

Chapter 621

H.B. No. 4275

1 AN ACT

2 relating to the creation of the Ingleside Municipal Utility  
3 District No. 1; providing authority to issue bonds; granting  
4 limited power of eminent domain; providing authority to impose  
5 assessments, fees, and taxes.

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

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
8 Code, is amended by adding Chapter 7998 to read as follows:

9 CHAPTER 7998. INGLESIDE MUNICIPAL UTILITY DISTRICT NO. 1

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 7998.001. DEFINITIONS. In this chapter:

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

13 (2) "Commission" means the Texas Commission on  
14 Environmental Quality.

15 (3) "Director" means a board member.

16 (4) "District" means the Ingleside Municipal Utility  
17 District No. 1.

18 Sec. 7998.002. NATURE OF DISTRICT. The district is a  
19 municipal utility district created under Section 59, Article XVI,  
20 Texas Constitution.

21 Sec. 7998.003. CONFIRMATION AND DIRECTORS' ELECTION  
22 REQUIRED. The temporary directors shall hold an election to  
23 confirm the creation of the district and to elect five permanent  
24 directors as provided by Section 49.102, Water Code.

1       Sec. 7998.004. CONSENT OF MUNICIPALITY REQUIRED.       The  
2 temporary directors may not hold an election under Section 7998.003  
3 until each municipality in whose corporate limits or  
4 extraterritorial jurisdiction the district is located has  
5 consented by ordinance or resolution to the creation of the  
6 district and to the inclusion of land in the district.

7       Sec. 7998.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)  
8 The district is created to serve a public purpose and benefit.

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

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

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

16       Sec. 7998.006. INITIAL DISTRICT TERRITORY. (a) The  
17 district is initially composed of the territory described by  
18 Section 2 of the Act enacting this chapter.

19       (b) The boundaries and field notes contained in Section 2 of  
20 the Act enacting this chapter form a closure. A mistake made in the  
21 field notes or in copying the field notes in the legislative process  
22 does not affect the district's:

23           (1) organization, existence, or validity;

24           (2) right to issue any type of bond for the purposes  
25 for which the district is created or to pay the principal of and  
26 interest on a bond;

27           (3) right to impose a tax; or

1           (4) legality or operation.

2                   SUBCHAPTER B. BOARD OF DIRECTORS

3           Sec. 7998.051. GOVERNING BODY; TERMS. (a) The district is  
4 governed by a board of five elected directors.

5           (b) Except as provided by Section 7998.052, directors serve  
6 staggered four-year terms.

7           Sec. 7998.052. TEMPORARY DIRECTORS. (a) The temporary  
8 board consists of:

9                   (1) Richard Dupriest;

10                  (2) Raymond F. Wetegrove;

11                  (3) Joseph M. Wetegrove;

12                  (4) Jane Helm; and

13                  (5) Steven Ray.

14           (b) Temporary directors serve until the earlier of:

15                  (1) the date permanent directors are elected under  
16 Section 7998.003; or

17                  (2) the fourth anniversary of the effective date of  
18 the Act enacting this chapter.

19           (c) If permanent directors have not been elected under  
20 Section 7998.003 and the terms of the temporary directors have  
21 expired, successor temporary directors shall be appointed or  
22 reappointed as provided by Subsection (d) to serve terms that  
23 expire on the earlier of:

24                  (1) the date permanent directors are elected under  
25 Section 7998.003; or

26                  (2) the fourth anniversary of the date of the  
27 appointment or reappointment.

1        (d) If Subsection (c) applies, the owner or owners of a  
2 majority of the assessed value of the real property in the district  
3 may submit a petition to the commission requesting that the  
4 commission appoint as successor temporary directors the five  
5 persons named in the petition. The commission shall appoint as  
6 successor temporary directors the five persons named in the  
7 petition.

