

By: Cohen

H.B. No. 4113

A BILL TO BE ENTITLED

AN ACT

relating to the Buffalo Bayou Management District.

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

SECTION 1. Section 4, Chapter 997, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

Sec. 4. BOUNDARIES. The Buffalo Bayou Management District [~~district~~] includes all the territory contained in the following described area:

POINT OF BEGINNING at the intersection of the center line of Allen Parkway and the west boundary of the Houston Downtown Management District, then west along the center line of Allen Parkway to the west boundary of Montrose right-of-way, then south along the west boundary of Montrose right-of-way to the south boundary line of West Clay right-of-way, then west along the south boundary line of West Clay right-of-way to the intersection of the west boundary of Shepherd Drive right-of-way. Then north along the west boundary of Shepherd Drive right-of-way to the intersection of the south boundary of the Buffalo Bayou. Then west along the south boundary of the Buffalo Bayou to the intersection of the south boundary of the Buffalo Bayou and the west boundary of Westcott Street right-of-way. Then north along the west boundary of Westcott Street right-of-way to the intersection of the north boundary of Feagan Street right-of-way. Then east along the north boundary of Feagan Street right-of-way until the intersection of the north

1 boundary of Feagan Street right-of-way and the west boundary of
2 Jackson Hill Street right-of-way. Then north along the west
3 boundary of Jackson Hill Street right-of-way to the intersection of
4 the north boundary of Raymond Street right-of-way. Then west along
5 the north boundary of Raymond Street right-of-way until the
6 intersection of the east boundary of Heights Boulevard
7 right-of-way. Then north along the east boundary of Heights
8 Boulevard right-of-way to the intersection of the south boundary of
9 Washington Avenue right-of-way. Then east along the south boundary
10 of Washington Avenue right-of-way to the intersection of the west
11 boundary line of the Washington Cemetery. Then south along the west
12 boundary line of the Washington Cemetery to the intersection of the
13 north boundary line of Memorial Drive right-of-way, then east along
14 the north boundary line of Memorial Drive right-of-way to the
15 intersection of the west boundary line of the Houston Downtown
16 Management District, then south along the west boundary line of the
17 Houston Downtown Management District to the center line of Allen
18 Parkway, the POINT OF BEGINNING [~~POINT OF BEGINNING at the~~
19 ~~intersection of the west boundary line of the Houston Downtown~~
20 ~~Management District and the north boundary of Memorial Drive~~
21 ~~right-of-way, then west along the north boundary of Memorial Drive~~
22 ~~right-of-way to the north boundary of Memorial Drive's Heights~~
23 ~~North exit ramp, then northwest along the north boundary of~~
24 ~~Memorial Drive's Heights North exit ramp to the east boundary of~~
25 ~~Heights boulevard right-of-way, then west across Heights Boulevard~~
26 ~~from the east boundary of Heights Boulevard right-of-way to the~~
27 ~~west boundary of the Heights Boulevard right-of-way, then south~~

1 ~~along the west boundary of Heights boulevard right-of-way to the~~
2 ~~north boundary of Memorial Drive's Memorial West entrance ramp,~~
3 ~~then southwest along the north boundary of Memorial Drive's~~
4 ~~Memorial West entrance ramp to the northern boundary line of~~
5 ~~Memorial Drive right-of-way, then west along the northern boundary~~
6 ~~line of Memorial Drive right-of-way to the west boundary line of~~
7 ~~Shepherd Drive right-of-way, then south along the west boundary~~
8 ~~line of Shepherd Drive right-of-way to the centerline of West~~
9 ~~Dallas, then east along the centerline of West Dallas to the~~
10 ~~intersection of the west boundary of Montrose Boulevard~~
11 ~~right-of-way and the centerline of West Dallas, then south along~~
12 ~~the west boundary line of Montrose Boulevard right-of-way to the~~
13 ~~south boundary line of U.S. Highway 59 and the west boundary line of~~
14 ~~Montrose Boulevard right-of-way, then in an easterly direction from~~
15 ~~said intersection along the south boundary line of U.S. Highway 59~~
16 ~~to the intersection of the west boundary line of the Main Street~~
17 ~~right-of-way and then proceeding from said intersection in a~~
18 ~~northwesterly direction along the boundary line of the west Main~~
19 ~~Street right-of-way paralleling the boundary line of the Greater~~
20 ~~Southeast Management District to the intersection of the boundary~~
21 ~~line of the south Portland Street right-of-way and the boundary~~
22 ~~line of the west Main Street right-of-way, being the southern~~
23 ~~boundary line of the Midtown Management District, then proceeding~~
24 ~~from said intersection in generally a northeasterly direction the~~
25 ~~boundary line parallels the Midtown Management District boundary~~
26 ~~line to the intersection of the west boundary line of the US Hwy 45~~
27 ~~right-of-way and the north boundary line of the Cleveland Street~~

