

~~Dexter Metropolitan~~

MIC-153

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Control #

September 12, 2006

05012006-DS1

OPA

05012006-Di

706 SEP 13 AM 9:33

SEP 13 2006

CHIEF CLERK'S OFFICE
To Chief Clerk,

BY a

Yesterday September 12th I received
a letter from TCEQ Internal Control
I called right-a-way. I wasn't sure I
understood the letter.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
CHIEF CLERK'S OFFICE
SEP 29 AM 11:18

I was informed by the gentlemen
I spoke to; that, I was not included.
I told him I received the keys to my
home September 23, 2005.

RECEIVED

SEP 14 2006

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

The gentlemen didn't sound to care
of himself and I totally forgot to get
his name. I did tell him I still
was going to write a letter to Contest the
Case. Only, because I haven't a record that

m

~~that~~ he told me I wasn't included in
this new fee. I needed something on record.

So I made copy of this letter.

time and day I called: 10:55 A.M on Sept. 12, 2006

Thank-you much,

Ester Cabral
526 Lovett
San Antonio, TX 78211

P.S If I received wrong information from
this gentlemen, let me know so I
can write a real letter of contesting
this new fee you are charging.

RECEIVED

SEP 14 2006

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY



RECEIVED
JUN 22 2006
UTILITIES & DISTRICTS SECTION

June 21, 2006

Ms. Peggy Fox
Texas Commission on Environmental Quality
Water Utilities Division
Building F, 3rd Floor
12100 Park 35 Circle
Austin, Texas 78753-3087

Re: Bexar Metropolitan Water District
Proposed Impact Fees

Dear Ms. Fox:

We have received a copy of the proposed impact fees package submitted by ~~Bexar Metropolitan Water District~~ (BexarMet). Pape-Dawson Engineers represents multiple property owners and developers in the San Antonio area within BexarMet's many certificated areas.

We are requesting information on the public comment process, specifically the dates for submitting comments and requesting additional information, and to whom these items are to be directed. The significant increase in impact fees requested in this submittal is a concern for many of the clients we represent.

We would appreciate any information that you or your staff can forward to me. I can be contacted by telephone at (210) 375-900, fax (210) 375-9010, or email lniles@pape-dawson.com. Please feel free to contact me if you or your staff have questions regarding our request.

Sincerely,
Pape-Dawson Engineers, Inc.


M. Lee Niles, P.E.
Senior Project Engineer

cc: Mr. Gene Dawson, Jr.

O:\User\LNiles\Letter\060621a1

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2006 SEP 21 AM 11:58
CHIEF CLERKS OFFICE

2006 SEP 26 AM 11:16

CHIEF CLERK'S OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT APPLICATION

TCEQ Internal Control No. 05012006-D01

PETITION. ~~BEXAR METROPOLITAN WATER DISTRICT~~ of Bexar, Medina, Atascosa, and Comal Counties (the District) has filed an application with the Texas Commission on Environmental Quality (TCEQ) for authority to levy impact fees of \$2,556 per equivalent dwelling unit for new connections to the water system within or near all of the service areas of Bexar Metropolitan Water District. The District's service area boundaries are shown on the map which is attached to this notice and marked as Exhibit "A". The District files this application under the authority of Chapter 395 of the Local Government Code, 30 Texas Administrative Code Chapter 293 and the procedural rules of the TCEQ.

The purpose of impact fees is to generate revenue to recover the costs of capital improvements and facility expansions made necessary by and attributable to serving new development in the District's service area. At the direction of the District, a registered engineer has prepared a capital improvements plan for the system which identifies the capital improvements or facility expansions and their costs for which the impact fees will be assessed.

The impact fee application and supporting information are available for inspection and copying during regular business hours in the Utilities and Districts Section of the Water Supply Division, Third Floor of Building F (in the TCEQ Park 35 Office Complex located between Yager & Braker Lanes on North IH-35), 12,100 Park 35 Circle, Austin, Texas 78753. A copy of the impact fee application and supporting information, as well as the capital improvements plan, is available for inspection and copying at the Bexar Metropolitan Water District's office during regular business hours.

CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this application if a written hearing request is filed within 30 days after the newspaper publication of this notice. The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the applicant and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; and (4) a brief description of how you would be affected by the request in a way not common to

the general public. You may also submit your proposed adjustments to the application which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the TCEQ Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director may not approve the application and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

INFORMATION. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, the same address. For additional information, individual members of the general public may contact the Districts Review Team at 1-512-239-4691. Si desea información en Español, puede llamar al 1-800-687-4040. General information regarding the TCEQ can be found at our web site at www.tceq.state.tx.us:

Issued: August 24, 2006

September 18, 2006

Sirs:

I would feel better about this impact fee if it was a one-time connection fee and if it was over and above the actual cost of a connection and shared by all users. New connections should not bear total costs for overall improvements to the water complex.

Yours Truly,

Mrs. Carl E. Powell

20130-1 Somerset Road

Somerset, TX 78068

CHIEF CLERKS OFFICE

2006 SEP 26 AM 11:16

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

OPA
SEP 28 2006

Jerald T. Mallernee
22906 Cardigan Chase BY
San Antonio TX 78258
210-595-6804
25 Sep 06

To Whom It May Concern:

In reference to the TCEQ Notice of District Application, TCEQ Internal Control No. 050112006-D01 which I received in the mail on 17 Sep 06 I submit the following:

I have lived in the residence since Mar 05. If there was suppose to be a connection fee, it should have been paid for by the developer which at the time was Gordon Hartman Homes. Gordon Hartman Homes could have then included the cost in the selling of price of the home which we purchased. To now, after 18 plus months of living in the residence, ask for each resident to pay the outlandish fee of \$2556 is unadulterated BS.

I am a military retiree with a 30 percent disability. My wife is unable to work since he has fibromyalgia which developed after she was rear-ended in an automobile accident 2.5 years ago. She will never recover physically and has limited mobility.

I really do not want to attend a hearing since it would be a waste of my time and effort. Apparently, this is just a way for BexarMet Water District to get well due to poor management oversight. Bottom line this is very low down and unacceptable.

Sincerely,

Jerald T. Mallernee
Jerald T. Mallernee

CC: BexarMet Water District

CHIEF CLERKS OFFICE
2006 SEP 28 AM 9:32
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

MO

0501 2006 D01

Ryan Texas Staveley Co-Founder & Pastor
Bright Star Ministries and Outreach, Casa Kimberly, Habitat for Life,
Down Syndrome Awareness Council of Texas
840 Palo Alto Drive, Von Ormy, Tx, 78073
(210) 624-2018 Off. (210) 624-2902 Manse
San Antonio, Texas 78201

A Special Note from the Pastor;

In The San Antonio area -
Could The BNET facilities be
used in partnership w City
Public energy to house Solar
panels & Wind machines to
help reduce the delivery of

"Your product"

SEP 14 2006

BY

RS

I will be in touch w The
Tx House, Tx Senate Committees on
Natural Resources -

I know the challenge is huge -
lets tap all possible resources
before we increase The Connect Rate

Matt 25:37-40

Let Us ALL Work Together To Prosper our Great Nation

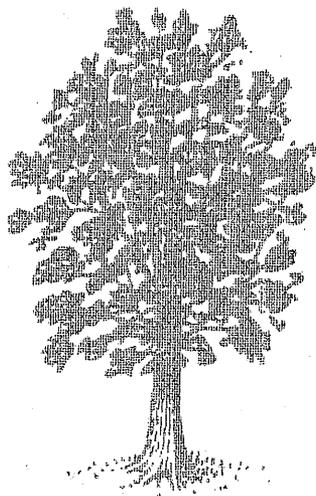


RS

What will happen if fewer
people tie into the Services.
Your Budget @ BNET still
has not grown & you are
facing the same challenge
in the next legislative
Session.

