

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Moody

H.B. No. 4730

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the City of El Paso Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3972 to read as follows:

CHAPTER 3972. CITY OF EL PASO MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3972.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of El Paso.

(3) "Director" means a board member.

(4) "District" means the City of El Paso Municipal Management District No. 1.

Sec. 3972.0102. CREATION AND NATURE OF DISTRICT. The City of El Paso Municipal Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3972.0103. PURPOSE; LEGISLATIVE FINDINGS. (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 chapter.

(b) By creating the district and in authorizing the city and

1 other political subdivisions to contract with the district, the  
2 legislature has established a program to accomplish the public  
3 purposes set out in Section 52-a, Article III, Texas Constitution.

4 (c) The creation of the district is necessary to promote,  
5 develop, encourage, and maintain employment, commerce,  
6 transportation, housing, tourism, recreation, the arts,  
7 entertainment, economic development, safety, and the public  
8 welfare in the district.

9 (d) The district is created to supplement and not to  
10 supplant city services provided in the district.

11 Sec. 3972.0104. FINDINGS OF BENEFIT AND PUBLIC USE. (a)  
12 All land and other property included in the district will benefit  
13 from the improvements and services to be provided by the district  
14 under powers conferred by Sections 52 and 52-a, Article III, and  
15 Section 59, Article XVI, Texas Constitution, and other powers  
16 granted under this chapter.

17 (b) The district is created to serve a public use and  
18 benefit.

19 (c) The creation of the district is in the public interest  
20 and is essential to further the public purposes of:

21 (1) developing and diversifying the economy of the  
22 state;

23 (2) eliminating unemployment and underemployment;

24 (3) developing or expanding transportation and  
25 commerce; and

26 (4) providing quality residential housing.

27 (d) The district will:

1           (1) promote the health, safety, and general welfare of  
2 residents, employers, potential employees, employees, visitors,  
3 and consumers in the district, and of the public;

4           (2) provide needed funding for the district to  
5 preserve, maintain, and enhance the economic health and vitality of  
6 the district territory as a residential community and business  
7 center; and

8           (3) promote the health, safety, welfare, and enjoyment  
9 of the public by providing pedestrian ways and by landscaping and  
10 developing certain areas in the district, which are necessary for  
11 the restoration, preservation, and enhancement of scenic beauty.

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

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

20           Sec. 3972.0105. INITIAL DISTRICT TERRITORY. (a) The  
21 district is initially composed of the territory described by  
22 Section 2 of the Act enacting this chapter.

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

27           (1) organization, existence, or validity;

1           (2) right to issue any type of bonds for the purposes  
2 for which the district is created or to pay the principal of and  
3 interest on the bonds;

4           (3) right to impose or collect an assessment or tax; or

5           (4) legality or operation.

6           Sec. 3972.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

7           (a) All or any part of the area of the district is eligible to be  
8 included in:

9           (1) a tax increment reinvestment zone created under  
10 Chapter 311, Tax Code;

11           (2) a tax abatement reinvestment zone created under  
12 Chapter 312, Tax Code;

13           (3) an enterprise zone created under Chapter 2303,  
14 Government Code; or

15           (4) an industrial district created under Chapter 42,  
16 Local Government Code.

17           (b) If the city creates a tax increment reinvestment zone  
18 described by Subsection (a), the city and the board of directors of  
19 the zone, by contract with the district, may grant money deposited  
20 in the tax increment fund to the district to be used by the district  
21 for:

22           (1) the purposes permitted for money granted to a  
23 corporation under Section 380.002(b), Local Government Code; and

24           (2) any other district purpose, including the right to  
25 pledge the money as security for any bonds or other obligations  
26 issued by the district.

27           (c) A tax increment reinvestment zone created by the city in

1 the district is not subject to the limitations provided by Section  
2 311.006, Tax Code.

3 Sec. 3972.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT  
4 DISTRICT LAW. Except as otherwise provided by this chapter,  
5 Chapter 375, Local Government Code, applies to the district.

6 Sec. 3972.0108. ENFORCEABILITY OF MUNICIPAL CONSENT  
7 AGREEMENT. (a) Any agreement between the district and a  
8 municipality related to the municipality's consent to the creation  
9 of the district is valid and enforceable.

10 (b) On the issuance of bonds by the district, the district  
11 is considered to have waived sovereign immunity to suit by a  
12 municipality for the purpose of adjudicating a claim for breach of  
13 an agreement described by this section.

14 Sec. 3972.0109. CONSTRUCTION OF CHAPTER. This chapter  
15 shall be liberally construed in conformity with the findings and  
16 purposes stated in this chapter.

17 SUBCHAPTER B. BOARD OF DIRECTORS

18 Sec. 3972.0201. GOVERNING BODY; TERMS. The district is  
19 governed by a board of five directors who serve staggered terms of  
20 four years with two or three directors' terms expiring June 1 of  
21 each even-numbered year.

22 Sec. 3972.0202. QUALIFICATIONS OF DIRECTORS. (a) To be  
23 qualified to serve as a director, a person must be:

24 (1) a resident of the city who is also a registered  
25 voter of the city;

26 (2) an owner of property in the district;

27 (3) an owner of stock or a partnership or membership

1 interest, whether beneficial or otherwise, of a corporate  
2 partnership, limited liability company, or other entity owner of a  
3 direct or indirect interest in property in the district;

4 (4) an owner of a beneficial interest in a trust, or a  
5 trustee in a trust, that directly or indirectly owns property in the  
6 district; or

7 (5) an agent, employee, or tenant of a person  
8 described by Subdivision (2), (3), or (4).

9 (b) Section 49.052, Water Code, does not apply to the  
10 district.

11 Sec. 3972.0203. APPOINTMENT OF DIRECTORS. The governing  
12 body of the city shall appoint directors from persons recommended  
13 by the board.

14 Sec. 3972.0204. VACANCY. (a) If a vacancy occurs on the  
15 board, the remaining directors shall appoint a director for the  
16 remainder of the unexpired term.

17 (b) A director may resign from the board at any time.

18 Sec. 3972.0205. OFFICERS. The board shall elect from among  
19 the directors a chair, a vice chair, and a secretary. The offices  
20 of chair and secretary may not be held by the same person.

21 Sec. 3972.0206. LIABILITY INSURANCE. The district may  
22 obtain and pay for comprehensive general liability insurance  
23 coverage from a commercial insurance company or other source that  
24 protects and insures a director against personal liability and from  
25 all claims relating to:

26 (1) actions taken by the director in the director's  
27 capacity as a member of the board;

1           (2) actions and activities taken by the district; or  
2           (3) the actions of others acting on behalf of the  
3 district.

4           Sec. 3972.0207. NO EXECUTIVE COMMITTEE. The board may not  
5 create an executive committee to exercise the powers of the board.

6           Sec. 3972.0208. BOARD MEETINGS. The board shall hold  
7 meetings at a place accessible to the public.

8           Sec. 3972.0209. INITIAL DIRECTORS. (a) On or after January  
9 1, 2020, the owner or owners of a majority of the assessed value of  
10 the real property in the district may submit a petition to the  
11 governing body of the city requesting that the governing body  
12 appoint five persons as initial directors from among the persons  
13 named in the petition.

14           (b) A petition must name more than five qualified persons.

15           (c) If the governing body of the city is not satisfied with  
16 the recommended persons, the governing body may request that  
17 another petition with additional recommended persons be submitted.

18           (d) The governing body shall appoint as initial directors  
19 five persons named in the petition who are qualified to serve as  
20 directors.

21           (e) The initial directors shall determine by lot which three  
22 positions expire June 1, 2022, and which two positions expire June  
23 1, 2024.

24           (f) This section expires September 1, 2025.

25                           SUBCHAPTER C. POWERS AND DUTIES

26           Sec. 3972.0301. GENERAL POWERS AND DUTIES. The district  
27 has the powers and duties necessary to accomplish the purposes for

1 which the district is created.

2 Sec. 3972.0302. IMPROVEMENT PROJECTS AND SERVICES. (a)  
3 The district, using money available to the district for the  
4 purpose, may provide, design, construct, acquire, improve,  
5 relocate, operate, maintain, or finance an improvement project or  
6 service authorized under this chapter or Chapter 375, Local  
7 Government Code.

8 (b) The district may contract with a governmental or private  
9 entity to carry out an action under Subsection (a).

10 (c) An improvement project described by Subsection (a) may  
11 be located:

12 (1) in the district; or

13 (2) in an area outside the district if the project is  
14 for the purpose of extending a public infrastructure improvement  
15 beyond the district's boundaries to a logical terminus.

16 Sec. 3972.0303. IMPROVEMENT PROJECT AND SERVICE IN  
17 DEFINABLE AREA; BENEFIT BASIS. The district may undertake an  
18 improvement project or service that confers a special benefit on a  
19 definable area in the district and levy and collect a special  
20 assessment on benefited property in the district in accordance  
21 with:

22 (1) Chapter 372, Local Government Code; or

23 (2) Chapter 375, Local Government Code.

24 Sec. 3972.0304. ECONOMIC DEVELOPMENT PROGRAMS. (a) The  
25 district may engage in activities that accomplish the economic  
26 development purposes of the district.

27 (b) The district may establish and provide for the



1 administration of one or more programs to promote state or local  
2 economic development and to stimulate business and commercial  
3 activity in the district, including programs to:

- 4 (1) make loans and grants of public money; and  
5 (2) provide district personnel and services.

6 (c) The district may create economic development programs  
7 and exercise the economic development powers that Chapter 380,  
8 Local Government Code, provides to a municipality.

9 Sec. 3972.0305. PARKING FACILITIES. (a) The district may  
10 acquire, lease as lessor or lessee, construct, develop, own,  
11 operate, and maintain parking facilities or a system of parking  
12 facilities, including lots, garages, parking terminals, or other  
13 structures or accommodations for parking motor vehicles off the  
14 streets and related appurtenances.

15 (b) The district's parking facilities serve the public  
16 purposes of the district and are owned, used, and held for a public  
17 purpose even if leased or operated by a private entity for a term of  
18 years.

