

MULLER LAW GROUP

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Nancy Kwon Carter
Member

January 21, 2021

Via U.S. Mail Delivery

The Honorable Greg Abbott
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428

The Honorable Lois Kolkhorst
P.O. Box 12068
Capitol Station
Austin, TX 78711

The Honorable Tom Oliverson
Room E2.910
P.O. Box 2910
Austin, TX 78768

Texas Commission on Environmental Quality
Districts Section, MC 152
P.O. Box 13087
Austin, TX 78711-3087

The Honorable Cecil Bell
Room E2.708
P.O. Box 2910
Austin, TX 78768

Harris County Commissioners Court
1001 Preston St.
Houston, TX 77002

Waller County Commissioners Court
836 Austin Street, Suite 203
Hempstead, Texas 77445

Houston City Council
City Hall Annex
900 Bagby St, First Floor
Houston, TX 77002

Re: Proposed legislation creating Harris-Waller Counties Municipal Utility District No. 5


Dear Sir or Madam:

Enclosed please find a copy of the following documents related to proposed legislation to create Harris-Waller Counties Municipal Utility District No. 5. The proposed 45.924 -acre district is located in the extraterritorial jurisdiction of the City of Houston:

- 1) DRAFT copy of proposed legislation; and
- 2) Copy of Notice of Intent as published in the Katy Times on January 21, 2021.

Please note that the proposed legislation follows the "MUD Template" previously approved by the Senate Intergovernmental Relations Committee and the House Special Purpose Districts Committee in prior legislative sessions.

Sincerely,


Nancy Kwon Carter

Enclosures

Cc via email w/ encl.:

Jim Grace, jim@gracemcewan.com

Drew Larson, drew@lawsonstrategies.com

[insert Leg Co. draft #]

By: _____

____.B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Harris-Waller Counties Municipal Utility District No. 5; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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 _____ to read as follows:

CHAPTER . HARRIS-WALLER COUNTIES MUNICIPAL UTILITY DISTRICT

NO. 5

SUBCHAPTER A. GENERAL PROVISIONS

Sec. .001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Commission" means the Texas Commission on

Environmental Quality.

municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. .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. .004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section .003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. .005. 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, improvement, operation, or