

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 10, 2019

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) 2535, as Filed by Senator Pat Fallon - Relating to the powers and duties of the Lakehaven Municipal Utility District; providing authority to issue bonds; providing authority to impose a tax.

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 codifies Lakehaven Municipal Utility District (District) as Chapter 8093, Special Districts Local Laws Code, with the powers and duties of a standard municipal utility district under Water Code Chapters 49 and 54. The bill grants the District road powers. The bill specifies that at the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of real property in the District. House Bill 4708 by Representative Sanford is the companion to this bill.

Sincerely,


Cari-Michel La Caille, Director
Water Supply Division

cc: Honorable Eddie Lucio, Jr., Chairman, Senate Intergovernmental Relations Committee
Senator Pat Fallon, Texas Senate

LETTER OF TRANSMITTAL
TEXAS SENATE
STATE OF TEXAS

SB 2535

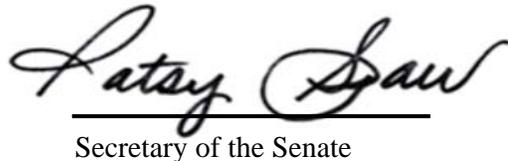
Bill Number

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.

4/9/2019

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.

April 11, 2019

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: Fallon

S.B. No. 2535

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Lakehaven Municipal Utility District; providing authority to issue bonds; providing authority to impose a tax.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8093 to read as follows:

CHAPTER 8093. LAKEHAVEN MUNICIPAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8093.0101. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "District" means the Lakehaven Municipal Utility District.

Sec. 8093.0102. NATURE AND PURPOSES OF DISTRICT. (a) The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

(b) The district is created to accomplish the purposes of:

(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

1 SUBCHAPTER B. POWERS AND DUTIES

2 Sec. 8093.0201. GENERAL POWERS AND DUTIES. The district
3 has the powers and duties necessary to accomplish the purposes for
4 which the district is created.

5 Sec. 8093.0202. MUNICIPAL UTILITY DISTRICT POWERS AND
6 DUTIES. The district has the powers and duties provided by the
7 general law of this state, including Chapters 49 and 54, Water Code,
8 applicable to municipal utility districts created under Section 59,
9 Article XVI, Texas Constitution.

10 Sec. 8093.0203. AUTHORITY FOR ROAD PROJECTS. Under Section
11 52, Article III, Texas Constitution, the district may design,
12 acquire, construct, finance, issue bonds for, improve, operate,
13 maintain, and convey to this state, a county, or a municipality for
14 operation and maintenance macadamized, graveled, or paved roads, or
15 improvements, including storm drainage, in aid of those roads.

16 Sec. 8093.0204. ROAD STANDARDS AND REQUIREMENTS. (a) A
17 road project must meet all applicable construction standards and
18 regulations of each municipality in whose corporate limits or
19 extraterritorial jurisdiction the road project is located.

20 (b) If a road project is not located in the corporate limits
21 or extraterritorial jurisdiction of a municipality, the road
22 project must meet all applicable construction standards and
23 regulations of each county in which the road project is located.

24 (c) If the state will maintain and operate the road, the
25 Texas Transportation Commission must approve the plans and
26 specifications of the road project.

1 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

2 Sec. 8093.0301. AUTHORITY TO ISSUE BONDS AND OTHER
3 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
4 other obligations payable wholly or partly from ad valorem taxes,
5 revenue, contract payments, grants, or other district money, or any
6 combination of those sources, to pay for a road project authorized
7 by Section 8093.0203.

8 (b) The district may not issue bonds payable from ad valorem
9 taxes to finance a road project unless the issuance is approved by a
10 vote of a two-thirds majority of the district voters voting at an
11 election held for that purpose.

12 (c) At the time of issuance, the total principal amount of
13 bonds or other obligations issued or incurred to finance road
14 projects and payable from ad valorem taxes may not exceed
15 one-fourth of the assessed value of the real property in the
16 district.

17 Sec. 8093.0302. TAXES FOR BONDS. At the time the district
18 issues bonds payable wholly or partly from ad valorem taxes, the
19 board shall provide for the annual imposition of a continuing
20 direct ad valorem tax, without limit as to rate or amount, while all
21 or part of the bonds are outstanding.

22 SECTION 2. The Lakehaven Municipal Utility District retains
23 all the rights, powers, privileges, authority, duties, and
24 functions that it had before the effective date of this Act.

25 SECTION 3. (a) The legal notice of the intention to
26 introduce this Act, setting forth the general substance of this
27 Act, has been published as provided by law, and the notice and a

1 copy of this Act have been furnished to all persons, agencies,
2 officials, or entities to which they are required to be furnished
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
4 Government Code.

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

8 (c) The Texas Commission on Environmental Quality has filed
9 its recommendations relating to this Act with the governor, the
10 lieutenant governor, and the speaker of the house of
11 representatives within the required time.