19 (c) The district's parking facilities are parts of and  
20 necessary components of a street and are considered to be a street  
21 or road improvement.

22 (d) The development and operation of the district's parking  
23 facilities may be considered an economic development program.

24 Sec. 3972.0306. ADDING OR REMOVING TERRITORY. (a) The  
25 board may add or remove territory as provided by Subchapter J,  
26 Chapter 49, Water Code.

27 (b) The district may add territory as described by

1 Subsection (a) only if the governing body of the city by ordinance  
2 or resolution consents to the addition.

3 Sec. 3972.0307. NO EMINENT DOMAIN POWER. The district may  
4 not exercise the power of eminent domain.

5 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

6 Sec. 3972.0401. DIVISION OF DISTRICT; PREREQUISITES. The  
7 district, including territory added to the district under Section  
8 3972.0306, may be divided into two or more new districts only if the  
9 district has no outstanding bonded debt. Territory previously  
10 added to the district under Section 3972.0306 may be included in a  
11 new district.

12 Sec. 3972.0402. LAW APPLICABLE TO NEW DISTRICT. This  
13 chapter applies to any new district created by division of the  
14 district, and a new district has all the powers and duties of the  
15 district.

16 Sec. 3972.0403. DIVISION PROCEDURES. (a) The board, on its  
17 own motion or on receipt of a petition signed by an owner of real  
18 property in the district, may adopt an order proposing to divide the  
19 district.

20 (b) If the board decides to divide the district, the board  
21 shall:

22 (1) set the terms of the division, including names for  
23 the new districts and a plan for the payment or performance of any  
24 outstanding district obligations;

25 (2) prepare a metes and bounds description for each  
26 proposed district; and

27 (3) appoint four initial directors for each new

1 district.

2 (c) The governing body of the city shall appoint one  
3 director for each new district.

4 Sec. 3972.0404. CONTRACT AUTHORITY OF NEW DISTRICTS. The  
5 new districts may contract with each other for any matter the boards  
6 of the new districts consider appropriate, including the joint  
7 construction or financing of a utility improvement.

8 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

9 Sec. 3972.0501. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
10 board by resolution shall establish the number of directors'  
11 signatures and the procedure required for a disbursement or  
12 transfer of district money.

13 Sec. 3972.0502. TAX AND ASSESSMENT ABATEMENTS. The  
14 district may designate reinvestment zones and may grant abatements  
15 of a tax or assessment imposed by the district on property in the  
16 zones.

17 SUBCHAPTER F. TAXES AND BONDS

18 Sec. 3972.0601. BONDS AND OTHER OBLIGATIONS. (a) The  
19 district may issue, by public or private sale, bonds, notes, or  
20 other obligations payable wholly or partly from ad valorem taxes or  
21 assessments in the manner provided by Chapter 375, Local Government  
22 Code. If an improvement financed by an obligation issued under this  
23 section will be conveyed to or operated and maintained by a  
24 municipality or other retail utility provider pursuant to an  
25 agreement with the district entered into before the issuance of the  
26 obligation, the district may issue the obligation in the manner  
27 provided by Subchapter A, Chapter 372, Local Government Code.

1       (b) In exercising the district's borrowing power, the  
2 district may issue a bond or other obligation in the form of a bond,  
3 note, certificate of participation or other instrument evidencing a  
4 proportionate interest in payments to be made by the district, or  
5 other type of obligation.

6       (c) In addition to the sources of money described by  
7 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local  
8 Government Code, district bonds may be secured and made payable  
9 wholly or partly by a pledge of any part of the money the district  
10 receives from improvement revenue or from any other source.

11       Sec. 3972.0602. OPERATION AND MAINTENANCE TAX. If  
12 authorized by a majority of the district voters voting at an  
13 election held in accordance with Section 49.107, Water Code, the  
14 district may impose an operation and maintenance tax on taxable  
15 property in the district in the manner provided by that section for  
16 any district purpose, including to:

- 17               (1) maintain and operate the district;
- 18               (2) construct or acquire improvements; or
- 19               (3) provide a service.

20       Sec. 3972.0603. TAXES FOR BONDS AND OTHER OBLIGATIONS. At  
21 the time bonds or other obligations payable wholly or partly from ad  
22 valorem taxes are issued:

23               (1) the board shall impose a continuing direct annual  
24 ad valorem tax for each year that all or part of the bonds are  
25 outstanding; and

26               (2) the district annually shall impose an ad valorem  
27 tax on all taxable property in the district in an amount sufficient

1 to:

2 (A) pay the interest on the bonds or other  
3 obligations as the interest becomes due; and

4 (B) create a sinking fund for the payment of the  
5 principal of the bonds or other obligations when due or the  
6 redemption price at any earlier required redemption date.

7 SUBCHAPTER G. SPECIAL BOND PROVISIONS

8 Sec. 3972.0701. APPLICABILITY. This subchapter applies  
9 only to bonds payable wholly or partly from revenue derived from  
10 assessments on real property in the district.

11 Sec. 3972.0702. CONFLICT OF LAWS. In the event of a  
12 conflict between this subchapter and any other law, this subchapter  
13 prevails.

14 Sec. 3972.0703. WRITTEN AGREEMENT REGARDING SPECIAL  
15 APPRAISALS. Before the district may issue bonds, the district and  
16 any person to whom the board intends that proceeds of the bonds be  
17 distributed, including the developer, another owner of land in the  
18 district, and any entity acting as a lender to the developer or  
19 other landowner for the purpose of a project relating to the  
20 district, must enter into a written agreement that:

21 (1) waives for the term of the agreement the right to a  
22 special appraisal with respect to taxation by the district under  
23 Subchapters B, C, D, E, F, and H, Chapter 23, Tax Code; and

24 (2) remains in effect for 30 years and is binding on  
25 the parties, on entities related to or affiliated with the parties,  
26 and on their successors and assignees.

27 Sec. 3972.0704. REQUIREMENTS FOR ADVERTISING BOND ISSUE. A

1 district may not advertise for an issuance of bonds until the  
2 completion of at least 25 percent of the projected value of the  
3 improvements, including houses and other buildings, that are liable  
4 for district assessments and necessary to support the district  
5 bonds.

6 Sec. 3972.0705. REQUIREMENTS FOR BOND ISSUE. The district  
7 may not issue bonds until:

8 (1) the district submits to the Texas Commission on  
9 Environmental Quality:

10 (A) an engineer's report describing the project  
11 for which the bonds will provide funding, including data, profiles,  
12 maps, plans, and specifications related to the project; and

13 (B) a cash flow analysis to determine the  
14 projected rate of assessment, which includes the following  
15 assumptions:

16 (i) each ending balance for debt service in  
17 the analysis is not less than 25 percent of the following year's  
18 debt service requirement;

19 (ii) interest income is only shown on the  
20 ending balance for debt service for the first two years; and

21 (iii) the projected rate of assessment is  
22 level or decreasing for the life of the bonds issued by the  
23 district;

24 (2) the completion of at least 75 percent of the  
25 projected value of the improvements, including houses and other  
26 buildings, that are liable for district assessments and necessary  
27 to support the district bonds; and

1           (3) the district has obtained an independent market  
2 study from a firm recognized in the area of real estate market  
3 analysis supporting the development projects for the real property  
4 that is liable for district assessments and necessary to support  
5 the district bonds.

6           Sec. 3972.0706. REQUIREMENTS FOR COLLECTION OF REVENUE TO  
7 PAY BONDS. The district may not collect an assessment to be used  
8 for the payment of bonds until:

9           (1) the completion of at least 95 percent of the  
10 underground water, wastewater, and drainage facilities financed  
11 from bond proceeds that are necessary to serve the projected  
12 build-out, as certified by the district's engineer;

13           (2) the district or other appropriate party has  
14 secured the groundwater, surface water, and water discharge permits  
15 that are necessary to secure capacity to support the projected  
16 build-out;

17           (3) the completion of at least 95 percent of lift  
18 station, water plant, and sewage treatment plant capacity  
19 sufficient to serve the connections constructed in the project for  
20 a period of not less than 18 months, as certified by the district's  
21 engineer; and

22           (4) the completion of at least 95 percent of the  
23 streets and roads that are necessary to provide access to the areas  
24 served by utilities and financed by the proceeds of bonds issued by  
25 the district, as certified by the district's engineer and  
26 constructed in accordance with municipal or county standards.

27           SECTION 2. The City of El Paso Municipal Management

1 District No. 1 initially includes all territory contained in the  
2 following area:

3 3,643.3423 acres of land located in El Paso County, Texas, being  
4 that certain 3,699.05 acres described as "Area 2" (650.600 acres),  
5 "Area 3" (2,045.343 acres) and "Area 4" (1,003.107 acres), as  
6 described below, LESS AND EXCEPT that certain 5.0000 acre tract,  
7 and that certain 50.7077 acre tract, as described below.

