Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 7, 2017

The Honorable Dan Patrick
Lieutenant Governor of Texas
Capitol Station
PO Box 12068
Austin, Texas 78711

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

Senate Bill (SB) 1260, as Filed by Senator Brandon Creighton - Relating to Chambers County Improvement District No. 2.

Dear Governor Patrick:

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.

This bill amends Chapter 3872, Special District Local Laws Code relating to the Chambers County improvement District No. 2 (District); this bill amends Section 3872.002 by specifying that the operations of the District are essential government functions and are not proprietary functions for any purpose, including the application of Chapter 101, Civil Practice and Remedies Code. Additionally, the bill specifies that this chapter does not waive any governmental or sovereign immunity from suit, liability, or judgement applicable to the District; this bill adds Section 3872.011 which specifies that this chapter prevails over any provision of general law, including a provision of Chapter 375, Local Government Code, or Chapter 49, Water Code, that is in conflict or inconsistent with this chapter; this bill adds Section 3872.054 which specifies that Section 49.052, Water Code, regarding the disqualification of directors, applies to the District; this bill adds Section 3872.1051 which allows the District to convey a road project to: the municipality or county that will operate and maintain the road if the municipality or county has approved the plans and specifications of the road project; or, the state if the state will operate and maintain the road and the Texas Transportation Commission has approved the plans and specifications of the road project; this bill amends Section 3872.109 by removing the District's authority to contract with a qualified party, including Chambers County or the City of Baytown, for the provision of law enforcement services in the district for a fee, and allows for the District to contract for or employ its own peace officers under Section 49.216, Water Code; this bill repeals Section 3872.105, which specified that; a road project must meet all applicable construction standards, zoning, and subdivision requirements, and regulations of each municipality or county in which a road project is located; and if the state will maintain and

operate a road, the Texas Transportation Commission must approve the plans and specifications of the road project; and, House Bill 2748 by Rep. Faircloth is the companion to this proposed bill.

Sincerely,

Cari-Michel LaCaille

Cari-Michel LaCaille, Director
Water Supply Division

cc: Honorable Eddie Lucio, Jr., Chairman, Senate Intergovernmental Relations Committee
Senator Brandon Creighton, Texas Senate

LETTER OF TRANSMITTAL
TEXAS SENATE
STATE OF TEXAS

SB 1260
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.

3/6/2017
Date transmitted to
Governor's Office

Secretary of the Senate

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 13, 2017
Date transmitted to
Texas Commission on Environmental Quality

Governor

TO: The Honorable President of the Senate
The Honorable Speaker of the House of Representatives
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: Creighton S.B. No. 1260

A BILL TO BE ENTITLED

AN ACT

relating to the Chambers County Improvement District No. 2.

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

SECTION 1. Section 3872.002, Special District Local Laws Code, is amended to read as follows:

Sec. 3872.002. CREATION AND NATURE OF DISTRICT; IMMUNITY. (a) The district is a special district created under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

(b) The district is a governmental unit under Chapter 101, Civil Practice and Remedies Code, and the operations of the district are essential government functions and are not proprietary functions for any purpose, including the application of Chapter 101, Civil Practice and Remedies Code.

(c) This chapter does not waive any governmental or sovereign immunity from suit, liability, or judgment applicable to the district.

SECTION 2. Section 3872.006(d), Special District Local Laws Code, is amended to read as follows:

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to

preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center;

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and road facilities and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty; and

(4) provide for water, wastewater, drainage, road, and recreational facilities for the district.

SECTION 3. Section 3872.008, Special District Local Laws Code, is amended to read as follows:

Sec. 3872.008. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district may be included in one or more of the following:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code;

(3) an enterprise zone created under Chapter 2303, Government Code; or

(4) an industrial district created under Chapter 42, Local Government Code.

SECTION 4. Subchapter A, Chapter 3872, Special District Local Laws Code, is amended by adding Section 3872.011 to read as follows:

Sec. 3872.011. CONFLICTS OF LAW. This chapter prevails over any provision of general law, including a provision of Chapter 375,

Local Government Code, or Chapter 49, Water Code, that is in conflict or inconsistent with this chapter.