8                                SUBCHAPTER C. POWERS AND DUTIES

9        Sec. 7998.101. GENERAL POWERS AND DUTIES. The district has  
10 the powers and duties necessary to accomplish the purposes for  
11 which the district is created.

12        Sec. 7998.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
13 DUTIES. The district has the powers and duties provided by the  
14 general law of this state, including Chapters 49 and 54, Water Code,  
15 applicable to municipal utility districts created under Section 59,  
16 Article XVI, Texas Constitution.

17        Sec. 7998.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
18 52, Article III, Texas Constitution, the district may design,  
19 acquire, construct, finance, issue bonds for, improve, operate,  
20 maintain, and convey to this state, a county, or a municipality for  
21 operation and maintenance macadamized, graveled, or paved roads, or  
22 improvements, including storm drainage, in aid of those roads.

23        Sec. 7998.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
24 project must meet all applicable construction standards, zoning and  
25 subdivision requirements, and regulations of each municipality in  
26 whose corporate limits or extraterritorial jurisdiction the road  
27 project is located.

1        (b) If a road project is not located in the corporate limits  
2 or extraterritorial jurisdiction of a municipality, the road  
3 project must meet all applicable construction standards,  
4 subdivision requirements, and regulations of each county in which  
5 the road project is located.

6        (c) If the state will maintain and operate the road, the  
7 Texas Transportation Commission must approve the plans and  
8 specifications of the road project.

9        Sec. 7998.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
10 OR RESOLUTION. The district shall comply with all applicable  
11 requirements of any ordinance or resolution that is adopted under  
12 Section 54.016 or 54.0165, Water Code, and that consents to the  
13 creation of the district or to the inclusion of land in the  
14 district.

15        Sec. 7998.106. DIVISION OF DISTRICT. (a) The district may  
16 be divided into two or more districts only if:

- 17                (1) the district has no outstanding bonded debt;  
18                (2) the district is not imposing ad valorem taxes; and  
19                (3) the requirements of Subsection (i), as applicable,  
20 are satisfied.

21        (b) This chapter applies to any new district created by the  
22 division of the district, and a new district has all the powers and  
23 duties of the district.

24        (c) A new district created by the division of the district  
25 may not, at the time the new district is created, contain any land  
26 outside the area described by Section 2 of the Act enacting this  
27 chapter.

1       (d) The board, on its own motion or on receipt of a petition  
2 signed by the owner or owners of a majority of the assessed value of  
3 the real property in the district, may adopt an order dividing the  
4 district.

5       (e) The board may adopt an order dividing the district  
6 before or after the date the board holds an election under Section  
7 7998.003 to confirm the district's creation.

8       (f) An order dividing the district shall:

- 9           (1) name the new district;  
10          (2) include the metes and bounds of each new district;  
11          (3) appoint temporary directors for each new district;

12 and

13          (4) provide for the division of assets and liabilities  
14 between the district and each new district.

15       (g) On or before the 30th day after the date of adoption of  
16 an order dividing the district, the district shall file the order  
17 with the commission and record the order in the real property  
18 records of each county in which the district is located.

19       (h) A new district created by the division of the district  
20 shall hold a confirmation and directors' election as required by  
21 Section 7998.003.

22       (i) If the district is located wholly or partly in the  
23 corporate limits or the extraterritorial jurisdiction of a  
24 municipality, the district may not divide under this section unless  
25 the municipality by resolution or ordinance consents to the  
26 division of the district. If the district is not located wholly or  
27 partly in the corporate limits or extraterritorial jurisdiction of

1 a municipality, the district may not divide under this section  
2 unless the commissioners court of each county in which the district  
3 is wholly or partly located first adopts a resolution or order in  
4 support of the division of the district.

5 (j) Any new district created by the division of the district  
6 must hold an election as required by this chapter to obtain voter  
7 approval before the district may impose a maintenance tax or issue  
8 bonds payable wholly or partly from ad valorem taxes.