8 METES AND BOUNDS - AREA 2

9 650.600 acres (28,340,145 square feet)

10 A Portion of Sections 11, 14 & 19, Block 81,  
11 Township 1, Texas & Pacific Railroad Company Surveys City of El  
12 Paso, El Paso County, Texas

13 BEING a portion of Sections 11, 14 & 19, Block 81, Township 1, Texas  
14 & Pacific Railroad Company Surveys City of El Paso, El Paso County,  
15 Texas, being a portion of a tract of land described in Deed to City  
16 of El Paso, recorded in Volume 1176, Page 504 of the Deed Records of  
17 El Paso County, Texas, being a portion of a tract of land described  
18 in Deed to The City of El Paso, recorded in Volume 1186, Page 183,  
19 Deed Records of El Paso County, Texas, being a portion of a tract of  
20 land described in Deed to The City of El Paso, recorded in Volume  
21 1272, Page 231 of the Deed Records of El Paso County, Texas and  
22 being more particularly described by metes and bounds as follows:

23 BEGINNING at a 1/2-inch iron rod with plastic cap set for the  
24 intersection of east right of-way line of Martin Luther King, Jr.  
25 Boulevard (a 160-foot wide public right of way) and the north  
26 right-of-way line of Loma Real Avenue (a public right-of-way), for  
27 the southwest corner of said premises, from which a 1/2-inch iron



1 rod with plastic "TX 5337" cap found for the common corner of  
2 Sections 89, 19, 22 & 23, Block 81, bears North 87°57'17" West, 92.85  
3 feet;  
4 THENCE North 02°08'51" East, with the east right-of-way line of  
5 Martin Luther King, Jr. Boulevard, a distance of 860.05 feet to a  
6 1/2-inch iron rod with plastic cap set for corner;  
7 THENCE North 01°35'21" East, the east right-of-way line of Martin  
8 Luther King, Jr. Boulevard, a distance of 4432.74 feet to a point  
9 for corner;  
10 THENCE North 01°35'21" East, the east right-of-way line of Martin  
11 Luther King, Jr. Boulevard, a distance of 5424.52 feet to a point  
12 for corner;  
13 THENCE North 01°35'21" East, the east right-of-way line of Martin  
14 Luther King, Jr. Boulevard, a distance of 725.66 feet to a point for  
15 corner;  
16 THENCE South 86°53'30" East, leaving the east right-of-way line of  
17 Martin Luther King, Jr. Boulevard, a distance of 2528.30 feet to a  
18 1/2-inch iron rod with plastic cap set for corner in the west line  
19 of a tract of land described in Deed to El Paso Electric Company,  
20 recorded in Volume 1338, Page 471 of the Real Property Records of El  
21 Paso County, Texas;  
22 THENCE South 02°04'19" West, with the west line of the El Paso  
23 Electric Company tract, a distance of 6102.12 feet to a 1/2-inch  
24 iron rod with plastic cap set for corner;  
25 THENCE South 01°58'57" West, with the west line of the El Paso  
26 Electric Company tract, a distance of 5293.60 feet to a 1/2-inch  
27 iron rod with plastic cap set for corner in the north right-of-way

1 line of Loma Real Avenue;  
2 THENCE North 87°57'17" West, with the north right-of-way line of  
3 Loma Real Avenue, a distance of 2448.11 feet to the POINT OF  
4 BEGINNING and containing 650.600 acres (28,340,145 square feet) of  
5 land, more or less.

6 "This document was prepared under 22 TAC §663.21, does not reflect  
7 the results of an on the ground survey, and is not to be used to  
8 convey or establish interests in real property except those rights  
9 and interests implied or established by the creation or  
10 reconfiguration of the boundary of the political subdivision for  
11 which it was prepared."

12 METES AND BOUNDS - AREA 3

13 2,045.343 acres (89,095,150 square feet)

14 A Portion of Sections 11, 12, 13, 14, 19, 20 & 21, Block 81, Township  
15 1, Texas & Pacific Railroad Company Surveys City of El Paso, El Paso  
16 County, Texas

17 BEING a portion of Sections 11, 12, 13, 14, 19, 20 & 21,  
18 Block 81, Township 1, Texas & Pacific Railroad Company Surveys City  
19 of El Paso, El Paso County, Texas, being a portion of a tract of land  
20 described in Deed to City of El Paso, recorded in Volume 1176, Page  
21 504 of the Deed Records of El Paso County, Texas, being a portion of  
22 a tract of land described in Deed to The City of El Paso, recorded in  
23 Volume 1186, Page 183, Deed Records of El Paso County, Texas, being  
24 a portion of a tract of land described in Deed to The City of El  
25 Paso, recorded in Volume 1272, Page 231 of the Deed Records of El  
26 Paso County, Texas, being a portion of a tract of land described in  
27 Deed to El Paso Water Utilities Board, recorded in Volume 1263, Page

1 146 of the Deed Records of El Paso County, Texas and being more  
2 particularly described by metes and bounds as follows:  
3 BEGINNING at a 1/2-inch iron rod with plastic cap set on the west  
4 light-of-way line of Mccombs Street, dedicated to the State of  
5 Texas by Deed recorded in Volume 1410, Page 576 of the Deed Records  
6 of El Paso County, Texas (a 150-foot wide public right of-way) from  
7 which a Concrete TxDot Monument with bronze cap found for the common  
8 corner of Sections 20 & 21, Block 81 and Sections 19 & 30, Block 80,  
9 bears South 87°58'34" East, 75.00 feet;  
10 THENCE South 02°01'26" West, with the west right-of-way line of  
11 Mccombs Street, a distance of 526.41 feet to a 1/2-inch iron rod  
12 with plastic "TX 5337" cap found for corner in the north  
13 right-of-way line of U.S. Highway 54 (a 400-foot wide public  
14 right-of-way);  
15 THENCE South 51°37'59" West, with the north right-of-way line of  
16 U.S. Highway 54, a distance of 1124.39 feet to a 1/2-inch iron rod  
17 with plastic "TX 5337" cap found for corner;  
18 THENCE North 38°22'40" West, leaving the north right-of-way line of  
19 U.S. Highway 54, a distance of 1647.88 feet to a 1/2-inch iron rod  
20 with plastic "TX 5337" cap found for corner;  
21 THENCE North 87°58'27" West, with the south line of said premises, a  
22 distance of  
23 3283.45 feet to a 1/2-inch iron rod with plastic "TX 5337" cap found  
24 for corner;  
25 THENCE North 87°57'17" West, with the south line of said premises, a  
26 distance of 2539.39 feet to a 1/2-inch iron rod with plastic cap set  
27 for comer in the east line of a tract of land described in Deed to El

1 Paso Electric Company, recorded in Volume 1338, Page 471 of the Real  
2 Property Records of El Paso County, Texas;  
3 THENCE North 01°58'57" East, with the east line of said El Paso  
4 Electric Company tract, a distance of 5293.68 feet to a 1/2-inch  
5 iron rod with plastic cap set for corner;  
6 THENCE North 02°04'19" East, with the east line of said El Paso  
7 Electric Company tract, a distance of 6098.32 feet to a 1/2-inch  
8 iron rod with plastic cap set for corner;  
9 THENCE South 86°53'15" East, leaving the east line of said El Paso  
10 Electric Company tract, a distance of 7744.48 feet to a 1/2-inch  
11 iron rod with plastic cap set for corner in the west right-of-way  
12 line of Mccombs Street;  
13 THENCE South 02°05'16" West, with the west right-of-way line of  
14 Mccombs Street, a distance of 660.46 feet to a 1/2-inch iron rod  
15 with plastic cap set for corner;  
16 THENCE South 02°03'39" West, with the west right-of-way line of  
17 Mccombs Street, a distance of 5288.97 feet to a 1/2-inch iron rod  
18 with plastic cap set for corner;  
19 THENCE South 01°56'52" West, a distance of 5296.37 feet to the POINT  
20 OF BEGINNING and containing 2,045.343 acres (89,095,150 square  
21 feet) of land, more or less.  
22 "This document was prepared under 22 TAC §663.21, does not reflect  
23 the results of an on the ground survey, and is not to be used to  
24 convey or establish interests in real property except those rights  
25 and interests implied or established by the creation or  
26 reconfiguration of the boundary of the political subdivision for  
27 which it was prepared."

1 METES AND BOUNDS - AREA 4  
2 1003.107 acres (43,695,333 square feet)  
3 A Portion of Sections 7, 17, 18, 19, 20 & 30, Block 80, Township 1,  
4 Texas & Pacific Railroad Company Surveys City of El Paso, El Paso  
5 County, Texas  
6 BEING a tract of land situated in Sections 7, 17, 18, 19, 20 & 30,  
7 Block 80, Township 1 of the Texas & Pacific Railroad Company Survey,  
8 City of El Paso, El Paso County, Texas, being a portion of a tract of  
9 land described in Deed to The City of El Paso, recorded in Volume  
10 1186, Page 183 of the Deed Records of El Paso County, Texas, being a  
11 portion of a tract of land described in Deed to El Paso Natural Gas  
12 Company, recorded in Volume 307, Page 91 of the Deed Records of El  
13 Paso County, Texas, being a portion of a tract of land described in  
14 Deed to City of El Paso, recorded in Volume 1176, Page 504 of the  
15 Deed Records of El Paso County, Texas, being a portion of a tract of  
16 land described in Deed to The City of El Paso, recorded in Volume  
17 1186, Page 178 of the Deed Records of El Paso County, being a  
18 portion of a tract of land described in Deed to El Paso Water  
19 Utilities Board, recorded in Volume 1616, Page 219 & Volume 1263,  
20 Page 1476 of the Deed Records of El Paso County, Texas, being a  
21 portion of a tract of land described and conveyed in Deed's to City  
22 of El Paso, recorded in Volume 4614, Pages 353, 361, 369 & 377 of the  
23 Deed Records of El Paso County, Texas and being more particularly  
24 described by metes and bounds as follows;  
25 BEGINNING at a 1/2-inch iron rod with plastic cap set for the  
26 intersection of east right of-way line of Mccombs Street, dedicated  
27 to the State of Texas by Deed recorded in Volume 1410, Page 576 of

1 the Deed Records of El Paso County, Texas (a 150-foot wide public  
2 right-of-way) and the north right-of-way line of U.S. Highway 54 (a  
3 400-foot wide public right-of-way) for the southwest corner of the  
4 subject property;

5 THENCE North 02°01'26" East, with the east right-of-way line of  
6 Mccombs Street, a distance of 510.01 feet to a 1/2-inch iron rod  
7 with plastic cap set for corner, from which a Concrete TxDot  
8 Monument with bronze cap found for the common corner of Sections 30  
9 & 19, Block 80 and Sections 20 & 21, Block 81, bears North 86°57'30"  
10 West, 75.01 feet;

11 THENCE North 01°56'52" East, with the east right-of-way line of  
12 Mccombs Street, a distance of 5296.22 feet to a 1/2-inch iron rod  
13 with plastic 'TX 5337" cap found for corner;

