Chapter 8

1

S.B. No. 1137

2	relating to improvement projects of the Sabine-Neches Navigation
3	District of Jefferson County, Texas; providing authority to issue
4	anticipation notes and time warrants.
5	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
6	SECTION 1. Chapter 1472, Acts of the 77th Legislature,
7	Regular Session, 2001, is amended by adding Section 6B to read as
8	follows:
9	Sec. 6B. WATERWAY IMPROVEMENT PROJECT. (a) In this
10	section:
11	(1) "Improvement project" means the Sabine-Neches
12	Waterway Improvement Project.
13	(2) "Project sponsor" has the meaning assigned by the
14	Water Resources Reform and Development Act of 2014 (Pub. L. No.
15	<u>113-121).</u>
16	(b) The district is the project sponsor of the existing
17	Sabine-Neches Waterway and the improvement project authorized by
18	the Water Resources Reform and Development Act of 2014 (Pub. L. No.
19	113-121) to improve an existing facility of the district and deepen
20	the Sabine-Neches Waterway. The district is also the nonfederal
21	cost-sharing sponsor of the improvement project. The commission
22	shall make a determination on matters that may be required or
23	desirable as a project sponsor to implement the improvement
24	project.

AN ACT

# S.B. No. 1137

1 (c) In the district's capacity as the project sponsor of the improvement project, the district is authorized to enter into any 2 3 contract, agreement, including an economic development agreement, or lease as necessary or convenient to carry out any of the 4 district's powers granted under this section. A contract, 5 6 agreement, or lease, including any amendments to a contract, 7 agreement, or lease, may provide any terms and conditions, and be for any term of years, as the commission determines are in the best 8 interests of the district. The contract, agreement, or lease may be 9 10 entered into with any person, political subdivision, or governmental agency, including the United States, the secretary of 11 the army or the secretary of the army's designees, the Army Corps of 12 Engineers, any local government, any county government, any special 13 district or authority, any local government corporation, any 14 15 transportation corporation, any tax increment reinvestment zone, 16 the State of Texas, any agency of the State of Texas, and any other entity. The district is authorized to enter into contracts with a 17 private entity to develop or operate any part of the improvement 18 project under Chapter 2267, Government Code, and those contracts 19 20 may provide that the private entity: (1) perform all or any part of the district's 21 22 obligations under contracts or agreements with the United States; 23 and 24 (2) use revenue or other money from the improvement project to prepay for duties or tariffs, including duties or 25 tariffs that may not be effective until the improvement project is 26 partially or wholly completed, which may be credited against future 27

- 1 duties or tariffs.
- 2 (d) The district may enter into a contract, agreement, or
- 3 lease under Section 49.108 or 60.120, Water Code, as determined by
- 4 the commission.
- 5 (e) The district is not required to obtain approval from the
- 6 Texas Commission on Environmental Quality for the district's
- 7 contracts or financing related to the improvement project. Any
- 8 contracts or agreements of the district may be renewed or extended,
- 9 and any time warrants or maintenance notes may be refunded in the
- 10 manner provided by general law.
- 11 (f) The district may provide that payments required by any
- 12 of the district's contracts, agreements, or leases may be payable
- 13 from the sale of notes, taxes, or bonds, or any combination of
- 14 notes, taxes, or bonds, or may be secured by a lien on or a pledge of
- 15 any available funds, including proceeds of the district's
- 16 maintenance tax, and may be payable subject to annual appropriation
- 17 by the district. Sections 26.04, 26.05, 26.07, and 26.012, Tax
- 18 Code, do not apply to maintenance taxes levied and collected for
- 19 payments under a contract, agreement, lease, time warrant, or
- 20 maintenance note issued or executed under this section.
- 21 (g) The district is authorized to borrow money, receive
- 22 advances of funds, and enter into repayment agreements for the
- 23 repayment of borrowed money or advances, and to issue anticipation
- 24 notes, time warrants, and maintenance notes. The anticipation
- 25 notes may be issued in accordance with Chapter 1431, Government
- 26 Code, in the same manner as an eligible countywide district. Tax
- 27 anticipation notes issued under this subsection may not exceed 75