SECTION 5. Subchapter B, Chapter 3872, Special District Local Laws Code, is amended by adding Section 3872.054 to read as follows:

Sec. 3872.054. DISQUALIFICATION OF DIRECTORS. Section 49.052, Water Code, applies to the district.

SECTION 6. Section 3872.102, Special District Local Laws Code, is amended to read as follows:

Sec. 3872.102. RECREATIONAL FACILITIES. The district may develop or finance recreational facilities as authorized by Chapter 375, Local Government Code, Sections 52 and 52-a, Article III, Texas Constitution, Section 59, Article XVI, Texas Constitution, and any other law that applies to the district.

SECTION 7. Section 3872.104, Special District Local Laws Code, is amended to read as follows:

Sec. 3872.104. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may own, operate, maintain, improve, design, acquire, construct, finance, and issue bonds, notes, or other obligations for[~~, improve, and convey to this state, a county, or a municipality for operation and maintenance~~] macadamized, graveled, or paved roads or improvements, including storm drainage and other improvements located in or adjacent to road rights-of-way, in aid of those roads.

SECTION 8. Subchapter C, Chapter 3872, Special District Local Laws Code, is amended by adding Section 3872.1051 to read as follows:

Sec. 3872.1051. CONVEYANCE AND APPROVAL OF ROAD PROJECT. (a) The district may convey a road project authorized by Section 3872.104 to:

(1) the municipality or county that will operate and maintain the road if the municipality or county has approved the plans and specifications of the road project; or

(2) the state if the state will operate and maintain the road and the Texas Transportation Commission has approved the plans and specifications of the road project.

(b) Except as provided by Subsection (c), the district shall operate and maintain a road project authorized by Section 3872.104 that the district implements and does not convey to a municipality, a county, or this state under Subsection (a).

(c) The district may agree in writing with a municipality, a county, or this state to assign operation and maintenance duties to the district, the municipality, the county, or this state in a manner other than the manner described in Subsections (a) and (b).

SECTION 9. Section 3872.109, Special District Local Laws Code, is amended to read as follows:

Sec. 3872.109. LAW ENFORCEMENT SERVICES. Section 49.216, Water Code, applies to the district [~~AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT. To protect the public interest, the district may contract with a qualified party, including Chambers County or the City of Baytown, for the provision of law enforcement services in the district for a fee~~].

SECTION 10. Section 3872.155(a), Special District Local Laws Code, is amended to read as follows:

(a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district regardless of whether the part of the district where the assessment is to be imposed is subject to an assessment previously imposed by the board.

SECTION 11. Section 3872.105, Special District Local Laws Code, is repealed.

SECTION 12. The change in law made by Section 3872.054, Special District Local Laws Code, as added by this Act, does not affect the entitlement of a member serving on the board of directors of the Chambers County Improvement District No. 2 immediately before the effective date of this Act to continue to carry out the board's functions for the remainder of the member's term. The change in law applies only to a member elected on or after the effective date of this Act.

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

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

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the

lieutenant governor, and the speaker of the house of representatives within the required time.

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

SECTION 14. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SB 1260

The Baytown Sun
1301 Memorial Drive
Baytown, Texas 77520
281-422-8302

AFFIDAVIT OF PUBLICATION

Schwartz, Page & Harding L.L.P
Attn: Julie Kime
1300 Post Oak Blvd
Suite 1400
Houston, Texas 77056

COUNTY OF HARRIS

Reference: Intention to Introduce

Before me, the undersigned authority, on this day personally appeared, Jessica Rodriguez who being duly sworn, deposes and says that she is an agent of the Baytown Sun: that said newspaper is regularly published in Harris County and generally circulated in Harris and Chambers Counties, Texas: that the attached notice was published on the following date.