14 THENCE North 02°03'39" East, with the east right-of-way line of  
15 Mccombs Street, a distance of 5288.02 feet to a 1/2-inch iron rod  
16 with plastic cap set for corner;

17 THENCE North 02°05'16" East, with the east right-of-way line of  
18 Mccombs Street, a distance of 539.84 feet to a 1/2-inch iron rod  
19 with plastic "TX 5337" cap found for the intersection of the south  
20 right-of-way line of Stan Roberts Sr. Drive (a 120-foot wide public  
21 right-of-way) and the east right-of-way line of Mccombs Street;

22 THENCE South 86°53'15" East, with the south right-of-way line of  
23 Stan Roberts Sr. Drive, a distance of 789.26 feet to a 1/2-inch iron  
24 rod with plastic "TX 5337" cap found for comer;

25 THENCE leaving the south right-of-way line of Stan Roberts Sr.  
26 Drive, the following courses and distances to wit:

27 South 33°39'07" East, a distance of 1441.10 feet to a 1/2-inch

1 iron rod with plastic "TX 5337" cap found for corner;  
2 South 02°22'35" West, a distance of 1516.17 feet to a 1/2-inch  
3 iron rod with  
4 plastic "TX 5337" cap found for corner;  
5 South 87°35'40" East, a distance of 2115.02 feet to a 1/2-inch  
6 iron rod with plastic "TX 5337" cap found for corner;  
7 South 65°17'57" East, a distance of 1547.56 feet to a 1/2-inch  
8 iron rod with plastic "TX 5337" cap found for corner;  
9 South 45°19'14" East, a distance of 25.54 feet to a 1/2-inch  
10 iron rod with  
11 plastic "TX 5337" cap found for corner;  
12 South 45°17'44" East, a distance of 1720.06 feet to a 1/2-inch  
13 iron rod with plastic "TX 5337" cap found for corner;  
14 South 45°19'14" East, a distance of 71.58 feet to a 1/2-inch  
15 iron rod with plastic "TX 5337" cap found for corner;  
16 --South 45°12'25" East, a distance of 1315.09 feet to a  
17 1/2-inch iron rod with  
18 plastic "TX 5337" cap found for corner in the north  
19 right-of-way line of U.S. Highway 54;  
20 THENCE with the north right-of-way line of U.S. Highway 54, the  
21 following courses and distances to wit:  
22 South 51°37'39" West, a distance of 233.27 feet to a 1/2-inch  
23 iron rod with plastic "TX 5337" cap found for corner;  
24 South 51°37'59" West, a distance of 1314.86 feet to a 1/2-inch  
25 iron rod with plastic "TX 5337" cap found for corner;  
26 North 83°22'01" West, a distance of 48.08 feet to a 1/2-inch  
27 iron rod with plastic "TX 5337" cap found for corner;

1 South 51°37'59" West, a distance of 120.00 feet to a 1/2-inch  
2 iron rod with plastic "TX 5337" cap found for corner;

3 South 06°37'59" West, a distance of 48.08 feet to a 1/2-inch  
4 iron rod with plastic "TX 5337" cap found for corner;

5 South 51°37'59" West, a distance of 7897.13 feet to a 1/2-inch  
6 iron rod with plastic "TX 5337" cap found for corner;

7 North 63°11'30" West, a distance of 108.92 feet to a 1/2-inch  
8 iron rod with plastic "TX 5337" cap found for corner;

9 North 88°03'02" West, a distance of 25.46 feet to the POINT OF  
10 BEGINNING

11 and containing 1003.107 acres (43,695,333 square feet) of  
12 land, more or less.

13 "This document was prepared under 22 TAC §663.21, does not reflect  
14 the results of an on the ground survey, and is not to be used to  
15 convey or establish interests in real property except those rights  
16 and interests implied or established by the creation or  
17 reconfiguration of the boundary of the political subdivision for  
18 which it was prepared."

19 LESS AND EXCEPT the following three (3) tracts of land:

20 Tract 1:

21 A 5.0000 acre parcel situate within the corporate limits of the City  
22 of El Paso, El Paso County, Texas as a portion of the west half of  
23 Section 14, Block 81, Township 1, Texas and Pacific Railway Company  
24 Surveys and being more particularly described by metes and bounds  
25 as follows:

26 COMMENCING for reference at a two inch iron pipe in concrete found  
27 for the corner common to Sections 11, 12, 13 and 14, Block 81,



H.B. No. 4730

1 Township 1, Texas and Pacific Railway Company Surveys; WHENCE, a  
2 1/2 inch rebar with survey cap No. "TX 5337" found for the corner  
3 common to Sections 13, 14, 19 and 20, Block 81, Township 1, Texas  
4 and Pacific Railway Company Surveys bears South 02°04'30" West, a  
5 distance of 5,358.25 feet; THENCE, leaving the corner common to  
6 said Sections 11, 12, 13 and 14, South 45°08'53" West, a distance of  
7 4,011.69 feet to a 1/2 inch rebar with survey cap No. "TX 5337" set  
8 on the west boundary line of a 200 feet wide El Paso Electric  
9 Company right-of-way for the POINT OF BEGINNING of the parcel  
10 herein described;

11 THENCE, following the west boundary line of said 200 feet wide El  
12 Paso Electric Company right-of-way, South 02°04'30" West, a  
13 distance of 450.00 feet to a 1/2 inch rebar with survey cap No. "TX  
14 5337" set for the southeast corner of the parcel herein described;

15 THENCE, leaving the west boundary line of said 200 feet wide El Paso  
16 Electric Company right-of-way, North 87°55'30" West, a distance of  
17 484.00 feet to a 1/2 inch rebar with survey cap No. "TX 5337" set  
18 for the southwest corner of the parcel herein described;

19 THENCE, North 02°04'30" East, a distance of 450.00 feet to a 1/2 inch  
20 rebar with survey cap No. "TX 5337" set for the northwest corner of  
21 the parcel herein described;

22 THENCE, South 87°55'30" East, a distance of 484.00 feet to the POINT  
23 OF BEGINNING;

24 Said parcel containing 5.0000 acres (217,800.0 square feet), more  
25 or less, and being subject to all easements of record.

26 Tract 2:

27 A 50.7077 acre parcel situate within the corporate limits of the

1 City of El Paso, El Paso County, Texas, as a portion of Section 19,  
2 Block 81, Township 1, Texas & Pacific Railway Company Surveys and  
3 being more particularly described by metes and bounds as follows:  
4 COMMENCING for reference at a 5/8 inch diameter rebar with an  
5 aluminum cap set for the corner common to Sections 19, 20, 21 and  
6 22, Block 81, Township 1, Texas & Pacific Railway Company Surveys;  
7 WHENCE, a 1/2 inch rebar found for the corner common to Sections 18,  
8 19, 22 and 23, Block 81, Township 1, Texas & Pacific Railway Company  
9 Surveys, bears North 87°57'12" West, a distance of 5,280.47 feet;  
10 and WHENCE, a 1/2 inch rebar found for the corner common to Sections  
11 13, 14, 19 and 20, Block 81, Township 1, Texas & Pacific Railway  
12 Company Surveys, bears North 01°59'00" East, a distance of 5,294.24  
13 feet; THENCE, following the section line common to said Sections 19  
14 and 20, North 01°59'00" East, a distance of 288.04 feet; THENCE,  
15 leaving the section line common to said Sections 19 and 20, North  
16 88°01'00" West, a distance of 38.00 feet to a 1/2 inch rebar with  
17 survey cap No. "TX 5337" set for the POINT OF BEGINNING and the  
18 southeast corner of the parcel herein described;  
19 THENCE, North 87°57'12" West, a distance of 1,640.00 feet to a 1/2  
20 inch rebar with survey cap No. "TX 5337" set for the southwest  
21 corner of the parcel herein described;  
22 THENCE, North 01°59'00" East, a distance of 1,345.94 feet to a 1/2  
23 inch rebar with survey cap No. "TX 5337" set for the northwest  
24 corner of the parcel herein described;  
25 THENCE, South 88°01'00" East, a distance of 1,640.00 feet to a 1/2  
26 inch rebar with survey cap No. "TX 5337" set for the northeast  
27 corner of the parcel herein described;

1 THENCE, South 01°59'00" West, a distance of 1,347.75 feet the to the  
2 true POINT OF BEGINNING;

3 Said parcel contains 50.7077 acres (2,208,826.1 square  
4 feet), more or less, and being subject to all easements of record.

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

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

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

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

23 SECTION 4. This Act takes effect January 1, 2020.

ADOPTED

MAY 21 2019

*Henry Spaw*  
Secretary of the Senate

By: *Jose Rodriguez*

H.B. No. 4730

Substitute the following for H.B. No. 4730:

By: *Carl*

C.S. H.B. No. 4730

A BILL TO BE ENTITLED

AN ACT

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relating to the creation of the City of El Paso Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3972 to read as follows:

CHAPTER 3972. CITY OF EL PASO MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3972.0101. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "City" means the City of El Paso.
- (3) "Director" means a board member.
- (4) "District" means the City of El Paso Municipal

Management District No. 1.

Sec. 3972.0102. CREATION AND NATURE OF DISTRICT. The City of El Paso Municipal Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3972.0103. PURPOSE; LEGISLATIVE FINDINGS. (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 chapter.

(b) By creating the district and in authorizing the city and

1 other political subdivisions to contract with the district, the  
2 legislature has established a program to accomplish the public  
3 purposes set out in Section 52-a, Article III, Texas Constitution.

4 (c) The creation of the district is necessary to promote,  
5 develop, encourage, and maintain employment, commerce,  
6 transportation, housing, tourism, recreation, the arts,  
7 entertainment, economic development, safety, and the public  
8 welfare in the district.

9 (d) The district is created to supplement and not to  
10 supplant city services provided in the district.

11 Sec. 3972.0104. FINDINGS OF BENEFIT AND PUBLIC USE. (a)  
12 All land and other property included in the district will benefit  
13 from the improvements and services to be provided by the district  
14 under powers conferred by Sections 52 and 52-a, Article III, and  
15 Section 59, Article XVI, Texas Constitution, and other powers  
16 granted under this chapter.

