

By: Nixon

H.B. No. 3585

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the board of directors and the powers and duties of the  
3 Westchase Area Management District.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 376.050, Local Government Code, is  
6 amended to read as follows:

7 Sec. 376.050. APPOINTMENT OF DIRECTORS; VACANCY. The  
8 mayor and members of the governing body of the municipality shall  
9 appoint directors from persons recommended by the board. A vacancy  
10 in the office of director because of the death, resignation, or  
11 removal of a director shall be filled by the remaining members of  
12 the board by appointing a qualified person for the unexpired term.  
13 The mayor and members of the governing body of the municipality  
14 shall consider for appointment ~~appoint~~ as directors ~~for the~~  
15 ~~positions indicated~~ persons representing the following interests:

16 (1) ~~[positions 1, 11, and 12 must represent]~~ owners of  
17 multifamily rental housing with a minimum of 200 rental units;

18 (2) lessees ~~[position 2 must be a lessee]~~ of office  
19 space of at least 30,000 square feet of rentable area;

20 (3) ~~[positions 9 and 10 must represent]~~ owners of  
21 office facilities with a minimum of 500 employees or taxable value  
22 in excess of \$10 million;

23 (4) ~~[positions 8, 13, and 14 must represent]~~ owners of  
24 multitenant office buildings;

1           (5) [~~position 15 must represent~~] owners of multitenant  
2 retail property or major retail tenants [~~of 20,000 square feet or~~  
3 ~~more~~];

4           (6) [~~position 16 must represent~~] owners of temporary  
5 lodging facilities with on-site food service;

6           (7) [~~position 17 must represent~~] owners of undeveloped  
7 property with a contiguous area of 5 acres or more; and

8           (8) [~~positions 3, 4, 5, 6, and 7 must represent the~~  
9 ~~district at large and~~] any other person qualified to serve on the  
10 board as provided by Section 375.063 to represent the district at  
11 large [~~may be appointed for those positions~~].

12           SECTION 2. Subchapter B, Chapter 376, Local Government  
13 Code, is amended by adding Sections 376.066 and 376.067 to read as  
14 follows:

15           Sec. 376.066. TELECOMMUNICATIONS SERVICES. (a) The  
16 district may solicit, market, or otherwise promote and secure  
17 telecommunications services in the district.

18           (b) The district may form a partnership with  
19 telecommunication companies to provide a telecommunications  
20 service under this section.

21           (c) A facility used to provide a telecommunications service  
22 under this section must be:

23                   (1) owned and operated by a private entity; or

24                   (2) leased to a private entity.

25           Sec. 376.067. CONFERENCE AND CONVOCATION CENTERS. The  
26 district may finance, acquire, lease as a lessor or lessee,  
27 construct, improve, operate, or maintain conference and

1 convocation centers and supporting facilities. The district may  
2 enter into a long-term operating agreement with any person for the  
3 center or facility.

4 SECTION 3. (a) The legislature validates and confirms all  
5 governmental acts and proceedings of the Westchase Area Management  
6 District and the district's board of directors that occurred before  
7 the effective date of this Act.

8 (b) This section does not apply to any matter that on the  
9 effective date of this Act:

10 (1) is involved in litigation, if the litigation  
11 ultimately results in the matter being held invalid by a final  
12 judgment of a court with jurisdiction; or

13 (2) has been held invalid by a court with  
14 jurisdiction.

15 SECTION 4. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2003.