

1-1 By: Gallegos S.B. No. 2531
1-2 (In the Senate - Filed April 16, 2009; April 17, 2009, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; May 4, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 May 4, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 2531 By: Gallegos

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the creation of the Harris County Improvement District
1-11 No. 15; providing authority to impose an assessment, impose a tax,
1-12 and issue bonds.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-14 SECTION 1. Subtitle C, Title 4, Special District Local Laws
1-15 Code, is amended by adding Chapter 3883 to read as follows:

1-16 CHAPTER 3883. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 15

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 3883.001. DEFINITIONS. In this chapter:

1-19 (1) "Board" means the district's board of directors.

1-20 (2) "Director" means a board member.

1-21 (3) "District" means the Harris County Improvement
1-22 District No. 15.

1-23 Sec. 3883.002. NATURE OF DISTRICT. The Harris County
1-24 Improvement District No. 15 is a special district created under
1-25 Section 59, Article XVI, Texas Constitution.

1-26 Sec. 3883.003. PURPOSE; DECLARATION OF INTENT. (a) The
1-27 creation of the district is essential to accomplish the purposes of
1-28 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-29 Texas Constitution, and other public purposes stated in this
1-30 chapter. By creating the district and in authorizing the City of
1-31 Houston, Harris County, and other political subdivisions to
1-32 contract with the district, the legislature has established a
1-33 program to accomplish the public purposes set out in Section 52-a,
1-34 Article III, Texas Constitution.

1-35 (b) The creation of the district is necessary to promote,
1-36 develop, encourage, and maintain employment, commerce,
1-37 transportation, housing, tourism, recreation, the arts,
1-38 entertainment, economic development, safety, and the public
1-39 welfare in the district.

1-40 (c) This chapter and the creation of the district may not be
1-41 interpreted to relieve Harris County from providing the level of
1-42 services provided, as of the effective date of the Act enacting this
1-43 chapter, to the area in the district. The district is created to
1-44 supplement and not to supplant the county services provided in the
1-45 area in the district.

1-46 Sec. 3883.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-47 (a) The district is created to serve a public use and benefit.

1-48 (b) All land and other property included in the district
1-49 will benefit from the improvements and services to be provided by
1-50 the district under powers conferred by Sections 52 and 52-a,
1-51 Article III, and Section 59, Article XVI, Texas Constitution, and
1-52 other powers granted under this chapter.

1-53 (c) The creation of the district is in the public interest
1-54 and is essential to:

1-55 (1) further the public purposes of developing and
1-56 diversifying the economy of the state;

1-57 (2) eliminate unemployment and underemployment; and

1-58 (3) develop or expand transportation and commerce.

1-59 (d) The district will:

1-60 (1) promote the health, safety, and general welfare of
1-61 residents, employers, potential employees, employees, visitors,
1-62 and consumers in the district, and of the public;

1-63 (2) provide needed funding for the district to

2-1 preserve, maintain, and enhance the economic health and vitality of
2-2 the district territory as a community and business center;

2-3 (3) promote the health, safety, welfare, and enjoyment
2-4 of the public by providing pedestrian ways and by landscaping and
2-5 developing certain areas in the district, which are necessary for
2-6 the restoration, preservation, and enhancement of scenic beauty;

2-7 (4) provide for water, wastewater, drainage, road, and
2-8 recreational facilities for the district; and

2-9 (5) provide for canals, waterways, bulkheads, docks,
2-10 and other similar improvements or facilities for the district.

2-11 (e) Pedestrian ways along or across a street, whether at
2-12 grade or above or below the surface, and street lighting, street
2-13 landscaping, parking, and street art objects are parts of and
2-14 necessary components of a street and are considered to be a street
2-15 or road improvement.

2-16 (f) The district will not act as the agent or
2-17 instrumentality of any private interest even though the district
2-18 will benefit many private interests as well as the public.

2-19 Sec. 3883.005. INITIAL DISTRICT TERRITORY. (a) The
2-20 district is initially composed of the territory described by
2-21 Section 2 of the Act enacting this chapter.

2-22 (b) The boundaries and field notes contained in Section 2 of
2-23 the Act enacting this chapter form a closure. A mistake in the
2-24 field notes or in copying the field notes in the legislative process
2-25 does not affect the district's:

2-26 (1) organization, existence, or validity;

2-27 (2) right to issue any type of bond for the purposes
2-28 for which the district is created or to pay the principal of and
2-29 interest on the bond;

2-30 (3) right to impose or collect an assessment or tax; or

2-31 (4) legality or operation.

2-32 Sec. 3883.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
2-33 All or any part of the area of the district is eligible to be
2-34 included in:

2-35 (1) a tax increment reinvestment zone created under
2-36 Chapter 311, Tax Code;

2-37 (2) a tax abatement reinvestment zone created under
2-38 Chapter 312, Tax Code; or

2-39 (3) an enterprise zone created under Chapter 2303,
2-40 Government Code.

2-41 Sec. 3883.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
2-42 DISTRICTS LAW. Except as otherwise provided by this chapter,
2-43 Chapter 375, Local Government Code, applies to the district.

2-44 Sec. 3883.008. LIBERAL CONSTRUCTION OF CHAPTER. This
2-45 chapter shall be liberally construed in conformity with the
2-46 findings and purposes stated in this chapter.

2-47 [Sections 3883.009-3883.050 reserved for expansion]

2-48 SUBCHAPTER B. BOARD OF DIRECTORS

2-49 Sec. 3883.051. GOVERNING BODY; TERMS. (a) The district is
2-50 governed by a board of seven voting directors who serve staggered
2-51 terms of four years, with three or four directors' terms expiring
2-52 June 1 of each odd-numbered year.

