

RESOLUTION NO. 16-259

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING THE SAN ANTONIO WATER SYSTEM TO PREPARE AND ENTER INTO A SETTLEMENT AGREEMENT WITH THE CIBOLO VALLEY PARTNERS, LLC AND THE SOUTH CENTRAL WATER COMPANY TO ALLOW THE SOUTH CENTRAL WATER COMPANY TO SERVE THE AREA WITHIN COMAL COUNTY BOUNDED BY THE CIBOLO VALLEY RANCH TRACT AND CURRENTLY WITHIN THE SAN ANTONIO WATER SYSTEM'S CERTIFICATE OF CONVENIENCE AND NECESSITY; AND APPROVING THE SYSTEM TO RECOMMEND TO THE CITY OF SAN ANTONIO TO CONSENT TO THE SOUTH CENTRAL WATER COMPANY'S CERTIFICATE OF CONVENIENCE AND NECESSITY APPLICATION FOR THE AREA WITHIN COMAL COUNTY BOUNDED BY THE CIBOLO VALLEY RANCH TRACT FROM THE SAN ANTONIO WATER SYSTEM'S WASTEWATER CERTIFICATE OF CONVENIENCE AND NECESSITY; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the conditional release of the Cibolo Valley Ranch (CVR) Tract, specified in the table below, through Resolution No. 16-235 from the San Antonio Water System's (the System) wastewater Certificate of Convenience and Necessity (CCN) allows the South Central Water Company (SCWC) to serve the CVR Tract; and

Tract Name	Developer	Acres	W EDUs	WW EDUs	CoSA / CoSA ETJ / Outside	EARZ/C Z	W CCN	WW CCN
Cibolo Valley Ranch Tract	Cibolo Valley Partners, LLC	394	0	668	CoSA ETJ	INSIDE	OUT	IN

WHEREAS, the location of the CVR Tract in relation to System's CCN is generally illustrated in the attached Site Maps; and

WHEREAS, the System will prepare and enter into a settlement agreement with the SCWC and the Cibolo Valley Partners, LLC outlining the conditions required for the System to release the area within Comal County bounded by the CVR Tract from the System's wastewater CCN; and

WHEREAS, the System will recommend to the City of San Antonio to consent to the application to be filed by the SCWC to the Public Utilities Commission for the area within Comal County bounded by the CVR Tract; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to approve the System to prepare and enter into a settlement agreement with the South Central Water Company and Cibolo Valley Partners, LLC specifying the conditions for the System's release of the wastewater CCN of the area within Comal County bounded by the Cibolo Valley Ranch Tract, and (ii) to approve the System to recommend to the City of San Antonio to consent to the South Central Water Company's CCN application to the Texas Public Utilities Commission for the area within Comal County bounded by the Cibolo Valley Ranch Tract once release from the System's CCN; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:


1. That the System hereby approves preparing and entering into a settlement agreement, including specific conditions, with the Cibolo Valley Partners, LLC and the South Central Water Company, which outlines the conditional release by the System of the area within Comal County bounded by the Cibolo Valley Tract from the System's Certificate of Convenience and Necessity. The System will recommend to the City of San Antonio to consent to South Central Water Company's Certificate of Convenience and Necessity application for the area within Comal County bounded by the Cibolo Valley Ranch Tract once released from the System's wastewater Certificate of Convenience and Necessity. A copy of the settlement agreement is attached hereto as Exhibit I.
2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.
3. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.
4. This resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED this 4th day of October, 2016.



 Berto Guerra, Jr., Chairman

ATTEST:


 _____ Assistant Secretary
 Ernesto Arrellano, Jr., Secretary

Attachment:

1. Project Map
2. Settlement Agreement