1	AN ACT
2	relating to the creation of the Harris County Municipal Utility
3	District No. 541; granting a limited power of eminent domain;
4	providing authority to issue bonds; 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 7915 to read as follows:
9	CHAPTER 7915. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 541
10	SUBCHAPTER A. GENERAL PROVISIONS
11	Sec. 7915.001. 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 Harris County Municipal
17	Utility District No. 541.
18	Sec. 7915.002. NATURE OF DISTRICT. The district is a
19	municipal utility district created under Section 59, Article XVI,
20	Texas Constitution.
21	Sec. 7915.003. 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

- Sec. 7915.004. CONSENT OF MUNICIPALITY REQUIRED. 1 2 temporary directors may not hold an election under Section 7915.003 until each municipality in whose corporate limits or 3 extraterritorial jurisdiction the district is located has 4 5 consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district. 6 7 Sec. 7915.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. The district is created to serve a public purpose and benefit. 8 (b) The district is created to accomplish the purposes of: 9 (1) a municipal utility district as provided by 10 general law and Section 59, Article XVI, Texas Constitution; and 11 12 (2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, 13 or maintenance of macadamized, graveled, or paved roads, or 14 improvements, including storm drainage, in aid of those roads. 15 16 Sec. 7915.006. INITIAL DISTRICT TERRITORY. (a) The 17 district is initially composed of the territory described by Section 2 of the Act enacting this chapter. 18 19 (b) The boundaries and field notes contained in Section 2 of
- the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:
- 23 (1) organization, existence, or validity;
- (2) right to issue any type of bond for the purposes
 for which the district is created or to pay the principal of and
 interest on a bond;
- 27 (3) right to impose a tax; or

1 (4) legality or operation. 2 SUBCHAPTER B. BOARD OF DIRECTORS Sec. 7915.051. GOVERNING BODY; TERMS. (a) The district is 3 4 governed by a board of five elected directors. 5 (b) Except as provided by Section 7915.052, directors serve 6 staggered four-year terms. 7 Sec. 7915.052. TEMPORARY DIRECTORS. (a) On or after the 8 effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the 9 10 district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons 11 12 named in the petition. The commission shall appoint as temporary directors the five persons named in the petition. 13 14 (b) Temporary directors serve until the earlier of: 15 (1) the date permanent directors are elected under 16 Section 7915.003; or 17 (2) the fourth anniversary of the effective date of 18 the Act enacting this chapter. (c) If permanent directors have not been elected under 19 Section 7915.003 and the terms of the temporary directors have 20 21 expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that 22 expire on the earlier of: 23 24 (1) the date permanent directors are elected under 25 Section 7915.003; or (2) the fourth anniversary of the date of the 26 27 appointment or reappointment.

- (d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.
- 8 SUBCHAPTER C. POWERS AND DUTIES
- 9 <u>Sec. 7915.101. GENERAL POWERS AND DUTIES. The district has</u>
 10 <u>the powers and duties necessary to accomplish the purposes for</u>
 11 which the district is created.
- Sec. 7915.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.
- Sec. 7915.103. 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.
- Sec. 7915.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
- 24 road project must meet all applicable construction standards,
- 25 zoning and subdivision requirements, and regulations of each
- 26 municipality in whose corporate limits or extraterritorial
- 27 jurisdiction the road 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. 7915.105. 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 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
- 16 Sec. 7915.151. ELECTIONS REGARDING TAXES OR BONDS.
- 17 (a) The district may issue, without an election, bonds and other
- 18 obligations secured by:
- 19 (1) revenue other than ad valorem taxes; or
- 20 (2) contract payments described by Section 7915.153.
- 21 (b) The district must hold an election in the manner
- 22 provided by Chapters 49 and 54, Water Code, to obtain voter approval
- 23 before the district may impose an ad valorem tax or issue bonds
- 24 payable from ad valorem taxes.
- 25 (c) The district may not issue bonds payable from ad valorem
- 26 taxes to finance a road project unless the issuance is approved by a
- 27 vote of a two-thirds majority of the district voters voting at an