2-53 (b) The board by resolution may change the number of voting
2-54 directors on the board, but only if the board determines that the
2-55 change is in the best interest of the district. The board may not
2-56 consist of fewer than five or more than 15 voting directors.

2-57 Sec. 3883.052. APPOINTMENT OF DIRECTORS. The Texas
2-58 Commission on Environmental Quality shall appoint voting directors
2-59 from persons recommended by the board.

2-60 Sec. 3883.053. INITIAL VOTING DIRECTORS. (a) The initial
2-61 board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
2-62 <u>1</u>	<u>Dan Arnold</u>
2-63 <u>2</u>	<u>Kirk Pfeffer</u>
2-64 <u>3</u>	<u>David Dacote</u>
2-65 <u>4</u>	<u>Jim Casey</u>
2-66 <u>5</u>	<u>Steve Alvis</u>
2-67 <u>6</u>	<u>Gregory D. Compean</u>
2-68 <u>7</u>	<u>Ramon Garza</u>

3-1 (b) Of the initial directors, the terms of directors
3-2 appointed for positions 1 through 4 expire June 1, 2011, and the
3-3 terms of directors appointed for positions 5 through 7 expire June
3-4 1, 2013.

3-5 (c) Section 3883.052 does not apply to this section.
3-6 Sec. 3883.054. NONVOTING DIRECTORS. The board may appoint
3-7 nonvoting directors to serve at the pleasure of the voting
3-8 directors.

3-9 Sec. 3883.055. QUORUM. For purposes of determining the
3-10 requirements for a quorum of the board, the following are not
3-11 counted:

3-12 (1) a board position vacant for any reason, including
3-13 death, resignation, or disqualification;

3-14 (2) a director who is abstaining from participation in
3-15 a vote because of a conflict of interest; or

3-16 (3) a nonvoting director.

3-17 Sec. 3883.056. COMPENSATION. A director is entitled to
3-18 receive fees of office and reimbursement for actual expenses as
3-19 provided by Section 49.060, Water Code. Sections 375.069 and
3-20 375.070, Local Government Code, do not apply to the board.

3-21 [Sections 3883.057-3883.100 reserved for expansion]

3-22 SUBCHAPTER C. POWERS AND DUTIES

3-23 Sec. 3883.101. MARITIME IMPROVEMENT AND OPERATIONS POWERS.

3-24 (a) In this section, "port authority" means the Port of Houston
3-25 Authority of Harris County, Texas.

3-26 (b) Except as provided by this section, the district may
3-27 purchase, construct, acquire, own, operate, maintain, improve, or
3-28 extend, inside and outside the district, canals, waterways,
3-29 bulkheads, docks, and any other improvements or facilities
3-30 necessary or convenient to accomplish the navigation purposes of
3-31 the district authorized by Section 59, Article XVI, Texas
3-32 Constitution.

3-33 (c) The district may not exercise its powers in, over,
3-34 under, or across any lands or submerged lands of the port authority,
3-35 as conveyed by the State of Texas to the Harris County Houston Ship
3-36 Channel Navigation District by Chapter 292, Acts of the 40th
3-37 Legislature, Regular Session, 1927.

3-38 (d) The design, construction, operation, and maintenance of
3-39 any improvements or facilities related to navigation of the area
3-40 commonly known as the Houston Ship Channel or its tributaries, as
3-41 described in Section 1, Chapter 97, Acts of the 40th Legislature,
3-42 1st Called Session, 1927, by the district, any owner of land in the
3-43 district, or any other person acting by, through, or on behalf of
3-44 the district or a person who owns land in the district, whether by
3-45 permission, agency, agreement, lease, easement, license, or
3-46 otherwise, must comply with the applicable rules, regulations,
3-47 bylaws, and similar legislative or regulatory acts or policies of
3-48 the port authority.

3-49 (e) Each rule, bylaw, or similar legislative or regulatory
3-50 act or policy of the district is subject to any applicable rule,
3-51 bylaw, or similar legislative or regulatory act or policy of the
3-52 port authority. In case of any conflict or inconsistency, the port
3-53 authority's rules, bylaws, or similar legislative or regulatory
3-54 acts or policies control over the rules, bylaws, or similar
3-55 legislative or regulatory acts or policies of the district.

3-56 (f) The rights, powers, privileges, and authority this
3-57 chapter confers on the district do not supersede or diminish the
3-58 rights, powers, privileges, and authority of the port authority,
3-59 the United States Army Corps of Engineers, or any other state or
3-60 federal agency.

3-61 Sec. 3883.102. DEVELOPMENT CORPORATION POWERS. The
3-62 district may exercise the powers given to a development corporation
3-63 under Chapter 505, Local Government Code, including the power to
3-64 own, operate, acquire, construct, lease, improve, or maintain a
3-65 project described by that chapter.

3-66 Sec. 3883.103. NONPROFIT CORPORATION. (a) The board by
3-67 resolution may authorize the creation of a nonprofit corporation to
3-68 assist and act for the district in implementing a project or
3-69 providing a service authorized by this chapter.

4-1 (b) The nonprofit corporation:
 4-2 (1) has each power of and is considered for purposes of
 4-3 this chapter to be a local government corporation created under
 4-4 Chapter 431, Transportation Code; and

4-5 (2) may implement any project and provide any service
 4-6 authorized by this chapter.

4-7 (c) The board shall appoint the board of directors of the
 4-8 nonprofit corporation. The board of directors of the nonprofit
 4-9 corporation shall serve in the same manner as the board of directors
 4-10 of a local government corporation created under Chapter 431,
 4-11 Transportation Code, except that a board member is not required to
 4-12 reside in the district.

4-13 Sec. 3883.104. AGREEMENTS; GRANTS. (a) The district may
 4-14 make an agreement with or accept a gift, grant, or loan from any
 4-15 person.

