

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 14, 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) 2543, as Filed by Senator Kirk Watson - Relating to the powers and duties of the Ranch at Cypress Creek Municipal Utility District No. 1.

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.

The bill amends Chapter 21, Acts of the 71st Legislature, 6th Called Session, 1990, related to the Ranch at Cypress Creek Municipal Utility District No. 1 (District). The bill specifies the District is created to accomplish the purposes of a municipal utility district and a water control and improvement district as provided by general law and Section 59, Article XVI, Texas Constitution. The bill grants the District road powers. The District may appoint an architectural committee in order to carry out the provisions of Section 54.237, Water Code, related to the enforcement of real property restrictions. House Bill 4671 by Representative Goodwin is the companion to this bill.

Sincerely,

A handwritten signature in cursive script that reads "Cari-Michel La Caille".

Cari-Michel La Caille, Director  
Water Supply Division

cc: Honorable Eddie Lucio, Jr., Chairman, Senate Intergovernmental Relations Committee  
Senator Kirk Watson, Texas Senate

LETTER OF TRANSMITTAL  
TEXAS SENATE  
STATE OF TEXAS

SB 2543

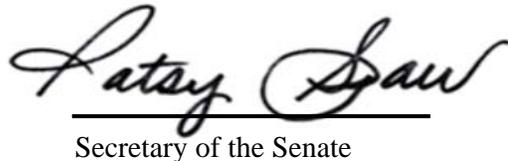
Bill Number

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.

4/12/2019

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 16, 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: Watson

S.B. No. 2543

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Ranch at Cypress Creek  
Municipal Utility District No. 1.

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

SECTION 1. Chapter 21, Acts of the 71st Legislature, 6th  
Called Session, 1990, is amended by amending Section 5 and adding  
Sections 6B, 6C, and 6D to read as follows:

Sec. 5. FINDING OF BENEFIT. (a) All of the land and other  
property included within the boundaries of the district will be  
benefited by the works and projects that are to be accomplished by  
the district under powers conferred by Article XVI, Section 59, of  
the Texas Constitution. The district is created to serve a public  
use and benefit.

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

(1) a municipal utility district and a water control  
and improvement 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.

Sec. 6B. AUTHORITY FOR ROAD PROJECTS. Under Section 52,  
Article III, Texas Constitution, the district may design, acquire,  
construct, finance, improve, operate, maintain, and convey to this

1 state, a county, or a municipality for operation and maintenance  
2 macadamized, graveled, or paved roads, or improvements, including  
3 storm drainage, in aid of those roads.

4 Sec. 6C. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
5 project must meet all applicable construction standards, zoning and  
6 subdivision requirements, and regulations of each municipality in  
7 whose corporate limits or extraterritorial jurisdiction the road  
8 project is located.

9 (b) If a road project is not located in the corporate limits  
10 or extraterritorial jurisdiction of a municipality, the road  
11 project must meet all applicable construction standards,  
12 subdivision requirements, and regulations of each county in which  
13 the road project is located.

14 (c) If the state will maintain and operate the road, the  
15 Texas Transportation Commission must approve the plans and  
16 specifications of the road project.

17 Sec. 6D. APPOINTMENT OF ARCHITECTURAL COMMITTEE. (a) In  
18 order to carry out the provisions of Section 54.237, Water Code,  
19 except as provided by Subsection (b), the district may appoint an  
20 architectural committee for a subdivision located wholly inside the  
21 district that does not have an architectural committee or an area of  
22 the district not located in a subdivision.

23 (b) The district may not appoint an architectural committee  
24 for a subdivision for which the governing provisions prohibit the  
25 appointment of an architectural committee by the district or  
26 otherwise.

27 SECTION 2. (a) The legal notice of the intention to

1 introduce this Act, setting forth the general substance of this  
2 Act, has been published as provided by law, and the notice and a  
3 copy of this Act have been furnished to all persons, agencies,  
4 officials, or entities to which they are required to be furnished  
5 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
6 Government Code.

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

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

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

18 SECTION 3. This Act takes effect September 1, 2019.



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# PROOF OF PUBLICATION STATE OF TEXAS

## PUBLIC NOTICE

Before the undersigned authority personally appeared Socorro Owen, who on oath says that he/she is a Legal Advertising Agent of the Austin American-Statesman, a daily published newspaper that is generally circulated in Bastrop, Bell, Blanco, Brazos, Burleson, Burnet, Caldwell, Colorado, Comal, Coryell, Fayette, Gillespie, Gonzales, Guadalupe, Hays, Kerr, Lampasas, Lee, Llano, Milam, Nueces, San Saba, Travis, Washington and Williamson Counties, and State of Texas, and that the attached advertisement was published in said newspaper, to wit: MCGINNIS LOCHRIDGE & KILGORE, first date of publication 02/22/2019, last date of publication 02/22/2019, published 1 time(s), and that the attached is a true copy of said advertisement.

MCGINNIS LOCHRIDGE & KILGORE  
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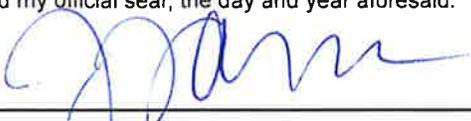
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Signed

  
\_\_\_\_\_  
(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 20th day of March, 2019 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed

  
\_\_\_\_\_  
(Notary)



Please see Ad on following page(s).

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Paid:	\$0.00
Balance Due:	\$296.24

**Notice of Publication by Ranch at Cypress Creek Municipal Utility District No. 1**

Pursuant to the Texas Constitution and laws of the State of Texas, Ranch at Cypress Creek Municipal Utility District No. 1 hereby provides this notice of intent to apply to the 86th Legislature of the State of Texas at its regular session in Austin, Texas, for the introduction of a bill to be entitled an Act relating to the powers and duties of the Ranch at Cypress Creek Municipal Utility District No. 1.

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

2/22/2019  
0000459513-01