

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE F. MUNICIPAL UTILITY DISTRICTS
CHAPTER 8273. EL PASO COUNTY TORNILLO WATER IMPROVEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8273.001. DEFINITIONS. In this chapter:

(1) "Authority" means the El Paso County Tornillo Water Improvement District.

(2) "Board" means the board of directors of the authority.

(3) "Director" means a member of the board.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.002. NATURE OF AUTHORITY. The authority is a conservation and reclamation district in El Paso County created under Section 59, Article XVI, Texas Constitution.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The authority is created to serve a public use and benefit.

(b) All land and other property included in the boundaries of the authority will benefit from the works and projects accomplished by the authority under the powers conferred by Section 59, Article XVI, Texas Constitution.

(c) The creation of the authority is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. 2619), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.004. AUTHORITY TERRITORY. (a) The authority is composed of the territory described by Section 3, Chapter 916, Acts of the 70th Legislature, Regular Session, 1987, as that territory may have been modified under:

- (1) Subchapter [H](#), Chapter [54](#), Water Code;
- (2) Subchapter [J](#), Chapter [49](#), Water Code; or
- (3) other law.

(b) The boundaries and field notes of the authority form a closure. A mistake in the field notes or in copying the field notes in the legislative process does not affect:

- (1) the authority's organization, existence, or validity;
- (2) the authority's right to impose a tax; or
- (3) the legality or operation of the authority or its governing body.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8273.051. COMPOSITION OF BOARD; TERMS. (a) The authority is governed by a board of seven directors elected to numbered places.

(b) Directors serve staggered terms.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.052. DIRECTOR'S BOND. Each director shall execute a bond for \$5,000 payable to the authority and conditioned on the faithful performance of the director's duties.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.053. OFFICIAL BOARD ACTIONS. The affirmative vote of a majority of the directors is required for any official board action.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.054. COMPENSATION. Unless the board by resolution increases the fee to an amount authorized by Section

[49.060](#), Water Code, the authority may provide that each director is entitled to receive \$20 for each day of service necessary to discharge the director's duties.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.055. CHANGING METHOD OF ELECTING DIRECTORS. If the board determines that it is in the best interest of the residents of the authority to change the method by which directors are elected, the board may adopt any plan of redistricting, including a plan based on equal geographical areas.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8273.101. GENERAL POWERS. The authority may perform any act consistent with the powers granted by this chapter.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.102. MUNICIPAL UTILITY DISTRICT POWERS. The authority has the rights, powers, privileges, and functions conferred by the general law applicable to a municipal utility district created under Section [59](#), Article XVI, Texas Constitution, including Chapters [49](#), [50](#), and [54](#), Water Code.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.103. PERMITS; WATER SUPPLY ACQUISITION. The authority may:

(1) acquire water appropriation permits, construction permits, and other permits directly from the Texas Commission on Environmental Quality or from owners of permits;

(2) acquire water or a water supply from any person, including a public agency, this state, or the United States;

(3) contract with one or more substantial users of

water to acquire the water supply on an agreed allocation of storage space between the authority and the user; or

(4) contract independently for the authority's water supply.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.104. DOMESTIC, INDUSTRIAL, OR COMMUNAL WASTE. The authority may collect, transport, process, dispose of, and control all domestic, industrial, or communal waste, whether in fluid, solid, or composite state.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.105. WATER CONSERVATION PROGRAM. (a) In this section, "program of water conservation" means the practices, techniques, and technologies that will reduce water consumption, reduce water loss or waste, improve efficiency in water use, or increase water recycling and reuse so that a water supply is available for future uses.

(b) The authority shall adopt and implement a program of water conservation consistent with rules and criteria adopted and enforced by the Texas Commission on Environmental Quality for similarly situated districts in the region.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.106. ADDITIONAL POWERS. The authority may purchase, construct, acquire, own, lease, operate, maintain, repair, improve, and extend, inside or outside the authority's boundaries, land or an interest in land, any work, improvement, facility, plant, equipment, or appliance incident, helpful, or necessary to provide for:

(1) the control, storage, preservation, transmission, treatment, and distribution and use of storm water, floodwater, the water of rivers and streams, and groundwater for municipal, domestic, industrial, and other beneficial uses; and

(2) the collection, transportation, processing, disposition, and control of domestic, industrial, or commercial waste.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.

Sec. 8273.107. CONSTRUCTION CONTRACTS. (a) The authority may award a construction contract that requires an expenditure of more than \$12,500 only after publication of notice to bidders once each week for two consecutive weeks immediately before awarding the contract.

(b) The notice must be published in a newspaper with general circulation in the authority, as designated by the board.

(c) The notice must state:

(1) the time and place for opening the bids;

(2) the general nature of the work to be done or the material, equipment, or supplies to be purchased; and

(3) the terms on which copies of the plans and specifications may be obtained.

(d) The authority is not required to advertise work to be performed in an emergency.

Added by Acts 2009, 81st Leg., R.S., Ch. 1139 (H.B. [2619](#)), Sec. 1.04, eff. April 1, 2011.