Many Blessings,
Pastor Ryan

Helping Men Achieve their Full
Potential as Self-Sufficient
Members of Society



*He that hath an ear, let him hear
what the Spirit saith unto the
churches; To him that overcometh
will I give to eat of the tree of life,
which is in the midst of the
paradise of God.
Revelation 2:7 KJV*

840 Palo Alto Drive
Von Ormy, Texas USA 78073-5920
210-624-2018 Office
210-624-2902 Manse
ryanstaveley@sbcglobal.net

City View
454 Soledad St. Ste 300
San Antonio, Texas 78205
210-228-9574 Office
210-228-9906 Facsimile
www.city-view.net

June 26, 2006

To Whom It May Concern:

I have been in contact with Bright Star Ministries and Outreach (BSMO) and really see the vitality of their housing and reentry program. The San Antonio and surrounding area is in desperate need for housing facilities for homeless men as well as men released from correctional institutions.

I can well imagine the struggle BSMO confronts each day as the majority of their clientele are without money, clothing and food. I also understand that institutionalized welfare and supportive programs do not often serve the uniqueness of the labeled outcast. I genuinely believe that if this organization received this federal funding it would make their almost impossible mission just a little bit easier.

Their strategic plan appears to be sound as they anticipate 25 new "individual resident cottages" within the year. Their technique is unique in that graduate mentors are assigned as pals to the new residents. This assists the new resident and builds support so that the negative cycle of behavior can truly be a thing of the past.

Social acceptance and change start with tolerance and it is my belief that organizations like BSMO should be fully supported in their outreach efforts to the "least of these within our society." We the people should aid all the charitable efforts of organizations like Bright Star Ministries and Outreach, Incorporated.

Professionally yours,

Henry Cisneros
Chairman
CityView

=====

UNIVERSITY OF TEXAS AT SAN ANTONIO

The College of Public Policy at the University of Texas at San Antonio, through the Department of Criminal Justice and the Office of Community and Restorative Justice, is privileged to host the San Antonio Restorative Justice Community Initiative. More than twenty local agencies and organizations from the criminal justice, social services and faith community are active participants. We are pleased that Bright Star Ministries is an important member of this initiative, and its' Executive Director Ryan Staveley, provides vital leadership to our continued efforts.

John W. Byrd, MPA
Department of Criminal Justice
University of Texas at San Antonio
210-458-2979

=====

UNITED WAY OF SAN ANTONIO

I recently had a two-hour visit/tour with the Bright Star Ministry staff at their 5 acre campus. Rev Staveley, Frank Schaeffer, and their board members possess considerable expertise and motivation to help homeless re-entering prisoners. They have a clear strategic vision on how to grow their service programs. In short time they have gained cooperation and resources from numerous community agencies in developing their housing and community facilities. We are currently working with them to provide them numerous in-kind donations from private individuals and companies/corporations in the San Antonio area.

We look forward to continuing relationship with them as their Ministry gains momentum.

Mark Scheibler
Director of Operations United Way 2-1-1 210-352-7052

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2006 SEP 14 10:22
CHIEF CLERK'S OFFICE

19 June 2006

To Whom it May Concern;

The following letter is an open testimonial about Bright Star Ministries and how the Ministry has helped me adjust back into society after being in prison for 3 ½ yrs.

I was paroled by the Board of Pardon and Paroles on Jan 17, 2005. I was supposed to be released in July of 2005 but because of some paper difficulties was released 6months later. My friend purchased a trailer for me and I had a place of my own when I arrived at Bright Star Ministries. I work as the Administrative Director at the ministry, which really is a title only. I kind of do anything the Pastor wants me to do and thinks I can handle. I work an average of 30hrs a week and I enjoy it very much, it keeps me mentally alert and I look forward to helping others and working with others. My work also helps me pay for my utilities and my lot space here at the campus. The Ministry also helps our other residents find and secure work. Just today I traveled with a man to a neighboring city so he could have a job interview and it was his good fortune to be given the job he interviewed for.

Transportation has never been a problem, I just was able to secure a vehicle for myself but the Ministry van has always been available for my use as well as other residents that live on campus.

In closing I feel Bright Star Ministries is an excellent and peaceful setting and place for a person to come to before reentering society.

