementation Task Force has recommended a statewide goal of reducing average per capita consumption to 140 gpcd. Current historic 5 year average usage for the City of Port Arthur is approximately 270 gpcd. Meeting the statewide goal would mean a reduction of 50%. The City has adopted a goal of reducing consumption by 4.8% per year for the next five (5) years, a 24% reduction. In order to achieve this goal, the City is planning to implement the following BMPs:

1. School Education – distribution of educational materials from the Texas Water Development Board.
2. Public Information – posting conservation information on the government television channel, on water bills, and in local media, and providing leak detection kits to the citizens.
3. Prohibition on Wasting Water – implementation and enforcement of the Water Conservation Plan.
4. Golf Course Conservation – using irrigation water from the regional drainage district.
5. Water Wise Landscape Design and Conservation Programs – requiring that only certified irrigation specialists install irrigation systems in accordance with State water conservation rules.

10-Year Targets & Goals

Un-metered Losses

Over the next ten (10) years, the City has established a goal of reducing un-metered losses by an additional 24% of the current amount, an average of 4.8% reduction per year. This will bring the total reduction in unaccounted water loss to 50% from the present 2018 amount-from 3,371,890,779 gallons per year currently to 1,685,945,390 gallons per year. To accomplish this, the City is planning to continue to implement the following BMPs:

1. System Water Audit and Water Loss – the replacement of all 8”-10” cast iron pipe. The City still has an abundance of 8” cast iron pipe with a poor leak history. This size pipe contributes to much of our water loss due its size and poor condition.

Per Capita Consumption

Over the next ten (10) years, the City has established a goal of reducing average per capita consumption by 48% based on current consumption. 24% for the first 5 year term and an additional 24% for the second 5 year term, an average of 4.8% reduction per year. This will bring our average per capita consumption to the statewide goal of 140 gpcd. To achieve this goal, the City is planning to continue implementing the following BMPs:

1. School Education – distribution of educational materials from the Texas Water Development Board.

2. Public Information – posting conservation information on the government television channel, on water bills, and in local media, and providing leak detection kits to the citizens.
3. Prohibition on Wasting Water – implementation and enforcement of the Water Conservation Plan.
4. Golf Course Conservation – using irrigation water from the regional drainage district.
5. Water Wise Landscape Design and Conservation Programs – requiring that only certified irrigation specialists install water efficient irrigation systems.
6. We hope to continue our waterline change out program through loans from the TWDB.

V. Education and Information

The City of Port Arthur promotes water conservation by informing water users about the ways to save water inside of homes and other buildings, in landscaping and lawn uses, and in recreational uses. These tips are often included with the customers' monthly water bills. Additionally, water conservation literature is available to new customers when they apply for service at our customer service department.

VI. Water Conservation Oriented-Rate Structure

Water Conservation oriented-rate structures are used to discourage the waste of water. The City of Port Arthur currently has in increasing uniform rate structure for water users which discourages water waste. All water customers are subject to the uniform rate structure. (Rate structure attached)

VII. Universal Metering and Meter Repair and Replacement

All water users are currently metered. Currently, the City has a water accounting program that is implemented by computerized water consumption tracking. Utilizing the computer, the City monitors each metered connection for consistency in water use. If water consumption increases or decreases dramatically, the suspect meter is tested and repaired or replaced.

The City has a meter test bench capable of testing meters from 5/8" through 2" and employees have been trained in its use. Meters larger than 2" are tested by an outside firm. The City tests approximately 100 meters and replaces approximately 1250 meters annually. The City has replaced all its meters with Automated Meter Reading (AMR) technology meters. This program will assist our personnel in obtaining regular meter

readings and will replace our old, under-registering meters. The AMR metering system is capable of logging water use every four (4) seconds and that data can be provided to the customer to document and correct leaking private services.

The City of Port Arthur's water system is a compilation of numerous old former Water Districts and small cities that have merged with Port Arthur, and is spread out over a large service area. The City has initiated sub-basin metering to document water loss in remote transmission lines between these service grids. Much of our transmission system traverses remote, poorly accessible areas.

