

By: Janek

S.B. No. 1885

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Sienna Plantation Management District; providing authority to impose taxes and issue bonds.

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

SECTION 1. CREATION OF DISTRICT. (a) The Sienna Plantation Management District is a special district created under Section 59, Article XVI, Texas Constitution.

(b) The board by resolution may change the name of the district.

SECTION 2. DEFINITIONS. In this Act:

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

(2) "District" means the Sienna Plantation Management District.

SECTION 3. DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this Act.

(b) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the area of the district.

(c) The creation of the district and this Act may not be

1 interpreted to relieve Fort Bend County or the City of Missouri City
2 from providing the level of services provided, as of the effective
3 date of this Act, to the area in the district. The district is
4 created to supplement and not to supplant the county or city
5 services provided in the area in the district.

6 (d) By creating the district and in authorizing the City of
7 Missouri City, Fort Bend County, and other political subdivisions
8 to contract with the district, the legislature has established a
9 program to accomplish the public purposes set out in Section 52-a,
10 Article III, Texas Constitution.

11 SECTION 4. BOUNDARIES. The district includes all the
12 territory contained in the following described area:

13 TRACT NO. 1: 16.86 ACRES

14 Being a 16.86 acre tract of land located in the Elijah Roark League,
15 A-77, in Fort Bend County, Texas; said 16.86 acre tract being all of
16 the remainder of a call 22.3593 acre tract of land recorded in
17 Clerk's File No. 2000009741 of the Official Records of Fort Bend
18 County, Texas; said 16.86 acre tract being more particularly
19 described by metes and bounds as follows (all bearings are
20 referenced to the Texas Coordinate System, South Central Zone
21 (N.A.D. 27), from the city of Missouri City G.P.S. Monumentation
22 System, marker Numbers 7045 and 7046):

23 Beginning at a 5/8-inch iron rod found for the southwest corner of
24 said 22.3593 acre tract, same being on the north right-of-way line
25 of State Highway 6 (width varies), same being on the east line of
26 Oyster Creek recorded in Volume 847, Page 344 of the Deed Records of
27 Fort Bend County, Texas;

1 Thence, with the west line of said 22.3593 acre tract and said east
2 line of Oyster Creek, the following three (3) courses and
3 distances:

4 1. North 01 degrees 08 minutes 48 seconds West, a distance
5 of 53.04 feet to a 5/8-inch iron rod found;

6 2. North 07 degrees 49 minutes 54 seconds East, a distance
7 of 218.93 feet to a 5/8-inch iron rod found;

8 3. North 16 degrees 10 minutes 50 seconds East, a distance
9 of 166.56 feet to a 5/8-inch iron rod found for the northwest corner
10 of aforesaid 22.3593 acre tract;

11 4. Thence, with the northeast line of said 22.3593 acre
12 tract and the south line of a call 455.0989 acre tract of land
13 recorded in Volume 2389, Page 1915 of the Official Records of Fort
14 Bend County, Texas, South 72 degrees 53 minutes 53 seconds East, a
15 distance of 4,002.85 feet to a 5/8-inch iron rod found far the
16 northeast corner of said 22.3593 acre tract, same being on the west
17 line of a call 6.7374 acre tract of land recorded in Clerk's File
18 Number 2000009741 of the Official Records of Fort Bend County,
19 Texas;

20 5. Thence, with the east line of said 22.3593 acre tract and
21 said west line, South 17 degrees 06 minutes 07 seconds West, a
22 distance of 149.81 feet to the northeast right-of-way line of
23 aforesaid State Highway 6;

24 Thence, with said northeast and north right-of-way line, the
25 following eight (8) courses and distances:

26 6. North 72 degrees 59 minutes 06 seconds West, a distance
27 of 1,856.96 feet;

1 7. North 17 degrees 00 minutes 54 seconds East, a distance
2 of 93.16 feet;

3 8. North 72 degrees 45 minutes 17 seconds West, a distance
4 of 139.38 feet;

5 9. South 48 degrees 22 minutes 34 seconds West, a distance
6 of 109.75 feet;

7 10. North 72 degrees 59 minutes 04 seconds West, a distance
8 of 558.65 feet;

9 11. 898.33 feet along the arc of a curve to the left, said
10 curve having a central angle of 17 degrees 17 minutes 16 seconds, a
11 radius of 2,977.29 feet and a chord that bears North 81 degrees 37
12 minutes 43 seconds West, a distance of 894.93 feet;

13 12. 291.98 feet along the arc of a curve to the left, said
14 curve having a central angle of 05 degrees 35 minutes 44 seconds, a
15 radius of 2,989.79 feet and a chord that bears North 89 degrees 26
16 minutes 12 seconds West, a distance of 291.87 feet to a concrete
17 monument found;

18 13. South 87 degrees 45 minutes 56 seconds West, a distance
19 of 182.11 feet to the Point of Beginning and containing 16.86 acres
20 of land.