Regards,

Frank M. Schaeffer
210-624-2018

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY



2006 SEP 14 AM 10:26

CHIEF CLERKS OFFICE

NOTICE OF DISTRICT APPLICATION

TCEQ Internal Control No. 05012006-D01

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05012006-001

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 SEP 18 AM 10:15

CHIEF CLERKS OFFICE

TO: OFFICE OF THE CHIEF CLERK, MC 105, TCEQ
FROM: ANNIE SPINKS
8022 WAYWORD TRAIL
SAN ANTONIO, TX 78244
REF: LEVY IMPACT FEE \$2,556
DATE 09-13-2006

THE LEVY IMPACT FEE WOULD CAUSE FINANCIAL HARDSHIP ON ME. AS A SINGLE PARENT IT IS NOT POSSIBLE FOR ME TO PAY OUT ANY ADDITIONAL MONEY. I AM STRUGGLING NOW. THEREFORE, I AM REQUESTING A WAIVER OF THE LEVY IMPACT FEE ON THE DWELLING LOCATED AT 8022 WAYWORD TRAIL SAN ANTONIO TX 78244.

WHEREAS, THE COST IS UNDOUBTEDLY SUBSTANTIAL, THE COMPANIES THAT WILL PROFIT FROM THE NEW DEVELOPMENTS THAT THEY INITIATED SHOULD PAY THE COST.

MY FAMILY SHOULD NOT HAVE TO SUFFER. HAVING THE WATER TURNED OFF FOR FAILURE TO PAY THE BILL. THE CORPORATIONS WILL PROFIT SUBSTANTIALLY OVER THE YEARS. BUT I WON'T BE ABLE TO FLUSH THE TOLIET, COOK OR DRINK A GLASS OF WATER ON A HOT DAY. WHICH COULD CAUSE DEHYDRATION. THE HEALTH OF MY FAMILY SHOULD NOT BE IMPACTED SO CORPORATIONS CAN PROFIT.

THANKS IN ADVANCE FOR YOUR COOPERATION.



ROBERT C. THORNE
134 Ware Blvd.
San Antonio, Texas 78221
210-924-5282

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 SEP 18 AM 10:19

CHIEF CLERKS OFFICE

September 14, 2006

Texas Commission on Environmental Quality (TCEQ)
P.O. Box 13087
Austin, Texas 78711-3087

Dear Executive Director;

I'm writing in reference to Bexar Metropolitan Water District's (BexarMet) application to petition an increase in new connection fees. I'm not writing to request a hearing, but to request the original application be more clearly defined concerning "new connection", and "exclusions".

For example, I purchased a single-family dwelling that was constructed on two adjacent lots; each lot had a water meter. One lot contained a small older dwelling, the other lot was vacant. The small older dwelling was demolished or removed and a new larger dwelling was constructed on areas of each lot. The new reconstructed dwelling was connected to only one meter. When the water main in the street was replaced several years ago, BexarMet removed the meter not being used and never replaced or reconnected it. The property is zoned for additional income from apartments, and should I decide to build a duplex, would I be charged an impact fee for a new meter? I should not be charged. The second meter was removed by BexarMet instead of reconnecting it to the new water main. I was told by BexarMet "Since it wasn't connected to anything except the water main I didn't need it". Therefore, I submit that any properties which were previously metered should be exempt from this fee and the application should so be stated. The original connect fee was paid, and BexarMet owes me a meter and connection at no charge.

My address happens to be in one of the shaded areas shown on Exhibit A. This area is in the area identified as contaminated by the runoff and leaching from Kelly AFB. Also, this area is known for its shifting and cracking characteristics causing foundation problems, and many of the older homes must be torn down and rebuilt. Under this petition, could BexarMet charge a new impact fee in this case? In my opinion, the application leaves the door open for BexarMet to do whatever it wants to do.

RECOMMENDATION:

Deny this application for the following reasons:

1. On the grounds that it does not address "exceptions" or "exclusions". Especially, for properties which previously had connected meters previously located on.
2. The term "new development" is vague and should apply only to vacant property which has never been previously developed or occupied except for agricultural or forestry use.
3. Impact fees, amounts paid, must be included and stated in detail on all Real Estate documents and transactions between the developer and the buyer.

Sincerely

R Thorne

cc: Mr. Gil Olivares, Gen Mgr, BexarMet, 2047 W Malone, San Antonio, TX 78225

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