VIII. Leak Detection and Repair

The City of Port Arthur purchased mobile Leak Detection Equipment and trained crews in its use. The City is establishing a Fixed Leak Detection System to be phased in over the next five (5) years. This will allow us to detect leaks before catastrophic line failures occur. Siemens fire hydrant change out program was completed in 2016. An updated residential meter change out program will be implemented over the next three (3) years. A sample of meters were tested and found to be up to 15% slow. This program will improve our accountable water numbers. The Utility Operations Department continues to cross check Production vs. Consumption in an effort to narrow the gap and eliminate water losses due to large leaks and theft of service. Elevated storage levels are monitored 24 hours per day to alert repair crews of major leaks. We have instituted procedures to better account for losses due to flushing and leaks.

IX. Means of Implementation and Enforcement

The City Council of Port Arthur passed Ordinance No. 80-61 on July 21, 1980, which establishes a policy for water conservation. The ordinance authorizes the City Manager to implement and develop the water conservation plan as required by the water supply and demand conditions in the City's water supply system.

The ordinance gives the City Manager the legal authority to enforce the water conservation plan and includes penalties for violations. This ordinance is included in the Code of Ordinances Section 110-34.

Also in the Code of Ordinances is Section 110-70, "Discontinuance of Service", which provides for termination of service for any consumer violating or permitting violation from his attachments of any of the utility operations department's rules and regulations governing the introduction, supply and consumption of water.

Further, the City Council passed Ordinance No. 09-59 on August 25, 2009, adding Code of Ordinances Section 110-70(d) and providing for fines of up to \$2,000, or the maximum allowed by law – whichever is greater, for failures to comply with City's Water Conservation and Drought Contingency Plans.

X. Annual Report

The City of Port Arthur completes a report including “water audit” for the TWDB annually.

XI. Pressure Reduction

The City’s water distribution system does not provide pressures in excess of 80 psig for any of its service connections. Therefore, there is no need to provide any reduction in pressure to reduce water consumption.

XII. Recycling and Reuse

The City of Port Arthur owns and operates three wastewater treatment plants.

The Sabine Pass Wastewater Treatment Plant is permitted for 0.3 mgd and discharges into the Sabine Pass Channel of the Neches-Trinity Coastal Basin.

The Port Acres Wastewater Treatment Plant is permitted for 2.75 mgd and discharges into Rodhair Gully. This plant recycles plant effluent (process water) for in plant clean-up.

The City of Port Arthur’s Main Wastewater Treatment Plant is permitted for 9.2 mgd and discharges into the Sabine-Neches-Trinity Coastal Basin.

The City of Port Arthur Water Purification Plant recycles filter backwash water and water decanted during our sludge dewatering process.

XIII. Plumbing Codes

The 72nd Texas Legislature passed legislation that requires plumbing fixtures sold after January 1, 1992 to be water efficient, and the City has incorporated these standards into its plumbing codes. The standards are listed as follows:

<u>Fixture</u>	<u>Standard</u>
Shower Heads	No more than 2.75 gallons per minute at 80 pounds per square inch of pressure.
Lavatory and Sink Faucets And Aerators	No more than 2.2 gallons per minute at 60 pounds per square inch of pressure.
Wall Mounted, Flushometer Toilets	No more than 2.0 gallons per flush.
All Other Toilets	No more than 1.6 gallons per flush.

Revised March 13, 2019

Urinals

No more than 1.0 gallons per flush.

Drinking Water Fountains

Must be self closing.

The City has incorporated these standards into its local plumbing codes.



WATER CONSERVATION PLAN 5- AND 10-YR GOALS FOR WATER SAVINGS

Facility Name: City of Port Arthur

Water Conservation Plan Year: 2019

	Historic 5yr Average	Baseline	5-yr Goal for year <u>2024</u>	10-yr Goal for year <u>2029</u>
Total GPCD ¹	265	265	265	265
Residential GPCD ²	57	63	44	30
Water Loss (GPCD) ³	172	132	132	91
Water Loss (Percentage) ⁴	65 %	50 %	50 %	34 %

1. Total GPCD = (Total Gallons in System + Permanent Population) + 365
2. Residential GPCD = (Gallons Used for Residential Use + Residential Population) + 365
3. Water Loss GPCD = (Total Water Loss + Permanent Population) + 365
4. Water Loss Percentage = (Total Water Loss + Total Gallons in System) x 100; or (Water Loss GPCD + Total GPCD) x 100

Revised March 13, 2019

Rate Structure (Attached)

Sec. 110-91. - Rate schedule.