4-16 (b) The implementation of a project is a governmental
 4-17 function or service for the purposes of Chapter 791, Government
 4-18 Code.

4-19 Sec. 3883.105. AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT
 4-20 SERVICES. To protect the public interest, the district may
 4-21 contract with a qualified person, including Harris County or the
 4-22 City of Houston, for the provision of law enforcement services in
 4-23 the district for a fee.

4-24 Sec. 3883.106. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
 4-25 district may join and pay dues to a charitable or nonprofit
 4-26 organization that performs a service or provides an activity
 4-27 consistent with the furtherance of a district purpose.

4-28 Sec. 3883.107. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
 4-29 district may establish and provide for the administration of one or
 4-30 more programs to promote state or local economic development and to
 4-31 stimulate business and commercial activity in the district,
 4-32 including programs to:

4-33 (1) make loans and grants of public money; and

4-34 (2) provide district personnel and services.

4-35 (b) The district has all of the powers of a municipality
 4-36 under Chapter 380, Local Government Code.

4-37 Sec. 3883.108. STRATEGIC PARTNERSHIP AGREEMENT. The
 4-38 district may negotiate and enter into a written strategic
 4-39 partnership with the City of Houston pursuant to Section 43.0751,
 4-40 Local Government Code.

4-41 Sec. 3883.109. NO EMINENT DOMAIN. The district may not
 4-42 exercise the power of eminent domain.

4-43 Sec. 3883.110. ANNEXATION OR EXCLUSION OF LAND. (a) The
 4-44 district may annex land as provided by Subchapter J, Chapter 49,
 4-45 Water Code.

4-46 (b) The district may exclude land as provided by Subchapter
 4-47 J, Chapter 49, Water Code. Section 375.044(b), Local Government
 4-48 Code, does not apply to the district.

4-49 [Sections 3883.111-3883.150 reserved for expansion]

4-50 SUBCHAPTER D. PUBLIC TRANSIT SYSTEM AND PARKING FACILITIES

4-51 Sec. 3883.151. PUBLIC TRANSIT SYSTEM. The district may
 4-52 acquire, lease as lessor or lessee, construct, develop, own,
 4-53 operate, and maintain a public transit system to serve the area in
 4-54 the district.

4-55 Sec. 3883.152. PARKING FACILITIES AUTHORIZED; OPERATION BY
 4-56 PRIVATE ENTITY. (a) The district may acquire, lease as lessor or
 4-57 lessee, construct, develop, own, operate, and maintain parking
 4-58 facilities or a system of parking facilities, including:

4-59 (1) lots, garages, parking terminals, or other
 4-60 structures or accommodations for parking motor vehicles off the
 4-61 streets; and

4-62 (2) equipment, entrances, exits, fencing, and other
 4-63 accessories necessary for safety and convenience in parking
 4-64 vehicles.

4-65 (b) A parking facility of the district may be leased to or
 4-66 operated on behalf of the district by an entity other than the
 4-67 district.

4-68 (c) The district's parking facilities are a program
 4-69 authorized by the legislature under Section 52-a, Article III,

5-1 Texas Constitution.
 5-2 (d) The district's parking facilities serve the public
 5-3 purposes of the district and are owned, used, and held for a public
 5-4 purpose even if leased or operated by a private entity for a term of
 5-5 years.
 5-6 Sec. 3883.153. RULES. The district may adopt rules
 5-7 governing the district's public parking facilities.
 5-8 Sec. 3883.154. FINANCING OF PUBLIC TRANSIT SYSTEM OR
 5-9 PARKING FACILITIES. (a) The district may use any of its
 5-10 resources, including revenue, assessments, taxes, or grant or
 5-11 contract proceeds, to pay the cost of acquiring or operating a
 5-12 public transit system or public parking facilities.
 5-13 (b) The district may:
 5-14 (1) set, charge, impose, and collect fees, charges, or
 5-15 tolls for the use of the district's public transit system or parking
 5-16 facilities; and
 5-17 (2) issue bonds or notes to finance the cost of the
 5-18 district's public transit system or parking facilities.
 5-19 [Sections 3883.155-3883.200 reserved for expansion]
 5-20 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS
 5-21 Sec. 3883.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The
 5-22 board by resolution shall establish the number of directors'
 5-23 signatures and the procedure required for a disbursement or
 5-24 transfer of the district's money.
 5-25 Sec. 3883.202. MONEY USED FOR IMPROVEMENTS OR SERVICES.
 5-26 The district may acquire, construct, finance, operate, or maintain
 5-27 any improvement or service authorized under this chapter or Chapter
 5-28 375, Local Government Code, using any money available to the
 5-29 district.
 5-30 Sec. 3883.203. PETITION REQUIRED FOR FINANCING SERVICES AND
 5-31 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
 5-32 service or improvement project with assessments under this chapter
 5-33 unless a written petition requesting that service or improvement
 5-34 has been filed with the board.
 5-35 (b) A petition filed under Subsection (a) must be signed by
 5-36 the owners of a majority of the assessed value of real property in
 5-37 the district subject to assessment according to the most recent
 5-38 certified tax appraisal roll for Harris County.
 5-39 Sec. 3883.204. METHOD OF NOTICE FOR HEARING. The district
 5-40 may mail the notice required by Section 375.115(c), Local
 5-41 Government Code, by certified or first class United States mail.
 5-42 The board shall determine the method of mailing notice.
 5-43 Sec. 3883.205. ASSESSMENTS; LIENS FOR ASSESSMENTS.
 5-44 (a) The board by resolution may impose and collect an assessment
 5-45 for any purpose authorized by this chapter in all or any part of the
 5-46 district.
 5-47 (b) An assessment, a reassessment, or an assessment
 5-48 resulting from an addition to or correction of the assessment roll
 5-49 by the district, penalties and interest on an assessment or
 5-50 reassessment, an expense of collection, and reasonable attorney's
 5-51 fees incurred by the district:
 5-52 (1) are a first and prior lien against the property
 5-53 assessed;
 5-54 (2) are superior to any other lien or claim other than
 5-55 a lien or claim for county, school district, or municipal ad valorem
 5-56 taxes; and
 5-57 (3) are the personal liability of and a charge against
 5-58 the owners of the property even if the owners are not named in the
 5-59 assessment proceedings.
 5-60 (c) The lien is effective from the date of the board's
 5-61 resolution imposing the assessment until the date the assessment is
 5-62 paid. The board may enforce the lien in the same manner that the
 5-63 board may enforce an ad valorem tax lien against real property.
 5-64 (d) The board may make a correction to or deletion from the
 5-65 assessment roll that does not increase the amount of assessment of
 5-66 any parcel of land without providing notice and holding a hearing in
 5-67 the manner required for additional assessments.
 5-68 Sec. 3883.206. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
 5-69 ASSESSMENTS. The district may not impose an impact fee or

