

Agenda Item 42

**CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST**


**TO:** Mayor and Council Members  
**FROM:** Councilman Art A. Hall, District 8  
**COPIES:** J. Rolando Bono, *Interim City Manager*; Martha Spedea, *Acting City Attorney*; Christopher J. Brady, *Assistant City Manager*; Melissa Byrne Vossmer, *Assistant City Manager*; Ray Baray, *Intergovernmental Relations Manager, External Relations*; Leticia Vacek, *City Clerk*; Walter Ague, *Assistant to the Mayor*; Gayle McDaniel, *Assistant to the City Council*; SAWS Board of Trustee; File  
**SUBJECT:** Resolution in support of continued local control for water quality  
**DATE:** April 28, 2005

Please join with me in directing staff to place on the May 5, 2005 agenda a resolution in support of continued local control for water quality and regulations.

During this session of the Legislature, staffs from the City and the San Antonio Water System have been actively working to ensure local governments would retain control over issues of water quality. Recent legislation has the potential to remove all local control over water quality issues and only allow cities to adopt standards in line with regulations of the Texas Commission on Environmental Quality. The loss of local control over regulations, which influence San Antonio, could prove very harmful to our long-term growth and development.


Your favorable consideration of this request is most appreciated.

  
ART A. HALL  
DISTRICT 8

  
EDWARD D. GARZA  
MAYOR

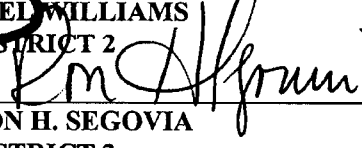
  
PATTI RADLE  
DISTRICT 5


ROGER O. FLORES  
DISTRICT 1

  
ENRIQUE M. BARRERA  
DISTRICT 6

  
JOEL WILLIAMS  
DISTRICT 2

JULIAN CASTRO  
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A Resolution In Support Of Continued Local Control Over Water Quality Regulations and Enforcement

Whereas, the City of San Antonio has, since 1995, had a Water Quality Ordinance in effect to address community concerns, and;

Whereas, this ordinance recognizes developers' rights as well as imposes appropriate water quality protection measures including impervious cover restrictions, and;

Whereas, the Water Quality Ordinance recognizes the variability and difficulty in meshing these restrictions and rights and therefore allows for the required flexibility by way of a variance procedure, and;

Whereas, the Water Quality Ordinance has contributed to the protection of the Edwards Aquifer within the City of San Antonio, and;

Whereas, local community involvement was instrumental in the 1995 ordinance and continues to be instrumental in ongoing discussions over local ordinances to encourage and protect the water quality of San Antonio, and;

Whereas, local control over regulations of public health and safety ensures a community voice in matters which directly impact our residents, and;

Whereas, the Legislature of the State of Texas is currently considering numerous bills which could limit local control into areas of public health and safety,

Now therefore, be it resolved by the City Council of the City of San Antonio:

- 1) The Mayor and City Council invite and encourage concerned residents to contact their state representatives to promote increased dialogue on local government involvement with safety and health regulations and ordinances, and;
- 2) The Mayor and City Council wish to work with members of the Texas Legislature to ensure local control on water quality is not eroded during this legislative session, and;
- 3) The Mayor and City Council look forward to open discussions on how to address concerns of members of the Legislature to ensure San Antonio is able continue being proactive in addressing local concerns through local control.

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**CITY OF SAN ANTONIO  
EXTERNAL RELATIONS DEPARTMENT  
CITY COUNCIL AGENDA MEMORANDUM**

**TO:** Mayor and City Council  
**FROM:** Christopher J. Brady, Assistant City Manager  
**SUBJECT:** Resolution in support of continued local control for water quality and regulations  
**DATE:** May 5, 2005

**SUMMARY AND RECOMMENDATION**

A resolution in support of continued local control for water quality and regulations.

Staff recommends approval.

**BACKGROUND INFORMATION**

On May 2, 2005, Councilmember Art Hall submitted a six-signature memo requesting full Council consideration for a resolution in support of legislation that would continue local control for water quality and regulations. The city of San Antonio relies on the Edwards Aquifer as its sole source of drinking water. After significant public input, the City Council in 1995 passed and approved Ordinance No. 81491 relating to the regulation of water quality in San Antonio as a way of protecting the Edwards Aquifer recharge zone from contamination. The water quality standards adopted through this ordinance imposed restrictions on impervious cover while still recognizing developers' rights and allowing for flexibility via a variance procedure.

Legislation currently being considered in Austin proposes to centralize water quality regulation within the Texas Commission on Environmental Quality (TCEQ). It would further prohibit local regulations from exceeding standards adopted by TCEQ.

**POLICY ANALYSIS**

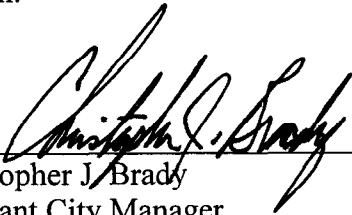
The ordinance is consistent with current City policy to advocate against legislation that is detrimental to San Antonio's interest and the surrounding area. Our community's overwhelming reliance on the Edwards Aquifer for drinking water has resulted in the development of strict regulations set in place to protect this natural resource. Lower standards and regulations by TCEQ would contradict our community's interest of protecting the Edwards Aquifer and threatens the contamination of our most significant source of drinking water. Local communities are best suited to determine the level of protection and, therefore, the appropriate regulations that are necessary.

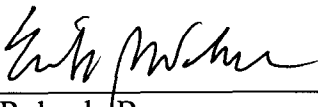
### **FINANCIAL IMPACT**

This item has no direct financial impact to the City.

### **COORDINATION**

This item has been coordinated with the City Attorney's Office and the San Antonio Water System.

  
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Christopher J. Brady  
Assistant City Manager

  
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J. Rolando Bono  
Interim City Manager

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