21 TRACT NO. 2: 227.23 ACRES

22 Being a 227.23 acre tract of land located in the Elijah Roark
23 League, A-77, and the Moses Shipman League, A-86, in Fort Bend
24 County, Texas; said 227.23 acre tract being the remainder of a call
25 47.66 acre tract of land and all of a call 47.22 acre tract of land
26 both recorded in Clerk's File Number 2000028766 of the Official
27 Records of Fort Bend County, Texas, all of Sienna Plantation

1 Commercial Park Phase One recorded on Slide Number's 1794B and
2 1795A of the Plat Records of Fort Bend County, Texas, all of Sienna
3 Parkway (100-foot wide) recorded in Volume 1982, Page 363 of the
4 Official Records of Fort Bend County, Texas, out of Sienna Parkway
5 (140-foot wide) recorded in Volume 1911, Page 1168 of the Official
6 Records of Fort Bend County, Texas, out of Trammel Fresno Road
7 (width-varies), all of a call 2.542 acre tract of land recorded in
8 Clerk's File Number 9777114 of the Official Records of Fort Bend
9 County, Texas, out of a call 70.727 acre tract of land recorded in
10 Clerk's File Number 9781306 of the Official records of Fort Bend
11 County, Texas, out of a call 4.778 acre tract of land recorded in
12 Clerk's File Number 2000003919 of the Official Records of Fort Bend
13 County, Texas and out of a call 715.9086 acre tract of land, out of a
14 call 3.3533 acre tract of land, all of a call 4.0396 acre tract of
15 land, all of the remainder of a call 21.7831 acre tract of land, all
16 of a call 0.4537 acre tract of land and out of a call 93.9023 acre
17 tract of land, all six tracts recorded in Clerk's File Number
18 2000029469 of the Official Records of Fort Bend County, Texas; said
19 227.23 acre tract being more particularly described by metes and
20 bounds as follows (all bearings are referenced to the Texas
21 Coordinate System, South Central Zone (N.A.D. 27), from the city of
22 Missouri City G.P.S. Monumentation System, marker Numbers 7045 and
23 7046):
24 Commencing at a 5/8-inch iron rod found for the northwest corner of
25 said 3.3533 acre tract, same being on the south right-of-way line of
26 said Trammel Fresno Road, same being on the east line of said
27 715.9086 acre tract;

1 Thence, with said south right-of-way line of Trammel Fresno Road,
2 the north line of said 3.3533 acre tract, North 87 degrees 01
3 minutes 34 seconds East, a distance of 32.36 feet to the Point of
4 Beginning;

5 1. Thence, continuing with said south right-of-way line,
6 the north line of said 3.3533 acre tract, the north line of
7 aforesaid 4.0396 acre tract, the north line of aforesaid 21.7831
8 acre tract and the north line of aforesaid 2.542 acre tract, North
9 87 degrees 01 minutes 34 seconds East, a distance of 896.09 feet to
10 the northeast corner of said 2.542 acre tract, same being at the
11 intersection of said south right-of-way line and the west
12 right-of-way line of Sienna Parkway (140-foot wide) recorded in
13 Volume 1911, Page 1168 of the Official Records of Fort Bend County,
14 Texas;

15 2. Thence, crossing said Trammel Fresno Road, North 03
16 degrees 11 minutes 20 seconds West, a distance of 60.00 feet to the
17 north right-of-way line of said Trammel Fresno Road, same being the
18 southwest corner of the remainder of a call 2.2836 acre tract of
19 land recorded in Volume 2059, Page 2013 of the Official Records of'
20 Fort Bend County, Texas;

21 3. Thence, with said north right-of-way line and the south
22 line of said 2.2836 acre tract. North 86 degrees 47 minutes 22
23 seconds East, a distance of 20.72 feet to the intersection of said
24 north right-of-way line and the west right-of-way line of Sienna
25 Parkway (100-foot wide) recorded in Volume 1982, Page 363 of the
26 Official Records of Fort Bend County, Texas;