# S.B. No. 1137

- 1 percent of the revenue or taxes anticipated to be collected in that
- 2 year and shall be payable during the district's current fiscal
- 3 year. Time warrants and maintenance notes issued under this
- 4 subsection may be issued to pay for any lawful expenditure of the
- 5 district and shall be payable over a period not to exceed 35 years
- 6 from the date of issuance.
- 7 (h) The commission shall determine whether the amount of the
- 8 <u>district's maintenance taxes and other available resources</u>
- 9 required to pay the district's existing obligations is also
- 10 sufficient to pay the debt service on any time warrants or
- 11 maintenance notes issued under this section. In evaluating the tax
- 12 rate, the commission may include in the district's budget an
- 13 improvement project fund, which may be funded to assure that
- 14 adequate funds are available to the district to comply with the
- 15 district's covenants and obligations during future years when the
- 16 amounts projected to be needed will exceed the then-current
- 17 available maintenance tax funds.
- 18 SECTION 2. (a) The legal notice of the intention to
- 19 introduce this Act, setting forth the general substance of this
- 20 Act, has been published as provided by law, and the notice and a
- 21 copy of this Act have been furnished to all persons, agencies,
- 22 officials, or entities to which they are required to be furnished
- 23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
- 24 Government Code.
- 25 (b) The governor, one of the required recipients, has
- 26 submitted the notice and Act to the Texas Commission on
- 27 Environmental Quality.

# S.B. No. 1137

- 1 (c) The Texas Commission on Environmental Quality has filed
- 2 its recommendations relating to this Act with the governor, the
- 3 lieutenant governor, and the speaker of the house of
- 4 representatives within the required time.
- 5 (d) All requirements of the constitution and laws of this
- 6 state and the rules and procedures of the legislature with respect
- 7 to the notice, introduction, and passage of this Act are fulfilled
- 8 and accomplished.
- 9 SECTION 3. This Act takes effect immediately if it receives
- 10 a vote of two-thirds of all the members elected to each house, as
- 11 provided by Section 39, Article III, Texas Constitution. If this
- 12 Act does not receive the vote necessary for immediate effect, this
- 13 Act takes effect September 1, 2015.

TE TE

			<u>s</u>	.B. No. 1	<u>137</u>
President of the Senate				e House	
I Mereby certify that April 9, 2015, by the following	•				on —
		Secretar	Jy (E th	Space No Senate	_
I hereby certify that	S.B. No.	1137 pa	ssed t	he House	on
April 30, 2015, by the fo	ollowing	vote:	Yeas 13	33, Nays	6,
one present not voting		26	ent.	Vener	- 4_
		Chief	erk of	the House	1
Approved:				(	J
<u>Date</u>	_				
Governor	_				

Secretary of State

# LEGISLATIVE BUDGET BOARD Austin, Texas

# FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

# April 23, 2015

TO: Honorable Tan Parker, Chair, House Committee on Investments & Financial Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1137 by Creighton (Relating to improvement projects of the Sabine-Neches Navigation District of Jefferson County, Texas; providing authority to issue anticipation notes and time warrants.), As Engrossed

No fiscal implication to the State is anticipated.

# **Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: UP, SZ, EK, CL

# LEGISLATIVE BUDGET BOARD Austin, Texas

# FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

## March 26, 2015

TO: Honorable Charles Perry, Chair, Senate Committee on Agriculture, Water & Rural Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1137 by Creighton (Relating to improvement projects of the Sabine-Neches Navigation District of Jefferson County, Texas; providing authority to issue anticipation notes and time warrants.), As Introduced

No fiscal implication to the State is anticipated.

# **Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: UP, SZ, EK, CL



# AFFIDAVIT OF PUBLICATION

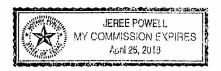
The State of Texas, County of Jefferson, City of Port Arthur

# Dani Eaves, being duly sworn deposes and says:

That she is a resident citizen of Jefferson County, Texas and that she is of lawful age; that she is the Classified Representative of the PORT ARTHUR NEWS, a division of Newspaper Holdings, Inc., same being a newspaper published and having a general circulation in the City of Port Arthur, Jefferson County, Texas; that said newspaper has been continuously and regularly published for a period of more than one year in Jefferson County, Texas, and that the advertising of <a href="Mellottenger: Benckenstein & Oxford, Ad# 155718">Benckenstein & Oxford, Ad# 155718</a> was published in said newspaper in the issue(s) of <a href="January 13">January 13</a>, <a href="2015">2015</a> which was/were the regular publication day(s) of said issue(s); and that said issue(s) was/were actually published, circulated and distributed.

SUBSCRIBED AND sworn to before me, this the 13th day of January A.D. 2015.

Notary Public in and for Jefferson County, Texas



sued by the County

case of Winderful R.

