

SUPREME COURT OF TEXAS

City of Ingleside, Texas v. City of Corpus Christi, Texas

469 S.W.3d 589 (Tex. 2015) · No. No. 14-0548 · Decided July 27, 2015

SUMMARY

The Supreme Court of Texas considered whether a declaratory-judgment action concerning the meaning of a municipal ordinance defining a city boundary by reference to the shoreline presented a nonjusticiable political question. The Court held that interpreting whether piers, wharves, docks, and similar structures fall within the shoreline boundary is a judicially manageable issue distinct from legislatively establishing or altering a municipal boundary. The Court reversed the court of appeals and remanded for consideration of the respondent’s remaining jurisdictional challenges.

CASE DETAILS

COURT	Supreme Court of Texas
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Texas
DECIDED	July 27, 2015
DOCKET	No. 14-0548
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	City of Ingleside brought a declaratory-judgment action concerning whether structures projecting from its shore into bay waters fell on the Ingleside or Corpus Christi side of a shoreline boundary. The trial court denied Corpus Christi's plea to the jurisdiction. The court of appeals reversed, holding that the boundary dispute presented a nonjusticiable political question. Ingleside petitioned the Supreme Court of Texas for review.
STANDARD OF REVIEW	A plea to the jurisdiction challenges the court's authority to decide a case. Subject-matter jurisdiction is reviewed de novo, and the plaintiff bears the burden of affirmatively demonstrating jurisdiction. Pleadings are liberally construed, factual allegations are taken as true, and the court considers the plaintiff's intent.
PRECEDENTIAL VALUE	Published opinion of the Supreme Court of Texas; precedential
PARTIES	City of Ingleside, Texas v. City of Corpus Christi, Texas

TOPICS

municipal law

ordinances

home rule

separation of powers

subject matter jurisdiction

PRACTICE AREAS

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constitutional law

civil procedure

appellate procedure

statutory interpretation

QUESTIONS PRESENTED

1. Whether Ingleside's declaratory-judgment action presented a nonjusticiable political question because it concerned the boundary between two home-rule municipalities.
2. Whether determining whether the shoreline boundary includes or excludes natural or artificial protrusions from the fast land is a judicially manageable issue.
3. Whether the court of appeals properly dismissed the action for lack of subject-matter jurisdiction rather than allowing the trial court to address the remaining jurisdictional challenges.

HOLDINGS

1. The action did not present a nonjusticiable political question. Ingleside sought interpretation and application of existing boundary ordinances, not judicial alteration or selection of the municipal boundary.
2. The dispute over whether the shoreline may be reshaped by natural or artificial fixtures was justiciable because it involved interpretation of an ordinance and application of existing legal standards, rather than a legislative determination of where the boundary should be.

KEY QUOTATIONS

“Regardless of the matter’s ultimate resolution, the declaratory-judgment action requires the court to interpret relevant boundary ordinances not select the appropriate boundary line.” (469 S.W.3d at 589)

“This question does not constitute a political question beyond the Court’s competence or authority.” (469 S.W.3d at 594)

FACTUAL BACKGROUND

Corpus Christi enacted Ordinance 6636 in 1962, establishing the shoreline of Nueces Bay and Corpus Christi Bay as the boundary between Corpus Christi and Ingleside. Ingleside retained jurisdiction over fast land adjacent to the shoreline, while Corpus Christi exercised jurisdiction over land extending from the shoreline into the bay waters. Piers, bulkheads, wharves, and other artificial structures were later attached to Ingleside's fast land but projected into the area claimed by Corpus Christi. Ingleside sought a declaration that structures attached to and functionally part of the fast land were entirely within the land-side jurisdiction.

PROCEDURAL HISTORY

Corpus Christi enacted Ordinance 6636 establishing the shoreline of Nueces Bay and Corpus Christi Bay as the boundary between the cities. After piers, bulkheads, wharves, and similar structures were attached to fast land in

Ingleside and projected into waters claimed by Corpus Christi, Ingleside sought a declaration regarding the structures' jurisdictional location. The trial court rejected Corpus Christi's jurisdictional challenge, but the court of appeals reversed. The Supreme Court of Texas reversed the court of appeals and remanded for consideration of Corpus Christi's remaining jurisdictional challenges.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case was remanded to the Court of Appeals for the Thirteenth District of Texas to consider Corpus Christi's remaining jurisdictional challenges.

CASES CITED

- Bland Indep. Sch. Dist. v. Blue, 34 S.W.3d 547, 554 (Tex. 2000)
- Tex. Natural Res. Conservation Comm'n v. IT-Davy, 74 S.W.3d 849, 855 (Tex. 2002)
- Tex. Dep't of Parks & Wildlife v. Miranda, 133 S.W.3d 217, 226 (Tex. 2004)
- Alexander Oil Co. v. City of Seguin, 825 S.W.2d 434, 436 n.3 (Tex. 1991)
- City of Wichita Falls v. State ex rel. Vogtsberger, 533 S.W.2d 927, 929 (Tex. 1976)
- Tex. Ass'n of Bus. v. Tex. Air Control Bd., 852 S.W.2d 440, 444 (Tex. 1993)
- State ex rel. Pan Am. Prod. v. Texas City, 303 S.W.2d 780, 782 (Tex. 1957)
- City of Waco v. City of McGregor, 523 S.W.2d 649, 654 (Tex. 1975)
- Neeley v. W. Orange-Cove Consol. Indep. Sch. Dist., 176 S.W.3d 746, 777-78, 780 & n.180 (Tex. 2005)
- Edgewood Indep. Sch. Dist. v. Kirby, 777 S.W.2d 391, 394 (Tex. 1989)
- Wheeler v. City of Brownsville, 220 S.W.2d 457, 462 (Tex. 1949)
- Terrazas v. Holmes, 275 S.W. 392, 395 (Tex. 1925)
- Tex. Adjutant Gen.'s Dep't v. Amos, 54 S.W.3d 74, 79 (Tex. App.—Austin 2001, pet. denied)
- United States v. Texas, 143 U.S. 621, 630-31, 641 (1892)
- Oklahoma v. Texas, 272 U.S. 21, 23-24, 44 (1926)
- Keith v. Hyndman, 57 Tex. 425, 430 (1882)
- Luttes v. State, 324 S.W.2d 167, 179 (Tex. 1958)
- John G. & Marie Stella Kenedy Mem'l Found. v. Dewhurst, 90 S.W.3d 268, 281 (Tex. 2002)
- Porretto v. Tex. Gen. Land Office, 448 S.W.3d 393, 400 (Tex. 2014)
- City of Fort Worth v. Gulf Ref. Co., 83 S.W.2d 610, 617 (Tex. 1935)