27 4. Thence, with said west right-of-way line, North 03

1 degrees 05 minutes 01 seconds West, a distance of 155.42 feet to the
2 center of Oyster Creek;

3 Thence, with said center of Oyster Creek, the south line of
4 aforesaid 47.22 acre tract and the north line of the Johnson Estates
5 Subdivision recorded in volume 258, page 592 of the Deed Records of
6 Fort Bend County, Texas the following four (4) courses and
7 distances:

8 5. North 82 degrees 13 minutes 19 seconds West, a distance
9 of 177.24 feet;

10 6. North 81 degrees 14 minutes 39 seconds West, a distance
11 of 189.96 feet;

12 7. North 59 degrees 44 minutes 47 seconds West, a distance
13 of 72.61 feet;

14 8. South 86 degrees 57 minutes 45 seconds West, a distance
15 of 509.20 feet to a 5/8-inch iron rod with a cap found for the
16 southwest corner of aforesaid 47.22 acre tract, same being the
17 northwest corner of aforesaid Johnson Estates Subdivision, same
18 being on the east line of Sugarland Railroad right-of-way recorded
19 in Volume 4, Page 277 of the Deed Records of Fort Bend County,
20 Texas;

21 Thence, with said east line of Sugarland Railroad right-of-way and
22 the west line of said 47.22 acre tract, the following three (3)
23 courses and distances:

24 9. North 25 degrees 16 minutes 35 seconds West, a distance
25 of 158.56 feet to a 5/8 inch iron rod found;

26 10. 710.00 feet along the arc of a curve to the left, said
27 curve having a central angle of 14 degrees 24 minutes 01 seconds, a

1 radius of 2824.93 feet and a chord that bears North 32 degrees 12
2 minutes 27 seconds West, a distance of 708.13 feet to a 5/8-inch
3 iron rod found;

4 11. North 39 degrees 14 minutes 34 seconds West, a distance
5 of 996.53 feet to a Texas Department of Transportation monument
6 found for the south end of the southeast cut-back at the
7 intersection of aforesaid Sugarland Railroad east line and State
8 Highway 6 (width-varies);

9 12. Thence, with said cut-back, North 24 degrees 18 minutes
10 08 seconds East, a distance of 33.50 feet to a Texas Department of
11 Transportation monument found for the northwest corner of aforesaid
12 47.22 acre tract, same being on the south right-of-way line of said
13 State Highway 6;

14 Thence, with said south right-of-way line of State Highway 6, the
15 north line of said 47.22 acre tract and the north line of aforesaid
16 47.66 acre tract, the following nine (9) courses and distances:

17 13. North 87 degrees 50 minutes 28 seconds East, a distance
18 of 422.45 feet to a 5/8-inch iron rod found

19 14. 922.11 feet along the arc of a curve to the right, said
20 curve having a central angle of 19 degrees 17 minutes 01 seconds, a
21 radius of 2739.79 feet and a chord that bears South 82 degrees 32
22 minutes 25 seconds East, a distance of 917.76 feet to a Texas
23 Department of Transportation monument found;

24 15. South 72 degrees 54 minutes 51 seconds East, a distance
25 of 760.87 feet to a Texas Department of Transportation monument
26 found at the north end of the southwest cut-back at the intersection
27 of aforesaid State Highway 6 and aforesaid Sienna Parkway;

1 16. South 72 degrees 52 minutes 09 seconds East, a distance
2 of 130.16 feet to a Texas Department of Transportation monument
3 found at the north end of the southeast cut-back at the intersection
4 of said State Highway 6 and said Sienna Parkway;

5 17. South 72 degrees 55 minutes 24 seconds East, a distance
6 of 255.71 feet;

7 18. South 83 degrees 16 minutes 49 seconds East, a distance
8 of 304.72 feet to a 1-inch iron pipe found;

9 19. South 72 degrees 54 minutes 54 seconds East, a distance
10 of 594.06 feet to a Texas Department of Transportation monument
11 found;

12 20. South 63 degrees 13 minutes 04 seconds East, a distance
13 of 208.61 feet to a 1-inch iron pipe found;

14 21. South 72 degrees 53 minutes 48 seconds East, a distance
15 of 566.77 feet to a 5/8-inch iron rod with a cap found for the
16 northeast corner of aforesaid 47.66 acre tract, same being the
17 northwest corner of a call 16.3600 acre tract of land recorded in
18 Clerk's File Number 9551923 of the Official Records of Fort Bend
19 County, Texas;