- 1 election held for that purpose.
- 2 Sec. 7915.152. OPERATION AND MAINTENANCE TAX. (a) If
- 3 <u>authorized at an election held under Section 7915.151</u>, the district
- 4 may impose an operation and maintenance tax on taxable property in
- 5 the district in accordance with Section 49.107, Water Code.
- 6 (b) The board shall determine the tax rate. The rate may not
- 7 exceed the rate approved at the election.
- 8 Sec. 7915.153. CONTRACT TAXES. (a) In accordance with
- 9 Section 49.108, Water Code, the district may impose a tax other than
- 10 an operation and maintenance tax and use the revenue derived from
- 11 the tax to make payments under a contract after the provisions of
- 12 the contract have been approved by a majority of the district voters
- 13 voting at an election held for that purpose.
- (b) A contract approved by the district voters may contain a
- 15 provision stating that the contract may be modified or amended by
- 16 the board without further voter approval.
- SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS
- 18 Sec. 7915.201. AUTHORITY TO ISSUE BONDS AND OTHER
- 19 OBLIGATIONS. The district may issue bonds or other obligations
- 20 payable wholly or partly from ad valorem taxes, impact fees,
- 21 revenue, contract payments, grants, or other district money, or any
- 22 combination of those sources, to pay for any authorized district
- 23 purpose.
- Sec. 7915.202. TAXES FOR BONDS. At the time the district
- 25 issues bonds payable wholly or partly from ad valorem taxes, the
- 26 board shall provide for the annual imposition of a continuing
- 27 direct ad valorem tax, without limit as to rate or amount, while all

- 1 or part of the bonds are outstanding as required and in the manner
- 2 provided by Sections 54.601 and 54.602, Water Code.
- 3 Sec. 7915.203. BONDS FOR ROAD PROJECTS. At the time of
- 4 issuance, the total principal amount of bonds or other obligations
- 5 issued or incurred to finance road projects and payable from ad
- 6 valorem taxes may not exceed one-fourth of the assessed value of the
- 7 real property in the district.
- 8 SECTION 2. The Harris County Municipal Utility District No.
- 9 541 initially includes all the territory contained in the following
- 10 area:
- BEING a 637.0485 acre tract of land situated in the H. & T.C.
- 12 R.R. Co. Survey, Section 29, Abstract No. 445 and the W. Williamson
- 13 Survey, Abstract No. 1592 of Harris County, Texas and being all of
- 14 both called 320 acre tracts of land as described in an instrument to
- 15 J.J. Sweeney recorded under Volume 583, Page 18 of the Harris County
- 16 Deed Records (H.C.D.R.), said 637.0485 acre tract of land being
- 17 more particularly described by metes and bounds as follows:
- 18 BEGINNING at a 5/8-inch iron rod found for the common
- 19 southeast corner of the herein described tract and said east 320
- 20 acre tract, same being the southwest corner of a called 160.166 acre
- 21 tract of land as described in an instrument to J. Glenn Lee and
- 22 Wife, Cindy N. Lee recorded under Harris County Clerk's File
- 23 (H.C.C.F.) No. R109039, lying on the centerline of Longenbaugh Road
- 24 (60 feet wide, as occupied);
- 25 THENCE, S 87° 54' 03" W, a distance of 2,639.38 feet along and
- 26 with the centerline of said Longenbaugh Road, same being the south
- 27 line of said east 320 acre tract to a 5/8-inch iron rod found for the

S.B. No. 2009

- 1 southwest corner of said east 320 acre tract, same being the
- 2 southeast corner of said west 320 acre tract;
- 3 THENCE, S 87° 59' 00" W, a distance of 2,618.48 feet
- 4 continuing along and with the centerline of said Longenbaugh Road,
- 5 same being the south line of said west 320 acre tract to a 5/8-inch
- 6 iron rod found for the common southwest corner of the herein
- 7 described tract and said west 320 acre tract, same being the
- 8 southeast corner of a called 161.471 acre tract of land as described
- 9 in an instrument to Brad Jason Miles, Kathleen D. Miles, And Charles
- 10 T. Miles II recorded under H.C.C.F. No. 20090160794;
- 11 THENCE, N 02° 04' 46" W, a distance of 5,287.28 feet along and
- 12 with the west line of said west 320 acre tract, same being the east
- 13 line of said 161.471 acre tract to a 1/2-inch iron rod found for the
- 14 common northwest corner of the herein described tract and said west
- 15 320 acre tract, same being the northeast corner of said 161.471 acre
- 16 tract, line on the south line of a called 865.361 acre tract of land
- 17 as described in an instrument to Harris County recorded under
- 18 H.C.C.F. No. V264935;
- 19 THENCE, N 87° 52' 52" E, a distance of 2,618.10 feet along and
- 20 with the north line of said west 320 acre tract, same being the
- 21 south line of said 865.361 acre tract to the northeast corner of
- 22 said west 320 acre tract, same being the southeast corner of said
- 23 865.361 acre tract, lying on the west line of a called 643.03 acre
- 24 tract of land as described in an instrument to Fry Road Venture,
- 25 L.P. recorded under H.C.C.F. No. 2078090;
- THENCE, S 02° 05' 01" E, a distance of 24.94 feet along and
- 27 with the east line of said west 320 acre tract, same being the west