Tier categorical descriptions:

Tier 1: 0—10,000 gallons per month.

Tier 2: 10,001 gallons—50,000 gallons per month.

Tier 3: Greater than 50,000 gallons per month.

All updated water and sewer rates are effective May 1, 2018, unless otherwise noted: the minimum usage fee for water is affected by the water meter size. For all tiers that include sewer, the water consumption is used to determine the appropriate sewer consumption charge.

The rates and charges for furnishing water service by the city are fixed and established for the respective purposes and kinds of service at the following charges and rates:

(1) *In the city:*

- a. *Minimum usage fee.* This charge shall be based on the size of the water meter serving the premises as shown below.

INSIDE CITY LIMITS

Residential Minimum Usage Fee		
Meter Size	Water	Sewer
Up to 1 inch	\$7.50	\$7.50
1½ inch	\$8.50	\$7.50
2 inch	\$10.00	\$7.50
3 inch	\$25.00	\$7.50
4 inch	\$35.00	\$7.50
6 inch	\$55.00	\$7.50

8 inch	\$75.00	\$7.50
10 inch	\$200.00	\$7.50

- b. *Quantity charge.* This charge shall be based on the monthly cost of the water used per 1,000 gallons plus the appropriate minimum usage fee based on meter size.

RESIDENTIAL RATES

Water and sewer rate schedule per thousand gallons for service locations inside of Port Arthur city limits:

Residential Water and Sewer Rates		
Quantity in Gallons—Tier	Proposed Water Rates (per thousand gallons)	Proposed Sewer Rates (per thousand gallons)
Residential tier 1 (0—10,000 gallons per month)	\$5.06	\$4.65
Residential tier 2 (10,001—50,000 gallons per month)	\$5.31	\$4.88
Residential tier 3 (Over 50,000 gallons per month)	\$5.58	\$5.12

Cost of 6,000 gallons of water = \$37.86, Cost of 4,000 gallons of water = \$27.74

Cost of 6,000 gallons of sewer = \$35.40, Cost of 4,000 gallons of sewer = \$26.10

- c. All water must be metered through meters furnished by the city, or other methods that are approved by written authorization by the city. All water rates above, fixed and prescribed, are for water furnished through the regular water system and plant of the city.
- (2) Apartments, mobile homes, RV parks, townhouses, and all multi-family dwellings are considered subsets of the residential category.
- (3) Apartments, mobile homes, RV parks, townhouses, and all multi-family dwellings shall pay a minimum usage fee per unit for the smallest meter size based on 75 percent monthly occupancy rate effective October 1, 2018.

COMMERCIAL/INDUSTRIAL RATES

Water rate schedule for meter size and per thousand gallons for service locations inside of Port Arthur city limits:

Water Rates								
Meter Size	Up to 1 inch	1½ inch	2 inch	3 inch	4 inch	6 inch	8 inch	10 inch
Minimum usage fee	\$15.00	\$15.00	\$20.00	\$25.00	\$35.00	\$55.00	\$75.00	\$200.00
Tier 1 0—10,000 gallons	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50
Tier 2 10,001—50,000 gallons	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78

Tier 3 Greater than 50,000 gallons	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06
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COMMERCIAL/INDUSTRIAL RATES

Sewer rate schedule per thousand gallons for service locations inside of Port Arthur city limits:

Sewer Rates	
Tier	Per 1,000 gallons
Commercial/industrial tier 1 (0—10,000 gallons)	\$5.05
Commercial/industrial tier 2 (10,001—50,000 gallons)	\$5.30
Commercial/industrial tier 3 (over 50,000 gallons)	\$5.56

Metered and unmetered private fire protection shall be billed as per tables below.