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

16 SECTION 4. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2019.

AFFIDAVIT OF PUBLISHER

COUNTY OF COLLIN §
 §
STATE OF TEXAS §

Before the undersigned, a Notary Public, in and for Collin County, Texas, on this day appeared Nick Souders known to me, who being by me first duly sworn, deposes her/his oath and says, that he/she is the Inside Sales Manager of the Celina Record and hereby declares that the attached "NOTICE OF INTENT TO INTRODUCE LEGISLATION" was published in said newspaper in its issue of

January 11, 2019;

and that the Celina Record is a newspaper that complies with the provisions of Section 2051.044, Texas Government Code, in that it:

- (1) devotes not less than 25 percent of its total column lineage to general interest items;
- (2) is published at least once each week;
- (3) is entered as second-class postal matter in the county where published; and
- (4) has been published regularly and continuously for at least 12 months before attached notice was published.



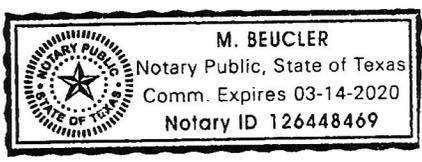
Signature

SWORN TO AND SUBSCRIBED before me this 14th day of January, 2019.
Witness my hand and official seal.

(NOTARY SEAL)



Notary Public in and for the State of Texas



LEGAL NOTICE

NOTICE OF INTENT TO INTRODUCE LEGISLATION

This is to give notice of intent to introduce in the 86th Legislature, Regular Session, a bill to be entitled an Act relating to the powers and duties of the Lakehaven Municipal Utility District of Collin County, a special district operating under Section 59, Article XVI, Texas Constitution and Chapters 49 and 54, Texas Water Code, concerning road powers of the district, affecting lands within the Elijah B. Reed Survey, Abstract No. 739, in Collin County, Texas.

LEGAL NOTICE

NOTICE OF INTENT TO

Pursuant to the Constitution of the State of Texas, notice is hereby given of the introduction of a bill, the substance of which is as follows:

An act relating to the creation of a Utility District No. 2; providing authority to issue bonds; granting a limited power of

The Act proposes to create a Utility District to be known as Van Alstyne being approximately 1681.67 acres in Collin County, Texas, more particularly described as follows:

Located in Collin County, Texas, bounded on the north by the County Road 372 to the west, on the south, and Highway 5 to the east and (Highway 5 Expressway).

The creation of the Utility District is subject to approval by the voters of the State of Texas.

All interested persons who wish to be heard on the proposed act shall file their comments with the Secretary of State, Austin, Texas, on or before the 15th day of the month of January, 2019.

LEGAL NOTICE

Frisco Independent School District

**Bond Underwriting Services
RFQ 650-2019-03-24**

Frisco ISD is seeking Request for Qualifications from established vendors to provide **Bond Underwriting Services**.

Proposals can be obtained on the Frisco ISD website at <https://fisd.ionwave.net>. Vendors are requested to first register in the District's bidding system (Ion Wave) to obtain proposal documents.

To be considered for award, proposals must be received electronically through Ion Wave or three (3) complete hard copies of the proposal with original signatures may be submitted to the Proposal Coordinator.

Proposals will be received no later than:
Friday, February 1, 2019 at 12:00 PM C.S.T.
at
<https://fisd.ionwave.net>

Frisco ISD strongly requests that bidders submit this bid electronically

Vendors may alternatively obtain proposal packets by emailing Jonathan Roberson at roberson@friscoisd.org or calling 469-633-6382, or pick them up in person at 5515 Ohio Drive, Frisco TX 75035.

Mail or hand delivery to:
Proposal Coordinator
RFQ 650-2019-03-24
5515 Ohio Drive
Frisco TX 75035

Late proposals will not be accepted.

LEGAL NOTICE

**City of McKinney
Advertisement**

The City of McKinney is accepting an annual fixed price contract for Removal Services. Specifications are available by registering on our website at <https://mckinney.ionwave.net>

Bids will be publicly opened and read by the Purchasing Manager, at the address and time for delivery. All bids must be submitted to the Purchasing Department and include the bid on the side of the envelope/package.

Bid Deliveries: The City of McKinney requires that all bids be delivered by first class registered mail delivery procedures, they will be picked up from the post office and delivered to the Purchasing Department. It is recommended that bid deliveries be made by an alternate delivery method ensure delivery. **Bidder shall bear full responsibility for the bid is delivered to the specified time.** Late bids will be considered.

BID NAME: Har
and
BID NO.: 19-
DUE DATE/TIME: 2:00
Thu
MAIL OR DELIVER TO: City
Purchasing
PO Box
151
McKinney, TX

Accommodations and modification available upon request. Requests for information as possible, but no less than 48 hours before the deadline. Requests to contact-adacompl@cityofmckinney.com

LEGAL NOTICE

CITY OF CELINA



Sealed qualifications will be received at the office of the Purchasing Manager, City Hall, 142 N. Ohio, Celina, TX 75009 until 11:00 AM on the 31st day of January, 2019.

**REQUEST FOR QUALIFICATIONS FOR A PARKS MASTER PLAN
RFQ # 2019-0001**

The City of Celina, Texas is soliciting qualified consulting firms to submit a statement of qualifications and related information for the preparation of a new Comprehensive Parks Master Plan for the City. The Parks Master Plan will serve as the guiding document for anticipated growth and development of the city and will reflect the community's collective goals and vision for its future park system. The City of Celina is the lead agency for this project.