S.B. No. 2009

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- 1 line of said 643.03 acre tract to a 5/8-inch iron rod with cap
- 2 stamped "Brown & Gay" found for the northwest corner of said east
- 3 320 acre tract, same being the southwest corner of said 643.03 acre
- 4 tract;
- 5 THENCE, N 87° 45' 10" E, a distance of 2,631.07 feet along and
- 6 with the north line of said east 320 acre tract, same being the
- 7 south line of said 643.03 acre tract to the common northeast corner
- 8 of the herein described tract and said east 320 acre tract, same
- 9 being the common northwest corner of the J.W. METZLER'S
- 10 SUBDIVISION, a subdivision per plat recorded under Volume 500, Page
- 11 235 of the H.C.D.R. and a tract of land as described as Lots A & D of
- 12 said J.W. METZLER'S SUBDIVISION in an instrument to David Alan
- 13 Crowell 1967 Education Trust recorded under H.C.C.F. No. E302631;
- 14 THENCE, S 02° 16' 03" E, a distance of 2,640.09 feet along and
- 15 with the east line of said east 320 acre tract, same being the west
- 16 line of said J.W. METZLER'S SUBDIVISION to the southwest corner of
- 17 said J.W. METZLER'S SUBDIVISION, same being the northwest corner of
- 18 said 160.166 acre tract;
- 19 THENCE, S 02° 04' 49" E, a distance of 2,633.74 feet
- 20 continuing along and with the east line of said east 320 acre tract,
- 21 same being the west line of said 160.166 acre tract to the POINT OF
- 22 BEGINNING and containing 637.0485 acres of land.
- Bearing orientation is based on the Texas Coordinate System,
- 24 South Central Zone 4204, NAD-83 and is referenced to monuments
- 25 found along the center line of Longenbaugh Road as cited herein.
- 26 SECTION 3. (a) The legal notice of the intention to
- 27 introduce this Act, setting forth the general substance of this

ONE

- 1 Act, has been published as provided by law, and the notice and a
- 2 copy of this Act have been furnished to all persons, agencies,
- 3 officials, or entities to which they are required to be furnished
- 4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
- 5 Government Code.
- 6 (b) The governor, one of the required recipients, has
- 7 submitted the notice and Act to the Texas Commission on
- 8 Environmental Quality.
- 9 (c) The Texas Commission on Environmental Quality has filed
- 10 its recommendations relating to this Act with the governor, the
- 11 lieutenant governor, and the speaker of the house of
- 12 representatives within the required time.
- 13 (d) All requirements of the constitution and laws of this
- 14 state and the rules and procedures of the legislature with respect
- 15 to the notice, introduction, and passage of this Act are fulfilled
- 16 and accomplished.
- 17 SECTION 4. (a) If this Act does not receive a two-thirds
- 18 vote of all the members elected to each house, Subchapter C, Chapter
- 19 7915, Special District Local Laws Code, as added by Section 1 of
- 20 this Act, is amended by adding Section 7915.106 to read as follows:
- Sec. 7915.106. NO EMINENT DOMAIN POWER. The district may
- 22 not exercise the power of eminent domain.
- 23 (b) This section is not intended to be an expression of a
- 24 legislative interpretation of the requirements of Section 17(c),
- 25 Article I, Texas Constitution.
- 26 SECTION 5. This Act takes effect immediately if it receives
- 27 a vote of two-thirds of all the members elected to each house, as

S.B. No. 2009

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- 2 Act does not receive the vote necessary for immediate effect, this
- 3 Act takes effect September 1, 2015.__

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President of the Senate	speaker of the	ne House
Thorony governify, that C. I	$P_{\rm No}$ (2000 regard t	ho Consta

May 8, 2015, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 2009 passed the House on May 27, 2015, by the following vote: Yeas 144, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

<u>Date</u>

<u>Governor</u>

FILED IN THE OFFICE OF THE SECRETARY OF STATE

8:00 p O'CLOCK

JUN 18 2015

Secretary of State

Service of the servic

<u>11</u>

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 17, 2015

TO: Honorable Eddie Lucio Jr., Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB2009 by Kolkhorst (Relating to the creation of the Harris County Municipal Utility District No. 541; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), 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:

LBB Staff: UP, KVe, EK

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared Terry Schaub who being by me duly sworn, deposes and says that he is the Publisher of *The Katy Times* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;

CLIPPINGS

- 2. it is published at least once each week;
- 3. it is entered as second-class postal matter in the county where it is published; and
- 4. it has been published regularly and continuously since 1912;
- 5. it is generally circulated within Harris, Fort Bend and Waller Counties.

