

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
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Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 27, 2015

The Honorable Joe Straus  
Texas House of Representatives  
Capitol Station  
PO Box 2910  
Austin, Texas 78768-2910

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (SB) 2819, as Filed by Representative Joe Deshotel - Relating to improvement projects of the Sabine-Neches Navigation District of Jefferson County, Texas; providing authority to issue anticipation notes and time warrants

Dear Speaker Straus:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

The bill amends previous legislation related to the Sabine-Neches Navigation District of Jefferson County (the "District") as detailed below.

It should be noted that the term "commission" as used throughout the bill refers to the navigation and canal commission, not TCEQ.

Specifies that the District is the project sponsor and non-federal cost-sharing sponsor of the Sabine-Neches Waterway project – a project to improve an existing facility of the District and deepen the Sabine-Neches Waterway.

Specifies that the district is authorized to enter into any contract, agreement, including an economic development agreement, or lease as necessary or convenient to carry out any of the District's powers provided for in the bill. Specifies the entities that the contract, agreement, or lease may be entered into with, and that a contract, agreement, or lease, including any amendments to a contract, agreement, or lease, may provide any terms and conditions, and be for any term of years, as the commission determines are in the best interests of the District.

The Honorable Joe Straus  
Page 2  
March 27, 2015

Specifies that the District is authorized to enter into contracts with a private entity to develop or operate any part of the improvement project under Chapter 2267, Government Code, and those contracts may provide that the private entity: (1) perform all or any part of the District's obligations under contracts or agreements with the United States; and (2) use revenue or other money from the improvement project to prepay for duties or tariffs, including duties or tariffs that may not be effective until the improvement project is partially or wholly completed, which may be credited against future duties or tariffs.

Specifies that the District may enter into a contract, agreement, or lease under Section 49.108 (regarding contract elections) or 60.120 (regarding contracts, leases, and agreements authorized for navigation districts), Water Code, as determined by the commission.

Specifies that the District is not required to obtain approval from the Texas Commission on Environmental Quality for the District's contracts or financing related to the improvement project, and that any contracts or agreements of the District may be renewed or extended, and any time warrants or maintenance notes may be refunded in the manner provided by general law.

Specifies that payments required by contract, agreements, or leases may be payable from the sale of notes, taxes, or bonds, or any combination of notes, taxes, or bonds, or may be secured by a lien on or a pledge of any available funds, including proceeds of the District's maintenance tax, and may be payable subject to annual appropriation by the District.

Specifies that the commission shall determine whether the amount of the District's maintenance taxes and other available resources required to pay the District's existing obligations is also sufficient to pay the debt service on any time warrants or maintenance notes issued under this section. In evaluating the tax rate, the commission may include in the District's budget an improvement project fund, which may be funded to assure that adequate funds are available to the district to comply with the District's covenants and obligations during future years when the amounts projected to be needed will exceed the then-current available maintenance tax funds.

Sincerely,



Linda Brookins, Director  
Water Supply Division  
Texas Commission on Environmental Quality

cc: Honorable Tan Parker, Chairman, House Committee on Investments & Financial Services  
Representative Joe Deshotel, Texas House of Representatives

LETTER OF TRANSMITTAL  
HOUSE OF REPRESENTATIVES  
STATE OF TEXAS

HB 2819

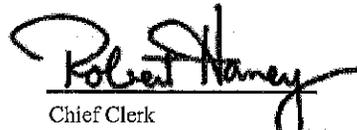
Bill Number

TO: The Honorable Governor of Texas  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

3/12/2015

Date transmitted to  
Governor's Office

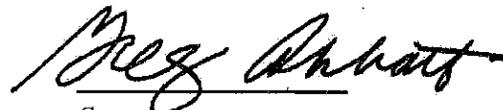
  
Chief Clerk  
House of Representatives

TO: Texas Commission on Environmental Quality  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

March 16, 2015

Date transmitted to  
Texas Commission on Environmental Quality

  
Governor

TO: The Honorable Speaker of the House  
The Honorable President of the Senate  
The Honorable Governor of Texas  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.

  
Texas Commission on Environmental Quality



By: Deshotel

H.B. No. 2819

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to improvement projects of the Sabine-Neches Navigation  
3 District of Jefferson County, Texas; providing authority to issue  
4 anticipation notes and time warrants.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 1472, Acts of the 77th Legislature,  
7 Regular Session, 2001, is amended by adding Section 6B to read as  
8 follows:

9 Sec. 6B. WATERWAY IMPROVEMENT PROJECT. (a) In this  
10 section:

11 (1) "Improvement project" means the Sabine-Neches  
12 Waterway Improvement Project.