1 ~~right-of-way, being the western boundary line of the Houston~~
2 ~~Downtown Management District, then north from said intersection~~
3 ~~along the western boundary line of the Houston Downtown Management~~
4 ~~District to the POINT OF BEGINNING].~~

5 SECTION 2. Sections 3820.051(a) and (b), Special District
6 Local Laws Code, are amended to read as follows:

7 (a) Except as provided by Subsection (c), the district is
8 governed by a board of 11 [~~31~~] voting directors appointed under
9 Section 3820.052 and nonvoting directors as provided by Section
10 3820.053.

11 (b) Voting directors serve staggered terms of four years,
12 with five [~~15~~] or six [~~16~~] directors' terms expiring June 1 of each
13 odd-numbered year.

14 SECTION 3. Section 3820.055, Special District Local Laws
15 Code, is amended to read as follows:

16 Sec. 3820.055. BOARD [~~INITIAL DIRECTORS~~]. (a) The
17 [~~initial~~] board consists of the following persons:

| Pos. No. | Name of Director |
|----------|--------------------------------------|
| 1 | _____ [Kay Crooker] |
| 2 | _____ [Mike Carver] |
| 3 | _____ [Jackie Martin] |
| 4 | Mark Lee |
| 5 | _____ [John Chase, Jr.] |
| 6 | _____ [Adrian Collins] |
| 7 | Max Schuette |
| 8 | _____ [June Deadrick] |
| 9 | _____ [Don Cutrer] |

1 the term exists immediately preceding the effective date of the Act
2 adding this subsection expires on that effective date. On that
3 date, a new board is appointed as provided by Subsection (a) to
4 serve terms as provided by Subsection (b).

5 (c) Section 3820.052 does not apply to this section.

6 (d) This section expires September 1, 2011 [~~2007~~].

7 SECTION 4. Section 3820.105, Special District Local Laws
8 Code, is amended to read as follows:

9 Sec. 3820.105. COMPETITIVE BIDDING. Section 375.221, Local
10 Government Code, applies to the district only for a contract that
11 has a value greater than \$25,000 [~~\$15,000~~].

12 SECTION 5. Section 3820.155(b), Special District Local Laws
13 Code, is amended to read as follows:

14 (b) The petition must be signed by:

15 (1) the owners of a majority of the assessed value of
16 real property in the district subject to assessment according to
17 the most recent certified tax appraisal roll for Harris County; or

18 (2) at least 50 persons who own real property in the
19 district, if more than 50 persons own real property in the district
20 according to the most recent certified tax appraisal roll for
21 Harris County.

22 SECTION 6. Subchapter D, Chapter 3820, Special District
23 Local Laws Code, is amended by adding Section 3820.160 to read as
24 follows:

25 Sec. 3820.160. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.

26 Section 375.161, Local Government Code, does not apply to the
27 district.

1 SECTION 7. The legislature finds that:

2 (1) proper and legal notice of the intention to
3 introduce this Act, setting forth the general substance of this
4 Act, has been published as provided by law, and the notice and a
5 copy of this Act have been furnished to all persons, agencies,
6 officials, or entities to which they are required to be furnished by
7 the constitution and laws of this state, including the governor,
8 who has submitted the notice and Act to the Texas Commission on
9 Environmental Quality;

10 (2) the Texas Commission on Environmental Quality has
11 filed its recommendations relating to this Act with the governor,
12 lieutenant governor, and speaker of the house of representatives
13 within the required time;

14 (3) the general law relating to consent by political
15 subdivisions to the creation of districts with conservation,
16 reclamation, and road powers and the inclusion of land in those
17 districts has been complied with; and

18 (4) all requirements of the constitution and laws of
19 this state and the rules and procedures of the legislature with
20 respect to the notice, introduction, and passage of this Act have
21 been fulfilled and accomplished.

22 SECTION 8. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2007.