6-1 assessment on the property, including the equipment,
6-2 rights-of-way, facilities, or improvements, of:

6-3 (1) an electric utility or a power generation company
6-4 as defined by Section 31.002, Utilities Code;

6-5 (2) a gas utility as defined by Section 101.003 or
6-6 121.001, Utilities Code;

6-7 (3) a telecommunications provider as defined by
6-8 Section 51.002, Utilities Code; or

6-9 (4) a person who provides to the public cable
6-10 television or advanced telecommunications services.

6-11 Sec. 3883.207. OPERATION AND MAINTENANCE TAX. (a) If
6-12 authorized at an election held in accordance with Section 3883.211,
6-13 the district may impose an annual operation and maintenance tax on
6-14 taxable property in the district in accordance with Section 49.107,
6-15 Water Code, for any district purpose, including to:

6-16 (1) maintain and operate the district;

6-17 (2) construct or acquire improvements; or

6-18 (3) provide a service.

6-19 (b) The board shall determine the tax rate. The rate may not
6-20 exceed the rate approved at the election.

6-21 (c) Section 49.107(h), Water Code, does not apply to the
6-22 district.

6-23 Sec. 3883.208. CONTRACT TAXES. (a) In accordance with
6-24 Section 49.108, Water Code, the district may impose a tax other than
6-25 an operation and maintenance tax and use the revenue derived from
6-26 the tax to make payments under a contract after the provisions of
6-27 the contract have been approved by a majority of the district voters
6-28 voting at an election held for that purpose.

6-29 (b) A contract approved by the district voters may contain a
6-30 provision stating that the contract may be modified or amended by
6-31 the board without further voter approval.

6-32 Sec. 3883.209. AUTHORITY TO BORROW MONEY AND TO ISSUE
6-33 BONDS. (a) The district may borrow money on terms and conditions
6-34 as determined by the board. Section 375.205, Local Government
6-35 Code, does not apply to a loan, line of credit, or other borrowing
6-36 from a bank or financial institution secured by revenue other than
6-37 ad valorem taxes.

6-38 (b) The district may issue bonds, notes, or other
6-39 obligations payable wholly or partly from ad valorem taxes, sales
6-40 and use taxes, assessments, impact fees, revenue, contract
6-41 payments, grants, or other district money, or any combination of
6-42 those sources of money, to pay for any authorized district purpose.

6-43 (c) The limitation on the outstanding principal amount of
6-44 bonds, notes, and other obligations set forth in Section 49.4645,
6-45 Water Code, does not apply to the district.

6-46 Sec. 3883.210. TAXES FOR BONDS. At the time the district
6-47 issues bonds payable wholly or partly from ad valorem taxes, the
6-48 board shall provide for the annual imposition of a continuing
6-49 direct annual ad valorem tax, without limit as to rate or amount,
6-50 while all or part of the bonds are outstanding as required and in
6-51 the manner provided by Sections 54.601 and 54.602, Water Code.

6-52 Sec. 3883.211. ELECTIONS REGARDING TAXES AND BONDS.
6-53 (a) The district may issue, without an election, bonds, notes, and
6-54 other obligations secured by:

6-55 (1) revenue other than ad valorem taxes; or

6-56 (2) contract payments described by Section 3883.208.

6-57 (b) The district must hold an election in the manner
6-58 provided by Subchapter L, Chapter 375, Local Government Code, to
6-59 obtain voter approval before the district may impose an ad valorem
6-60 tax or sales and use tax or issue bonds payable from ad valorem
6-61 taxes.

6-62 (c) Section 375.243, Local Government Code, does not apply
6-63 to the district.

6-64 (d) All or any part of any facilities or improvements which
6-65 may be acquired by a district by the issuance of its bonds may be
6-66 included in one single proposition to be voted on at the election or
6-67 the bonds may be submitted in several propositions.

6-68 Sec. 3883.212. COMPETITIVE BIDDING. Subchapter I, Chapter
6-69 49, Water Code, applies to the district. Sections 375.221 and

7-1 375.223, Local Government Code, do not apply to the district.
7-2 Sec. 3883.213. TAX AND ASSESSMENT ABATEMENTS. The district
7-3 may grant in the manner authorized by Chapter 312, Tax Code, an
7-4 abatement for a tax or assessment owed to the district.