METERED FIRE LINE CHARGE

Water rate schedule for meter size and per thousand gallons for service locations inside of Port Arthur City Limits:

Water Rates								
Meter Size	Up to 1 inch	1½ inch	2 inch	3 inch	4 inch	6 inch	8 inch	10 inch

Minimum usage fee	\$15.00	\$15.00	\$20.00	\$25.00	\$35.00	\$55.00	\$75.00	\$200.00
Tier 1 0—10,000 gallons	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50
Tier 2 10,001—50,000 gallons	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78
Tier 3 Greater than 50,000 gallons	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06

UNMETERED FIRE LINE CHARGE

Water rate schedule for pipe size and per thousand gallons for service locations inside of Port Arthur city limits:

Water Rates								
Pipe size	Up to 1 inch	1½ inch	2 inch	3 inch	4 inch	6 inch	8 inch	10 inch
Monthly charge for basic service	\$15.00	\$55.00	\$80.00	\$85.00	\$90.00	\$95.00	\$160.00	\$215.00

FIRE HYDRANT METERS

Water rate schedule for meter size and per thousand gallons for service locations inside of Port Arthur city limits:

Water Rates				
Meter Size	Up to 1 inch	1½ inch	2 inch	3 inch
Rental fee	\$250.00	\$300.00	\$400.00	\$500.00
Tier 1 0—10,000 gallons	\$5.50	\$5.50	\$5.50	\$5.50
Tier 2 10,001—50,000 gallons	\$5.78	\$5.78	\$5.78	\$5.78
Tier 3 Greater than 50,000 gallons	\$6.06	\$6.06	\$6.06	\$6.06

Note: A deposit of \$2,000.00 is required and will be reimbursed in full or partially based on condition of meter when returned.

LAWN/OUTDOOR CHARGE

Water Rate Schedule for meter size and per thousand gallons for service locations inside of Port Arthur city limits:

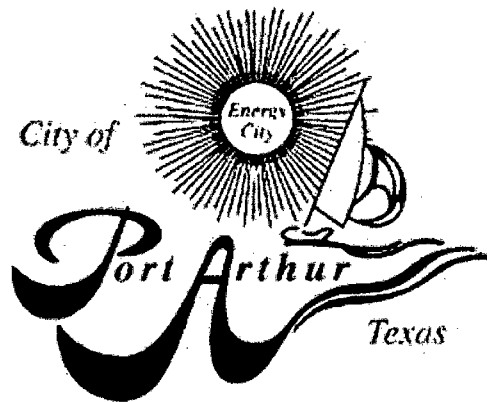
Water Rates

Meter Size	Up to 1 inch	1½ inch	2 inch	3 inch	4 inch	6 inch	8 inch	10 inch
Minimum usage fee	\$15.00	\$15.00	\$20.00	\$25.00	\$35.00	\$55.00	\$75.00	\$200.00
Tier 1 0—10,000 gallons	\$5.06	\$5.06	\$5.06	\$5.06	\$5.06	\$5.06	\$5.06	\$5.06
Tier 2 10,001—50,000 gallons	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78	\$5.78
Tier 3 Greater than 50,000 gallons	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06	\$6.06

(4) *On contracts outside the city.* Provided where municipalities and outside users have entered into a formal written contract with the city, all rates and conditions shall be as established within the specific contract.

(Ord. No. Code 1961, § 24-51; Ord. No. 01-35, § 1, 9-4-2001; Ord. No. 05-65, § 1, 9-13-2005; Ord. No. 06-72, § 1, 9-12-2006; Ord. No. 06-105, § 1, 11-21-2006; Ord. No. 08-85, § 1, 8-26-2008; Ord. No. 11-50, § 1, 9-20-2011; Ord. No. ~~14-43~~, § 1, 9-29-2014; Ord. No. ~~16-38~~, § 2(Exh. A), 5-31-2016; Ord. No. ~~18-16~~, § 2, 4-24-2018)

CITY of PORT ARTHUR



DROUGHT CONTINGENCY PLAN

Revised May 1, 2019

Supersedes all other revisions

Drought Contingency Plan

I. Introduction

Drought or a number of other uncontrollable circumstances can disrupt the normal operation of the City of Port Arthur's water supply system, including supply, treatment, storage and distribution. Even though the City may have an adequate water supply, this supply could become contaminated or a disaster could destroy all or a portion of the water system, creating an emergency management situation for the City.

The Drought Contingency Plan includes those temporary measures that the City can utilize to significantly reduce water use in response to an emergency. These measures generally involve voluntary use reductions. They also may include the restriction or elimination of certain types of water use, and water rationing. Because emergency conditions are often unexpected, it is important that the City be prepared in advance.

The purpose of the Drought Contingency Plan is to establish measures and procedures for identification, classification, and handling a water supply and/or demand emergency effectively and efficiently.

