CHAPTER 498

S.B. No. 835

AN ACT

relating to powers of the Port of Corpus Christi Authority of Nueces County, Texas, pertaining to land in and adjacent to Naval Station Ingleside.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 397, Acts of the 68th Legislature, Regular Session, 1983, is amended by amending Section 1 and adding Sections 1A and 4B to read as follows:

Sec. 1. DEFINITIONS. In this Act:

(1) "Adjacent property" means the approximately 433 acres that the authority owns in San Patricio County that is bounded on the east by the western boundary of Naval Station Ingleside, on the north by Farm-to-Market Road 1069, on the west by the city limits of the City of Ingleside on the Bay, and on the south by the city limits of the City of Ingleside on the Bay and the north shoreline of Corpus Christi Bay. The term does not include property that the authority purchased from this state under Article 8225, Revised Statutes, or that was granted to the authority by this state under any general or special Act.

(2) "Authority" means the Port of Corpus Christi Authority of Nueces County, Texas.

(3) "Naval property" means:

(A) the approximately 576.615 acres of land and submerged land in San Patricio and Nueces Counties, improvements, and personal property, if any, that revert to the authority when Naval Station Ingleside closes, other than property that the authority purchased from this state under Article 8225, Revised Statutes, or that was granted to the authority by this state under any general or special Act; and

(B) the adjacent property.

(4) "Port commission" means the governing body of the authority.

Sec. 1A. COMPOSITION OF PORT COMMISSION. The port commission [of the Port of Corpus Christi Authority of Nueces County, Texas] is composed of seven members.

Sec. 4B. USE AND DISPOSITION OF NAVAL PROPERTY. (a) The authority may use the naval property in ways that replace and enhance the economic benefits generated by Naval Station Ingleside through diversified activities, including uses to foster:

(1) the creation and retention of new jobs;

(2) economic development;

(3) industry;

(4) commerce;

(5) manufacturing;

(6) housing;

(7) recreation; and

(8) the installation of infrastructure on the naval property.

(b) The authority may contract with another person for assistance in accomplishing the purposes of this section by competitive bidding or negotiated contract as the port commission considers appropriate, desirable, and in the best interests of the authority.

(c) The port commission may declare any portion of the naval property not needed for a navigation-related project surplus property and may sell or lease the surplus property on terms the port commission considers advisable to carry out the purposes of this Act.

(d) Notwithstanding any other law, and subject to the terms of this subsection, the authority may sell or lease property declared surplus under this section with or without public bidding. Naval property declared surplus under this section may not be sold in a private sale for less than its fair market value. The authority shall obtain an appraisal of the surplus property, and the appraisal is conclusive evidence of the surplus property's fair market value.
(e) This section is cumulative of and in addition to other law applicable to or affecting the authority. This section does not limit the power of the authority to use other law not in conflict with this Act to the extent necessary or convenient to carry out a power expressly or impliedly granted by this section.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Passed the Senate on April 17, 2009: Yeas 28, Nays 1; passed the House on May 26, 2009: Yeas 146, Nays 0, two present not voting.

Approved June 19, 2009.

CHAPTER 499

S.B. No. 880

AN ACT
relating to the creation of the Fort Bend County Municipal Utility District No. 200; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8337 to read as follows:

CHAPTER 8337. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 200

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8337.001. DEFINITIONS. In this chapter:
(1) “Board” means the district’s board of directors.
(2) “Director” means a board member.
(3) “District” means the Fort Bend County Municipal Utility District No. 200.

Sec. 8337.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8337.003. CONFIRMATION AND DIRECTORS’ ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8337.004. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

(b) The district is created to accomplish the purposes of:
(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and
(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, or improvement of macadamized, graveled, or paved roads described by Section 54.234, Water Code, or improvements, including storm drainage, in aid of those roads.

Sec. 8337.005. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act creating this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act creating this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district’s:
(1) organization, existence, or validity;