

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 4. DEVELOPMENT AND IMPROVEMENT
SUBTITLE C. DEVELOPMENT, IMPROVEMENT, AND MANAGEMENT
CHAPTER 3912. PADRE ISLES MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3912.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Bulkhead property" means all bulkheads in the district owned by the district or owned or previously owned by the Padre Isles Property Owners Association, including any associated easements.
- (3) "City" means the City of Corpus Christi.
- (4) "Director" means a board member.
- (5) "District" means the Padre Isles Management District.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.002. CREATION AND NATURE OF DISTRICT. The Padre Isles Management District is a special district created under Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.003. 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. By creating the district and in authorizing the city and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section [52-a](#), Article III, Texas Constitution.

(b) The creation of the district is necessary to promote, develop, encourage, and maintain safety and the public welfare in the district.

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

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

Sec. 3912.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

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

(c) The creation of the district is in the public interest and is essential to further the public purposes of developing and diversifying the economy of the state.

(d) The district will:

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

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

(3) promote the health, safety, welfare, and enjoyment of the public by providing for the preservation of bulkhead property and the navigable waters surrounding Padre Island.

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

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

Sec. 3912.005. DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake 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;
- (2) right to issue revenue bonds for the purposes for which the district is created or to pay the principal of and interest on the bonds;
- (3) right to pursue relief funding from any lawful source, including this state, the federal government, or any private source; or
- (4) legality or operation.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

Sec. 3912.006. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

Sec. 3912.007. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3912.051. GOVERNING BODY; TERMS. The district is governed by a board of five voting directors who serve staggered terms of four years with two or three directors' terms expiring June 1 of each odd-numbered year.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

Sec. 3912.052. QUALIFICATIONS OF DIRECTORS APPOINTED BY CITY. (a) To be qualified to serve as a director appointed by the governing body of the city, a person must be:

(1) a resident of the district who is also a registered voter of the district;

(2) an owner of property in the district;

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

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

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

(6) an initial director.

(b) Section [49.052](#), Water Code, does not apply to the district.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.053. APPOINTMENT OF DIRECTORS. The governing body of the city shall appoint directors from persons recommended by the board.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.054. VACANCY. The remaining directors shall fill a vacancy on the board by appointing a person who meets the qualifications prescribed by Section [3912.052](#) to serve for the remainder of the unexpired term.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.055. DIRECTOR'S OATH OR AFFIRMATION. (a) A director shall file the director's oath or affirmation of office with the district, and the district shall retain the oath or affirmation in the district records.

(b) A director shall file a copy of the director's oath or affirmation with the secretary of the city.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.056. OFFICERS. The board shall elect from among the directors a chair, a vice chair, and a secretary. The offices of chair and secretary may not be held by the same person.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.057. COMPENSATION; EXPENSES. A director is not entitled to compensation, but is entitled to reimbursement for necessary and reasonable expenses incurred in carrying out the duties and responsibilities of the board.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.058. LIABILITY INSURANCE. The district may obtain and pay for comprehensive general liability insurance coverage from a commercial insurance company or other source that protects and insures a director against personal liability and from all claims relating to:

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

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

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

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.059. NO EXECUTIVE COMMITTEE. The board may not create an executive committee to exercise the powers of the board.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.060. BOARD MEETINGS. The board shall hold meetings at a place accessible to the public.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1,

eff. June 14, 2013.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3912.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

Sec. 3912.102. AGREEMENTS; GRANTS. (a) As provided by Chapter 375, Local Government Code, the district may make an agreement with or accept a gift, grant, or loan from any person.

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

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

Sec. 3912.103. LIABILITY RESULTING FROM DISTRICT ACTION. An action of the district or the board does not create a liability against the city or any other political subdivision.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

Sec. 3912.104. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

SUBCHAPTER C-1. IMPROVEMENT PROJECTS

Sec. 3912.131. IMPROVEMENT PROJECTS AND SERVICES; LIMITATIONS. (a) The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service described by Subsection (b) using any money available to the district, or contract with a

governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter and Chapter 375, Local Government Code.

(b) The district may undertake an improvement project or service only as necessary to reconstruct, preserve, and maintain bulkhead property.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

Sec. 3912.132. LOCATION OF IMPROVEMENT PROJECT. An improvement project described by Section 3912.131 must be located in the district.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

Sec. 3912.133. ADDITIONAL DISTRICT DUTIES REGARDING IMPROVEMENT PROJECTS. The district shall:

(1) submit written notice to the city administrator or the administrator's designee of the anticipated date construction of an improvement project will begin;

(2) comply with applicable city ordinances, resolutions, and regulations when constructing and maintaining an improvement project;

(3) allow a representative of the city to inspect an improvement project during construction to assess the project's compliance with applicable city ordinances, resolutions, and regulations;

(4) alter an improvement project to comply with applicable city ordinances, resolutions, and regulations if the representative of the city provides the district with written notice that the improvement project does not comply with applicable city ordinances, resolutions, and regulations; and

(5) obtain any necessary permits from city, county, state, or federal authorities to construct and maintain an improvement project.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1,

eff. June 14, 2013.

Sec. 3912.134. LICENSE AND CERTIFICATION REQUIREMENTS. The district may not contract with or employ a person to plan or construct an improvement project unless the person is licensed or certified in an area relating to planning or construction, as applicable.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 3912.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of the district's money.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

Sec. 3912.152. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain an improvement project or service authorized under this chapter and Chapter 375, Local Government Code, using any money available to the district, including contract payments from any lawful source.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. 1098), Sec. 1, eff. June 14, 2013.

SUBCHAPTER E. BONDS

Sec. 3912.201. BONDS AND OTHER OBLIGATIONS. (a) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from district revenue.

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

other type of obligation.

(c) District bonds may be secured and made payable wholly or partly by a pledge of any part of the money the district receives from improvement revenue or from any other source.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.202. BOND MATURITY. Bonds may mature not more than 30 years from their date of issue.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

SUBCHAPTER F. DISSOLUTION

Sec. 3912.251. DISSOLUTION BY CITY ORDINANCE. (a) The city by ordinance may dissolve the district.

(b) The city may not dissolve the district until the district's outstanding debt or contractual obligations that are payable from any source available to the district have been repaid or discharged, or the city has affirmatively assumed the obligation to pay the outstanding debt from city revenue.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.

Sec. 3912.252. COLLECTION OF REVENUE. If the dissolved district has bonds or other obligations outstanding secured by and payable from district revenue, the city shall succeed to the rights and obligations of the district regarding enforcement and collection of the revenue.

Added by Acts 2013, 83rd Leg., R.S., Ch. 607 (S.B. [1098](#)), Sec. 1, eff. June 14, 2013.