It is important to understand the differences between the Water Conservation Plan and the Drought Contingency Plan. Water conservation involves implementing and practicing permanent water use efficiency, while the Drought Contingency Plan establishes temporary methods designed to be used during emergency situations. This plan will be reviewed and updated every five (5) years.

II. Trigger Conditions

The City of Port Arthur receives its water from the LNVA (Lower Neches Valley Authority). Upon notification from the LNVA, or the Deep East Texas Regional Planning Group, that the water supply is or will be limited, or a determination is made that the demand is excessive, the City will classify the conditions into condition levels. Condition levels have been established to distinguish between the severity of the trigger conditions, such as mild, moderate and severe.

A. Mild Conditions

The trigger conditions that will indicate mild conditions are as follows:

1. Notification from LNVA that a mild water storage condition exists.
2. Water demand has reached or exceeded 90 percent of the safe capacity of the City's water plant or distribution system.

B. Moderate Conditions

The trigger conditions that will indicate moderate conditions are as follows:

1. Notification from LNVA that moderate water storage conditions exist.
2. Water demand has reached or exceeded 95 percent of the safe capacity of the water treatment plant beyond which failure of a part of the system could cause serious disruption of service to a portion or all of the City.
3. Contamination of LNVA Canal which requires use of the City's reservoir only for raw water.

C. Severe Conditions

The trigger conditions that will indicate severe conditions are as follows:

1. Notification from LNVA that severe water storage conditions exist.
2. An imminent or actual failure of a major portion of the water supply system, which will cause an immediate health or safety hazard.
3. Water system capacity in the distribution system is low enough that sufficient fire fighting capabilities are hindered.
4. Continued contamination of the LNVA source such that our reservoir level is below 50 percent of its useful capacity.

III. Drought Contingency Measures

The following actions will be taken by the City according to the level of trigger conditions reached.

A. Mild Condition Measures

1. Inform the customers through the mail that a trigger condition has been reached and that the water users should look for ways to voluntarily reduce water use.
2. During winter months, request through the news media that water users insulate pipes rather than running water to prevent frozen pipes.

B. Moderate Condition Measures

1. Continue all relevant measures from the preceding condition.
2. Notify major water users by telephone of the situation and request voluntary water use reductions.

3. Advertise through the news media a voluntary daily lawn watering schedule
4. Request industries or other non-municipal water users to stop certain uses, find alternative sources, increase recycling, or modify production processes where possible.

C. Severe Condition Measures

1. Continue all relevant measures from the preceding conditions.
2. Inform the public through the news media that a severe condition has been reached and that the water users should look for ways to reduce water use.
3. Implement a mandatory lawn watering schedule.
4. Prohibit certain uses such as ornamental fountains or other non-essential water uses.
5. Require industrial or commercial water users to stop operations so that remaining water is available for essential health and safety related uses.
6. Notify Motiva Enterprises of need for possible temporary interconnection for raw water from their reservoir.

IV. Education and Information

The City of Port Arthur will inform the public of the purpose and effect of the Drought Contingency Plan and of the expectations of them during a drought condition or emergency situation. When trigger conditions appear to be approaching, the public will be notified through available news media and additional information on water conservation methods will be distributed.

In the event that trigger conditions are reached, the public will be kept fully informed of the status of the drought condition or emergency situation.

V. Variances

The City Manager, or his/her designee, may, in writing, grant a temporary variance to the policies provided by this plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the public health, welfare, or safety, and if one or more of the following conditions is met:

- A. Compliance with the plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the plan is in effect.
- B. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exception from the provisions of this plan shall file a petition for variance with the City Manager. Variances shall be subject to the following conditions:

- A. Variances granted shall include a time table for compliance
- B. Variances granted shall expire when the plan is no longer in effect, unless the petitioner has failed to meet specified requirement.

No variance shall be retroactive or otherwise justify any violation of this plan occurring prior to the issuance of the variation.

VI. Termination Notification

Termination of the drought conditions or emergency situation measures will take place when the trigger conditions which initiated the drought contingency measures have subsided. The public will be informed by the City of Port Arthur of the termination in the same manner in which they were informed of the initiation procedures.

VII. Implementation/Enforcement

The City of Port Arthur Code of Ordinances Chapter 24-17 authorizes the City Manager to develop, implement and enforce this plan. The Code also specifies penalties for violations.