Boone and Justin

Franklin versus Mike

Nguyen, cause Num-

Eddins rendered a

judgment in favor of

Winderful R. Boone

on the 30th day of

July, 2014, directed

and delivered to me,

as Constable of Jeffer-

son County, Texas,

Precinct 2. The follow-

ing property was lev-

ied upon as the prop-

on the 20th day of No-

vember, 2014 and will

2015, being the first

### **Public Notices**

"Notice of Intention of Sabine-Neches Navigation District to Intro- ber 0123923, Honorduce a Bill for Consideration by the 84th **Texas** Legislature

Pursuant to Section and Justin Franklin 59, Article 16 of the and Texas Constitution, Sabine-Neches Navigation District which is the local sponsor of the Sabine-Neches

Waterway, and also provides various other

public services in Jefferson County for the erty of Mike Nguyen Sabine-Neches Waterway, publishes this Notice of its intention to introduce 3rd day of February, a Bill for consideration by the 84th Texas Tuesday of said Texas. Legislature. general substance of the Bill provide authorization and clarification of the power and authority of Sabine-Neches at 1001 Pearl St., Navigation District to Beaumont, Jefferson enter into contracts County, Texas the foland other financial ar- lowing real property, rangements to finance to-wit: infrastructure major projects and infrastructure improvements."

Lot Number Eight (8), Block Number Thirty TERRACE, an Addi-

\$58,500.00 principal, Court of Jefferson plus attorney fees and County, Texas in the all costs of suit with interest at the rate of 5%. NOTICE: This property may have other liens, taxes, or encumbrances which able Judge Gerald may become the responsibility of the successful bidder.

Given under my hand, this 12th day of against Mike December, 2014. Nguyen in said Court

> Christopher L. Bates Constable Pct. 2 Jefferson County, State of Texas

By Chief Deputy Constable Gene A. Winston, Jr.

# proceed to sell, on the Special Notices

PUBLISHER'S month, between the NOTICE hours prescribed by All real estate adverlaw, at public auction tised herein is subject to the highest bidder. the Federal Fair for cash in hand, at Housing Act, which 10:00 a.m. in front of the Courthouse door makes it illegal to advertise any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or intention to Five (35) of DEL MAR ences, limitations or Housing Act, which discrimination. We will makes it illegal to adtion to the City of Port not knowingly accept vertise any prefer-

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NOTICE OF







# Publishers Affidavit

STATE OF TEXAS COUNTY OF JEFFERSON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED VICTOR PONCE
WHO BEING BY ME DULY SWORN, DEPOSES AND SAYS THAT HE/SHE IS A NEWSPAPER REPRESENTATIVE
FOR THE BEAUMONT ENTERPRISE; THAT SAID NEWSPAPER REGULARLY PUBLISHED IN JEFFERSON COUNTY
CIRCULATED IN JEFFERSON, HARDIN, TYLER, NEWTON, ORANGE, JASPER, LIBERTY, SABINE, CHAMBERS,
SAN AUGUSTINE, ANGELINA AND GALVESTON COUNTY(COUNTIES), TEXAS; THAT THE ATTACHED NOTICE
IN SAID NEWSPAPER ON THE FOLLOWING DATE(S), TO WIT:

01-12-15 01-12-15

NEWSPAPER REPRESENTATIVE

SWORN AND SUBSCRIBED TO BEFORE ME, THIS 13TH DAY OF JANUARY 2015,

TO CERTIFY WHICH WITNESS MY HAND AND SEAL OF OFFICE

NOTARY PUBLIC IN AND FOR

THE STATE OF TEXAS

PRINT OR TYPE NAME OF NOTARY PUBLIC
MY COMMISSION EXPIRES ADA 3, 2016

### **GOLDEN GLOBES: A NIGHT OF** TRIUMPHS, UNEXPECTED WINS



Co-hosts Tina Fey, left, and Amy Poehler speak during the 72nd Annual Golden Globe Awards on Sunday at the Beverly Hilton Hotel in Beverly Hills, Calif.

# Linklater, 'Boyhood' take home top honors at Golden Globes

By The Associated Press

Linklater's 2-years-in-the-making "Boyhood" was right on time at the Golden Globes. winning the night's top honor, best drama, as well as best director for Linklat-

as best director for Linkater er and best supporting ac-tress for Patricia Arquette. The sweetly humanist film had a similarly touch-

film had a similarly touching effect on one of Hollywood's glitziest evenings.
Taking out her written speech, trequette apologized: "fin the only nerd with a piece of paper."

Bottom line is we're all flawed in this world. No one's perfect,' said Linklater. "I want to dedicate this to parents that are evolving everywhere and families that are just passing through this world and doing their best."