9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

10 Sec. 7998.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
11 district may issue, without an election, bonds and other  
12 obligations secured by revenue other than ad valorem taxes.

13 (b) The district must hold an election in the manner  
14 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
15 before the district may impose an ad valorem tax or issue bonds  
16 payable from ad valorem taxes.

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

21 Sec. 7998.152. OPERATION AND MAINTENANCE TAX. (a) If  
22 authorized at an election held under Section 7998.151, the district  
23 may impose an operation and maintenance tax on taxable property in  
24 the district in accordance with Section 49.107, Water Code.

25 (b) The board shall determine the tax rate. The rate may not  
26 exceed the rate approved at the election.

27 Sec. 7998.153. WATER AND SEWER RATES. Notwithstanding any

1 other law, the district shall establish the same rates for  
2 residential and commercial classes of customers for the provision  
3 of water and sewer services. For purposes of this section, the  
4 commercial class may not include apartment complexes or other  
5 multifamily dwellings.

6 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

7 Sec. 7998.201. AUTHORITY TO ISSUE BONDS AND OTHER  
8 OBLIGATIONS. The district may issue bonds or other obligations  
9 payable wholly or partly from ad valorem taxes, impact fees,  
10 revenue, contract payments, grants, or other district money, or any  
11 combination of those sources, to pay for any authorized district  
12 purpose.

13 Sec. 7998.202. TAXES FOR BONDS. At the time the district  
14 issues bonds payable wholly or partly from ad valorem taxes, the  
15 board shall provide for the annual imposition of a continuing  
16 direct ad valorem tax, without limit as to rate or amount, while all  
17 or part of the bonds are outstanding as required and in the manner  
18 provided by Sections 54.601 and 54.602, Water Code.

19 Sec. 7998.203. BONDS FOR ROAD PROJECTS. At the time of  
20 issuance, the total principal amount of bonds or other obligations  
21 issued or incurred to finance road projects and payable from ad  
22 valorem taxes may not exceed one-fourth of the assessed value of the  
23 real property in the district.

24 SECTION 2. The Ingleside Municipal Utility District No. 1  
25 initially includes all the territory contained in the following  
26 area:

27 Being 625 acres, more or less, out of the Wm McDonough Survey,



1 Abstract 184, the R.S. Williamson Survey, Abstract 283, the Edmond  
2 St. John Survey, Abstract 250, the Louis Von Zacharias Survey,  
3 Abstract 272, and the John Robinson Survey, Abstract 226, all  
4 tracts located in the City of Ingleside, San Patricio County,  
5 Texas.

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

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

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

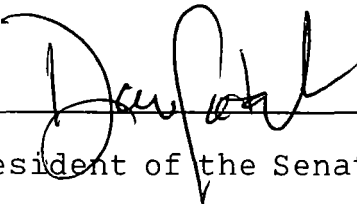
20 (d) All requirements of the constitution and laws of this  
21 state and the rules and procedures of the legislature with respect  
22 to the notice, introduction, and passage of this Act are fulfilled  
23 and accomplished.

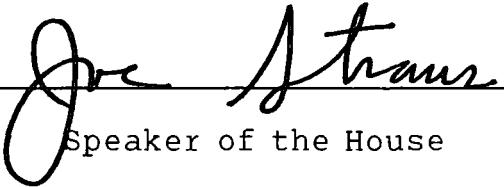
24 SECTION 4. (a) If this Act does not receive a two-thirds  
25 vote of all the members elected to each house, Subchapter C, Chapter  
26 7998, Special District Local Laws Code, as added by Section 1 of  
27 this Act, is amended by adding Section 7998.107 to read as follows:

1        Sec. 7998.107. NO EMINENT DOMAIN POWER. The district may  
2 not exercise the power of eminent domain.

3        (b) This section is not intended to be an expression of a  
4 legislative interpretation of the requirements of Section 17(c),  
5 Article I, Texas Constitution.

