

RESOLUTION NO. 2021-047

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES RECOMMENDING AND APPROVING AMENDMENTS TO CHAPTER 34, ARTICLE V, DIVISIONS 3 OF THE CITY CODE TO COMPLY WITH AMENDMENTS TO 40 C.F.R. PART 403 AND TPDES PERMIT NUMBER WQ0010137033; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO RECOMMEND THE AMENDMENTS TO THE CITY COUNCIL AND REQUESTING THAT THE CITY COUNCIL PASS AN ORDINANCE AMENDING CHAPTER 34, ARTICLE V, DIVISIONS 3; 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 San Antonio Water System (the "System") is required by the Federal Clean Water Act (33 U.S.C.A 1251, et seq.) and regulations administered by the United States Environmental Protection Agency (40 C.F.R. Part 403) to implement a pretreatment program to reduce or eliminate the discharge of harmful pollutants into the sanitary sewer system by permitted dischargers; and

WHEREAS, the Texas Commission on Environmental Quality is the approval authority for the pretreatment program pursuant to a delegation of authority from the EPA; and

WHEREAS, the System has implemented a pretreatment program that is described in and authorized by Chapter 34, Article V, Division 3 of the City Code; and

WHEREAS, the federal regulations found at 40 C.F.R. Part 403 that govern the pretreatment program have been amended and the System is required to amend its pretreatment program to comply with these regulatory amendments and as a requirement for renewal by the Texas Commission on Environmental Quality of the permits that govern the operation of the System's wastewater treatment plants; and

WHEREAS, Chapter 34, Article V, Division 3 of the City Code must be amended to adopt revised definitions and revised clauses within the City Code to meet the requirements of state and federal regulations; and

WHEREAS, the San Antonio Water System Board of Trustees: (i) approves amendments to Chapter 34, Article V, Division 3 of the City Code, (ii) recommends that the City Council pass and approve an ordinance amending Chapter 34, Article V, Divisions 3 of the City Code, and (iii) authorizes the President/Chief Executive Officer or his duly appointed designee to request that the City Council pass and approve such an ordinance; now therefore:

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

1. That recommended amendments to Chapter 34, Article V, Division 3 of the City Code as set forth in Attachment 1 that is incorporated herein by reference are hereby approved.
2. That the Board of Trustees hereby recommends that the San Antonio City Council pass and approve an ordinance that amends Chapter 34, Article V, Divisions 3 in form similar to the proposed revisions that are attached hereto and incorporated herein by reference as Attachment 1.
3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to recommend that the San Antonio City Council pass and approve an ordinance that amends Chapter 34, Article V, Divisions 3 in form similar to the proposed revisions that are attached hereto and incorporated herein by reference as Attachment 1.
4. 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.
5. 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.
6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 2nd day of February, 2021


Jelyanne LeBlanc Burley, Chairwoman

ATTEST:



Eduardo Parra, Secretary

Attachment:

1. SAWS Streamlining Regulation Update