17 (b) The district is created to serve a public use and  
18 benefit.

19 (c) The creation of the district is in the public interest  
20 and is essential to further the public purposes of:

21 (1) developing and diversifying the economy of the  
22 state;

23 (2) eliminating unemployment and underemployment;

24 (3) developing or expanding transportation and  
25 commerce; and

26 (4) providing quality residential housing.

27 (d) The district will:

1           (1) promote the health, safety, and general welfare of  
2 residents, employers, potential employees, employees, visitors,  
3 and consumers in the district, and of the public;

4           (2) provide needed funding for the district to  
5 preserve, maintain, and enhance the economic health and vitality of  
6 the district territory as a residential community and business  
7 center; and

8           (3) promote the health, safety, welfare, and enjoyment  
9 of the public by providing pedestrian ways and by landscaping and  
10 developing certain areas in the district, which are necessary for  
11 the restoration, preservation, and enhancement of scenic beauty.

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

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

20           Sec. 3972.0105. INITIAL DISTRICT TERRITORY. (a) The  
21 district is initially composed of the territory described by  
22 Section 2 of the Act enacting this chapter.

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

27           (1) organization, existence, or validity;

1           (2) right to issue any type of bonds for the purposes  
2 for which the district is created or to pay the principal of and  
3 interest on the bonds;

4           (3) right to impose or collect an assessment or tax; or

5           (4) legality or operation.

6           Sec. 3972.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

7 (a) All or any part of the area of the district is eligible to be  
8 included in:

9           (1) a tax increment reinvestment zone created under  
10 Chapter 311, Tax Code;

11           (2) a tax abatement reinvestment zone created under  
12 Chapter 312, Tax Code;

13           (3) an enterprise zone created under Chapter 2303,  
14 Government Code; or

15           (4) an industrial district created under Chapter 42,  
16 Local Government Code.

17           (b) If the city creates a tax increment reinvestment zone  
18 described by Subsection (a), the city and the board of directors of  
19 the zone, by contract with the district, may grant money deposited  
20 in the tax increment fund to the district to be used by the district  
21 for:

22           (1) the purposes permitted for money granted to a  
23 corporation under Section 380.002(b), Local Government Code; and

24           (2) any other district purpose, including the right to  
25 pledge the money as security for any bonds or other obligations  
26 issued by the district.

27           (c) A tax increment reinvestment zone created by the city in

1 the district is not subject to the limitations provided by Section  
2 311.006, Tax Code.

3 Sec. 3972.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT  
4 DISTRICT LAW. Except as otherwise provided by this chapter,  
5 Chapter 375, Local Government Code, applies to the district.

6 Sec. 3972.0108. ENFORCEABILITY OF MUNICIPAL CONSENT  
7 AGREEMENT. (a) Any agreement between the district and a  
8 municipality related to the municipality's consent to the creation  
9 of the district is valid and enforceable.

10 (b) On the issuance of bonds by the district, the district  
11 is considered to have waived sovereign immunity to suit by a  
12 municipality for the purpose of adjudicating a claim for breach of  
13 an agreement described by this section.

14 Sec. 3972.0109. CONSENT OF MUNICIPALITY AND ENTITLEMENT  
15 AGREEMENT REQUIRED. The board may not impose an assessment, issue  
16 bonds, or hold an election to authorize the issuance of bonds until:

17 (1) the governing body of the city by ordinance or  
18 resolution consents to the creation of the district and to the  
19 inclusion of land in the district; and

20 (2) the city and the owner or owners of a majority of  
21 the assessed value of real property in the district negotiate and  
22 execute a mutually approved and accepted entitlement agreement  
23 regarding the development of land in the district.

24 Sec. 3972.0110. CONSTRUCTION OF CHAPTER. This chapter  
25 shall be liberally construed in conformity with the findings and  
26 purposes stated in this chapter.



1                                    SUBCHAPTER B. BOARD OF DIRECTORS

2                    Sec. 3972.0201. GOVERNING BODY; TERMS. The district is  
3 governed by a board of five directors who serve staggered terms of  
4 four years with two or three directors' terms expiring June 1 of  
5 each even-numbered year.

6                    Sec. 3972.0202. QUALIFICATIONS OF DIRECTORS. (a) To be  
7 qualified to serve as a director, a person must be:

8                    (1) a resident of the city who is also a registered  
9 voter of the city;

10                    (2) an owner of property in the district;

11                    (3) an owner of stock or a partnership or membership  
12 interest, whether beneficial or otherwise, of a corporate  
13 partnership, limited liability company, or other entity owner of a  
14 direct or indirect interest in property in the district;

15                    (4) an owner of a beneficial interest in a trust, or a  
16 trustee in a trust, that directly or indirectly owns property in the  
17 district; or

18                    (5) an agent, employee, or tenant of a person  
19 described by Subdivision (2), (3), or (4).

20                    (b) Section 49.052, Water Code, does not apply to the  
21 district.

22                    Sec. 3972.0203. APPOINTMENT OF DIRECTORS. The governing  
23 body of the city shall appoint directors from persons recommended  
24 by the board.

25                    Sec. 3972.0204. VACANCY. (a) If a vacancy occurs on the  
26 board, the remaining directors shall appoint a director for the  
27 remainder of the unexpired term.

1           (b) A director may resign from the board at any time.

2           Sec. 3972.0205. OFFICERS. The board shall elect from among  
3 the directors a chair, a vice chair, and a secretary. The offices  
4 of chair and secretary may not be held by the same person.

5           Sec. 3972.0206. COMPENSATION; EXPENSES. (a) The district  
6 may compensate each director in an amount not to exceed \$150 for  
7 each board meeting. The total amount of compensation for each  
8 director in one year may not exceed \$7,200.

9           (b) A director is entitled to reimbursement for necessary  
10 and reasonable expenses incurred in carrying out the duties and  
11 responsibilities of the board.

12           Sec. 3972.0207. LIABILITY INSURANCE. The district may  
13 obtain and pay for comprehensive general liability insurance  
14 coverage from a commercial insurance company or other source that  
15 protects and insures a director against personal liability and from  
16 all claims relating to:

17                   (1) actions taken by the director in the director's  
18 capacity as a member of the board;

19                   (2) actions and activities taken by the district; or

20                   (3) the actions of others acting on behalf of the  
21 district.

22           Sec. 3972.0208. NO EXECUTIVE COMMITTEE. The board may not  
23 create an executive committee to exercise the powers of the board.

24           Sec. 3972.0209. BOARD MEETINGS. The board shall hold  
25 meetings at a place accessible to the public.

26           Sec. 3972.0210. INITIAL DIRECTORS. (a) On or after January  
27 1, 2020, the owner or owners of a majority of the assessed value of

1 real property in the district may submit a petition to the governing  
2 body of the city requesting that the governing body appoint five  
3 persons as initial directors from a list of persons agreed on by the  
4 governing body of the city and the owner or owners of a majority of  
5 the assessed value of real property in the district.

6 (b) A petition must name more than five qualified persons.

7 (c) The governing body shall appoint as initial directors  
8 five persons listed in the petition who are qualified to serve as  
9 directors.

10 (d) The initial directors shall determine by lot which three  
11 positions expire June 1, 2022, and which two positions expire June  
12 1, 2024.

13 (e) An initial director is not entitled to compensation  
14 under Section 3972.0206.

15 (f) This section expires September 1, 2025.

16 SUBCHAPTER C. POWERS AND DUTIES

17 Sec. 3972.0301. GENERAL POWERS AND DUTIES. The district  
18 has the powers and duties necessary to accomplish the purposes for  
19 which the district is created.

20 Sec. 3972.0302. IMPROVEMENT PROJECTS AND SERVICES. (a)  
21 The district, using money available to the district for the  
22 purpose, may provide, design, construct, acquire, improve,  
23 relocate, operate, maintain, or finance an improvement project or  
24 service authorized under this chapter or Chapter 375, Local  
25 Government Code.

26 (b) The district may contract with a governmental or private  
27 entity to carry out an action under Subsection (a).

1           (c) An improvement project described by Subsection (a) may  
2 be located:

3           (1) in the district; or

4           (2) in an area outside the district if the project is  
5 for the purpose of extending a public infrastructure improvement  
6 beyond the district's boundaries to a logical terminus.

7           Sec. 3972.0303. IMPROVEMENT PROJECT AND SERVICE IN  
8 DEFINABLE AREA; BENEFIT BASIS. The district may undertake an  
9 improvement project or service that confers a special benefit on a  
10 definable area in the district and levy and collect a special  
11 assessment on benefited property in the district in accordance  
12 with:

13           (1) Chapter 372, Local Government Code; or

14           (2) Chapter 375, Local Government Code.

15           Sec. 3972.0304. ECONOMIC DEVELOPMENT PROGRAMS. (a) The  
16 district may engage in activities that accomplish the economic  
17 development purposes of the district.

18           (b) The district may establish and provide for the  
19 administration of one or more programs to promote state or local  
20 economic development and to stimulate business and commercial  
21 activity in the district, including programs to:

22           (1) make loans and grants of public money; and

23           (2) provide district personnel and services.

24           (c) The district may create economic development programs  
25 and exercise the economic development powers that Chapter 380,  
26 Local Government Code, provides to a municipality.

27           Sec. 3972.0305. PARKING FACILITIES. (a) The district may

1 acquire, lease as lessor or lessee, construct, develop, own,  
2 operate, and maintain parking facilities or a system of parking  
3 facilities, including lots, garages, parking terminals, or other  
4 structures or accommodations for parking motor vehicles off the  
5 streets and related appurtenances.

6 (b) The district's parking facilities serve the public  
7 purposes of the district and are owned, used, and held for a public  
8 purpose even if leased or operated by a private entity for a term of  
9 years.

10 (c) The district's parking facilities are parts of and  
11 necessary components of a street and are considered to be a street  
12 or road improvement.

13 (d) The development and operation of the district's parking  
14 facilities may be considered an economic development program.