7-5 [Sections 3883.214-3883.250 reserved for expansion]
7-6 SUBCHAPTER F. TAXES FOR CERTAIN DEFINED AREAS AND DESIGNATED
7-7 PROPERTY

7-8 Sec. 3883.251. AUTHORITY TO ESTABLISH DEFINED AREAS OR
7-9 DESIGNATED PROPERTY. The district may define areas or designate
7-10 certain property of the district to pay for improvements,
7-11 facilities, or services that primarily benefit that area or
7-12 property and do not generally and directly benefit the district as a
7-13 whole.

7-14 Sec. 3883.252. PROCEDURE FOR ELECTION. (a) Before the
7-15 district may impose an ad valorem tax or issue bonds payable from ad
7-16 valorem taxes of the area defined or property designated under
7-17 Section 3883.251, the board must call and hold an election as
7-18 provided by Section 3883.211 only in the defined area or in the
7-19 boundaries of the designated property.

7-20 (b) The board may submit the proposition to the voters on
7-21 the same ballot to be used in another election.

7-22 Sec. 3883.253. DECLARING RESULT AND ISSUING ORDER. (a) If
7-23 a majority of the voters voting at the election approve the
7-24 proposition or propositions, the board shall declare the results
7-25 and by order shall establish the defined area and describe it by
7-26 metes and bounds or designate the specific property.

7-27 (b) A court may not review the board's order except on the
7-28 ground of fraud, palpable error, or arbitrary and confiscatory
7-29 abuse of discretion.

7-30 Sec. 3883.254. TAXES FOR SERVICES, IMPROVEMENTS, AND
7-31 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter
7-32 approval and adoption of the order described in Section 3883.253,
7-33 the district may apply separately, differently, equitably, and
7-34 specifically its taxing power and lien authority to the defined
7-35 area or designated property to provide money to construct,
7-36 administer, maintain, and operate services, improvements, and
7-37 facilities that primarily benefit the defined area or designated
7-38 property.

7-39 Sec. 3883.255. ISSUANCE OF BONDS AND IMPOSITION OF TAXES
7-40 FOR DEFINED AREA OR DESIGNATED PROPERTY. After the order under
7-41 Section 3883.253 is adopted, the district may issue bonds to
7-42 provide for any land, improvements, facilities, plants, equipment,
7-43 and appliances for the defined area or designated property.

7-44 [Sections 3883.256-3883.300 reserved for expansion]

7-45 SUBCHAPTER G. MUNICIPAL ANNEXATION AND DISSOLUTION

7-46 Sec. 3883.301. MUNICIPAL ANNEXATION; DISSOLUTION.

7-47 (a) The district is a "water or sewer district" under Section
7-48 43.071, Local Government Code.

7-49 (b) Section 43.075, Local Government Code, applies to the
7-50 district.

7-51 (c) Section 375.264, Local Government Code, does not apply
7-52 to the dissolution of the district by a municipality.

7-53 SECTION 2. Harris County Improvement District No. 15
7-54 initially includes all territory contained in the following area:

7-55 TRACT 1:

7-56 Being a tract of land containing 384.667 acres, located in
7-57 the Richard and Robert Vince Survey, Abstract-76 in Harris County,
7-58 Texas; said 384.667 acres being all of a called 384.581 acre tract
7-59 described in the Special Warranty Deed with Vendor's Lien, recorded
7-60 in the name Port At Greens Bayou, Ltd., in Harris County Clerk's
7-61 File Number (H.C.C.F. No.) Z264553; said 384.667 acre tract being
7-62 more particularly described by metes and bounds as follows (all
7-63 bearings are based on the Texas State Plane Coordinate System,
7-64 South Central Zone (NAD27), per said H.C.C.F. No. Z264553):

7-65 Beginning at a 5/8-inch iron rod found on the westerly
7-66 Right-Of-Way (R.O.W.) line of Beltway 8 East (variable width per
7-67 instruments recoded under H.C.C.F. Nos. F894212, L150096, G259887,
7-68 G259888, G259889 and G259890), being the northeast corner of said
7-69 384.581 acre tract, and being in the southerly line of a called