6        SECTION 5. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2017.

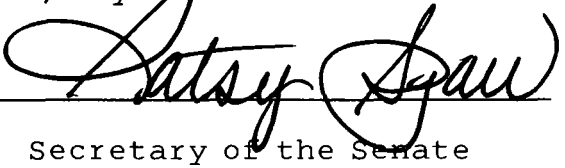
  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 4275 was passed by the House on May 19, 2017, by the following vote: Yeas 137, Nays 7, 2 present, not voting.

  
\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 4275 was passed by the Senate on May 24, 2017, by the following vote: Yeas 30, Nays 1

  
\_\_\_\_\_  
Secretary of the Senate


APPROVED: \_\_\_\_\_

Date

\_\_\_\_\_

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
3:30 PM O'CLOCK

JUN 12 2017  
  
\_\_\_\_\_  
Secretary of State

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 22, 2017**

**TO:** Honorable Lois W. Kolkhorst, Chair, Senate Committee on Administration

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB4275** by Lozano (Relating to the creation of the Ingleside Municipal Utility District No. 1; providing authority to issue bonds; granting limited power of eminent domain; providing authority to impose assessments, fees, and taxes.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code establishing the Ingleside Municipal Improvement District. The district would have authority to engage in economic development activities. The district would have authority for road projects. The district would have authority to issue bonds and other obligations, without an election. The district would have authority to impose an operation and maintenance tax and a contract tax.

The bill would take effect immediately if the bill receives a two-thirds vote in each house; otherwise, the bill would take effect September 1, 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, KK, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 8, 2017**

**TO:** Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB4275** by Lozano ( Relating to the creation of the Ingleside Improvement District; providing authority to issue bonds; granting limited power of eminent domain; providing authority to impose assessments, fees, and taxes.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code establishing the Ingleside Improvement District. The district would have authority to engage in economic development activities. The district would have authority for road projects. The district would have authority to issue bonds and other obligations, without an election. The district would have authority to impose an operation and maintenance tax and a contract tax.

The bill would take effect immediately if the bill receives a two-thirds vote in each house; otherwise, the bill would take effect September 1, 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 19, 2017**

**TO:** Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB4275** by Lozano (Relating to the creation of the Ingleside Improvement District; providing authority to issue bonds; granting limited power of eminent domain; providing authority to impose assessments, fees, or taxes.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code establishing the Ingleside Improvement District. The district would have authority to engage in economic development activities. The district would have authority for road projects. The district would have authority to issue bonds and other obligations, without an election. The district would have authority to impose an operation and maintenance tax and a contract tax. The district would not have authority to exercise the power of eminent domain.

The bill would take effect immediately if the bill receives a two-thirds vote in each house; otherwise, the bill would take effect September 1, 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**WATER DEVELOPMENT POLICY IMPACT STATEMENT**

**85TH LEGISLATIVE REGULAR SESSION**

**May 8, 2017**

**TO:** Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB4275** by Lozano ( Relating to the creation of the Ingleside Improvement District; providing authority to issue bonds; granting limited power of eminent domain; providing authority to impose assessments, fees, and taxes.), **Committee Report 1st House, Substituted**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

This bill creates Ingleside Improvement District (District) with the powers and duties of a standard municipal management district under Local Government Code Chapter 375.

Population - The very specific description of the proposed boundaries does not allow staff to develop precise population estimates. Based on the Original Texas Land Surveys mentioned in HB 4275, staff is unable to determine a population estimate.

Population growth in the specific area since the 2010 census is unknown. The 2010 population estimate for the City of Ingleside is 9,387. City of Ingleside population projections approved for the 2017 State Water Plan projects the population to grow to 9,961 in 2020, 10,446 in 2030 and 10,726 in 2040.

Location - The Proposed district's initial boundaries are described using Original Texas Land Surveys. Due to the complexity of these boundaries for the various sub areas of the district, staff is able to determine only the general location of the proposed district.