15 Sec. 3972.0306. ADDING OR REMOVING TERRITORY. (a) The  
16 board may add or remove territory as provided by Subchapter J,  
17 Chapter 49, Water Code.

18 (b) The district may add territory as described by  
19 Subsection (a) only if the governing body of the city by ordinance  
20 or resolution consents to the addition.

21 Sec. 3972.0307. NO EMINENT DOMAIN POWER. The district may  
22 not exercise the power of eminent domain.

23 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

24 Sec. 3972.0401. DIVISION OF DISTRICT; PREREQUISITES. The  
25 district, including territory added to the district under Section  
26 3972.0306, may be divided into two or more new districts only if the  
27 district has no outstanding bonded debt. Territory previously

1 added to the district under Section 3972.0306 may be included in a  
2 new district.

3 Sec. 3972.0402. LAW APPLICABLE TO NEW DISTRICT. This  
4 chapter applies to any new district created by division of the  
5 district, and a new district has all the powers and duties of the  
6 district.

7 Sec. 3972.0403. DIVISION PROCEDURES. (a) The board, on its  
8 own motion or on receipt of a petition signed by an owner of real  
9 property in the district, may adopt an order proposing to divide the  
10 district.

11 (b) If the board decides to divide the district, the board  
12 shall:

13 (1) set the terms of the division, including names for  
14 the new districts and a plan for the payment or performance of any  
15 outstanding district obligations;

16 (2) prepare a metes and bounds description for each  
17 proposed district; and

18 (3) appoint four initial directors for each new  
19 district.

20 (c) The governing body of the city shall appoint one  
21 director for each new district.

22 Sec. 3972.0404. CONTRACT AUTHORITY OF NEW DISTRICTS. The  
23 new districts may contract with each other for any matter the boards  
24 of the new districts consider appropriate, including the joint  
25 construction or financing of a utility improvement.

26 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

27 Sec. 3972.0501. DISBURSEMENTS AND TRANSFERS OF MONEY. The

1 board by resolution shall establish the number of directors'  
2 signatures and the procedure required for a disbursement or  
3 transfer of district money.

4 Sec. 3972.0502. TAX AND ASSESSMENT ABATEMENTS. The  
5 district may designate reinvestment zones and may grant abatements  
6 of a tax or assessment imposed by the district on property in the  
7 zones.

8 SUBCHAPTER F. TAXES AND BONDS

9 Sec. 3972.0601. BONDS AND OTHER OBLIGATIONS. (a) The  
10 district may issue, by public or private sale, bonds, notes, or  
11 other obligations payable wholly or partly from ad valorem taxes or  
12 assessments in the manner provided by Chapter 375, Local Government  
13 Code, or, if an improvement financed by an obligation issued under  
14 this section will be conveyed to or operated and maintained by a  
15 municipality or other retail utility provider pursuant to an  
16 agreement with the district entered into before the issuance of the  
17 obligation, in the manner provided by Subchapter A, Chapter 372,  
18 Local Government Code.

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

24 (c) In addition to the sources of money described by  
25 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local  
26 Government Code, district bonds may be secured and made payable  
27 wholly or partly by a pledge of any part of the money the district

1 receives from improvement revenue or from any other source.

2 Sec. 3972.0602. OPERATION AND MAINTENANCE TAX. If  
3 authorized by a majority of the district voters voting at an  
4 election held in accordance with Section 49.107, Water Code, the  
5 district may impose an operation and maintenance tax on taxable  
6 property in the district in the manner provided by that section for  
7 any district purpose, including to:

8 (1) maintain and operate the district;

9 (2) construct or acquire improvements; or

10 (3) provide a service.

11 Sec. 3972.0603. TAXES FOR BONDS AND OTHER OBLIGATIONS. At  
12 the time bonds or other obligations payable wholly or partly from ad  
13 valorem taxes are issued:

14 (1) the board shall impose a continuing direct annual  
15 ad valorem tax for each year that all or part of the bonds are  
16 outstanding; and

17 (2) the district annually shall impose an ad valorem  
18 tax on all taxable property in the district in an amount sufficient  
19 to:

20 (A) pay the interest on the bonds or other  
21 obligations as the interest becomes due; and

22 (B) create a sinking fund for the payment of the  
23 principal of the bonds or other obligations when due or the  
24 redemption price at any earlier required redemption date.

25 SUBCHAPTER G. SPECIAL BOND PROVISIONS

26 Sec. 3972.0701. APPLICABILITY. This subchapter applies  
27 only to bonds payable wholly or partly from revenue derived from



1 assessments on real property in the district.

2 Sec. 3972.0702. CONFLICT OF LAWS. In the event of a  
3 conflict between this subchapter and any other law, this subchapter  
4 prevails.

5 Sec. 3972.0703. WRITTEN AGREEMENT REGARDING SPECIAL  
6 APPRAISALS. Before the district may issue bonds, the district and  
7 any person to whom the board intends that proceeds of the bonds be  
8 distributed, including the developer, another owner of land in the  
9 district, and any entity acting as a lender to the developer or  
10 other landowner for the purpose of a project relating to the  
11 district, must enter into a written agreement that:

12 (1) waives for the term of the agreement the right to a  
13 special appraisal with respect to taxation by the district under  
14 Subchapters B, C, D, E, F, and H, Chapter 23, Tax Code; and

15 (2) remains in effect for 30 years and is binding on  
16 the parties, on entities related to or affiliated with the parties,  
17 and on their successors and assignees.

18 Sec. 3972.0704. REQUIREMENTS FOR ADVERTISING BOND ISSUE. A  
19 district may not advertise for an issuance of bonds until the  
20 completion of at least 25 percent of the projected value of the  
21 improvements, including houses and other buildings, that are liable  
22 for district assessments and necessary to support the district  
23 bonds.

24 Sec. 3972.0705. REQUIREMENTS FOR BOND ISSUE. The district  
25 may not issue bonds until:

26 (1) the district submits to the Texas Commission on  
27 Environmental Quality:

1                   (A) an engineer's report describing the project  
2 for which the bonds will provide funding, including data, profiles,  
3 maps, plans, and specifications related to the project; and

4                   (B) a cash flow analysis to determine the  
5 projected rate of assessment, which includes the following  
6 assumptions:

7                   (i) each ending balance for debt service in  
8 the analysis is not less than 25 percent of the following year's  
9 debt service requirement;

10                   (ii) interest income is only shown on the  
11 ending balance for debt service for the first two years; and

12                   (iii) the projected rate of assessment is  
13 level or decreasing for the life of the bonds issued by the  
14 district;

15                   (2) the completion of at least 75 percent of the  
16 projected value of the improvements, including houses and other  
17 buildings, that are liable for district assessments and necessary  
18 to support the district bonds; and

19                   (3) the district has obtained an independent market  
20 study from a firm recognized in the area of real estate market  
21 analysis supporting the development projects for the real property  
22 that is liable for district assessments and necessary to support  
23 the district bonds.

24                   Sec. 3972.0706. REQUIREMENTS FOR COLLECTION OF REVENUE TO  
25 PAY BONDS. The district may not collect an assessment to be used  
26 for the payment of bonds until:

27                   (1) the completion of at least 95 percent of the

1 underground water, wastewater, and drainage facilities financed  
2 from bond proceeds that are necessary to serve the projected  
3 build-out, as certified by the district's engineer;

4           (2) the district or other appropriate party has  
5 secured the groundwater, surface water, and water discharge permits  
6 that are necessary to secure capacity to support the projected  
7 build-out;

8           (3) the completion of at least 95 percent of lift  
9 station, water plant, and sewage treatment plant capacity  
10 sufficient to serve the connections constructed in the project for  
11 a period of not less than 18 months, as certified by the district's  
12 engineer; and

13           (4) the completion of at least 95 percent of the  
14 streets and roads that are necessary to provide access to the areas  
15 served by utilities and financed by the proceeds of bonds issued by  
16 the district, as certified by the district's engineer and  
17 constructed in accordance with municipal or county standards.

18                           SUBCHAPTER I. DISSOLUTION

19           Sec. 3972.0901. DISSOLUTION BY CITY. (a) The city may  
20 dissolve the district in the manner provided by Section 375.263,  
21 Local Government Code, only if the city also complies with any  
22 dissolution procedures in the entitlement agreement described by  
23 Section 3972.0109.

24           (b) In the case of a conflict between Section 375.263, Local  
25 Government Code, and the entitlement agreement, the entitlement  
26 agreement controls.

27           SECTION 2. The City of El Paso Municipal Management

1 District No. 1 initially includes all territory contained in the  
2 following area:  
3 3,643.3423 acres of land located in El Paso County, Texas, being  
4 that certain 3,699.05 acres described as "Area 2" (650.600 acres),  
5 "Area 3" (2,045.343 acres) and "Area 4" (1,003.107 acres), as  
6 described below, LESS AND EXCEPT that certain 5.0000 acre tract,  
7 and that certain 50.7077 acre tract, as described below.