The night seemed to be setting up for the top two Oscar contenders — "Boybood" and Alejandro Gonzalez Inarritu's "Birdman"—to lead the Globes' twin categories of drama

man" — to lead the Globes' twin categories of drama and comedy. But in a major surprise, Wes Anderson's "Grand Budapest Hotel" swooped in to win best picture, comedy or musical. He listed a mock thank you to the members of the Hollywood Foreign Press, the collection of mostly freelance foreign journalists who put on the Globes, naming "Yorum and Dagnaming "Yorum and Dag-mar and Yukiko and Mou-

nawar"
"Birdman" nevertheless won best actor in a comedy or musical for its lead, Michael Keaton, who plays a former superhero star mounting a serious play on Broadway, and best

play on Broadway, and best screenplay.
Kicking off the show, hosts Tina Fey and Amy Poehler wasted no time in skewering Hollywood's most tender subjects: the hacking of Sony Pictures over "The Interview," the sexual assault allegations against Bill Cosby and tele-

#### LIST OF WINNERS FOR THE GOLDEN GLOBE **AWARDS**

#### Motion Pictures

■ Picture, Drama: "Boy-hood."

vision's rise as a cultural rival to movies.

In an opening blister-ing with zingers, the duo welcomed Hollywood's "despicable, spoiled, mini-mally talented brats" to the Globes to celebrate "all the movies that North Korea was OK with." They several times visited with a North Korea government char-acter, played by Margaret Cho, who voiced her dis-pleasure with all aspects of the show

George Clooney, a young lifetime achievement honoree at 53, had been among Hollywood's most vocal about preserv-ing free speech after hackers threatened violence over "The Interview." In one of the evening's

In one of the evening's most holly contested catgories, best actor in a drama, Eddie Redmayne 
emerged victorious over 
Benedict Cumberbatch 
("The Imitation Game"), 
Steve Carell ("Foxcatcher"), David Oyelowo ("Selma") and lake Gyllenhaal 
"Nightcrawler") for his 
performance as Stephen 
Hawking in "The Theory of 
Everything."

Julianne Moore won best 
actress in a drama for her

actress in a drama for her startling performance as an academic with early on-set Alzheimer's in "Still Alice." Amy Adams surprised

in taking best actress in a comedy or musical for her performance in "Big Eyes." "I didn't even reapply lip gloss," said an unprepared

gloss," said an unprepared Adams.

The first award of the night went to J.K. Simmons for best supporting actor for his performance as a domineering jazz teacher in the acclaimed indie "Whiplash."

The DreamWorks sequel "How to Train Your Dragon
2" took best animated film
over the favorite, "The Lego
Movie." The Russian entry
"Leviathan" took best foreign language film.

■ Original Song: "Glory" (music by John Legend, Common), "Selma."

#### Television

Series, Drama: "The

Actor, Drama: Kevin

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Apts Unfurnished

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# Legal Notices

"Notice of Intention of Sabine-Neches Navigation District to Introduce a Bill for Consideration by the 84th Texas Legislature

Texas Legislature

Pursuant to Section 59, Article
16 of the Texas Constitution,
the Sabine-Nechas Navigation
District whost is the local spontorvery, and also provides various other public services various other public services.
Jefferson County for the
Sabine-Nechas Waterway,
publishes this Notice of its in-

#### Legal Notices

tention to introduce a Bill for consideration by the 84th Tervas Legislature. Texas The general substance of the Bill will provide authorization and clarification of the power and calmification of the power and calmification of the power and calmification of the soline-Neches Navigation District to enter into contracts and other finance major infrastructure improvements.

#### NOTICE OF SALE

NOTICE OF SALE

Following default under a promissory note in the amount of \$2,000,000 exceuted by the same of \$2,000,000 exceutify \$4,000,000 exceutify \$4,000 exceu

Time: 1:00 o'clock, p..m.
Date: January 22, 2015
Location: Strong Pipkin Bissell
& Ledyard, LLP
595 Orleans, Suite 1400
Beaumont, Texas 77701

The Collateral and property being sold is described as fol-

(A) Member interest in BRRW Real Estate Development LLC issued in name of Todd Bryson reflecting Twenty Five (25%) interest and bearing Certificate No. 1

(B) Member interest in BRRW Real Estate Development LLC issued in name of Stanley Rising reflecting Twenty Five (25%) interest and bearing Certificate No. 2

### Legal Notices

(25%) interest and bearing Certificate No. 3

(D) Member interest in BRRW Real Estate Development LLC issued in name of James Wimberley reflecting Twenty Five (25%) interest and bear-ing Certificate No. 4

Due to the change of the name of BRRW Real Estate Development, LLC to BRRW Farm & Ranch, LLC, subsequent to the theretone, from the subsequent to the theretone, from the subsequent to the interest in BRRW Farm & Ranch, LLC. Action Restoration, Inc. reserves the right, but not the obligation, to credit but not the obligation, to credit but not the obligation, to credit the indebtedness owed by BRRW Real Estate Development, LLC (now known as BRRW Farm & Ranch, LLC) to it.