20 22. Thence, with the east line of said 47.66 acre tract and
21 the west line of said 16.3600 acre tract, South 02 degrees 52
22 minutes 53 seconds East, a distance of 738.96 feet to a 5/8-inch
23 iron rod with a cap found for the southeast corner of said 47.66
24 acre tract, same being the southwest corner of said 16.3600 acre
25 tract, same being on the north right-of-way line of aforesaid
26 Trammel Fresno Road;

27 23. Thence, with the south line of said 47.66 acre tract and

1 said north right-of-way line, South 86 degrees 50 minutes 37
2 seconds West, a distance of 969.39 feet to the center of Oyster
3 Creek, same being the east corner of aforesaid 2.2836 acre tract;
4 Thence, with said center of Oyster Creek, the south line of said
5 47.66 acre tract and the north line of said 2.2836 acre tract, the
6 following five (5) courses and distances:

7 24. North 73 degrees 35 minutes 23 seconds West, a distance
8 of 215.02 feet;

9 25. South 81 degrees 46 minutes 11 seconds West, a distance
10 of 127.78 feet;

11 26. South 89 degrees 43 minutes 06 seconds West, a distance
12 of 372.26 feet;

13 27. North 82 degrees 06 minutes 33 seconds West, a distance
14 of 292.75 feet;

15 28. North 82 degrees 13 minutes 20 seconds West, a distance
16 of 3.77 feet to the southwest corner of said 47.66 acre tract, same
17 being the east right-of-way line of aforesaid Sienna Parkway;

18 29. Thence, with said east right-of-way line, South 03
19 degrees 05 minutes 01 seconds East, a distance of 136.01 feet to the
20 intersection of said east right-of-way line with the north
21 right-of-way line of aforesaid Trammel Fresno Road, same being on
22 the south line of aforesaid 2.2836 acre tract;

23 30. Thence, with said north right-of-way and said south
24 line, North 86 degrees 47 minutes 22 seconds East, a distance of
25 19.28 feet;

26 31. Thence; crossing said Trammel Fresno Road, South 03
27 degrees 11 minutes 20 seconds East, a distance of 50.00 feet to a

1 5/8-inch iron rod found for the northwest corner of aforesaid
2 93.9023 acre tract, same being at the intersection of the south
3 right-of-way line of said Trammel Fresno Road with the east
4 right-of-way line of' aforesaid Sienna Parkway;

5 32. Thence, with said south right-of-way line, the north
6 line of said 93.9023 acre tract and the north line of aforesaid
7 94.8239 acre tract, North 87 degrees 17 minutes 28 seconds East, a
8 distance of 860.45 feet to a 3/4-inch iron pipe found for the
9 northern most northeast corner of said 94.8239 acre tract, same
10 being the northwest corner of a call 6.30 acre tract of land
11 recorded in Volume 1881, Page 1665 of the Official Records of Fort
12 Bend County, Texas;

13 33. Thence, with an east line of said 94.8239 acre tract,
14 the east line of said 93.9023 acre tract and the west line of said
15 6.30 acre tract, South 15 degrees 44 minutes 36 seconds East, a
16 distance of 613.80 feet;

17 34. Thence, continuing with said east and west line, South
18 09 degrees 46 minutes 18 seconds East, a distance of 283.34 feet to
19 a 3/4-inch iron pipe found for an interior corner of said 93.9023
20 acre tract, same being the southwest corner of said 6.30 acre tract;

21 35. Thence, with a north line of said 93.9023 acre tract,
22 the south line of said 6.30 acre tract and crossing the remainder of
23 a call 139.175 acre tract of land recorded in Volume 1927, Page 790
24 of the Official Records of Fort Bend County, Texas, North 74 degrees
25 34 minutes 14 seconds East, a distance of 676.50 feet to the
26 southern most northeast corner of said 93.9023 acre tract, same
27 being in the center of Oyster Creek, same being on the west line of