8 METES AND BOUNDS - AREA 2

9 650.600 acres (28,340,145 square feet)

10 A Portion of Sections 11, 14 & 19, Block 81,  
11 Township 1, Texas & Pacific Railroad Company Surveys City of El  
12 Paso, El Paso County, Texas

13 BEING a portion of Sections 11, 14 & 19, Block 81, Township 1, Texas  
14 & Pacific Railroad Company Surveys City of El Paso, El Paso County,  
15 Texas, being a portion of a tract of land described in Deed to City  
16 of El Paso, recorded in Volume 1176, Page 504 of the Deed Records of  
17 El Paso County, Texas, being a portion of a tract of land described  
18 in Deed to The City of El Paso, recorded in Volume 1186, Page 183,  
19 Deed Records of El Paso County, Texas, being a portion of a tract of  
20 land described in Deed to The City of El Paso, recorded in Volume  
21 1272, Page 231 of the Deed Records of El Paso County, Texas and  
22 being more particularly described by metes and bounds as follows:

23 BEGINNING at a 1/2-inch iron rod with plastic cap set for the  
24 intersection of east right of-way line of Martin Luther King, Jr.  
25 Boulevard (a 160-foot wide public right of way) and the north  
26 right-of-way line of Loma Real Avenue (a public right-of-way), for  
27 the southwest corner of said premises, from which a 1/2-inch iron

1 rod with plastic "TX 5337" cap found for the common corner of  
2 Sections 89, 19, 22 & 23, Block 81, bears North 87°57'17" West, 92.85  
3 feet;  
4 THENCE North 02°08'51" East, with the east right-of-way line of  
5 Martin Luther King, Jr. Boulevard, a distance of 860.05 feet to a  
6 1/2-inch iron rod with plastic cap set for corner;  
7 THENCE North 01°35'21" East, the east right-of-way line of Martin  
8 Luther King, Jr. Boulevard, a distance of 4432.74 feet to a point  
9 for corner;  
10 THENCE North 01°35'21" East, the east right-of-way line of Martin  
11 Luther King, Jr. Boulevard, a distance of 5424.52 feet to a point  
12 for corner;  
13 THENCE North 01°35'21" East, the east right-of-way line of Martin  
14 Luther King, Jr. Boulevard, a distance of 725.66 feet to a point for  
15 corner;  
16 THENCE South 86°53'30" East, leaving the east right-of-way line of  
17 Martin Luther King, Jr. Boulevard, a distance of 2528.30 feet to a  
18 1/2-inch iron rod with plastic cap set for corner in the west line  
19 of a tract of land described in Deed to El Paso Electric Company,  
20 recorded in Volume 1338, Page 471 of the Real Property Records of El  
21 Paso County, Texas;  
22 THENCE South 02°04'19" West, with the west line of the El Paso  
23 Electric Company tract, a distance of 6102.12 feet to a 1/2-inch  
24 iron rod with plastic cap set for corner;  
25 THENCE South 01°58'57" West, with the west line of the El Paso  
26 Electric Company tract, a distance of 5293.60 feet to a 1/2-inch  
27 iron rod with plastic cap set for corner in the north right-of-way

1 line of Loma Real Avenue;  
2 THENCE North 87°57'17" West, with the north right-of-way line of  
3 Loma Real Avenue, a distance of 2448.11 feet to the POINT OF  
4 BEGINNING and containing 650.600 acres (28,340,145 square feet) of  
5 land, more or less.

6 "This document was prepared under 22 TAC §663.21, does not reflect  
7 the results of an on the ground survey, and is not to be used to  
8 convey or establish interests in real property except those rights  
9 and interests implied or established by the creation or  
10 reconfiguration of the boundary of the political subdivision for  
11 which it was prepared."

12 METES AND BOUNDS - AREA 3

13 2,045.343 acres (89,095,150 square feet)

14 A Portion of Sections 11, 12, 13, 14, 19, 20 & 21, Block 81, Township  
15 1, Texas & Pacific Railroad Company Surveys City of El Paso, El Paso  
16 County, Texas

17 BEING a portion of Sections 11, 12, 13, 14, 19, 20 & 21,  
18 Block 81, Township 1, Texas & Pacific Railroad Company Surveys City  
19 of El Paso, El Paso County, Texas, being a portion of a tract of land  
20 described in Deed to City of El Paso, recorded in Volume 1176, Page  
21 504 of the Deed Records of El Paso County, Texas, being a portion of  
22 a tract of land described in Deed to The City of El Paso, recorded in  
23 Volume 1186, Page 183, Deed Records of El Paso County, Texas, being  
24 a portion of a tract of land described in Deed to The City of El  
25 Paso, recorded in Volume 1272, Page 231 of the Deed Records of El  
26 Paso County, Texas, being a portion of a tract of land described in  
27 Deed to El Paso Water Utilities Board, recorded in Volume 1263, Page

1 146 of the Deed Records of El Paso County, Texas and being more  
2 particularly described by metes and bounds as follows:  
3 BEGINNING at a 1/2-inch iron rod with plastic cap set on the west  
4 light-of-way line of Mccombs Street, dedicated to the State of  
5 Texas by Deed recorded in Volume 1410, Page 576 of the Deed Records  
6 of El Paso County, Texas (a 150-foot wide public right of-way) from  
7 which a Concrete TxDot Monument with bronze cap found for the common  
8 corner of Sections 20 & 21, Block 81 and Sections 19 & 30, Block 80,  
9 bears South 87°58'34" East, 75.00 feet;  
10 THENCE South 02°01'26" West, with the west right-of-way line of  
11 Mccombs Street, a distance of 526.41 feet to a 1/2-inch iron rod  
12 with plastic "TX 5337" cap found for corner in the north  
13 right-of-way line of U.S. Highway 54 (a 400-foot wide public  
14 right-of-way);  
15 THENCE South 51°37'59" West, with the north right-of-way line of  
16 U.S. Highway 54, a distance of 1124.39 feet to a 1/2-inch iron rod  
17 with plastic "TX 5337" cap found for corner;  
18 THENCE North 38°22'40" West, leaving the north right-of-way line of  
19 U.S. Highway 54, a distance of 1647.88 feet to a 1/2-inch iron rod  
20 with plastic "TX 5337" cap found for corner;  
21 THENCE North 87°58'27" West, with the south line of said premises, a  
22 distance of  
23 3283.45 feet to a 1/2-inch iron rod with plastic "TX 5337" cap found  
24 for corner;  
25 THENCE North 87°57'17" West, with the south line of said premises, a  
26 distance of 2539.39 feet to a 1/2-inch iron rod with plastic cap set  
27 for comer in the east line of a tract of land described in Deed to El

1 Paso Electric Company, recorded in Volume 1338, Page 471 of the Real  
2 Property Records of El Paso County, Texas;  
3 THENCE North 01°58'57" East, with the east line of said El Paso  
4 Electric Company tract, a distance of 5293.68 feet to a 1/2-inch  
5 iron rod with plastic cap set for corner;  
6 THENCE North 02°04'19" East, with the east line of said El Paso  
7 Electric Company tract, a distance of 6098.32 feet to a 1/2-inch  
8 iron rod with plastic cap set for corner;  
9 THENCE South 86°53'15" East, leaving the east line of said El Paso  
10 Electric Company tract, a distance of 7744.48 feet to a 1/2-inch  
11 iron rod with plastic cap set for corner in the west right-of-way  
12 line of Mccombs Street;  
13 THENCE South 02°05'16" West, with the west right-of-way line of  
14 Mccombs Street, a distance of 660.46 feet to a 1/2-inch iron rod  
15 with plastic cap set for corner;  
16 THENCE South 02°03'39" West, with the west right-of-way line of  
17 Mccombs Street, a distance of 5288.97 feet to a 1/2-inch iron rod  
18 with plastic cap set for corner;  
19 THENCE South 01°56'52" West, a distance of 5296.37 feet to the POINT  
20 OF BEGINNING and containing 2,045.343 acres (89,095,150 square  
21 feet) of land, more or less.  
22 "This document was prepared under 22 TAC §663.21, does not reflect  
23 the results of an on the ground survey, and is not to be used to  
24 convey or establish interests in real property except those rights  
25 and interests implied or established by the creation or  
26 reconfiguration of the boundary of the political subdivision for  
27 which it was prepared."



1 METES AND BOUNDS - AREA 4  
2 1003.107 acres (43,695,333 square feet)  
3 A Portion of Sections 7, 17, 18, 19, 20 & 30, Block 80, Township 1,  
4 Texas & Pacific Railroad Company Surveys City of El Paso, El Paso  
5 County, Texas  
6 BEING a tract of land situated in Sections 7, 17, 18, 19, 20 & 30,  
7 Block 80, Township 1 of the Texas & Pacific Railroad Company Survey,  
8 City of El Paso, El Paso County, Texas, being a portion of a tract of  
9 land described in Deed to The City of El Paso, recorded in Volume  
10 1186, Page 183 of the Deed Records of El Paso County, Texas, being a  
11 portion of a tract of land described in Deed to El Paso Natural Gas  
12 Company, recorded in Volume 307, Page 91 of the Deed Records of El  
13 Paso County, Texas, being a portion of a tract of land described in  
14 Deed to City of El Paso, recorded in Volume 1176, Page 504 of the  
15 Deed Records of El Paso County, Texas, being a portion of a tract of  
16 land described in Deed to The City of El Paso, recorded in Volume  
17 1186, Page 178 of the Deed Records of El Paso County, being a  
18 portion of a tract of land described in Deed to El Paso Water  
19 Utilities Board, recorded in Volume 1616, Page 219 & Volume 1263,  
20 Page 1476 of the Deed Records of El Paso County, Texas, being a  
21 portion of a tract of land described and conveyed in Deed's to City  
22 of El Paso, recorded in Volume 4614, Pages 353, 361, 369 & 377 of the  
23 Deed Records of El Paso County, Texas and being more particularly  
24 described by metes and bounds as follows;  
25 BEGINNING at a 1/2-inch iron rod with plastic cap set for the  
26 intersection of east right of-way line of McCombs Street, dedicated  
27 to the State of Texas by Deed recorded in Volume 1410, Page 576 of

1 the Deed Records of El Paso County, Texas (a 150-foot wide public  
2 right-of-way) and the north right-of-way line of U.S. Highway 54 (a  
3 400-foot wide public right-of-way) for the southwest corner of the  
4 subject property;

5 THENCE North 02°01'26" East, with the east right-of-way line of  
6 Mccombs Street, a distance of 510.01 feet to a 1/2-inch iron rod  
7 with plastic cap set for corner, from which a Concrete TxDot  
8 Monument with bronze cap found for the common corner of Sections 30  
9 & 19, Block 80 and Sections 20 & 21, Block 81, bears North 86°57'30"  
10 West, 75.01 feet;

11 THENCE North 01°56'52" East, with the east right-of-way line of  
12 Mccombs Street, a distance of 5296.22 feet to a 1/2-inch iron rod  
13 with plastic 'TX 5337" cap found for corner;

