



SAN ANTONIO

RIVER AUTHORITY

Utilities Development Advisory Committee Procedural Rules

May 20, 2020

1.0 Purpose

The purpose of the Utilities Development Advisory Committee (UDAC) is to promote sustainable development within the water and wastewater service areas of the San Antonio River Authority (River Authority). As required by Title 12, Subtitle C of the Texas Local Government Code, the UDAC will advise and assist the River Authority with the adoption, implementation, review, and updates of its land use assumptions, capital improvements plan (CIP), impact fees, and other development-related fees and charges.

2.0 Membership

2.01 Co-Chairs

The UDAC will be co-chaired by two individuals appointed by the River Authority Board of Directors (Board) upon recommendation of the River Authority Operations Committee (Operations Committee). The appointed co-chairs will serve to ensure that processes are observed to include, but are not limited to, consensus, roll-call for decisions, and meeting management norms. One appointed co-chair will represent ratepayers, and the other will represent real estate, development, or building industries. The co-chairs will confer with River Authority facilitators regularly before the meetings. These positions will require additional time commitments than the general committee membership.

2.02 Committee Membership

The committee will have a maximum of 11 members, but no less than 5.

No less than 40 percent of the UDAC membership must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or government entity.

The UDAC must have at least three ratepayers representing the River Authority’s Salitrillo and SARA Wastewater systems. In accordance with the criteria listed above, and to ensure stakeholder group diversity, the members of the UDAC will include representatives from the following stakeholder groups:

Stakeholder Group	Slots Available
Ratepayers	3
Real Estate	1
Building Industry	2
Developers	2
At Large	3
Total	11

The River Authority will solicit UDAC nominations from organizations and homeowner’s associations including, but not limited to, the following lists.

Ratepayers

- Copperfield
- Olympia
- Harmony Hills
- Auburn Hills and Woodcrest
- Bridlewood Park
- MIRCOM
- Retama Hollow
- Rolling Creek
- Hanover Cove
- Astoria Place
- Miramar
- Key Largo
- Bradbury Court
- Crestway Heights
- Ackerman Gardens
- Escondido North
- Summerhill
- Parc at Escondido
- Reserve at Schertz
- Asher's Place

Real Estate, Building Industry, Developers

- San Antonio Board of Realtors
- Real Estate Council of San Antonio
- San Antonio Apartment Association
- San Antonio Association of Real Estate Brokers
- Greater San Antonio Builders Association
- Associated General Contractors of America, San Antonio Chapter
- Associated Builders and Contractors
- Northeast Partnership for Economic Development
- North Chamber of Commerce Infrastructure Committee
- San Antonio Chamber of Commerce Infrastructure Committee
- Alamo City Black Chamber of Commerce
- San Antonio Hispanic Chamber of Commerce
- The Chamber (Serving the Schertz/Cibolo/Selma area)
- Tri-County Chamber of Commerce
- Alamo Colleges District

“At Large” members of the UDAC will fall within one of the categories above, and be either (1) designated by an organization, (2) a member of the general public that resides or performs business within the River Authority’s service area(s), or (3) from one of the Governmental liaisons listed in section 3.0.

2.03 Nominations and Appointments

River Authority staff may solicit nominees for UDAC membership individually or from stakeholder groups seeking to participate on the UDAC. Board members may also offer informal input concerning nominees or individuals being considered for nomination.

Each nominee must complete an application addressing his or her willingness to serve and ability to meet the requirements of the UDAC. Nomination applications must also identify each applicant's nominator (although self-nominations are permitted), and include information concerning each nominee's connection(s) with the stakeholder group he or she intends to represent. In addition, nominees from the real estate, development, and building industries must be associated with a project in one of the River Authority's service areas.

River Authority staff, through a nomination selection team, will recommend nominees to the Operations Committee, which will then develop and present a final recommendation on UDAC membership for approval by the Board.

2.04 Terms of Appointment

UDAC members will serve staggered three-year terms beginning September 1st and expiring August 31st of each year. In 2020, the River Authority will use a lottery process to determine which of the staggered terms will be served by each of the UDAC members. The co-chairs will draw lots to determine which of the two will be selected for the initial two- and three-year terms.

