

SAWS ACT PAC

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SAWS Holiday Ratepayer Surprise -- SEE YOU IN COURT TODAY!

For Immediate Release

January 4, 2021

SAWS Sneak Holiday Legal Action to Stop Citizens Petition for SAWS Accountability Act -- in Court Monday, January 4, 10 am

This legal proceeding will be streamed for the public [on Travis County 345th District Court's YouTube page here](#). Media may also seek permission to record using these rules for the Travis County District Court ([see Chapter 16, Page 40](#)) by seeking written permission from the court through Staff Attorney, Elliott.Beck2@traviscountytexas.gov.

Austin, Texas, 7 am: On December 10th, the City of San Antonio, acting through San Antonio Water System (SAWS), filed litigation known as a “1205 Petition” in the Travis County 345th District Court challenging the [SAWS Accountability Act](#) citizens’ charter amendment claiming the petition would harm SAWS’ ability to pay their bond debt.

The presiding Judge, Jan Soifer, is being asked to issue, as early as January 4, a declaratory judgment and a permanent injunction for the alleged purpose of “validating” 39 sets of revenue bonds (“Bonds”) issued to finance SAWS’ projects since 2009. SAWS is also asking for a broad permanent injunction that the SAWS Act PAC says is clearly aimed at stopping the charter amendment petition in its tracks, even before filing the petition with the City.

Neither the individuals nor the political action committee conducting the petition drive – [the SAWS Act PAC](#) -- were named. Therefore, they claim they had no timely notification. Petitioners were fortunate to discover the SAWS legal maneuver they called a “sneak attack in the middle of the holidays” on Christmas Eve in “Legal Notices”, imposing a severe time squeeze on them to find attorneys in the middle of the holiday to respond.

The [SAWS Accountability Act Petition](#) is not due to be filed until January 21st at the earliest. If enough signatures are filed – at least 20,000 valid signatures of City of San Antonio voters — the Petition must be placed on the ballot by the San

Antonio City Council for the City election. That election is in May 2021 when the Mayor and all City Council seats will also be on the ballot.

The SAWS legal action was covered by the independent news publication, [San Antonio Report](#) on December 30th [here](#). Writer Brendan Gibbons, who has followed the SAWS/Vista Ridge water pipeline controversy for years, began zeroing in on the wiliness of SAWS and the City to preempt the citizen's petition:

“SAWS officials addressed the charter amendment briefly in their statement, saying that “it impacts ordinances authorizing SAWS to issue debt and SAWS’ borrowing ability.” However, SAWS’ lawyers discuss it more extensively in the 26-page legal filing, which includes the phrase “charter petition” 24 times.”

Reinette King, a spokesperson for the SAWS Act PAC, said, “While we were out putting our health at risk petitioning at polls on Election Day, November 3, we believe SAWS was cooking up this litigation in Executive Session ([Item 20A](#)). But, as usual, we are left only to guess because SAWS is about as transparent as the Politburo. This is why we are still petitioning in the midst of COVID to get the SAWS Accountability Act on the May ballot.”

Ironically, the only spoken public comment at the November 3 SAWS meeting was made by Joe Yakubik, a professional electrical engineer. Yakubik didn't identify himself as such, but he is also the Vice Chair of the SAWS Rate Advisory Committee. Yakubik made well-documented observations of SAWS repeated false or conflicting claims about their rates starting in May 2019. He ended by stating, “This is my learned perception of SAWS presentations. They are frequently inaccurate, self-congratulatory, omitting relevant facts using poor or misrepresentative comparisons. It is incumbent upon the new members of this board to correct the course and demand better data, better analysis and a more honest ethos from the SAWS staff.” His comments were almost immediately followed by the Executive Session. ([Yakubik's brief comments begin at 2:16.](#))

Media may contact Mr. Elliott Beck, Staff Attorney for Judge Jan Soifer, who will preside at this initial hearing. [All contact information for the court is under this link.](#)

Though SAWS' legal action affects the many groups from across the political spectrum that have endorsed the SAWS Accountability Act [seen here](#), none of them were given any notice of this outrageous sneak legal action.

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For Additional More Information:

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