

SPECIAL DISTRICT LOCAL LAWS CODE  
TITLE 6. WATER AND WASTEWATER  
SUBTITLE I. WATER CONTROL AND IMPROVEMENT DISTRICTS  
CHAPTER 9029. CLEAR LAKE CITY WATER AUTHORITY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9029.001. DEFINITIONS. In this chapter:

(1) "Authority" means the Clear Lake City Water Authority.

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

(3) "Director" means a board member.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.002. NATURE OF AUTHORITY. The authority is a conservation and reclamation district in Harris County created under Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.003. LEGISLATIVE DECLARATION AND FINDINGS.

(a) The legislature declares that:

(1) the creation of the authority is essential to accomplish the purposes of Section [59](#), Article XVI, Texas Constitution; and

(2) this chapter addresses a subject in which the state and general public are interested.

(b) The legislature finds that:

(1) 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; and

(2) the authority is created to serve a public use and benefit.

(c) The accomplishment of the purposes stated in this chapter is for the benefit of the people of this state and for the

improvement of their property and industries. The authority in carrying out the purposes of this chapter will be performing an essential public function under the Texas Constitution.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.004. AUTHORITY TERRITORY. (a) The authority is composed of the territory described by Section 2, Chapter 101, Acts of the 58th Legislature, Regular Session, 1963, as that territory may have been modified under:

- (1) Subchapter [O](#), Chapter [51](#), Water Code;
- (2) Subchapter [J](#), Chapter [49](#), Water Code;
- (3) Section 20, Chapter 101, Acts of the 58th Legislature, Regular Session, 1963; or
- (4) other law.

(b) The boundaries 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 issue bonds or to pay the principal of and interest on the bonds;
- (3) the authority's right to impose a tax; or
- (4) the legality or operation of the authority or the board.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.005. CORRECTION OF INVALID PROCEDURES. If a court holds that any procedure under this chapter violates the constitution of this state or of the United States, the authority by resolution may provide an alternative procedure that conforms with the constitution.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.006. LIBERAL CONSTRUCTION OF CHAPTER. This

chapter shall be liberally construed to effect the purposes, powers, and rights stated in this chapter.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

#### SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 9029.051. COMPOSITION OF BOARD. The board consists of five elected directors.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.052. ELIGIBILITY. A person may not be appointed or elected a director unless the person:

- (1) owns taxable property in the authority; and
- (2) resides in the authority.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.053. OFFICERS. (a) The board shall elect from among its members a president, secretary, and any other officers the board determines are necessary.

(b) The board may appoint a treasurer.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.054. DIRECTOR'S AND TREASURER'S BONDS. (a) Each director shall give bond in the amount of \$5,000 for the faithful performance of the director's duties.

(b) The treasurer shall give bond in the amount required by the board, conditioned on the treasurer's faithful accounting for all money that comes into the treasurer's custody as authority treasurer.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

## SUBCHAPTER C. POWERS AND DUTIES

Sec. 9029.101. WATER CONTROL AND IMPROVEMENT DISTRICT POWERS. The authority has the rights, powers, privileges, and functions provided by general law applicable to a water control and improvement district created under Section 59, Article XVI, Texas Constitution, including Chapters 49 and 51, Water Code. Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. 1026), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.102. ADDITIONAL POWERS. (a) The authority may:

(1) purchase, construct, or otherwise acquire and accomplish by any practical means a waterworks system, sanitary sewer system, storm sewer system, or drainage facility or any part of those systems or facilities;

(2) make any necessary purchase, construction, improvement, extension, addition, or repair to a system or facility described by Subdivision (1);

(3) purchase or acquire, operate, and maintain any land, right-of-way, easement, site, equipment, building, plant, structure, or facility necessary to a system or facility described by Subdivision (1); and

(4) sell water and other services at rates fixed by the authority.