1 Lot 2 in Oakwick Forest Estates Section #5 recorded on Slide Number
2 1443 A of the Plat Records of Fort Bend County, Texas;
3 Thence, with said center of Oyster Creek, the northeast line of said
4 93.9023 acre tract, the southwest line of said Lot 2, the southwest
5 line of a call 1.0874 acre tract of land recorded in Volume 1202,
6 Page 625 of the Official Records of Fort Bend County, Texas, the
7 southwest line of a call 1.0190 acre tract of land recorded in
8 Clerk's File Number 9522552 of the Official Records of Fort Bend
9 County, Texas, the southwest line of a call 1.0131 acre tract of
10 land recorded in Clerk's File Number 9522550 of the Official
11 Records of Fort Bend County, Texas, the southwest line of a call
12 1.0004 acre tract of land recorded in Clerk's File Number 9529860 of
13 the Official Records of Fort Bend County, Texas, the southwest line
14 of a call 1.0010 acre tract of land recorded in Clerk's File Number
15 9647890 of the Official Records of Fort Bend County, Texas, the
16 southwest line of a call 1.0025 acre tract of land recorded in
17 Clerk's File Number 9647890 of the Official Records of Fort Bend
18 County, Texas, the southwest line of a call 1.0159 acre tract of
19 land recorded in Clerk's File Number 9526540 of the Official
20 Records of Fort Bend County, Texas, the southwest line of a call
21 1.0060 acre tract of land recorded in Volume 1016, Page 574 of the
22 Deed Records of Fort Bend County, Texas, the southwest line of a
23 call 1.0031 acre tract of land recorded in Volume 2485, Page 1775 of
24 the Official Records of Fort Bend County, Texas and the southwest
25 line of a call 1.0921 acre tract of land recorded in Volume 2086,
26 Page 817 of the Official Records of Fort Bend County, Texas, the
27 following five (5) courses and distances:

1 36. South 35 degrees 34 minutes 41 seconds East, a distance
2 of 388.04 feet;

3 37. South 21 degrees 02 minutes 51 seconds East, a distance
4 of 567.18 feet;

5 38. South 28 degrees 36 minutes 02 seconds East, a distance
6 of 353.65 feet:

7 39. South 45 degrees 26 minutes 42 seconds East, a distance
8 of 433.06 feet:

9 40. South 55 degrees 07 minutes 47 seconds East, a distance
10 of 400.60 feet to the southeast corner of aforesaid 93.9023 acre
11 tract, same being the northeast corner of the remainder of a call
12 37.767 acre tract of land recorded in Volume 1356, Page 736 of the
13 Official Records of Fort Bend County, Texas, same being the
14 northwest corner of a call 1.0262 acre tract of land recorded in
15 Volume 773, Page 420 of the Deed Records of Fort Bend County, Texas;

16 41. Thence, with the southwest line of said 1.0262 acre
17 tract and the northeast line of said 37.767 acre tract, South 53
18 degrees 30 minutes 03 seconds East, a distance of 156.78 feet;

19 42. Thence, leaving said southwest line and said northeast
20 line, 701.91 feet along the arc of a curve to the left, said curve
21 having a central angle of 13 degrees 24 minutes 20 seconds, a radius
22 of 3,000.00 feet and a chord that bears North 83 degrees 31 minutes
23 52 seconds West, a distance of 700.31 feet;

24 43. Thence, South 89 degrees 45 minutes 58 seconds West, a
25 distance of 2,303.38 feet to the center of aforesaid Sienna
26 Parkway;

27 44. Thence, with said center of Sienna Parkway, 491.64 feet

1 along the arc of a curve to the right, said curve having a central
2 angle of 28 degrees 12 minutes 23 seconds, a radius of 998.68 feet
3 and a chord that bears North 04 degrees 04 minutes 17 seconds West,
4 a distance of 486.69 feet;

5 45. Thence, continuing with said center of Sienna Parkway,
6 North 10 degrees 01 minutes 34 seconds East, a distance of 458.12
7 feet;

8 46. Thence, leaving said center of Sienna Parkway, North 79
9 degrees 02 minutes 50 seconds West, a distance of 1,259.70 feet;

10 47. Thence, North 11 degrees 53 minutes 59 seconds East, a
11 distance of 625.48 feet;

12 48. Thence, 515.34 feet along the arc of a curve to the left,
13 said curve having a central angle of 36 degrees 54 minutes 31
14 seconds, a radius of 800.00 feet and a chord that bears North 06
15 degrees 33 minutes 17 seconds West, a distance of 506.48 feet;

16 49. Thence, North 25 degrees 00 minutes 32 seconds West, a
17 distance of 6.58 feet to the Point of Beginning and containing
18 227.23 acres of land.

19 SECTION 5. FINDINGS RELATING TO BOUNDARIES. The boundaries
20 and field notes of the district form a closure. If a mistake is made
21 in the field notes or in copying the field notes in the legislative
22 process, the mistake does not in any way affect the district's:

- 23 (1) organization, existence, or validity;
- 24 (2) right to issue any type of bond for a purpose for
25 which the district is created or to pay the principal of and
26 interest on a bond;
- 27 (3) right to impose or collect an assessment or tax; or

1 (4) legality or operation.