YOU ARE INVITED TO AT-TEND THE SALE AND MAKE OFFERS. ANY INTERESTED PARTY WHO DESIRES MORE INFORMATION SHOULD CONTACT THE BE-LOW ATTORNEY AT THE ADDRESS BELOW.

SEARCY & SEARCY, P.C. Box 3929

SEARCY & SEARCY, P.C. Box 3929
Longview, Texas 75005
Tel. 303 757 3399
Fax: 903 757 957 3399
Fax: 903 757 95559
E-mail: @jissearcylaw.com
MOTICE TO PHYSICIANS
AND PROVIDERS
Texas Children's Health Plan,
a STAR and CHIP HMO administering medical and mental health services will be accepting letters of application from providers who are interested in applying for participation. Please mail your letter of application. Texas Children's Health Plan, P.O. Box 301011, New 2013, Houston T. Ar7204-trailon. No phone calls or faxes, please.

#### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY Notice of Draft Federal Operating Permit

Draft Permit No. 02802

Draft Permit No. 02802

Application and Draft Permit DCP Midstream, I.P. 5718 Westheimer Road, Suite 1900, Houston, TX 7705/57785, has applied to the Texas Commission on Favdromental Quality (TC/RQ) for a crnewal and No. 02802, Application No. 22802, 12870, in authorize operation of the West Beaumont Gas Plant, a Natural Gas Liquid's facility. The area addressed by the application is located at 8110 Ere Street in Beaumont, Jefferson County, Texas 77705-8354. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact focation, refer to the application, via can find an electronic map of the facility at: http://www.tccq.texas.gov/asses/public/holf/princksturi]at-30.plg/803636g-g-97.11944462com-1345typest.
This application was received by the TEBQ on September 12, 2014.
The purpose of a federal operating permit is to improve overall Draft Permit No.: O2802

This application was received by the TCEQ on September 12, 2014. The purpose of a federal operating permit is to improve overal compliance with the rules governing air pollution control by clearly listing all applicable regulareness, as defined in Title 30 Teass Administrative Corde § 122.10, 30 TAC § 122.10). The draft permit, if approved, will codily the conditions under which the area must operate. The permit will not authorize new construction. The executive director has completed the technical review of happlication and has marke a preliminary election to prepare a draft permit for public comment and review. The executive director recommends issuance of this draft permit. The permit application, statement of basis, and draft permit will be available for viewing and copying at the TCEQ Central Office, 1210H Park 35 Circle, Building E, First Floor, Austin, Texas; the TCEQ Beaumont Regional Office, 130H Milton Herbert Library, 2025 Merriana Street, Port Neches, Texas, beginning the first day in publication of this notice. The draft permit and statement of basis are available at the TCEQ Website.

### www.tceq.texas.gov/goto/tynotice

www.tceq.textagorgoto/tviolice
At the TCEQ central and regional offices, relevant supporting
materials for the draft permit, as well as the New Source Review
permits which have been incorporated by reference, may be
reviewed and copied. Any person with difficulties obtaining these
materials due to travel constraints may contact the TCEQ central
office file room at (512) 239-1540.

Public Comment/Notice and Comment Hearing. Any person may submit written comments on the draft permit. Comments relating to the accuracy, completeness, and appropriateness of the permit conditions may result in changes to the draft permit.

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A person who may be affected by the emission of air pollutants from the permitted area may request a notice and comment from the permitted area may request a notice and comment in the control of the permit may be changed hased on comments on the draft fermit. The permit may be changed hased on comments on the draft permit may be changed hased on comments pertaining to whether the permit provides for compliance with 30 TAC Chapter 122 (examples may include that the permit does not contain all applicable resulterments or the public notice procedures were not salisfied). The TCRQ may grant a notice and comment hearing on the application if a written hearing request is received within 30 days after publication of the newspaper motice. The hearing request must include the basis for the request, including a description of how the application area. The request should also specify the conditions of the draft permit that are inappropriate or specify their conditions of the draft permit that are inappropriate or specify have. An preliminary decision to issue or deny the case of all publications are all the draft and all reasonably available arguments must be submitted by the end of the public

