

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED  
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

**AN ORDINANCE**

**SURRENDERING THE CITY OF SAN ANTONIO'S ORIGINAL  
EXCLUSIVE JURISDICTION TO THE TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY OVER THE RATES, OPERATIONS, AND  
SERVICES OF PRIVATELY OWNED WATER AND WASTEWATER  
UTILITIES WITHIN THE CITY LIMITS.**

\* \* \* \* \*

**WHEREAS**, pursuant to Section 13.042 of the Texas Water Code, the San Antonio City Council has exclusive original jurisdiction over rates, operations, and services of privately owned water and wastewater utilities providing service within the City limits, but may elect to surrender such jurisdiction to the Texas Commission on Environmental Quality ("TCEQ") by ordinance; and

**WHEREAS**, on September 12, 2013, the City Council approved Ordinance No. 2013-09-12-0639 surrendering to the TCEQ the City's exclusive original jurisdiction over the rates, operations, and services of Leon Springs Utility Company ("Leon Springs"), a privately owned wastewater utility serving the Dominion development; and

**WHEREAS**, prior to accepting exclusive jurisdiction over the rates, operations, and services of Leon Springs, the TCEQ has requested that the City pass an ordinance that surrenders original exclusive jurisdiction over all privately owned water and wastewater utilities in the City; and

**WHEREAS**, according to TCEQ records, there are five small private water utilities in San Antonio serving a total of 1,102 customers, and three wastewater utilities serving a total of 970 customers; and

**WHEREAS**, the City has sent advance notice to the affected private utilities of this pending ordinance (Exhibit A contains the notice letters); **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Pursuant to Section 13.042 of the Texas Water Code, the City of San Antonio surrenders its exclusive original jurisdiction to the TCEQ over privately owned water and wastewater utilities. This Ordinance is not intended to surrender the City's original exclusive jurisdiction over City owned utilities.

**SECTION 2.** Consistent with Section 13.042(c) of the Texas Water Code, the City reserves the right to reinstate its exclusive original jurisdiction over privately owned water and wastewater utilities at a future date should the San Antonio City Council choose to exercise such jurisdiction for any reason.

**SECTION 3.** This Ordinance shall become effective immediately upon the unanimous vote of the City Council or within ten days following approval by majority vote.

**PASSED AND APPROVED**, this 30<sup>th</sup> day of January 2014.

**M A Y O R**  
Julián Castro

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Robert F. Greenblum, City Attorney

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