Jessica Rodriguez, Agent

Printed: January 27, 2017

Subscribed and sworn before me this 27 of January 2016 AD

Deborah Florence Robertson
NOTARY PUBLIC STATE OF TEXAS
Deborah Florence Robertson
My Commission Expires
05/24/2020
ID No. 128999921

MOBILE HOMES FOR RENT

REMODELED 14X64 Mobile Home 3/2, big corner lot. Carport for 2 cars Rent $1100 Deposit $800 Call 281-421-1691

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LOST 1/22/17 Poodle miniature mix, 10 yrs. old, color grey, about 9 lbs. Name is Fuzzy, hair is cut real short, very friendly, vicinity of 3500 McKinney. Please call Very missed 601-826-2843

GARAGE SALES

E WRIGHT 110 Thurs-Fri 8-2:30pm 3 Families, furn., home interior, clothes, shoes & lots of misc.

ESTATE SALE 1306 Greenwood off Ward-Narcille Fri 1-5pm Sat 9-1pm

GARAGE ESTATE Sale. All furnishings, appliances, household goods, area rugs, curtains, wall pictures, baby items must go. Fri 3p-7p, Sat 7a-7p 3606 Trailwood Dr,

LAWRENCE RD 4901 RWJ Airpark Sat 8-? Misc items & some vintage sale leftovers.

MERIDIAN BLVD 310 Fri-Sat 7-3pm Raising funds for funeral expenses for Carlos Diaz. donations accepted.

RETIREMENT ESTATE Sale 4814 Flamingo Bay Circle - Legends Bay off 3190 and south of I-10 -Fri-Sat 8-5pm furn., glassware, housewares, clothes, sm. appl., patio chairs, lots of misc., EVERYTHING MUST GO

PROFESSIONAL

BUSY DENTAL Office needs Part-time Dental assitant. Some exp. required. Fax resume to 281-424-2475

MEDICAL

COUNSELOR INTERN needed for outpatient substance abuse treatment program in Baytown area. Please email resume to admin@adaptprograms.com

MEDICAL

EYE DOCTOR inside Baytown Walmart on Garth Rd looking for a full-time bilingual receptionist. text your information to 832-414-2020 text only or apply in person at 4900 Garth Rd Baytown Tx. 77521 at optical department

GENERAL

DAYCARE NEEDS P/Tworkers. Exp.a plus. H.S. Diploma, All shifts! 832-661-6478

TRINITY ENVIRONMENTAL Services is now accepting applications for Entry Level Operators at our Liberty Texas Location. Operators work a 12 hour rotating shift. Must be willing to work any shift; including nights, weekends & holidays. Primary Duties will include unloading and cleaning tank trailers. All employees must submit to Substance Abuse Testing. Apply in person at 9807 FM 563, Liberty, TX. Phone 936-334-0985

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Storage Terminal Operator for Baytown location. Knowledge of material conveyance equipment and mobile equipment is a must. Mechanical background helpful.

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LEGAL NOTICES

NOTICE OF INTENTION TO INTRODUCE A BILL IN THE LEGISLATURE OF TEXAS

NOTICE IS HEREBY GIVEN of the intention to introduce a bill, captioned substantially as set forth below, in the 85th Legislature of Texas, Regular Session, 2017, relating to the powers and duties of Chambers County Improvement District No. 2.

AN ACT relating to the powers and duties of the Chambers County Improvement District No. 2; amending the authority for ownership and operation of road facilities; amending the authority for law enforcement services; and containing other provisions related to the subject.

LEGAL NOTICES

NOTICE OF PUBLIC MEETING TO DISCUSS CROSBY ISD'S 2015-2016 Annual Report (as required by Texas Education Code Chapter 39, Section 306) formerly known as the AEIS Report

Crosby ISD will hold a public meeting at 7:00 pm, Monday, February 13, 2017 in the Operations Center, 14670 FM-2100, Crosby, Texas 77532.

The purpose of this meeting is to present the following information; student performance on state assessments, staff and student profile data, and an annual report on violent/criminal acts per campus. This data is for the 2015-2016 school year.





USINESS & SERVICES