8-1 75.253 acre tract described in the General Warranty Deed recorded
8-2 in the name of Missouri Pacific Railroad Company in Volume 4245,
8-3 Page 527 of the Harris County Deed Records (H.C.D.R.);
8-4 Thence, with the westerly lines of said Beltway 8 East and the
8-5 easterly lines of said 384.581 acre tract, the following nine (9)
8-6 courses:
8-7 1. South 02 degrees 42 minutes 24 seconds East, a distance
8-8 of 1089.96 feet to a 5/8-inch iron rod with "MSG cap set;
8-9 2. North 87 degrees 17 minutes 36 seconds East, a distance
8-10 of 149.99 feet to a 5/8-inch rod found;
8-11 3. South 02 degrees 42 minutes 24 seconds East, a distance
8-12 of 838.69 feet to a 5/8-inch iron rod found;
8-13 4. South 31 degrees 31 minutes 02 seconds East, a distance
8-14 of 342.36 feet to a 5/8-inch iron rod found;
8-15 5. South 01 degrees 41 minutes 01 seconds East, a distance
8-16 of 1120.10 feet to a 5/8-inch iron rod with "MSG" cap set;
8-17 6. South 47 degrees 42 minutes 24 seconds East, a distance
8-18 of 127.27 feet to a 5/8-inch iron rod found;
8-19 7. South 02 degrees 42 minutes 24 seconds East, a distance
8-20 of 1190.61 feet to a 5/8-inch iron rod found for the beginning of a
8-21 curve to the right;
8-22 8. 1302.59 feet with the arc of said curve to the right
8-23 having a radius of 11358.39 feet, through a central angle of 06
8-24 degrees 34 minutes 15 seconds, a chord that bears South 00 degrees
8-25 34 minutes 44 seconds West, a distance of 1301.88 feet to a 5/8-inch
8-26 iron rod found for the point of tangency;
8-27 9. South 03 degrees 51 minutes 51 seconds West, a distance
8-28 of 781.06 feet to a point (located in the waters of the Houston Ship
8-29 Channel) for the southeast corner of said 384.581 acre tract;
8-30 Thence, with the southerly lines of said 384.581 acre tract
8-31 (being located in the waters of the Houston Ship Channel), the
8-32 following six (6) courses:
8-33 1. North 85 degrees 58 minutes 21 seconds West, a distance
8-34 of 258.12 feet to a point for the beginning of a curve to the right;
8-35 2. 97.41 feet with the arc of said curve to the right having
8-36 a radius of 5239.83 feet, through a central angle of 01 degrees 03
8-37 minutes 55 seconds, a chord that bears North 85 degrees 26 minutes
8-38 25 seconds West, a distance of 97.41 feet to a point;
8-39 3. North 05 degrees 05 minutes 33 seconds East, a distance
8-40 of 45.00 feet to a point for the beginning of a non-tangent curve to
8-41 the right;
8-42 4. 749.51 feet with the arc of said curve to the right having
8-43 a radius of 5194.83 feet, through a central angle of 08 degrees 16
8-44 minutes 00 seconds, a chord that bears North 80 degrees 46 minutes
8-45 27 seconds West, a distance of 748.86 feet to a point;
8-46 5. North 13 degrees 21 minutes 33 seconds East, a distance
8-47 of 10.00 feet to a point for the beginning of a non-tangent curve to
8-48 the right;
8-49 6. 1141.26 feet with the arc of said curve to the right
8-50 having a radius of 5184.83 feet, through a central angle of 12
8-51 degrees 36 minutes 42 seconds, a chord that bears North 70 degrees
8-52 20 minutes 07 seconds West, a distance of 1138.95 feet to a point
8-53 for the southeast corner of a called 16.581 acre tract (Tract 2)
8-54 recorded in Special Warranty Deed to James H. Glanville, Trustee,
8-55 H.C.C.F. No. Y868202;
8-56 Thence, with the easterly line of said 16.581 acre tract,
8-57 North 03 degrees 14 minutes 42 seconds West, a distance of 2128.53
8-58 feet to a 5/8-inch iron rod found for the northeast corner of said
8-59 16.581 acre tract;
8-60 Thence, with the northerly line of said 16.581 acre tract,
8-61 South 86 degrees 45 minutes 18 seconds West, a distance of 477.73
8-62 feet to a 5/8-inch iron rod found on the east R.O.W. line of Penn
8-63 City Road (66 feet wide), for the northeast corner of said 16.581
8-64 acre tract;
8-65 Thence, with the easterly R.O.W. line of said Penn City Road
8-66 and the westerly line of aforesaid 384.581 acre tract, North 03
8-67 degrees 19 minutes 04 seconds West, a distance of 611.10 feet to a
8-68 5/8-inch iron rod with "MSG" cap set for the southwest corner of a
8-69 0.0402 acre tract described in the General Warranty Deed recorded

9-1 in the name of James H. Glanville, Trustee, in H.C.C.F. No. U634600;
 9-2 Thence, through and across said 384.581 acre tract, with the
 9-3 lines of said 0.0402 acre tract and a 0.0568 acre tract described in
 9-4 the General Warranty Deed recorded in the name of James H.
 9-5 Glanville, Trustee, in H.C.C.F. No. U634600 the following seven (7)
 9-6 courses:

9-7 1. North 86 degrees 40 minutes 56 seconds East, a distance
 9-8 of 50.00 feet to a 5/8-inch iron rod with "MSG cap set;
 9-9 2. South 03 degrees 19 minutes 04 seconds East, a distance
 9-10 of 10.00 feet to a 5/8-inch iron rod with "MSG" cap set;
 9-11 3. North 86 degrees 40 minutes 56 seconds East, a distance
 9-12 of 45.00 feet to a 5/8-inch iron rod with "MSG cap set;
 9-13 4. North 03 degrees 19 minutes 04 seconds West, a distance
 9-14 of 55.00 feet to a 5/8-inch iron rod with "MSG" cap set;
 9-15 5. South 86 degrees 40 minutes 56 seconds West, a distance
 9-16 of 45.00 feet to a 5/8-inch iron rod with "MSG cap set;
 9-17 6. South 03 degrees 19 minutes 04 seconds East, a distance
 9-18 of 10.00 feet to a 5/8-inch iron rod with "MSG" cap set;
 9-19 7. South 86 degrees 40 minutes 56 seconds West, a distance
 9-20 of 50.00 feet to a 5/8-inch iron rod with "MSG cap set on the
 9-21 easterly R.O.W. line of said Penn City Road;

9-22 Thence, with the easterly R.O.W. line of said Penn City Road
 9-23 and the westerly line of said 384.581 acre tract, North 03 degrees
 9-24 19 minutes 04 seconds West, a distance of 4014.64 feet to a 5/8-inch
 9-25 iron rod with "MSG cap set for the southwest corner of aforesaid
 9-26 75.253 acre, being the northwest corner of said 384.581 acre tract
 9-27 and the herein described tract;

9-28 Thence, with the northerly lines of said 384.581 acre tract
 9-29 and the southerly lines of said 75.253 acre tract the following six
 9-30 (6) courses:

