

The Bandera PROPHEET

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Bandera City Council extends Public Health Emergency, abates Drought Contingency Plan

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The Bandera Prophet

Bandera City Council members unanimously approved the extension of a Declaration of Public Health Emergency. Issued temporarily last week by Bandera Mayor Rebeca Gibson, the order restricts access to the river at Bandera City Park, until further notice.

The city was set to collect three more weeks of paid admission into the park, which is now halted as vehicular traffic will not be allowed. The public is not permitted to swim in the water due to health concerns, however foot and bicycle traffic is still allowed.

“Water quality tests have consistently been high for E. coli levels,” Gibson said during council’s regular meeting last Tuesday.

According to the Bandera County River Authority and Groundwater District, the latest E. coli bacteria levels at Bandera City Park was 1,414 MPN, which exceeds the TCEQ threshold of 399 MPN.

See the report at <https://www.banderapropheet.com/230720bcragdwatersampleresults.html>

“No primary contact recreation should take place if the number of E. coli exceeds 399 most probably number (MPN) per 100 mL of water,” the BCragD notice states.

~ In other business, council members revisited the city’s drought contingency plan.

Concerned about overreach, inconsistencies and alignment with the Bandera County River Authority and Groundwater District, Council Member Tony Battle questioned whether the city should be in Stage 5

water restrictions. After researching surrounding cities, including Kerrville, Boerne, Hondo and San Antonio - all in varying stages of water conservancy, he said he found Stage 5 “very, very restrictive in terms of our water usage.”

After amending the ordinance in September last year, the city has mirrored BCRAAGD’s drought contingency.

“My opinion is that [BCRAAGD] has a different agenda than the city,” Battle said, adding the city’s plan should instead be a direct reflection of the water in the wells.

“I feel like we have pretty responsible citizens in our town,” Battle said. “Some of our ordinances are too restrictive as of late... We need to conserve water, but we as a governing body do not have the authority to govern the personal property and damage of people’s personal property by not allowing them to use water.”

Battle said protective measures, such as topping off swimming pools and watering around concrete slabs, are necessary to stave off expensive and catastrophic structural damage.

“I think trees are pretty important. Last I checked we all breathed oxygen. We should all be allowed to water our trees,” Battle said. “If a citizen wants to produce their own fruits and vegetables, they should be able to water their garden... If you have a pond with fish, you can water. Why can’t you water a garden that has vegetables in it?”

Pointing out an error on city utility statements, Council Member Lynn Palmer said her water bill indicated the city had been at Stage 5 since January, even when the website stated Stage 4.

“We are misinforming our citizens by what’s on our water bill. It just gets put on there and gets left,” Battle said.

As of Tuesday, Battle said the Dallas Street well was at 515 feet, which is technically Stage 1, in accordance with the city’s original ordinance. Stage 4 is at 547, and Stage 5 kicks when the well falls below 566 feet.

“It is in my opinion over government. We should have ordinances we can govern, that meet the needs of our citizens, that we can enforce,” Battle said.

City Administrator Richard Morton said the city's status indicated Stage 5 after BCRA GD declared Stage 5, however as BCRA GD changed its status, the city never did.

"We weren't doing as good a job as we could [communicating information]," Morton said.

Battle motioned to amend and abate the city's Drought Contingency Plan, Article 13.08.009, which carried unanimously. Council is expected to consider revisions within 60 days.

To see the ordinance, go to <https://ecode360.com/BA6236/laws/LF1816614.pdf>