

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE I. WATER CONTROL AND IMPROVEMENT DISTRICTS
CHAPTER 9059. RIO GRANDE PALMS WATER DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9059.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Director" means a member of the board.
- (3) "District" means the Rio Grande Palms Water District.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.002. NATURE OF DISTRICT. The district is:

- (1) a conservation and reclamation district in Cameron County under Section [59](#), Article XVI, Texas Constitution; and
- (2) a municipal corporation.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

(a) The district is essential to accomplish the purposes of Section [59](#), Article XVI, Texas Constitution, including the conservation and utilization of water.

(b) All land included in the district will benefit from that inclusion.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.004. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 1, Chapter 324, Acts of the 57th Legislature, Regular Session, 1961, as that territory may have been modified under:

- (1) Subsection (b) or its predecessor statute, Section 1, Chapter 324, Acts of the 57th Legislature, Regular Session,

1961;

- (2) Subchapter O, Chapter 51, Water Code;
- (3) Subchapter J, Chapter 49, Water Code; or
- (4) other law.

(b) The Commissioners Court of Cameron County shall redefine the boundaries of the district contained in Section 1, Chapter 324, Acts of the 57th Legislature, Regular Session, 1961, to correct any error or omission in those boundaries.
Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. 1162), Sec. 1.06, eff. April 1, 2017.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 9059.051. COMPOSITION OF BOARD. The board is composed of five elected directors.
Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. 1162), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.052. QUALIFICATION FOR OFFICE. (a) A director must own land in the district.

(b) A director is not required to reside in the district.
Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. 1162), Sec. 1.06, eff. April 1, 2017.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 9059.101. WATER CONTROL AND IMPROVEMENT DISTRICT POWERS. The district has the rights, powers, privileges, and duties 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 2015, 84th Leg., R.S., Ch. 855 (S.B. 1162), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.102. ACQUISITION OF PROPERTY. The district may acquire property located inside or outside the district that the board considers necessary to accomplish the district's objectives.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.103. LIMIT ON EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain outside the district. Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.104. 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 derived from the old facility.

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

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 9059.151. MAINTENANCE TAX. The board may impose an ad valorem tax on all taxable property in the district for the maintenance and operation of district works and facilities if the tax is authorized by an election held as provided by law relating to water control and improvement district bond elections.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

SUBCHAPTER E. BONDS

Sec. 9059.201. AUTHORITY TO ISSUE BONDS. (a) The district may issue bonds pursuant to a resolution adopted by the board if a majority of district voters voting at an election vote to adopt the proposition authorizing the bonds.

(b) The district may issue bonds for any purpose permitted to a water control and improvement district, including:

(1) the improvement of rivers, creeks, streams, arroyos, and resacas, to prevent overflow, to furnish access to land in the district, to permit navigation of the water or irrigation of land in the district, or in aid of those purposes; or

(2) the acquisition of water rights, the construction or acquisition by purchase or other means, and maintenance of pools, lakes, reservoirs, dams, pipelines, canals and waterways, pumps, pump houses, and all other useful equipment, machinery, and facilities, for the purpose or in aid of irrigation, drainage, conservation, or navigation, including the purchase of an existing irrigation or conservation system.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.202. EXCHANGING BONDS FOR PROPERTY. The district may exchange bonds for property acquired for the use and benefit of the district.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.203. CERTAIN BOND COVENANTS AUTHORIZED. A resolution authorizing the issuance of district bonds may contain any covenant the board considers necessary to ensure:

(1) the creation and maintenance of proper reserves;
and

(2) the payment of the principal of and interest on the bonds.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.204. MATURITY. District bonds, including

refunding bonds, must mature not later than 40 years after the date of their issuance.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.205. USE OF BOND PROCEEDS. The district may appropriate and pay from the proceeds of the sale of bonds the interest to accrue on the bonds for a period not to exceed three years from their date.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.206. BONDS SECURED BY AD VALOREM TAXES. (a) If bonds have been voted, the board shall impose a continuing ad valorem tax on all property in the district sufficient:

(1) to pay the principal and interest on the bonds as the principal and interest respectively mature;

(2) to create and maintain any reserve required by the resolution or resolutions authorizing the issuance of the bonds;

(3) to pay the expense of assessing and collecting the tax; and

(4) for anticipated delinquencies in the tax payments.

(b) The board annually shall determine and set or cause to be determined and set the rate of the ad valorem tax to be imposed under this section.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.

Sec. 9059.207. REFUNDING BONDS. (a) The district may issue refunding bonds without an election.

(b) District bonds may be refunded by:

(1) the issuance and delivery to holders of refunding bonds in lieu of the outstanding bonds; or

(2) the sale of refunding bonds and the use of the proceeds for retiring the outstanding bonds.

Added by Acts 2015, 84th Leg., R.S., Ch. 855 (S.B. [1162](#)), Sec. 1.06, eff. April 1, 2017.