(b) The authority may exercise any of the rights or powers granted by this chapter inside or outside the authority's boundaries.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. 1026), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.103. CONTRACT FOR DEVELOPMENT OF LAND AND PROPERTY. The authority may enter into a contract with a political subdivision or with an owner, developer, or lessee of land and property as necessary or appropriate to a continuing and orderly plan of development of the land and property through the purchase, construction, or installation of facilities, works, or improvements that the authority is otherwise authorized to do or

perform so that, to the greatest extent reasonably possible, considering sound engineering and economic practices, all of the land may, under the contract, ultimately receive the services of the facilities, works, or improvements.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.104. ELECTION NOT REQUIRED FOR CERTAIN CONTRACTS. A municipality may enter into a water, sewer, or drainage contract, or any combination of those contracts, with the authority without the necessity of an election by any contracting party to approve the contract.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.105. COST OF RELOCATING OR ALTERING PROPERTY. (a) In this section, "sole expense" means the actual cost of relocating, raising, lowering, rerouting, changing the grade of, or altering the construction of a facility described by Subsection (b) in providing comparable replacement without enhancement of the facility, after deducting from that cost the net salvage value of the old facility.

(b) If the authority's exercise of the power of eminent domain, the power of relocation, or any other power makes necessary the relocation, raising, rerouting, changing the grade, or alteration of the construction of a highway, a railroad, an electric transmission line, a telephone or telegraph property or facility, or a pipeline, the necessary action shall be accomplished at the sole expense of the authority.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.106. BID ON PROPOSED CONSTRUCTION WORK. (a) A person who submits a written sealed bid on proposed construction work for the authority must submit with the bid an amount equal to at least five percent of the total amount of the bid in the form of a:

(1) certified or cashier's check on a responsible bank in this state; or

(2) bidder's bond.

(b) If a successful bidder fails or refuses to enter into a proper contract with the authority or provide a bond required by law, the bidder forfeits the amount of the check or bond that accompanied the bidder's bid.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

#### SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 9029.151. TAX METHOD. (a) The authority shall use the ad valorem plan of taxation.

(b) The board is not required to call a hearing on the adoption of a plan of taxation.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.152. AUTHORITY ACCOUNTS. The authority shall keep a complete system of the authority's accounts.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.153. FISCAL YEAR. The fiscal year of the authority is from October 1 to September 30 of the following year, unless changed by the board.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.154. COPY OF AUDIT REPORT. A copy of the audit report prepared under Subchapter [G](#), Chapter [49](#), Water Code, shall be delivered:

(1) to each director; and

(2) to a holder of at least 25 percent of the outstanding bonds of the authority, on request.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06,

eff. April 1, 2015.

Sec. 9029.155. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED. The authority is not required to pay a tax or assessment on authority property or any part of authority property.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.156. POWER TO BORROW MONEY AND ACCEPT GRANTS OR OTHER SUPPORT. (a) The authority may borrow money for the authority's corporate purposes, including taking a loan or accepting a grant, gratuity, or other support from the United States, this state, or a corporation or agency created or designated by the United States or this state.

(b) In connection with the loan, grant, or other support, the authority may enter into any arrangement the board considers advisable.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.157. DEPOSITORY. (a) The board shall designate one or more banks inside or outside the authority to serve as a depository for authority money.

(b) All authority money shall be deposited in a depository bank, except that sufficient money shall be remitted to the appropriate bank of payment to pay the principal of and interest on the authority's outstanding bonds on or before the maturity date of the principal and interest.

(c) To the extent that money in a depository bank is not insured by the Federal Deposit Insurance Corporation, the money must be secured in the manner provided by law for the security of county funds.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

#### SUBCHAPTER E. BONDS

Sec. 9029.201. AUTHORITY TO ISSUE BONDS. The authority may issue bonds for an authority purpose.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.202. ISSUANCE OF REVENUE BONDS. The board may issue, by resolution and without a hearing or an election, bonds payable solely from net revenue of the authority's operation or from the proceeds of any contract for the authority's services.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.

Sec. 9029.203. BONDS EXEMPT FROM TAXATION. An authority bond, the transfer of the bond, and income from the bond, including profits made on the sale of the bond, are exempt from taxation in this state.

Added by Acts 2013, 83rd Leg., R.S., Ch. 112 (S.B. [1026](#)), Sec. 1.06, eff. April 1, 2015.