9-31 1. South 75 degrees 28 minutes 50 seconds East, a distance
 9-32 of 155.83 feet to a 5/8-inch iron rod found;
 9-33 2. South 50 degrees 38 minutes 18 seconds East, a distance
 9-34 of 183.20 feet to a 5/8-inch iron rod with "MSG" cap set;
 9-35 3. South 75 degrees 30 minutes 37 seconds East, a distance
 9-36 of 1274.61 feet to a 5/8-inch iron rod with "MSG" cap set;
 9-37 4. South 81 degrees 57 minutes 02 seconds East, a distance
 9-38 of 677.16 feet to a 5/8-inch iron rod found;
 9-39 5. South 75 degrees 28 minutes 50 seconds East, a distance
 9-40 of 198.65 feet a 5/8-inch iron rod found;
 9-41 6. South 73 degrees 51 minutes 49 seconds East, a distance
 9-42 of 104.58 feet to the Point of Beginning and containing 384.667
 9-43 acres of land, Save and Except the following tract of land:

9-44 SAVE AND EXCEPT the following 0.0861 acre tract:

9-45 Being a tract of land containing 0.0861 acre, located in the
 9-46 Richard and Robert Vince Survey, Abstract-76 in Harris County,
 9-47 Texas; said 0.0861 acre tract being all of a called 0.0861 acre
 9-48 tract described in the General Warranty Deed recorded in the name
 9-49 Ballard Exploration Co., Inc., in H.C.C.F. Number V163848, said
 9-50 0.0861 acre tract being more particularly described by metes and
 9-51 bounds as follows (all bearings are based on the Texas State Plane
 9-52 Coordinate System, South Central Zone (NAD27), per said H.C.C.F.
 9-53 No. U488635):

9-54 Commencing at a 5/8-inch iron rod found on the westerly
 9-55 R.O.W. line of Beltway 8 East (variable width per instruments
 9-56 recoded under H.C.C.F. Nos. F894212, L150096, G259887, G259888,
 9-57 G259889 and G259890), being the northeast corner of said 384.581
 9-58 acre tract, and being in the southerly line of a said 75.253 acre
 9-59 tract;

9-60 Thence, with the northerly lines of said 384.581 acre tract
 9-61 and the southerly lines of said 75.253 acre tract the following two
 9-62 (2) courses:

9-63 1. North 73 degrees 51 minutes 49 seconds West, a distance
 9-64 of 104.58 feet to a 5/8-inch iron rod found;
 9-65 2. North 75 degrees 28 minutes 50 seconds West, a distance
 9-66 of 54.14 feet a point;

9-67 Thence, through and across said 384.581 acre tract, South 11
 9-68 degrees 05 minutes 26 seconds West, a distance of 68.63 feet a
 9-69 5/8-inch iron rod found for the northwest corner of said 0.0861 acre

10-1 tract and the Point of Beginning of the herein described tract;

10-2 Thence, with the north line of said 0.0861 acre tract, South
10-3 78 degrees 54 minutes 34 seconds East, a distance of 75.00 feet to a
10-4 5/8-inch iron rod with "MSG cap set for the northeast corner of said
10-5 0.0861 acre tract and the herein described tract;

10-6 Thence, with the east line of said 0.0861 acre tract, South 11
10-7 degrees 05 minutes 26 seconds West, a distance of 50.00 feet a
10-8 5/8-inch iron rod with "MSG cap set for the southeast corner of said
10-9 0.0861 acre tract and the herein described tract;

10-10 Thence, with the south line of said 0.0861 acre tract, North
10-11 78 degrees 54 minutes 34 seconds West, a distance of 75.00 feet to a
10-12 5/8-inch iron rod with "MSG cap set for the southwest corner of said
10-13 0.0861 acre tract and the herein described tract;

10-14 Thence, with the west line of said 0.0861 acre tract, North 11
10-15 degrees 05 minutes 26 seconds East, a distance of 50.00 feet to the
10-16 Point of Beginning and containing 0.0861 acre of land.

10-17 TRACT 2:

10-18 Being a tract of land containing 48.454 acres, located in the
10-19 Richard and Robert Vince Survey, Abstract-76 in Harris County,
10-20 Texas; said 48.454 acres being all of Tract 1, called 19.979 acres,
10-21 all of Tract 2, called 16.581 acres, both described in the Special
10-22 Warranty Deed recorded in the name of James H. Glanville, Trustee,
10-23 in Harris County Clerk's File (H.C.C.F.) Number Y868202 and a
10-24 portion of a called 17.552 acre tract described in the Special
10-25 Warranty Deed recorded in the name of James H. Glanville, Trustee,
10-26 in H.C.C.F. Number U550209; said 48.454 acre tract being more
10-27 particularly described by metes and bounds as follows (all bearings
10-28 are based on the Texas State Plane Coordinate System, South Central
10-29 Zone (NAD27), per said H.C.C.F. Number Y868202):

10-30 Beginning at a 5/8-inch iron rod found on the easterly
10-31 Right-Of-Way (R.O.W.) line of Penn City Road (66 feet wide), being
10-32 the northwest corner of said 16.581 acre tract and being the most
10-33 westerly southwest corner of the remainder of a called 384.581 acre
10-34 tract recorded in Special Warranty Deed with Vendor's Lien to Port
10-35 At Greens Bayou, Ltd., in H.C.C.F. Number Z264553;

10-36 Thence, along the north line of said 16.581 acre tract, being
10-37 a south line of said 384.581 acre tract, North 86 degrees 45 minutes
10-38 18 seconds East, a distance of 477.73 feet to a 5/8-inch iron rod
10-39 found for an inner corner of said 384.581 acre tract, being the
10-40 northeast corner of said 16.581 acre tract and the herein described
10-41 tract;

10-42 Thence, along the easterly line of said 16.581 acre tract and
10-43 a westerly line of said 384.581 acre tract, South 03 degrees 14
10-44 minutes 42 seconds East, passing at 1868.53 feet a 5/8-inch iron rod
10-45 found for reference, continuing for a total distance of 2128.53
10-46 feet to a point for the southeast corner of said 16.581 acre tract
10-47 and the most southerly southwest corner of said 384.581 acre tract,
10-48 being located in the waters of the Houston Ship Channel;