The proposed district's area is approximately 0.98 square miles in eastern San Patricio County, located within the city limits of the City of Ingleside.

Comments on Powers/Duties Different from Similar Types of Districts: The House Committee Substitute adds that the creation of the District is necessary to promote education in the District and that the District will provide land and infrastructure for educational facilities; the House Committee Substitute removes the District's ability to construct, acquire, improve, maintain, and operate rail facilities and improvements in aid of those facilities; the House Committee Substitute adds that the District may not annex land in Nueces County or San Patricio County unless the Port of Corpus Christi Authority consents to the annexation by ordinance or resolution; the District may exercise the powers of a navigation district provided by Chapter 60, Water Code, for the construction, maintenance, and financing of port facilities in the District; and navigation powers

granted under Chapter 62, Water Code are removed; the District may not exercise the power of eminent domain outside the District to acquire: a site for water treatment plant, water storage facility, wastewater treatment plant, or wastewater disposal plant; a site for a park, swimming pool, or other recreational facility as defined by Section 49.462, Water Code; an exclusive easement through a county regional park; or a site or easement for a road project; Local Government Code Section 375.161 states that an MMD may not impose an impact fee, assessment, tax, or other requirement for payment, construction, alteration, or dedication under this chapter on single-family detached residential property, duplexes, triplexes, and fourplexes; the House Committee Substitute specifies that this section applies to the District; the current statutes stipulate that a district may not issue bonds for recreational facilities that exceed one percent of the district's assessed valuation do apply to the District; the House Committee Substitute allows the District to dissolve.

The District is to be governed by a board of five voting directors that are appointed by the mayor and the governing body of the City of Ingleside (City) from persons recommended by the board. Section 3942.053 (Director Qualifications) will not apply to initial directors; the District may exercise the powers given to a development corporation under Chapter 505, Local Government Code; the board by resolution may authorize the creation of a nonprofit corporation to assist and act for the District in implementing a project or providing a service authorized by this chapter. The nonprofit corporation: has each power of and is considered to be a local government corporation created under Subchapter D, Chapter 431, Transportation Code; and may implement any project and provide any service authorized by this chapter; the District may contract to provide law enforcement services in the District for a fee; the District may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a District purpose; the District may engage in activities that accomplish the economic development purposes of the District; the District may establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the District.

The District may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances; the District may annex land as provided by Subchapter J, Chapter 49, Water Code; the District has the powers provided by the general law of this state applicable to navigation districts created under Section 59, Article XVI, Texas Constitution, including Chapters 60 and 62, Water Code; the District may construct, acquire, improve, maintain, and operate rail facilities and improvements in aid of those facilities; this bill grants the District authority for road projects; the District may not take any of the following actions until the City has consented by ordinance or resolution to the creation of the District and to the inclusion of land in the District: hold an election under Subchapter L, Chapter 375, Local Government Code; impose an ad valorem tax; impose an assessment; issue bonds; or enter into an agreement to reimburse the costs of facilities; the District may not exercise the power of eminent domain outside the District to acquire a site or easement for: a road project authorized by Section 3942.113; or a recreational facility as defined by Section 49.462, Water Code; current statutes stipulate that a district may not issue bonds for recreational facilities that exceed one percent of the district's assessed valuation. The bill specifies that this requirement does not apply to the District; except as provided by Section 375.263, Local Government Code, regarding the dissolution of a district, the City is not required to pay a bond, note, or other obligation of the District; if the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

Overlapping Services: TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.



TCEQ's Supervision: As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

Water Use - HB 4275 specifies that "the district has the powers and duties provided by the general law of the state, including Chapters 60 and 62, Water Code, applicable to navigation districts created under Section 59, Article XVI, Texas Constitution"

Within the City of Ingleside, 100 percent of the total water use was surface water in 2015.