Terms for the remaining members will also be determined by lottery, with four members appointed for two-year terms and five for three-year terms.

If deemed necessary by River Authority staff to maintain diversity and fair representation, a UDAC member may serve beyond their term limit until an appropriate replacement can be appointed. The River Authority Utilities Department shall maintain records of the members' terms.

The nominations processes for expiring terms will be initiated no later than May 1st of the expiring term's conclusion on August 31st.

2.05 Resignations or Replacement Appointments

Members considering resignation from the UDAC are strongly encouraged to provide notice of said intent to the UDAC and River Authority. If feasible, such members should remain active until a suitable replacement can be appointed. River Authority staff has the authority to appoint replacement UDAC members to serve for the remaining term of a resigning member.

3.0 Governmental Liaisons

Invitations to participate in the UDAC will be extended to the organizations listed below. Members from these organizations will be known as "Governmental Liaisons," and will serve the

UDAC in an advisory capacity. Organizations may designate their Governmental Liaison on an individual basis or based upon on his or her role in the positions noted below.

The River Authority will solicit Governmental Liaisons from the following positions, organizations, and groups:

- Bexar County Development Director
- Bexar County Commissioner Precinct 4
- City of Converse City Manager
- City of Live Oak City Manager
- City of Universal City City Manager
- City of Schertz City Manager
- Green Valley Special Utility District General Manager
- City of San Antonio City Councilperson District 2
- CPS Energy
- San Antonio Water System Development Director
- East Central Special Utility District General Manager
- San Antonio River Authority Accounting & Budget Services Manager
- San Antonio River Authority Intergovernmental Manager
- San Antonio River Authority Watershed Engineering Manager

4.0 UDAC Member Duties

The UDAC and its members shall:

- Advise and assist the River Authority in adopting land use assumptions.
- Review CIPs and file written comments with the River Authority Board of Directors.
- Monitor and evaluate implementation of CIPs.
- File semiannual reports with the Board of Directors with respect to the progress of the CIPs and report to the Board any perceived inequities in implementing the plan or imposing the impact fee.
- Advise the River Authority Board of Directors of the need to update or revise the land use assumptions, CIPs, and impact fees.
- Prepare for, attend, and participate in all UDAC meetings (failure to attend two consecutive meetings may constitute grounds for removal and replacement).
- Report to the River Authority regarding development activity that may impact the River Authority's service areas or system operations.
- Provide input to assist the River Authority in providing quality service delivery.
- Promote the exchange of information between the organization or stakeholder group represented by the member and the UDAC.
- Review and advise River Authority staff concerning other related development fees and charges.
- Attend regular meetings as scheduled by the River Authority staff.

5.0 River Authority Duties

The River Authority and its staff and Board shall:

- Appoint UDAC members and co-chairs.
- Provide technical and financial information necessary for UDAC members to adequately understand the operation and management of the River Authority's system.
- Prepare and present the River Authority's wastewater masterplans, which shall include land use assumptions and CIPs.
- Calculate the maximum impact fee.
- Make recommendations regarding other fees or charges.
- Ensure compliance with all legal requirements related to the establishment of impact fees, including appropriate public notice, public hearings, and Board action.
- Provide written public notice as required.
- Evaluate the need to update to land use assumptions, CIP and impact fee every 5 years and provide recommendations to UDAC.
- River Authority staff shall make available to UDAC members any professional reports with respect to land use assumptions, developing and implementing the CIP, and impact fee calculation.

6.0 Order of Business and Schedule of Meetings

6.01 Meeting Schedules

The UDAC will meet a minimum of twice per year, at one such meeting, River Authority staff will provide a presentation on proposed rates, fees, development processes, land use assumptions, development/growth projections, CIPs, and impact fees for each of the River Authority's service areas. UDAC members may suggest items and/or topics to be addressed at the meeting, but River Authority staff will consider only those comments related to the items noted above.

