

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 16, 2021

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) 2148, as Filed by Senator Dawn Buckingham-relating to the election of members of the board of directors of the Travis County Water Control and Improvement District No. 17.

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.

Senate Bill 2148 provides changes to the Travis County Water Control and Improvement District No. 17 (District) by amending Special Districts Local Law Code, Chapter 9017. The District is governed by five directors serving staggered four-year terms, with two or three directors terms expiring at the first meeting of the board after the November election in even-numbered years. The district shall hold an election to elect the appropriate number of directors in November of each even-numbered year. Board directors serving before the effective date of this Act shall serve until the directors term expires. A director whose term expires in May 2022 shall continue to serve until the directors successor has qualified for office after the November 8, 2022 election. A director whose term expires in May 2024 shall continue to serve until the directors successor has qualified for office after the November 5, 2024 election.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kim Nygren".

Kim Nygren, Deputy Director
Water Availability Division

cc: The Honorable Paul Bettencourt, Chairman, Senate Committee on Local Government
Senator Dawn Buckingham, Texas Senate

LETTER OF TRANSMITTAL
TEXAS SENATE
STATE OF TEXAS

SB 2148

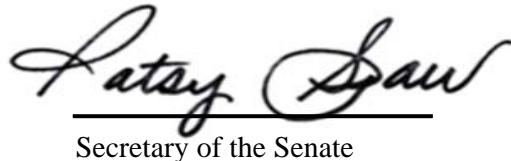
Bill Number

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.

3/22/2021

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 26, 2021

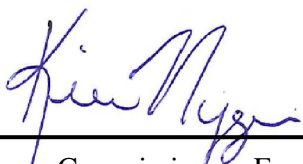
Date transmitted to
Texas Commission on Environmental Quality



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: Buckingham

S.B. No. 2148

A BILL TO BE ENTITLED

AN ACT

relating to the election of members of the board of directors of the Travis County Water Control and Improvement District No. 17.

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

SECTION 1. Chapter 9017, Special District Local Laws Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. BOARD OF DIRECTORS

Sec. 9017.101. GOVERNING BODY; TERMS. (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms, with two or three directors' terms expiring at the first meeting of the board after the November election in even-numbered years and after the board has canvassed the votes and the newly elected directors have qualified for office and taken the constitutional oath.

Sec. 9017.102. ELECTION DATE. The district shall hold an election to elect the appropriate number of directors on the uniform election date prescribed by Section 41.001, Election Code, in November of each even-numbered year.

SECTION 2. A director of the board of the Travis County Water Control and Improvement District No. 17 who is serving on the day before the effective date of this Act shall serve until the director's term expires. A director whose term expires in May 2022 shall continue to serve until the director's successor has qualified for office and taken the constitutional oath following

1 the directors' election held on November 8, 2022, in accordance
2 with Sections 9017.101 and 9017.102, Special District Local Laws
3 Code, as added by this Act. A director whose term expires in May
4 2024 shall continue to serve until the director's successor has
5 qualified for office and taken the constitutional oath following
6 the directors' election held on November 5, 2024.

7 SECTION 3. (a) The legal notice of the intention to
8 introduce this Act, setting forth the general substance of this
9 Act, has been published as provided by law, and the notice and a
10 copy of this Act have been furnished to all persons, agencies,
11 officials, or entities to which they are required to be furnished
12 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
13 Government Code.

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

17 (c) The Texas Commission on Environmental Quality has filed
18 its recommendations relating to this Act with the governor, the
19 lieutenant governor, and the speaker of the house of
20 representatives within the required time.

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

25 SECTION 4. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

S.B. No. 2148

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2021.

Austin American-Statesman

statesman.com

PROOF OF PUBLICATION STATE OF TEXAS

PUBLIC NOTICE

Before the undersigned authority personally appeared Jalen Rocha, 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, Burnet, Caldwell, Comal, Coryell, Fayette, Gillespie, Guadalupe, Hays, Kerr, Lampasas, Lee, Llano, Milam, Travis, and Williamson Counties, and State of Texas, and that the attached advertisement was published in said newspaper, to wit: LLOYD GOSSELINK ROCHELLE & TOWNSEND PC, first date of publication 02/11/2021, last date of publication 02/11/2021, published 1 time(s), and that the attached is a true copy of said advertisement.

LLOYD GOSSELINK ROCHELLE &
TOWNSEND PC
816 CONGRESS AVE
STE 1900
AUSTIN, TX 78701-2478

Invoice/Order Number:	0000624807
Ad Cost:	\$307.21
Paid:	\$0.00
Balance Due:	\$307.21

Signed _____


(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 9th day of March, 2021 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).

LLOYD GOSSELINK ROCHELLE & TOWNSEND
PC
818 CONGRESS AVE
STE 1900
AUSTIN, TX 78701-2478

Invoice/Order Number: 0000624807
Ad Cost: \$307.21
Paid: \$0.00
Balance Due: \$307.21

**NOTICE OF INTENTION TO INTRODUCE
A BILL**

NOTICE is hereby given of the intention to apply to the 87th Legislature of the State of Texas, Regular Session to be held in 2021, for the introduction of a bill, the substance of the contemplated law being as follows:

An Act relating to powers and duties of Travis County Water Control & Improvement District No. 17 (the "District") as provided in Chapter 9017 of the Texas Special District Local Laws Code; providing District with ability to change the date of director elections to any uniform election date; validating prior elections, contracts, bonds, obligations, expenditures, annexations, and all other actions of the District; making findings as to compliance with Article XVI, Section 59 of the Texas Constitution.

THIS NOTICE is given in accordance with the requirements of Section 59 of Article XVI of the Texas Constitution, and said legislation will find that said requirements have been met.

2/11/21
0000624807-01