**Source Agencies:** 582 Commission on Environmental Quality, 580 Water Development Board

**LBB Staff:** UP, SZ

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**WATER DEVELOPMENT POLICY IMPACT STATEMENT**

**85TH LEGISLATIVE REGULAR SESSION**

**April 15, 2017**

**TO:** Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB4275** by Lozano (Relating to the creation of the Ingleside Improvement District; providing authority to issue bonds; granting limited power of eminent domain; providing authority to impose assessments, fees, or taxes.), **As Introduced**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

This bill creates Ingleside Improvement District (District) with the powers and duties of a standard municipal management district under Local Government Code Chapter 375.

Population - The very specific description of the proposed boundaries does not allow staff to develop precise population estimates. Based on the Original Texas Land Surveys mentioned in HB 4275, staff is unable to determine a population estimate.

Population growth in the specific area since the 2010 census is unknown. The 2010 population estimate for the City of Ingleside is 9,387. City of Ingleside population projections approved for the 2017 State Water Plan projects the population to grow to 9,961 in 2020, 10,446 in 2030 and 10,726 in 2040.

Location - The Proposed district's initial boundaries are described using Original Texas Land Surveys. Due to the complexity of these boundaries for the various sub areas of the district, staff is able to determine only the general location of the proposed district.

The proposed district's area is approximately 0.98 square miles in eastern San Patricio County, located within the city limits of the City of Ingleside.

Comments on Powers/Duties Different from Similar Types of Districts: The District is to be governed by a board of five voting directors that are appointed by the mayor and the governing body of the City of Ingleside (City) from persons recommended by the board. Section 3942.053 (Director Qualifications) will not apply to initial directors; the District may exercise the powers given to a development corporation under Chapter 505, Local Government Code; the board by resolution may authorize the creation of a nonprofit corporation to assist and act for the District in implementing a project or providing a service authorized by this chapter. The nonprofit corporation: has each power of and is considered to be a local government corporation created under Subchapter D, Chapter 431, Transportation Code; and may implement any project and provide any service authorized by this chapter; the District may contract to provide law

enforcement services in the District for a fee; the District may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a District purpose; the District may engage in activities that accomplish the economic development purposes of the District; the District may establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the District.

The District may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances; the District may annex land as provided by Subchapter J, Chapter 49, Water Code; the District has the powers provided by the general law of this state applicable to navigation districts created under Section 59, Article XVI, Texas Constitution, including Chapters 60 and 62, Water Code; the District may construct, acquire, improve, maintain, and operate rail facilities and improvements in aid of those facilities; this bill grants the District authority for road projects; the District may not take any of the following actions until the City has consented by ordinance or resolution to the creation of the District and to the inclusion of land in the District: hold an election under Subchapter L, Chapter 375, Local Government Code; impose an ad valorem tax; impose an assessment; issue bonds; or enter into an agreement to reimburse the costs of facilities; the District may not exercise the power of eminent domain outside the District to acquire a site or easement for: a road project authorized by Section 3942.113; or a recreational facility as defined by Section 49.462, Water Code; current statutes stipulate that a district may not issue bonds for recreational facilities that exceed one percent of the district's assessed valuation. The bill specifies that this requirement does not apply to the District; except as provided by Section 375.263, Local Government Code, regarding the dissolution of a district, the City is not required to pay a bond, note, or other obligation of the District; if the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

**Overlapping Services:** TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

**TCEQ's Supervision:** As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

**Water Use - HB 4275** specifies that "the district has the powers and duties provided by the general law of the state, including Chapters 60 and 62, Water Code, applicable to navigation districts created under Section 59, Article XVI, Texas Constitution"

Within the City of Ingleside, 100 percent of the total water use was surface water in 2015.