The UDAC is encouraged to formulate its recommendations by consensus. Except as otherwise provided herein, or as agreed to by the UDAC, meetings of the UDAC shall be conducted in accordance with the most current edition of Robert's Rules of Order. However, failure to follow such rules shall not constitute grounds for appeal of an action or decision of the UDAC. Minutes of each meeting will be kept and such minutes may serve as reports and recommendations to the River Authority Board of Directors as such reports and recommendations are required by applicable law.

The River Authority will share utilities development fees and processes for comment and consideration by the UDAC. River Authority staff will present the final fee schedule and rates to the Board.

6.02 Citizens to be Heard

UDAC meetings will be open to the public, and notices will be sent via email to members, liaisons, and others (upon request). Citizens to be heard will be allowed at the discretion of the co-chairs. Citizens must be present in order to address the Board and must sign up prior to the call to order to document their intent to speak. The co-chairs may limit the time of each speaker to three (3) minutes.

6.03 Impact Fee Public Hearings

The Board will set public hearings concerning (i) initial adoption of land use assumptions, CIPs, and impact fees; and (ii) updates to previously adopted land use assumptions, CIPs and impact fees. Under state law, the initial adoption of land use assumptions, CIPs, and impact fees requires two public hearings --the first to consider approval of the land use assumptions and CIPs; and the second to consider the new impact fee. State law then requires the River Authority to review the land use assumptions, CIPs and impact fees previously adopted not later than five years from the anniversary date of the adoption of the relevant CIP to determine if any updates are needed. Only one public hearing is needed to consider updates to previously adopted land use assumptions, CIPs and impact fees. In addition, state law allows the River Authority to determine that no updated is needed in which case, no public hearing is held.

The public hearings will usually take place 30 minutes prior to a regularly scheduled Board of Directors' meeting.

Within 30 days after the date of a public hearing the River Authority Board of Directors shall approve or disapprove the initial or updated land use assumptions, CIP, and impact fee.

7.0 Public Notices & Information

7.01 Notice of Public Hearings on Impact Fee Adoption and Updates

The River Authority will place a public notice of the public hearing in a newspaper of general circulation in each county in which the service area lies 30 days prior to each public hearing listed above.

The notice will be in the format required by state law governing the initial adoption of land use assumptions, CIP, and impact fees (refer to Texas Local Gov't Code Ann. §395.044) and the format required for impact fee updates (refer to Texas Local Gov't Code Ann. §395.055) as applicable.

The UDAC will provide the River Authority written comments on the proposed initial impact fees or proposed impact fee update at least 5 business days prior to the applicable public hearing.

The River Authority shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the River Authority requesting notice of the hearing within two years preceding the date of adoption of the order or resolution setting the public hearing. In addition, the River Authority will issue media advisories, will post information on the River Authority website and will provide additional information material to the development

community and civic groups upon request via email. Notices will also be posted at the River Authority Main Office located at 100 E. Guenther Street, San Antonio, TX 78204 and the Martinez II Utilities Administration Building, 1720 FM 1516 North, Converse, TX 78109.

7.02 Notice of Determination that Update Not Needed

If the Board determines that a particular update to land use assumptions, CIP, and associated impact fee is not warranted at the time of its five year review, it shall provide notice of such determination in the format required by state law (refer to Local Gov't Code Ann. §395.0575) to be published once a week for 3 consecutive weeks in a newspaper of general circulation in each county of the relevant service area and mailed notice to the mailing list described above no later than 60 days prior to the last date of published notice. The UDAC shall provide written comments on the need for updating the land use assumptions, CIP, and impact fee before the fifth business day before the earliest notice of the Board's decision that no update is necessary is mailed or published.

If 60 days after publication of the first notice, a person requests in writing that the land use assumptions, capital improvements plan, or impact fee be updated, the River Authority shall cause an update of the land use assumptions and capital improvements plan to be prepared and acted up on the Board of Directors.

7.03 Notice of UDAC Meetings

The River Authority will place a notice on the UDAC website of the next meeting. The River Authority will also send an email to the contact list on file to notify of the meeting. The ability to sign up to receive communication emails is on the UDAC website. Requirements regarding 72 hours of notice prior to a meeting will not be required, as these are not open meetings under Chapter 552 of the government code.