2 SECTION 6. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

3 (a) The district is created to serve a public use and benefit. All
4 the land and other property included in the district will be
5 benefited by the improvements and services to be provided by the
6 district under powers conferred by Sections 52 and 52-a, Article
7 III, and Section 59, Article XVI, Texas Constitution, and other
8 powers granted under this Act.

9 (b) The creation of the district is in the public interest
10 and is essential to:

11 (1) further the public purposes of development and
12 diversification of the economy of the state; and

13 (2) eliminate unemployment and underemployment and
14 develop or expand transportation and commerce.

15 (c) The district will:

16 (1) promote the health, safety, and general welfare of
17 residents, employers, employees, visitors, and consumers in the
18 district, and the general public;

19 (2) provide needed funding to preserve, maintain, and
20 enhance the economic health and vitality of the district as a
21 community and business center; and

22 (3) further promote the health, safety, welfare, and
23 enjoyment of the public by providing pedestrian ways and by
24 landscaping and developing certain areas in the district, which are
25 necessary for the restoration, preservation, and enhancement of
26 scenic beauty.

27 (d) Pedestrian ways along or across a street, whether at

1 grade or above or below the surface, and street lighting, street
2 landscaping, and street art objects are parts of and necessary
3 components of a street and are considered to be a street or road
4 improvement.

5 (e) The district will not act as the agent or
6 instrumentality of any private interest even though many private
7 interests will be benefited by the district, as well as the general
8 public.

9 SECTION 7. APPLICATION OF OTHER LAW. (a) Except as
10 otherwise provided by this Act, Chapter 375, Local Government Code,
11 applies to the district.

12 (b) Chapter 311, Government Code, applies to this Act.

13 SECTION 8. CONSTRUCTION OF ACT. This Act shall be liberally
14 construed in conformity with the findings and purposes stated in
15 this Act.

16 SECTION 9. BOARD OF DIRECTORS IN GENERAL. (a) The
17 district is governed by a board of five voting directors appointed
18 under Section 10.

19 (b) Voting directors serve staggered terms of four years,
20 with three directors' terms expiring June 1 of an odd-numbered year
21 and two directors' terms expiring June 1 of the following
22 odd-numbered year.

23 (c) The board may increase or decrease the number of
24 directors on the board by resolution, provided that it is in the
25 best interest of the district to do so and that the board consists
26 of not fewer than five and not more than 15 directors.

27 SECTION 10. APPOINTMENT OF DIRECTORS. The board shall

1 nominate a slate of persons to serve as voting directors. The
2 members of the governing body of Missouri City shall appoint as
3 voting directors the slate of persons nominated by the board.

4 SECTION 11. CONFLICTS OF INTEREST; ONE-TIME AFFIDAVIT.

5 (a) Except as provided by this section:

6 (1) a director may participate in all board votes and
7 decisions; and

8 (2) Chapter 171, Local Government Code, governs
9 conflicts of interest for directors.

10 (b) Section 171.004, Local Government Code, does not apply
11 to the district. A director who has a substantial interest in a
12 business or charitable entity that will receive a pecuniary benefit
13 from a board action shall file a one-time affidavit declaring the
14 interest. An additional affidavit is not required if the
15 director's interest changes. After the affidavit is filed with the
16 board secretary, the director may participate in a discussion or
17 vote on that action if:

18 (1) a majority of the directors have a similar
19 interest in the same entity; or

20 (2) all other similar business or charitable entities
21 in the district will receive a similar pecuniary benefit.

22 (c) A director who is also an officer or employee of a public
23 entity may not participate in the discussion of or vote on a matter
24 regarding a contract with that same public entity.

25 (d) For purposes of this section, a director has a
26 substantial interest in a charitable entity in the same manner that
27 a person would have a substantial interest in a business entity

1 under Section 171.002, Local Government Code.

2 SECTION 12. ADDITIONAL POWERS OF DISTRICT. The district
3 may exercise the powers given to:

4 (1) a corporation created under Section 4B,
5 Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas
6 Civil Statutes), including the power to own, operate, acquire,
7 construct, lease, improve, and maintain projects described by that
8 section; and

9 (2) a housing finance corporation created under
10 Chapter 394, Local Government Code, to provide housing or
11 residential development projects in the district.

12 SECTION 13. AGREEMENTS; GRANTS. (a) The district may make
13 an agreement with or accept a gift, grant, or loan from any person.

