

**SAN ANTONIO WATER SYSTEM (SAWS)
2025 DISPUTE RESOLUTION COMMITTEE**

**APPROVED MINUTES
Thursday, February 13, 2025**

**11:30AM Via Webex Videoconference and in Person
SAWS Tower 2-Room C-145, 2800 US Hwy 281 N, San Antonio TX 78212**

DRC Committee Members:

Dr. Jeremy Roberts (Chair) Ethan Gonzales* Mitchell Sowards Golda Obinzu Kelsey Delgado Susan Wright*	Derrick Johnson* Sean McConnell Brice Moczygemba DJ Seeger Della Reyes
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*Member not in attendance

SAWS Staff Present:

Nathan Riggs, Sasha Kodet, Caroline Hartmann, Malachi Leo, Keith Martin, Courtney Kerr-Moore, Julia Silva, Kevin Pride

SAWS Interns Present: None

Guests Present: None

- I. Meeting called to order at 11:34 am by DRC Chair Dr. Jeremy Roberts.
- II. No public comments.
- III. DJ Seeger moved to approve the minutes, and the motion was seconded by Sean McConnell. The minutes were approved by the committee.
- IV. Announcements
 - Two unexcused absences may result in removal from the committee. Members must notify staff in advance if they are unable to attend. Committee members must watch a video to complete the Dispute Resolution Committee (DRC) training and participate in the dispute panel reviews or they may be removed.
 - QUESTION (DJ): Do members need to watch the video if they attended the in-person training?
 - Jeremy R: No, they do not.
- V. Dispute Resolution Committee Update (Sasha Kodet)
 - There were 353 warnings sent and 157 violations year-to-date.
 - QUESTION (DJ): Does SAWS staff have the discretion to issue warnings?
 - Sasha K: Warnings are issued for a community report or patrol staff may issue a warning if they see evidence that an irrigation system had run just prior to their arrival, but they did not observe the sprinklers running.
 - QUESTION (Brice): If he reports someone that SAWS did not see watering, will they get a warning?
 - Sasha K: Yes, SAWS sends a warning email to help alert customers to potential issues and a violation is only issued if SAWS patrol staff actually sees a violation occurring.

- QUESTION (Jeremy): If he reports a neighbor, will they know it is him?
 - Sasha K: No, community reports are anonymous, unless there is an open records request, and the person had entered their name in the report. The form states information on the report may be subject to public disclosure as required by law.
- QUESTION (Brice): if someone is reported 10 times, will they receive 10 warnings?
 - Sasha K: They would receive a warning, but staff will look into patterns of repeated warnings.
- QUESTION (DJ): Has there been any abuse of the reporting system?
 - Sasha K: It is very rare, but staff will note if SAWS determines there is an issue between neighbors rather than violations occurring.
- QUESTION (DJ): Can SAWS enter private property to issue a violation?
 - Sasha K: Patrol staff do not enter private property and observe violations from the street and may look at the meter to confirm water use or there may have been runoff to the street.
 - Keith M: For commercial properties with public access, a violation may be issued if something can be seen from the street or a public parking lot.
- Trained SAWS staff patrol in SAWS vehicles and are assigned to specific zones. Staff submit photos with their report. The most common violations are wrong day, wrong time and excessive runoff. A training class will be scheduled this spring to add new patrol staff.
- Staff carefully reviews reports and sends a notification letter and email. The case is then put into a 21-day pause. Builder accounts are charged within four days and then put into the 21-day pause.
- The 21-day pause allows time for residential customers with a first violation to take the Know When to Water class to avoid the non-compliance charge or to request more information. Fifty-eight percent completed the class from July to December 2024 and 27.4% have completed the class year-to-date.
- During the 21-day pause, customers may also request additional information and dispute a violation. Since July 2024, there have been 214 Level 1 requests for photos (10.6%) and 230 cases (11.4%) escalated to a Level 2 manager review. Of these, 104 were upheld, 86 dismissed and 40 are under review. Note some cases went straight to Level 2 review. Common reasons for disputes include property lines, septic or well irrigation, location, date/time of violation, customers who said they were unaware the controller settings were wrong, the controller malfunctioned, or they are requesting leniency.
- Customers may request a review by the DRC after a Level 2 review. A panel of three DRC members is scheduled to hold hearings once a month and customers may speak to the panel. The panel reviews the information provided in the report and by the customer before coming to a consensus-based decision (not majority vote).
- There have been 10 Level 3 disputes (0.5%) since July and the panel reviewed and upheld seven cases on February 11, 2025, and one case was rescheduled due to illness.
- Three cases are scheduled for panel review on Thursday, March 13.
- If the DRC upholds a case, residential customers may take the class to avoid the non-compliance charge for a first violation. Commercial customers receive the non-compliance charge on their water bill. If the DRC dismisses a case, the violation will be updated in the system to show a dismissal.
- The non-compliance charges are based on the cost of service and escalate based on the number of violations.
- QUESTION (Brice): Do Municipal Court citations count towards the number of violations?
 - Sasha K: No, they do not.
- The majority of customers do not have a second violation.
- The next quarterly meeting is June 12, 2025. September 17, 2025 is the date of the next proposed meeting.

- QUESTION (Sean): What is there is runoff coming from another property that looks like it is coming from his property?
 - Sasha K: Violations are only issued if staff sees a sprinkler running with runoff coming from it. There have been community reports where staff have reached out to neighbors when accidental settings have caused excessive watering and runoff onto neighbors' properties.
- Brice Moczygemba asked for copies of the notice of violation emails and letters, and a copy of the PowerPoint presentation.
- QUESTION (Brice): Can electronic meter data be used in a Level 3 dispute?
 - Keith M: Data can be used in reviewing cases, but not to issue a violation.
- QUESTION (Brice): Can SAWS can go into a gated community?
 - Nathan R: Yes, it is in the Utility Services Regulations.
- Panel members provided feedback on the recent Level 3 panels:
 - Panels went smoothly, the meter data helped them understand the water use patterns, provide information on previous violations and if customers had taken the class in advance, all photos should have the time and date stamps, and clearer photos would be helpful.
 - Nathan R: Staff will take a screenshot of the photo's properties showing the date and time and include it with the case information.
- QUESTION (Jeremy): How much time is a customer is allowed to speak at a panel discussion and can members ask customers questions?
 - Nathan R: Customers may speak for up to five minutes.
 - Keith M: Members may ask questions.
- QUESTION (Brice): Will customers hear the committee's decision?
 - Nathan R: Customers leave the meeting, and staff will notify them of the decision later.
- Jeremy Roberts said he attends the panel meetings and reports back to the SAWS Board as chair, if needed.
- QUESTION (Golda): If the customer has five minutes to speak and then there are questions, how much time is allowed?
 - Keith M: The chair has the discretion to add time.
- QUESTION (Brice): When are panel dates scheduled?
 - Nathan R: Members will be notified two weeks in advance.
- QUESTION (Mitchell): How many of the commercial violations were large versus small? He commented that if home builders made up a large percentage, then the second and third violation fees should be much more.
 - Nathan R: Most home builder accounts are classified as residential and are under the one-million-gallon mark and the fees escalate.
- QUESTION (Jeremy): Why are commercial properties unable to take the class?
 - Nathan R: Commercial groups know the rules well and the person taking the class may not be the person managing the system.

VI. The meeting was duly adjourned at 12:25 pm. The next quarterly DRC meeting is scheduled for June 12, 2025.