10-49 Thence, along the southerly line of said 16.581 acre tract,
10-50 350.61 feet along the arc of a non-tangent curve to the right having
10-51 a central angle of 03 degrees 52 minutes 28 seconds, a radius of
10-52 5184.83 feet and a chord that bears North 62 degrees 05 minutes 32
10-53 seconds West, a distance of 350.54 feet to a 5/8-inch iron rod found
10-54 for the southwest corner of said 16.581 acre tract, on the easterly
10-55 line of aforementioned 19.979 acre tract;

10-56 Thence, along the easterly line of said 19.979 acre tract,
10-57 South 03 degrees 14 minutes 42 seconds East, a distance of 295.57
10-58 feet to a point located in the waters of the Houston Ship Channel
10-59 for the southeast corner of said 19.979 acre tract;

10-60 Thence, along the southerly lines of said 19.979 acre tract
10-61 and aforesaid 17.552 acre tract (being located in the waters of the
10-62 Houston Ship Channel), the following three (3) courses:

10-63 1. North 58 degrees 42 minutes 06 seconds West, a distance
10-64 of 342.89 feet;

10-65 2. North 29 degrees 11 minutes 00 seconds West, passing at a
10-66 distance of 868.45 feet a point for the most westerly southwest
10-67 corner of said 19.979 acre tract, being the most southerly
10-68 southeast corner of said 17.552 acre tract, continuing in all a
10-69 distance of 936.81 feet;

11-1 3. North 55 degrees 41 minutes 57 seconds West, a distance
11-2 of 631.24 feet to the southwest corner of said 17.552 acre tract and
11-3 the most southerly southeast corner of a called 38.64 acre tract
11-4 described in the General Warranty Deed recorded in the name of The
11-5 Port of Houston Authority in H.C.C.F. Number M567481;

11-6 Thence, along a west line of said 17.552 acre tract, North 03
11-7 degrees 19 minutes 04 seconds West, a distance of 570.00 feet to a
11-8 point (located in the waters of the Houston Ship Channel) for the
11-9 southwest corner of a called 5.659 acre tract described in the
11-10 General Warranty Deed recorded in the name of Ballard Exploration
11-11 Company, Inc., in H.C.C.F. No. U550210, being the northwest corner
11-12 of the herein described tract;

11-13 Thence, along the southerly lines of said 5.659 acre tract,
11-14 the following three (3) courses:

11-15 1. North 86 degrees 40 minutes 56 seconds East, a distance
11-16 of 590.00 feet to a 5/8-inch iron rod found;

11-17 2. South 03 degrees 19 minutes 04 seconds East, a distance
11-18 of 25.00 feet to a 5/8-inch iron rod set, from which a 5/8-inch iron
11-19 rod found bears South 07 degrees 30 minutes West, 0.8 feet;

11-20 3. North 86 degrees 40 minutes 56 seconds East, a distance
11-21 of 360.00 feet to a 5/8-inch iron rod found on the westerly R.O.W.
11-22 line of aforesaid Penn City Road, being the southeast corner of said
11-23 5.659 acre tract and an interior corner of the herein described
11-24 tract;

11-25 Thence, with the westerly R.O.W. line of said Penn City Road,
11-26 South 03 degrees 19 minutes 04 seconds East, passing at a distance
11-27 of 175.64 feet a 5/8-inch iron rod found at the most northerly
11-28 northeast corner of aforesaid 19.979 acre tract and continuing in
11-29 all a distance of 225.31 feet to a 5/8-inch iron rod found for an
11-30 interior corner of said 19.979 acre tract and the herein described
11-31 tract;

11-32 Thence, with the southerly R.O.W. line of said Penn City
11-33 Road, South 55 degrees 08 minutes 42 seconds East, a distance of
11-34 83.95 feet to a 5/8-inch iron rod set for the southeast corner of
11-35 said Penn City Road, said point being on the westerly line of
11-36 aforementioned 16.581 acre tract;

11-37 Thence, along the easterly R.O.W. line of said Penn City Road
11-38 and the westerly line of said 16.581 acre tract, North 03 degrees 19
11-39 minutes 04 seconds West, a distance of 552.12 feet to the Point of
11-40 Beginning and containing 48.454 acres of land.

11-41 SECTION 3. (a) The legal notice of the intention to
11-42 introduce this Act, setting forth the general substance of this
11-43 Act, has been published as provided by law, and the notice and a
11-44 copy of this Act have been furnished to all persons, agencies,
11-45 officials, or entities to which they are required to be furnished
11-46 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
11-47 Government Code.

11-48 (b) The governor, one of the required recipients, has
11-49 submitted the notice and Act to the Texas Commission on
11-50 Environmental Quality.

11-51 (c) The Texas Commission on Environmental Quality has filed
11-52 its recommendations relating to this Act with the governor,
11-53 lieutenant governor, and speaker of the house of representatives
11-54 within the required time.

11-55 (d) The general law relating to consent by political
11-56 subdivisions to the creation of districts with conservation,
11-57 reclamation, and road powers and the inclusion of land in those
11-58 districts has been complied with.

11-59 (e) All requirements of the constitution and laws of this
11-60 state and the rules and procedures of the legislature with respect
11-61 to the notice, introduction, and passage of this Act have been
11-62 fulfilled and accomplished.

11-63 SECTION 4. This Act takes effect immediately if it receives
11-64 a vote of two-thirds of all the members elected to each house, as
11-65 provided by Section 39, Article III, Texas Constitution. If this
11-66 Act does not receive the vote necessary for immediate effect, this
11-67 Act takes effect September 1, 2009.