14 (b) The implementation of a project is a governmental
15 function or service for the purposes of Chapter 791, Government
16 Code.

17 SECTION 14. LAW ENFORCEMENT SERVICES. To protect the
18 public interest, the district may contract with Fort Bend County or
19 the City of Missouri City to provide law enforcement services in the
20 district for a fee.

21 SECTION 15. NONPROFIT CORPORATION. (a) The board by
22 resolution may authorize the creation of a nonprofit corporation to
23 assist and act on behalf of the district in implementing a project
24 or providing a service authorized by this Act.

25 (b) The board shall appoint the board of directors of a
26 nonprofit corporation created under this section. The board of
27 directors of the nonprofit corporation shall serve in the same

1 manner as the board of directors of a local government corporation
2 created under Chapter 431, Transportation Code.

3 (c) A nonprofit corporation created under this section has
4 the powers of and is considered for purposes of this Act to be a
5 local government corporation created under Chapter 431,
6 Transportation Code.

7 (d) A nonprofit corporation created under this section may
8 implement any project and provide any service authorized by this
9 Act.

10 SECTION 16. REQUIREMENTS FOR FINANCING SERVICES AND
11 IMPROVEMENTS. The board may not finance a service or improvement
12 project with assessments under this Act unless a written petition
13 requesting that improvement or service has been filed with the
14 board. The petition must be signed by:

15 (1) the owners of a majority of the assessed value of
16 real property in the district subject to assessment as determined
17 by the most recent certified tax appraisal roll for Fort Bend
18 County; or

19 (2) at least 25 persons who own real property in the
20 district, if more than 25 persons own real property in the district
21 as determined by the most recent certified tax appraisal roll for
22 Fort Bend County.

23 SECTION 17. ELECTIONS. (a) The district shall hold an
24 election in the manner provided by Subchapter L, Chapter 375, Local
25 Government Code, to obtain voter approval before the district
26 imposes a maintenance tax or issues a bond payable from ad valorem
27 taxes.

1 (b) The board may include more than one purpose in a single
2 proposition at an election.

3 (c) Section 375.243, Local Government Code, does not apply
4 to the district.

5 SECTION 18. MAINTENANCE TAX. (a) If authorized at an
6 election held in accordance with Section 17, the district may
7 impose an annual ad valorem tax on taxable property in the district
8 for the maintenance and operation of the district and the
9 improvements constructed or acquired by the district or for the
10 provision of services.

11 (b) The board shall determine the tax rate.

12 SECTION 19. ASSESSMENTS. (a) The board by resolution may
13 impose and collect an assessment for any purpose authorized by this
14 Act.

15 (b) Assessments, including assessments resulting from an
16 addition to or correction of the assessment roll by the district,
17 reassessments, penalties and interest on an assessment or
18 reassessment, expense of collection, and reasonable attorney's
19 fees incurred by the district:

20 (1) are a first and prior lien against the property
21 assessed;

22 (2) are superior to any other lien or claim other than
23 a lien or claim for county, school district, or municipal ad valorem
24 taxes; and

25 (3) are the personal liability of and charge against
26 the owners of the property even if the owners are not named in the
27 assessment proceedings.

1 (c) The lien is effective from the date of the resolution of
2 the board imposing the assessment until the date the assessment is
3 paid. The board may enforce the lien in the same manner that the
4 board may enforce an ad valorem tax lien against real property.

5 (d) Without necessity of notice and hearing in the manner
6 required for additional assessments, the board may make corrections
7 to or deletions from the assessment roll, provided that such
8 corrections or deletions do not increase the amount of assessment
9 of any parcel of land.

10 SECTION 20. UTILITIES. The district may not impose an
11 impact fee or assessment on the property, equipment, rights-of-way,
12 facilities, or improvements of an electric utility or a power
13 generation company as defined by Section 31.002, Utilities Code, a
14 gas utility as defined by Section 101.003 or 121.001, Utilities
15 Code, or a person that provides to the public cable television or
16 advanced telecommunications services.

17 SECTION 21. BONDS. (a) The district may issue bonds or
18 other obligations payable in whole or in part from ad valorem taxes,
19 assessments, impact fees, revenue, grants, or other money of the
20 district, or any combination of those sources of money, to pay for
21 any authorized purpose of the district.

22 (b) In exercising the district's borrowing power, the
23 district may issue a bond or other obligation in the form of a bond,
24 note, certificate of participation or other instrument evidencing a
25 proportionate interest in payments to be made by the district, or
26 other type of obligation.