14 THENCE North 02°03'39" East, with the east right-of-way line of  
15 Mccombs Street, a distance of 5288.02 feet to a 1/2-inch iron rod  
16 with plastic cap set for corner;

17 THENCE North 02°05'16" East, with the east right-of-way line of  
18 Mccombs Street, a distance of 539.84 feet to a 1/2-inch iron rod  
19 with plastic "TX 5337" cap found for the intersection of the south  
20 right-of-way line of Stan Roberts Sr. Drive (a 120-foot wide public  
21 right-of-way) and the east right-of-way line of Mccombs Street;

22 THENCE South 86°53'15" East, with the south right-of-way line of  
23 Stan Roberts Sr. Drive, a distance of 789.26 feet to a 1/2-inch iron  
24 rod with plastic "TX 5337" cap found for comer;

25 THENCE leaving the south right-of-way line of Stan Roberts Sr.  
26 Drive, the following courses and distances to wit:

27       South 33°39'07" East, a distance of 1441.10 feet to a 1/2-inch

1 iron rod with plastic "TX 5337" cap found for comer;  
2 South 02°22'35" West, a distance of 1516.17 feet to a 1/2-inch  
3 iron rod with  
4 plastic "TX 5337" cap found for corner;  
5 South 87°35'40" East, a distance of 2115.02 feet to a 1/2-inch  
6 iron rod with plastic "TX 5337" cap found for corner;  
7 South 65°17'57" East, a distance of 1547.56 feet to a 1/2-inch  
8 iron rod with plastic "TX 5337" cap found for corner;  
9 South 45°19'14" East, a distance of 25.54 feet to a 1/2-inch  
10 iron rod with  
11 plastic "TX 5337" cap found for corner;  
12 South 45°17'44" East, a distance of 1720.06 feet to a 1/2-inch  
13 iron rod with plastic "TX 5337" cap found for corner;  
14 South 45°19'14" East, a distance of 71.58 feet to a 1/2-inch  
15 iron rod with plastic "TX 5337" cap found for corner;  
16 --South 45°12'25" East, a distance of 1315.09 feet to a  
17 1/2-inch iron rod with  
18 plastic "TX 5337" cap found for corner in the north  
19 right-of-way line of U.S. Highway 54;  
20 THENCE with the north right-of-way line of U.S. Highway 54, the  
21 following courses and distances to wit:  
22 South 51°37'39" West, a distance of 233.27 feet to a 1/2-inch  
23 iron rod with plastic "TX 5337" cap found for corner;  
24 South 51°37'59" West, a distance of 1314.86 feet to a 1/2-inch  
25 iron rod with plastic "TX 5337" cap found for corner;  
26 North 83°22'01" West, a distance of 48.08 feet to a 1/2-inch  
27 iron rod with plastic "TX 5337" cap found for corner;

1 South 51°37'59" West, a distance of 120.00 feet to a 1/2-inch  
2 iron rod with plastic "TX 5337" cap found for corner;

3 South 06°37'59" West, a distance of 48.08 feet to a 1/2-inch  
4 iron rod with plastic "TX 5337" cap found for corner;

5 South 51°37'59" West, a distance of 7897.13 feet to a 1/2-inch  
6 iron rod with plastic "TX 5337" cap found for corner;

7 North 63°11'30" West, a distance of 108.92 feet to a 1/2-inch  
8 iron rod with plastic "TX 5337" cap found for corner;

9 North 88°03'02" West, a distance of 25.46 feet to the POINT OF  
10 BEGINNING

11 and containing 1003.107 acres (43,695,333 square feet) of  
12 land, more or less.

13 "This document was prepared under 22 TAC §663.21, does not reflect  
14 the results of an on the ground survey, and is not to be used to  
15 convey or establish interests in real property except those rights  
16 and interests implied or established by the creation or  
17 reconfiguration of the boundary of the political subdivision for  
18 which it was prepared."

19 LESS AND EXCEPT the following three (3) tracts of land:

20 Tract 1:

21 A 5.0000 acre parcel situate within the corporate limits of the City  
22 of El Paso, El Paso County, Texas as a portion of the west half of  
23 Section 14, Block 81, Township 1, Texas and Pacific Railway Company  
24 Surveys and being more particularly described by metes and bounds  
25 as follows:

26 COMMENCING for reference at a two inch iron pipe in concrete found  
27 for the corner common to Sections 11, 12, 13 and 14, Block 81,

1 Township 1, Texas and Pacific Railway Company Surveys; WHENCE, a  
2 1/2 inch rebar with survey cap No. "TX 5337" found for the corner  
3 common to Sections 13, 14, 19 and 20, Block 81, Township 1, Texas  
4 and Pacific Railway Company Surveys bears South 02°04'30" West, a  
5 distance of 5,358.25 feet; THENCE, leaving the corner common to  
6 said Sections 11, 12, 13 and 14, South 45°08'53" West, a distance of  
7 4,011.69 feet to a 1/2 inch rebar with survey cap No. "TX 5337" set  
8 on the west boundary line of a 200 feet wide El Paso Electric  
9 Company right-of-way for the POINT OF BEGINNING of the parcel  
10 herein described;  
11 THENCE, following the west boundary line of said 200 feet wide El  
12 Paso Electric Company right-of-way, South 02°04'30" West, a  
13 distance of 450.00 feet to a 1/2 inch rebar with survey cap No. "TX  
14 5337" set for the southeast corner of the parcel herein described;  
15 THENCE, leaving the west boundary line of said 200 feet wide El Paso  
16 Electric Company right-of-way, North 87°55'30" West, a distance of  
17 484.00 feet to a 1/2 inch rebar with survey cap No. "TX 5337" set  
18 for the southwest corner of the parcel herein described;  
19 THENCE, North 02°04'30" East, a distance of 450.00 feet to a 1/2 inch  
20 rebar with survey cap No. "TX 5337" set for the northwest corner of  
21 the parcel herein described;  
22 THENCE, South 87°55'30" East, a distance of 484.00 feet to the POINT  
23 OF BEGINNING;  
24 Said parcel containing 5.0000 acres (217,800.0 square feet), more  
25 or less, and being subject to all easements of record.

26 Tract 2:

27 A 50.7077 acre parcel situate within the corporate limits of the

1 City of El Paso, El Paso County, Texas, as a portion of Section 19,  
2 Block 81, Township 1, Texas & Pacific Railway Company Surveys and  
3 being more particularly described by metes and bounds as follows:  
4 COMMENCING for reference at a 5/8 inch diameter rebar with an  
5 aluminum cap set for the corner common to Sections 19, 20, 21 and  
6 22, Block 81, Township 1, Texas & Pacific Railway Company Surveys;  
7 WHENCE, a 1/2 inch rebar found for the corner common to Sections 18,  
8 19, 22 and 23, Block 81, Township 1, Texas & Pacific Railway Company  
9 Surveys, bears North 87°57'12" West, a distance of 5,280.47 feet;  
10 and WHENCE, a 1/2 inch rebar found for the corner common to Sections  
11 13, 14, 19 and 20, Block 81, Township 1, Texas & Pacific Railway  
12 Company Surveys, bears North 01°59'00" East, a distance of 5,294.24  
13 feet; THENCE, following the section line common to said Sections 19  
14 and 20, North 01°59'00" East, a distance of 288.04 feet; THENCE,  
15 leaving the section line common to said Sections 19 and 20, North  
16 88°01'00" West, a distance of 38.00 feet to a 1/2 inch rebar with  
17 survey cap No. "TX 5337" set for the POINT OF BEGINNING and the  
18 southeast corner of the parcel herein described;  
19 THENCE, North 87°57'12" West, a distance of 1,640.00 feet to a 1/2  
20 inch rebar with survey cap No. "TX 5337" set for the southwest  
21 corner of the parcel herein described;  
22 THENCE, North 01°59'00" East, a distance of 1,345.94 feet to a 1/2  
23 inch rebar with survey cap No. "TX 5337" set for the northwest  
24 corner of the parcel herein described;  
25 THENCE, South 88°01'00" East, a distance of 1,640.00 feet to a 1/2  
26 inch rebar with survey cap No. "TX 5337" set for the northeast  
27 corner of the parcel herein described;

1 THENCE, South 01°59'00" West, a distance of 1,347.75 feet the to the  
2 true POINT OF BEGINNING;

3 Said parcel contains 50.7077 acres (2,208,826.1 square  
4 feet), more or less, and being subject to all easements of record.

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

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

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

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

23 SECTION 4. This Act takes effect January 1, 2020.

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 22, 2019**

**TO:** Honorable Dennis Bonnen, Speaker of the House, House of Representatives

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB4730** by Moody (Relating to the creation of the City of El Paso Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. ), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Special District Local Laws Code to create certain municipal management districts and establish their duties and powers.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** WP, SD, AF, GP



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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 20, 2019**

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

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB4730** by Moody (Relating to the creation of the City of El Paso Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **Committee Report 2nd House, Substituted**

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

The bill would amend the Special District Local Laws Code to create certain municipal management districts and establish their duties and powers.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** WP, AF, GP

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 17, 2019**

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

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB4730** by Moody (Relating to the creation of the City of El Paso Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **As Engrossed**

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

The bill would amend the Special District Local Laws Code to create certain municipal management districts and establish their duties and powers.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** WP, AF, GP

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 23, 2019**

**TO:** Honorable Angie Chen Button, Chair, House Committee on Urban Affairs

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB4730** by Moody (Relating to the creation of the City of El Paso Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **Committee Report 1st House, Substituted**

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

The bill would amend the Special District Local Laws Code to create certain municipal management districts and establish their duties and powers.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** WP, AF, GP

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 16, 2019**

**TO:** Honorable Angie Chen Button, Chair, House Committee on Urban Affairs

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB4730** by Moody (Relating to the creation of the City of El Paso Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **As Introduced**

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

The bill would amend the Special District Local Laws Code to create certain municipal management districts and establish their duties and powers.

**Local Government Impact**

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

**Source Agencies:**

**LBB Staff:** WP, AF, GP