

April 18, 2013

Samuel E. Luna, Jr.  
Assistant Secretary  
San Antonio Water System  
Board of Trustees

Berto Guerra, Chairman  
San Antonio Water System  
Board of Trustees

Mr. Guerra,

At our March 11, 2013 Board Meeting, the Board voted five to one (5 to 1), (the Mayor not being present) to approve “Item #33 listed as a resolution approving utility service agreement to provide water and/or waste water service to the tracts listed below which are located over the Edwards Aquifer Recharge or contributing zone . . .”, presented by Kelly Newman – Sam Mills. However, Mr. Mills, SAWS Engineer, failed to list on this resolution that this proposed subdivision consisting of 1,545 acres with 3,800 homes to be built is not within the city limits of San Antonio, or within the limits of Bexar County. Mr. Mills for whatever reason neglected to put in the resolution that this proposed 3,800 residential subdivision is in fact in Comal County which means that SAWS, the area’s largest water provider, besides providing water for the residents of San Antonio and Bexar County, will also be providing water for the residents of Comal County. It can be argued by SAWS staff that this proposed subdivision lies within the SAWS CCN and within the five (5) mile E.T.J. boundary, the fact remains that this proposed Crescent Hills subdivision would still be in Comal County. Mr. Chairman, based on the listed discrepancies in the Resolution – failure to list in Resolution in writing or in chart “to be built in Comal County” and the amount of water to be used to support the subdivision.

I am recommending that the vote taken to approve Item #33 be rescinded immediately and I am also requesting that Mr. Puente, explain to the Board at the next Board Meeting why the Resolution to provide water to a subdivision in another county was on the agenda. If we cannot resolve this issue then we can request that City Council make the decision.

Mr. Chairman, as we all know, currently we are in the midst of one of the greatest droughts ever recorded. We are urging our residents to conserve water, recently increased water rates to our customers, and spending millions on our Desal Plant to provide water for our residents/customers. SAWS CCN needs to extend only to the Bexar County Line (CCN – option to provide or not provide water). If the drought continues, SAWS may be forced to overpump more water from the Edwards Aquifer than permitted, at a cost of several million dollars. As Trustees, we are all entrusted to make justifiable and correct decisions, providing we, the Trustees have received precise and correct information by the SAWS staff - the Resolution as presented to the Board did not.

At the Board meeting, several concerned residents voiced their concern about this development and erroneously we pointed them to the city Planning Commission, however this proposed subdivision is in Comal County and our Planning Commission or City Council have no authority over this subdivision. I am recommending that the citizens Mr. Andrew Walker, BAT Conservation International, Inc., and Annalisa Peace, Greater Edwards Aquifer Alliance, who voiced concerns be made aware that their concerns should be addressed to Comal County. If the Resolution is not rescinded SAWS will be providing 3,800 households of Comal County approximately 7,000 gallons of water per household per month, which equates to several hundred acre feet per year.

In closing, we the SAWS Board rely on the SAWS Staff from our CEO to Staff Engineers for exact and precise information and on Item 33, we were not given this information.

Mr. Chairman, please call me if you have any questions.

Thank you.

Samuel E. Luna, Jr.  
Assistant Secretary  
San Antonio Water System Board of Trustees

cc:  
SAWS Trustees  
SAWS CEO