13 (2) "Project sponsor" has the meaning assigned by the  
14 Water Resources Reform and Development Act of 2014 (Pub. L. No.  
15 113-121).

16 (b) The district is the project sponsor of the existing  
17 Sabine-Neches Waterway and the improvement project authorized by  
18 the Water Resources Reform and Development Act of 2014 (Pub. L. No.  
19 113-121) to improve an existing facility of the district and deepen  
20 the Sabine-Neches Waterway. The district is also the nonfederal  
21 cost-sharing sponsor of the improvement project. The commission  
22 shall make a determination on matters that may be required or  
23 desirable as a project sponsor to implement the improvement  
24 project.

1           (c) In the district's capacity as the project sponsor of the  
2 improvement project, the district is authorized to enter into any  
3 contract, agreement, including an economic development agreement,  
4 or lease as necessary or convenient to carry out any of the  
5 district's powers granted under this section. A contract,  
6 agreement, or lease, including any amendments to a contract,  
7 agreement, or lease, may provide any terms and conditions, and be  
8 for any term of years, as the commission determines are in the best  
9 interests of the district. The contract, agreement, or lease may be  
10 entered into with any person, political subdivision, or  
11 governmental agency, including the United States, the secretary of  
12 the army or the secretary of the army's designees, the Army Corps of  
13 Engineers, any local government, any county government, any special  
14 district or authority, any local government corporation, any  
15 transportation corporation, any tax increment reinvestment zone,  
16 the State of Texas, any agency of the State of Texas, and any other  
17 entity. The district is authorized to enter into contracts with a  
18 private entity to develop or operate any part of the improvement  
19 project under Chapter 2267, Government Code, and those contracts  
20 may provide that the private entity:

21           (1) perform all or any part of the district's  
22 obligations under contracts or agreements with the United States;  
23 and

24           (2) use revenue or other money from the improvement  
25 project to prepay for duties or tariffs, including duties or  
26 tariffs that may not be effective until the improvement project is  
27 partially or wholly completed, which may be credited against future

1 duties or tariffs.

2 (d) The district may enter into a contract, agreement, or  
3 lease under Section 49.108 or 60.120, Water Code, as determined by  
4 the commission.

5 (e) The district is not required to obtain approval from the  
6 Texas Commission on Environmental Quality for the district's  
7 contracts or financing related to the improvement project. Any  
8 contracts or agreements of the district may be renewed or extended,  
9 and any time warrants or maintenance notes may be refunded in the  
10 manner provided by general law.

11 (f) The district may provide that payments required by any  
12 of the district's contracts, agreements, or leases may be payable  
13 from the sale of notes, taxes, or bonds, or any combination of  
14 notes, taxes, or bonds, or may be secured by a lien on or a pledge of  
15 any available funds, including proceeds of the district's  
16 maintenance tax, and may be payable subject to annual appropriation  
17 by the district. Sections 26.04, 26.05, 26.07, and 26.012, Tax  
18 Code, do not apply to maintenance taxes levied and collected for  
19 payments under a contract, agreement, lease, time warrant, or  
20 maintenance note issued or executed under this section.

21 (g) The district is authorized to borrow money, receive  
22 advances of funds, and enter into repayment agreements for the  
23 repayment of borrowed money or advances, and to issue anticipation  
24 notes, time warrants, and maintenance notes. The anticipation  
25 notes may be issued in accordance with Chapter 1431, Government  
26 Code, in the same manner as an eligible countywide district. Tax  
27 anticipation notes issued under this subsection may not exceed 75

1 percent of the revenue or taxes anticipated to be collected in that  
2 year and shall be payable during the district's current fiscal  
3 year. Time warrants and maintenance notes issued under this  
4 subsection may be issued to pay for any lawful expenditure of the  
5 district and shall be payable over a period not to exceed 35 years  
6 from the date of issuance.

7       (h) The commission shall determine whether the amount of the  
8 district's maintenance taxes and other available resources  
9 required to pay the district's existing obligations is also  
10 sufficient to pay the debt service on any time warrants or  
11 maintenance notes issued under this section. In evaluating the tax  
12 rate, the commission may include in the district's budget an  
13 improvement project fund, which may be funded to assure that  
14 adequate funds are available to the district to comply with the  
15 district's covenants and obligations during future years when the  
16 amounts projected to be needed will exceed the then-current  
17 available maintenance tax funds.

