

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
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 (HB) 3099, as Filed by Representative Pat Fallon - Relating to the powers and duties and annexation of the Venable Ranch Municipal Utility District No. 1 of Denton County

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 various sections of Special District Local Laws Code Chapter 8469 related to Venable Ranch Municipal Utility District No. 1 (the "District") as detailed below.

Specifies that the District (including a district that has been confirmed by division of the District) continues in existence if all of the territory in the District is annexed into the corporate limits of the City of Aubrey (the "City").

Deletes the District's limitation on imposing an ad valorem tax after being annexed by the City.

Sincerely,

A handwritten signature in cursive script that reads "Linda Brookins".

Linda Brookins, Director
Water Supply Division

cc: Honorable Doug Miller, Chairman, House Committee on Special Purpose Districts
Representative Pat Fallon, Texas House of Representatives

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 3099

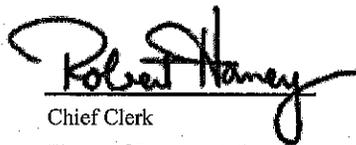
Bill Number

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.

3/13/2015

Date transmitted to
Governor's Office

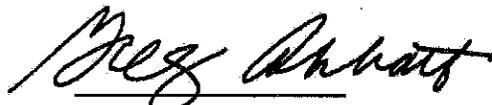

Chief Clerk
House of Representatives

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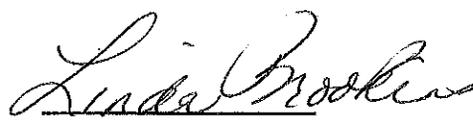
March 16, 2015

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



84R HB 03099

By: Fallon

H.B. No. 3099

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the powers and duties and annexation of the Venable
3 Ranch Municipal Utility District No. 1 of Denton County.

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

5 SECTION 1. Subtitle F, Title 6, Chapter 8469 Special
6 District Local Laws Code, is amended to read as follows:

7 SUBCHAPTER F. ANNEXATION BY CITY

8 Sec. 8469.251. (a) Notwithstanding any other law, if all
9 of the territory of the district is annexed by the city into the
10 corporate limits of the city before the date of the election held to
11 confirm the creation of the district and the district is confirmed
12 ~~at that election~~ pursuant to Section 8469.106(h), the district may
13 not be dissolved and continues in existence following annexation
14 until:

15 (1) water, sanitary sewer, and drainage improvements
16 and roads have been constructed to serve at least 90 percent of the
17 territory of the district capable of development; or

18 (2) the board adopts a resolution consenting to the
19 dissolution of the district.

20 (b) After annexation by the city:

21 ~~(1) the district may not impose an ad valorem tax;~~

22 (2) the district may impose a special assessment in
23 the manner provided by Subchapter F, Chapter 375, Local Government
24 Code; and

1 (32) Section 375.161, Local Government Code, does not
2 apply to the district.

3 (b) Notwithstanding Section 54.016(f)(2), Water Code, an
4 allocation agreement between the city and the district that
5 provides for the allocation of the taxes or revenues of the district
6 and the city following the date of inclusion of the district's
7 territory in the corporate limits of the city may provide that the
8 total annual ad valorem taxes collected by the city and the district
9 from taxable property within the city's corporate limits may exceed
10 the city's ad valorem tax on that property.

11 SECTION 2. (a) The legal notice of the intention to
12 introduce this Act, setting forth the general substance of this
13 Act, has been published as provided by law, and the notice and a
14 copy of this Act have been furnished to all persons, agencies,
15 officials, or entities to which they are required to be furnished
16 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
17 Government Code.

18 (b) The governor, one of the required recipients, has
19 submitted the notice and Act to the Texas Commission on
20 Environmental Quality.

21 (c) The Texas Commission on Environmental Quality has filed
22 its recommendations relating to this Act with the governor, the
23 lieutenant governor, and the speaker of the house of
24 representatives within the required time.

25 (d) All requirements of the constitution and laws of this
26 state and the rules and procedures of the legislature with respect
27 to the notice, introduction, and passage of this Act are fulfilled

H.B. No. 3099

1 and accomplished.

2 SECTION 3. This Act takes effect September 1, 2015.



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Publication(s): Denton Record-Chronicle

PROOF OF PUBLICATION

Being duly sworn (s)he is the Publisher/authorized designee of the Denton Record-Chronicle, in City of Denton/surrounding areas in Denton County; Newspaper of general circulation which has been continuously and regularly published for a period of not less than one year preceding the date of the attached notice, and that the said notice was published in said newspaper on the following dates, Publication of a neighborhood newspaper began on May 7, 2005: Lewisville/Flower Mound/ HighlandVillage NeighborsCo (name changed from Southern Denton County Neighbors effective 12/2008).

12/18/2014

(signature of Authorized Designee)

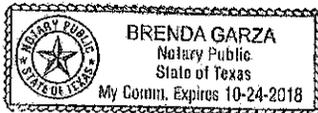
Subscribed and sworn to before me
this 13 day of Jan by
2015

(printed name of Designee)

Witness my hand and official seal:

(signature of notary public)

Notary Public, Denton County, Texas



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NOTICE OF INTENT TO
INTRODUCE A BILL

Pursuant to the Constitution and laws of the State of Texas, notice is hereby given of the intention to apply to the 84th Legislature of the State of Texas at its regular session in Austin, Texas for the introduction of a bill, the substance of the contemplated law being as follows:

An act relating to the powers and duties and extension of the Variable Ranch Municipal Utility District No. 1 of Denton County.

The Act proposes to allow the board to adopt an order dividing the district before or after the date of the confirmation election and to allow an allocation of taxes between the City of Aubrey and the district after annexation.

All interested persons will, therefore, take notice of the matters and facts set out in the foregoing statement of the substance of the contemplated laws as required by the Constitution and laws of the State of Texas.

DRC 12/18/14

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