**Source Agencies:** 582 Commission on Environmental Quality, 580 Water Development Board

**LBB Staff:** UP, SZ

**NOTICE OF INTENT TO INTRODUCE A BILL** Pursuant to the Constitution and laws of the State of Texas, notice is hereby given of the intention to apply to the 85th Legislature of the State of Texas at its regular session in Austin, Texas for the introduction of a bill, the substance of the contemplated law being as follows: An act relating to the creation of the an improvement district; providing authority to impose a tax and issue bonds. The Act proposes to create district, being approximately 625 acres located in the City of Ingleside in San Patricio County, Texas. All interested persons will, therefore, take notice of the matters and facts set out in the foregoing statement of the substance of the contemplated laws as required by the Constitution and laws of the State of Texas.

9 February 2017

Introduce Legislation-Create Improvement District

Smith, Murdaugh, Little, Bonham

# Beeville Publishing Co., Inc.

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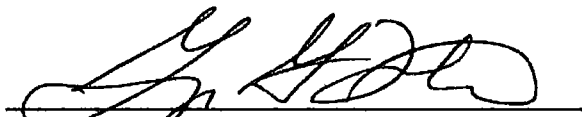
## AFFIDAVIT of PUBLICATION

THE STATE OF TEXAS

COUNTY OF BEE

Before me, the undersigned authority, on this day personally appeared George G. Latcham, known to me, who, by me duly sworn, on his oath deposes and says that he is the Publisher of the San Patricio County News having general circulation in San Patricio County, who being by me duly sworn, deposes and says that the foregoing attached notice was published in said newspaper on the following date(s), to wit:

February 9, 2017

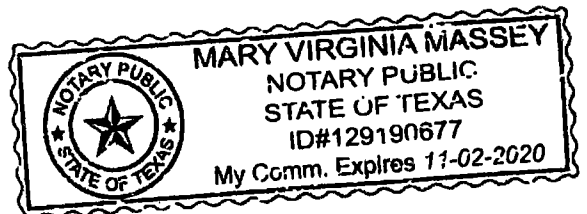


George G. Latcham, Publisher

Sworn to and subscribed before me by George G. Latcham, this the 09 day of February 2017 AD to certify which witness my hand and official seal.



Mary Virginia Massey,  
Notary Public in and for the State of Texas



opportunity basis. If you feel that you have encountered an act of housing discrimination, call the discrimination hotline toll free at 1-800-669-9777 or call in Equal Opportunity Specialist at the San Antonio HUD Office at 210-229-6885. You may also write to HUD, Attn: Fair Housing Division, 800 Dolorosa St., San Antonio, Texas 78207.



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**900**  
**PUBLIC NOTICES**  
Legals 0910

**NOTICE TO CREDITORS**  
Cause No. 13728  
In the County Court of  
San Patricio County, Texas  
Notice is hereby given that  
original letters testamentary for  
the Estate of Calvin Lawson,  
Deceased, were issued on  
November 2, 2016 in Cause No.  
13728, pending in the County  
Court of San Patricio County,  
Texas, to Calvin Curtis Lawson.  
All persons having claims  
against this Estate which is cur-  
rently being administered are re-  
quired to present them to the  
undersigned within the time and  
in the manner prescribed by law.  
c/o Calvin Curtis Lawson  
24026 Indian Hills Way  
Katy, TX 77494  
DATED the 2nd day of Feb-  
ruary, 2017. TO2-9

**NOTICE OF INTENT TO  
INTRODUCE A BILL**  
Pursuant to the Constitution and  
laws of the State of Texas,  
notice is hereby given of the  
intention to apply to the 85th  
Legislature of the State of Texas  
at its regular session in Austin,  
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bill, the substance of the  
contemplated law being as  
follows: An act relating to the  
creation of the an improvement  
district, providing authority to  
impose a tax and issue bonds.  
The Act proposes to create  
district, being approximately  
625 acres located in the City of  
Ingleside in San Patricio County,  
Texas. All interested persons  
will, therefore, take notice of the  
matters and facts set out in the  
foregoing statement of the  
substance of the contemplated  
laws, as required by the  
Constitution and laws of the  
State of Texas. TO2:9p

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