27 SECTION 22. MUNICIPALITY NOT REQUIRED TO PAY DISTRICT

1 OBLIGATIONS. Except as provided by Section 375.263, Local
2 Government Code, a municipality is not required to pay a bond, note,
3 or other obligation of the district.

4 SECTION 23. DISBURSEMENTS OR TRANSFERS OF MONEY. The board
5 by resolution shall establish the number of directors' signatures
6 and the procedure required for a disbursement or transfer of the
7 district's money.

8 SECTION 24. COMPETITIVE BIDDING LIMIT. Section 375.221,
9 Local Government Code, applies to the district only for a contract
10 that has a value greater than \$25,000.

11 SECTION 25. EXCEPTION FOR DISSOLUTION OF DISTRICT WITH
12 OUTSTANDING DEBT. (a) The board may vote to dissolve a district
13 that has debt. If the vote is in favor of dissolution, the district
14 shall remain in existence solely for the limited purpose of
15 discharging its debts. The dissolution is effective when all debts
16 have been discharged.

17 (b) Section 375.264, Local Government Code, does not apply
18 to the district.

19 SECTION 26. INITIAL DIRECTORS. (a) The initial board
20 consists of the following persons:

| 21 | Pos. No. Name of Director |
|----|---------------------------|
| 22 | 1 _____ |
| 23 | 2 _____ |
| 24 | 3 _____ |
| 25 | 4 _____ |
| 26 | 5 _____ |

27 (b) Of the initial directors, the terms of directors

1 appointed for positions 1 through 3 expire June 1, 2007, and the
2 terms of directors appointed for positions 4 and 5 expire June 1,
3 2005.

4 (c) Section 10 does not apply to this section.

5 (d) This section expires September 1, 2007.

6 SECTION 27. TAX AND ASSESSMENT ABATEMENTS. Without further
7 authorization or other procedural requirement, the district may
8 grant, consistent with Chapter 312, Tax Code, an abatement for a tax
9 or assessment owed to the district.

10 SECTION 28. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
11 district may join and pay dues to an organization that enjoys
12 tax-exempt status under Sections 501(c)(3), 501(c)(4), or
13 501(c)(6), Internal Revenue Code of 1986, as amended, and perform
14 services or provide activities consistent with the furtherance of
15 the purposes of the district. An expenditure of public money for
16 membership in the organization is considered to further the
17 purposes of the district and to be for a public purpose.

18 SECTION 29. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
19 All of any part of the area of the district is eligible,
20 notwithstanding other statutory criteria, to be included in a tax
21 increment reinvestment zone created by the municipality under
22 Chapter 311, Tax Code, or included in a tax abatement reinvestment
23 zone created by the municipality under Chapter 312, Tax Code. All
24 or any part of the area of the district is also eligible to be
25 included in an enterprise zone created by the municipality under
26 Chapter 2303, Government Code.

27 SECTION 30. ECONOMIC DEVELOPMENT PROGRAMS. The district

1 may establish and provide for the administration of one or more
2 programs, including programs for making loans and grants of public
3 money and providing personnel and services of the district, to
4 promote state or local economic development and to stimulate
5 business and commercial activity in the district. The district has
6 all of the powers and authority of a municipality under Chapter 380,
7 Local Government Code.

8 SECTION 31. LEGISLATIVE FINDINGS. The legislature finds
9 that:

10 (1) proper and legal notice of the intention to
11 introduce this Act, setting forth the general substance of this
12 Act, has been published as provided by law, and the notice and a
13 copy of this Act have been furnished to all persons, agencies,
14 officials, or entities to which they are required to be furnished by
15 the constitution and laws of this state, including the governor,
16 who has submitted the notice and Act to the Texas Commission on
17 Environmental Quality;

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

22 (3) the general law relating to consent by political
23 subdivisions to the creation of districts with conservation,
24 reclamation, and road powers and the inclusion of land in those
25 districts has been complied with; and

26 (4) all requirements of the constitution and laws of
27 this state and the rules and procedures of the legislature with

1 respect to the notice, introduction, and passage of this Act have
2 been fulfilled and accomplished.

3 SECTION 32. EFFECTIVE DATE. This Act takes effect
4 immediately if it receives a vote of two-thirds of all the members
5 elected to each house, as provided by Section 39, Article III, Texas
6 Constitution. If this Act does not receive the vote necessary for
7 immediate effect, this Act takes effect September 1, 2003.