



Recommendation for Action

File #: 20-3597, **Agenda Item #:** 7.

12/10/2020

Posting Language

Approve an ordinance amending City Code Chapter 6-4 (Water Conservation) and City Code Section 15-9-241 (Utility Regulations) relating to water conservation, commercial and industrial cooling tower water efficiency performance standards, operations, registration, and inspection, and creating an offense that may be subject to administrative, civil, or criminal penalties.

Lead Department

Austin Water.

Fiscal Note

Funding for the administration of these Code changes is included in Austin Water's Fiscal Year 2020-2021 Approved Operating Budget.

Prior Council Action:

November 29, 2018 - City Council approved the Water Forward Plan on a 10-0 vote.

For More Information:

Inquiries should be directed to the City Manager's Agenda Office at 512-974-2991 or AgendaOffice@austintexas.gov.

Council Committee, Boards and Commission Action:

November 17, 2020 - Recommended by the Resource Management Commission on a 7-0 vote with Commissioners Johnson, Smith and Babyak absent

November 17, 2020 - Recommended by Water and Wastewater Commission on a 6-0 vote with Commissioner Penn off the dais and with Commissioners Michel, Parton and Fisher absent.

Additional Backup Information:

The 2018 Austin Integrated Water Resources Plan - Water Forward - recommended the adoption of ordinances that would increase water use efficiency by the commercial, industrial and institutional (CII) water use sectors, specifically including cooling towers.

The proposed ordinance language would amend Chapter 6-4 (Water Conservation) by imposing administrative penalties of up to \$500 for failure to submit required cooling tower registration and annual inspection reports to ensure towers are meeting all water efficiency standards and equipment requirements. Assessment of administrative penalties for this program would be consistent with the current assessment of penalties under the Commercial Irrigation System Evaluation and Commercial Car Wash Certification programs. The proposed ordinance also includes an offense for submitting a false report or tampering with readout and reporting devices.

The proposed ordinance would also amend the inspection report requirements to include whether the tower is meeting additional water efficiency standards for drift eliminators and the addition of biocides to cooling tower recirculating water to prevent algae growth, thereby increasing water efficiency as well as protecting public

health by preventing airborne bacteria. These measures are consistent with 1126.1 and E 403.5.2, respectively, of the 2015 Uniform Mechanical Code, International Association of Plumbing and Mechanical Officials (IAMPO), and Standard 189.1, International Green Construction Code, of the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE).

Finally, the proposed ordinance would amend City Code Section 15-9-241 (Utility Regulations) by providing that those who do not submit required registration and inspection reports would be ineligible to receive the evaporative loss credit on their wastewater bills.

A virtual stakeholder workshop was held on September 23, 2020, to present the proposed code changes and solicit feedback from affected parties. The workshop was attended by over 50 individuals. Additionally, the proposed Code changes were posted to a Speakup Austin website. Staff received only limited feedback and input through these events and have addressed the questions presented in the outreach.

Strategic Outcome(s):

Health and Environment.