18       SECTION 2. (a) The legal notice of the intention to  
19 introduce this Act, setting forth the general substance of this  
20 Act, has been published as provided by law, and the notice and a  
21 copy of this Act have been furnished to all persons, agencies,  
22 officials, or entities to which they are required to be furnished  
23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
24 Government Code.

25       (b) The governor, one of the required recipients, has  
26 submitted the notice and Act to the Texas Commission on  
27 Environmental Quality.

1           (c) The Texas Commission on Environmental Quality has filed  
2 its recommendations relating to this Act with the governor, the  
3 lieutenant governor, and the speaker of the house of  
4 representatives within the required time.

5           (d) All requirements of the constitution and laws of this  
6 state and the rules and procedures of the legislature with respect  
7 to the notice, introduction, and passage of this Act are fulfilled  
8 and accomplished.

9           SECTION 3. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2015.

# Publishers Affidavit

Acct #062422102 Job #197543501 Tear Sheet Attached  
Name BENCKENSTEIN & OXFORD, L.L.P 3894665 B24261363

STATE OF TEXAS  
COUNTY OF JEFFERSON

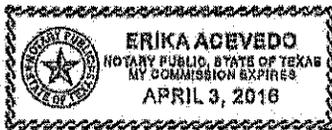
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Victoria Bond  
WHO BEING BY ME DULY SWORN, DEPOSES AND SAYS THAT HE/SHE IS A NEWSPAPER REPRESENTATIVE  
FOR THE BEAUMONT ENTERPRISE; THAT SAID NEWSPAPER REGULARLY PUBLISHED IN JEFFERSON COUNTY  
CIRCULATED IN JEFFERSON, HARDIN, TYLER, NEWTON, ORANGE, JASPER, LIBERTY, SABINE, CHAMBERS,  
SAN AUGUSTINE, ANGELINA AND GALVESTON COUNTY(COUNTIES), TEXAS; THAT THE ATTACHED NOTICE  
IN SAID NEWSPAPER ON THE FOLLOWING DATE(S), TO WIT:  
01-12-15 01-12-15

Victoria Bond  
NEWSPAPER REPRESENTATIVE

SWORN AND SUBSCRIBED TO BEFORE ME, THIS 13TH DAY OF JANUARY 2015,

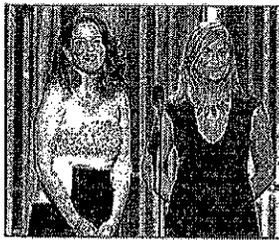
TO CERTIFY WHICH WITNESS MY HAND AND SEAL OF OFFICE

Erika Acevedo  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



ERIKA ACEVEDO  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES April 3, 2016

GOLDEN GLOBES: A NIGHT OF TRIUMPHS, UNEXPECTED WINS



Co-hosts Tim Fox, left, and Amy Poehler speak during the 72nd Annual Golden Globe Awards on Sunday at the Beverly Hilton Hotel in Beverly Hills, Calif.

Linklater, 'Boyhood' take home top honors at Golden Globes

By The Associated Press  
Richard Linklater's 12-year-in-the-making 'Boyhood' took home top honors at the Golden Globes, winning the night's top prize, best drama, as well as best director for Linklater and best supporting actress for Patricia Arquette.

vision's rise as a cultural rival to movies. In an opening blurring with whimsy, the duo welcomed Hollywood's "despicable spoiled, mindfully talented heirs" to the Globes to celebrate "all the movies that Mark Korman runs out with." They presented times visited with a North Korea government chairman played by Margaret Cho, who visited her displeasure with all aspects of the show.

George Clooney, a young Italian achievement nominee as he, had been among Hollywood's most vocal about preserving free speech after his famous "The Interview" speech. "It's the only need with a bunch of pupae."

George Clooney, a young Italian achievement nominee as he, had been among Hollywood's most vocal about preserving free speech after his famous "The Interview" speech. "It's the only need with a bunch of pupae."

The night seemed to be setting up for the top two Oscar contenders — "Boyhood" and Alejandro Gonzalez Inarritu's "Birdman" — to lead the Globes' two categories of drama and comedy. Robin Swicord's "The Invention of Solitude" was also a major surprise. Amy Adams surprised in taking best actress in a comedy or musical for her performance in "Big Eyes."

Inarritu's "Birdman" won best actress in a drama for her starring performance as an ambitious talk-show host's performance in "Big Eyes."