Publisher further disposes and says that the attached Invoice notice was published in said newspaper on the following date(s) to wit:					
No. 16					
Terry Schaub, Publisher					
SUBSCRIBED AND SWORN BEFORE ME by					
Terry Schaub, who					
X a) is personally known to me, or					
b) provided the following evidence to establish					
his/her identity, Shaub					
on this Sday of Jehl. A.D. 2015,					
to certify which witness my hand and seal of office					

LORI ANN LILLEY

Notary Public, State of Texas

My Commission Expires

November 21 2018

Lori Ann Lilley Notary Public, State of Texas

katytimes.com/classifieds



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NOTICE OF INTENTION TO INTRODUCE A BELL IN THE LEGISLATURE OF TEXAS

Action is hereby given of the interfact to introduce in the Regular Session of the 64th legislature of the interfact in introduce in the Regular Session of the 64th legislature of thresh this creating and establishing how special districts in Weber to the session of the session of the session of the session of the 6th total pursuant to the interest power of the Logislature to create spicial givenimental parameters and districts, with powers including those given to markeling letting visiting species and districts, with powers including those given to markeling letting visiting species and session of the ses

reinting pursuant to Chapters 49 and 54. Texas Webr Code, with riad powerin pur-inter to Article III. Section Cell Feb. 2015. The control of the Constitution of Texas. The billies provide by the intered administration, powers, name, dubles, operation, and finefacing. The pro-duction of the control of the Constitution of the Constitution of the following of the Constitution of the Constitution of the Constitution of the Constitution of the top a 2700 44 scare back of land in the W. Hilbourses Schrey, Albeited 1984, Maller way, French, the T.L. Schrib Schrey, Achterd 252, Weber Constitution, Texas, the W. Riginator Schrey, Ab-terd 255, Weber Country, Texas, the W. Riginator Schrey, Albeited 255, Weber Country, Albeited 354, Weber Country, Albeited 355, Weber Country, Texas, Albeited 355, Weber Country, Tex



The British Private Prey School is seeking a Center Director. Director's credentials required. Enthusiasm, love of children and a sense of humbor a must. Paid holidays and accrued vacation.

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NOTICE OF INTENTION TO INTRODUCE A NOTHE LEGISLATURE OF TEXAS

where St. Water Court, the set of the set of

CDI-A Flatbed Drivers for local position. Hust have experience and clean record. Contact Melasa. 407-314-9325

Billy Optometrist office seeking a college student for part-time optometrist essistant. weekends a must and will train. Cail 231-279-2809 or fax resume 231-679-2714



HELP WANTED: In accordance with the simployment policies of Austin County, notice is Hereby given that the Austin County Sheriffs Office is accepting

Courty Shariffs Office is ecopyling specialized for FULL-TIME JAILERS.

TOOL Explanation is preferred, but not includes the preferred to the p



LEGIL NOTICE

Application has been made with the Texas Aconolic Beverage Commission for a Wine trail Beer Festiliary Part and Food and Reverage Certificate by Amazen Chel Creations Lot Gate Merre Min Plezaria Lot (Adv.) TX 77494 Fort Bend Country, Officert of seld corporation are Michael Director.



NEW ELEMENTARY SCHOOL NO. 38 NEW ELEMENTARY SCHOOL NO. 39 KATY INDEPENDENT SCHOOL DISTRICT

NEW ELBERTHAY GROOG, NO. 39

KAY MCGPENDERFISCHOOD DESTRICT
The Kary independent gloved Debtes will accord Commission to the Commission of the Commission of



Westbound Bank CSS West Grand Partnery South, City, Plante County, Texas 77494, hes expited to the Paperal Dejoid Heart To Compression to videous its branch now located at 18225 FM SSS Need, Houston, Harts County, Texas 77941, to 18001 FM SSS Road, Houston, Harts County, Texas 77065.

CNA NEEDED Full-Time Days 7AM - 7PM. Assisted Living Home Please Cell 712-602-6175

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Part-Time Clerical in Katy, Experience in construction paperwork helpful, Ernali resume to ip28207@aol.com.

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