

## WCID No. 3 vote soon

### PROGRESSIVE VIEWS



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This newspaper has been full of articles about pending action on the Water Control and Improvement District (WCID) No. 3, an area of proposed high-density development just southwest of Boerne, in the city's extraterritorial jurisdiction. (See "Overflow Crowd Awash in Scorn for WCID No. 3" from the Jan. 25 issue.) You can find a map of the District on the City of Boerne website.

City Council has scheduled a vote on WCID No. 3 for its meeting on Tuesday, Feb. 12. The city has three options: it can consent to the formation of WCID No. 3, deny consent to its formation, or take no action at all (which has the same effect as consenting to it).

**Now** is the time to call your city councilmember (contact information available on the City of Boerne website and in this newspaper) and express your desire that the council *disapprove* WCID No. 3.

This development has been in the works for at least three years and clearly demonstrates the interests of our local Texas Senator:

In 2016, the developer of the plot (just off Scenic Loop Rd.) negotiated with the City of Boerne to provide water and wastewater services to the area; no agreement was reached.

Having failed at the local level, the developer turned to the Texas Legislature, which has long had a cozy relationship with the real estate industry. During the 2017 legislative session, these interests encouraged Sen. Donna Campbell to sponsor SB 914, the legislation authorizing WCID No. 3, which passed unanimously. Sen. Campbell maintains that she heard little to no opposition to the bill at the time. She is wrong. Many constituents contacted her office to express disapproval, and Milan Michalec, president of the Cow Creek Groundwater Conservation District board, wrote a guest column on May 26, 2017, opposing such districts.

In March 2018, Phil Bakke, the owner of the development company responsible for the subdivision proposed for WCID

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No. 3, gave \$5,000 to Sen. Campbell's campaign coffers – which looks an awful lot like a "thank you."

We encourage all Kendall County residents to call the office of Sen. Campbell, 512-463-0125, and ask her to take action to repeal the legislation that created WCID No. 3. Contributions like the one mentioned above (and thousands of dollars more from the development industry) clearly illustrate that Sen. Campbell is on the side of developers, not her actual constituents. (Please also call the office of our Texas House Representative, Kyle Biedermann, at 512-463-0325.)

At its Jan. 28 meeting, the Kendall County Commissioners Court voted unanimously to send a letter to Sen. Campbell and the Texas Commission on Environmental Quality (TCEQ), asking them to rescind SB 914.

But SB 914 gives approval authority only to cities; counties have no authority at all under the legislation. Should the Boerne City Council disapprove WCID No. 3, TCEQ could turn right around and approve it anyway. Nevertheless, the resolution shows that county commissioners are listening to concerned citizens.

Under current Texas law, counties have little to no authority to regulate development. (See "Real Local Control" from this space in the Jan. 11 issue.) Nor can the county assess impact fees to help pay for the infrastructure (roads, schools, public safety, etc.) that such developments require.

Developers simply swoop in, build their homes, make their money, then swoop back out, leaving the county and its taxpayers to foot the bill, without having had any say-so over the development in the first place.

Water use is another concern. Although WCID No. 3 has an agreement with the San Antonio Water System (rather than the City of Boerne) to provide water, this agreement is not "evergreen." After 20 years or so, if the agreement is terminated, the City of Boerne is then "on the hook" to provide water to all these homes. Huge new subdivisions also create even more impervious cover, slowing the groundwater recharge critical to maintaining our water supply.

Don't wait – please call the offices of City Council and Sen. Campbell *today* to let them know that you oppose WCID No. 3 and rampant high-density development in Kendall County. (And next time Sen. Campbell is up for re-election, in 2022, remember her actions and vote her out.)

*Laura Bray is a leader in the Kendall County Democratic Party.*