Kicking off the show, hosts Tim Fox and Amy Poehler wanted to start in discussing Hollywood's most talked-about subject: the hacking of Sony Pictures over "The Interview," the annual awards ceremony against Bill Cosby and cele-

The first award of the night went to J.K. Simmons for best supporting actor for his performance as a doofus jazz teacher in the acclaimed indie "Whiplash."

- LIST OF WINNERS FOR THE GOLDEN GLOBE AWARDS
Motion Pictures
Best Picture, Drama: 'Boyhood'
Best Comedy or Musical: 'Birdman'
Best Actor: Michael Fassbender
Best Actress: Amy Adams
Best Supporting Actor: J.K. Simmons
Best Supporting Actress: Patricia Arquette
Best Director: Richard Linklater
Best Screenplay: 'Boyhood'
Best Original Song: 'Happy'
Best Music: 'Boyhood'
Best Animated Film: 'The Lego Movie'
Best Foreign Language Film: 'Ammoniten'

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**AFFIDAVIT OF PUBLICATION**

The State of Texas,  
County of Jefferson,  
City of Port Arthur

**Dani Eaves**, being duly sworn deposes and says:

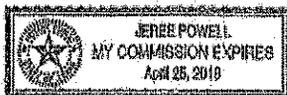
That she is a resident citizen of Jefferson County, Texas and that she is of lawful age; that she is the Classified Representative of the PORT ARTHUR NEWS, a division of Newspaper Holdings, Inc., same being a newspaper published and having a general circulation in the City of Port Arthur, Jefferson County, Texas; that said newspaper has been continuously and regularly published for a period of more than one year in Jefferson County, Texas, and that the advertising of Benckenstein & Oxford, Ad# 155718 was published in said newspaper in the issue(s) of January 13, 2015 which was/were the regular publication day(s) of said issue(s); and that said issue(s) was/were actually published, circulated and distributed.

*Dani Eaves*

SUBSCRIBED AND sworn to before me,  
this the 13th day of January A.D. 2015.

*Jesse Powell*

Notary Public in and for Jefferson County, Texas



**Public Notices**

**Notice of Intention of Sabine-Neches Navigation District to introduce a Bill for Consideration by the 84th Texas Legislature**

Pursuant to Section 65, Article 10 of the Texas Constitution, the Sabine-Neches Navigation District which is the local sponsor of the Sabine-Neches Waterway, and also provides various other public services in Jefferson County for the Sabine-Neches Waterway, publishes this Notice of its intention to introduce a Bill for consideration by the 84th Texas Legislature, Texas. The general substance of the Bill will provide authorization and clarification of the power and authority of the Sabine-Neches Navigation District to enter into contracts and other financial arrangements to finance major infrastructure projects and infrastructure improvements."

stued by the County Court of Jefferson County, Texas in the case of Wonderful R. Boone and Justin Franklin versus Mike Nguyen, cause Number 0123923, Honorable Judge Gerald Eddins rendered a judgment in favor of Wonderful R. Boone and Justin Franklin and against Mike Nguyen in said Court on the 30th day of July, 2014, directed and delivered to me, as Constable of Jefferson County, Texas, Precinct 2. The following property was levied upon as the property of Mike Nguyen on the 20th day of November, 2014 and will proceed to sell, on the 8th day of February, 2015, being the first Tuesday of said month, between the hours prescribed by law, at public auction to the highest bidder, for cash in hand, at 10:00 a.m. in front of the Courthouse door at 1001 Pearl St., Beaumont, Jefferson County, Texas the following real property, to-wit:

Obten under my hand, this 12th day of December, 2014,  
Christopher L. Bates  
Constable Prec. 2  
Jefferson County,  
State of Texas  
By Chief Deputy  
Constable Gene A.  
Winston, Jr.

Lot Number Eight (8), Block Number Thirty Five (35) of DEL MAR TERRACE, an Addition to the City of Port Arthur, Jefferson

\$58,500.00 principal, plus attorney fees and all costs of suit with interest at the rate of 8%. **NOTICE:** This property may have other liens, taxes, or encumbrances which may become the responsibility of the successful bidder.

By Chief Deputy Constable Gene A. Winston, Jr.

**Special Notices**

**PUBLISHER'S NOTICE!**  
All real estate advertised herein is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or intention to make any such preference, limitation or discrimination. We will not knowingly accept any advertising for real estate which is in

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PNCIBD, 2710 Upton Dr., Port Arthur, 4/2/2, Stab. Updated garage & patio room. \$150,900. Call 409-642-6671

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