

SENATE AMENDMENTS

2nd Printing

By: Cohen, Coleman

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 line of the Houston Downtown Management District, then west along the center line of Allen Parkway to the west boundary line of Montrose right-of-way, then south along the west boundary line of Montrose right-of-way to the south boundary line of West Dallas right-of-way, then west along the south boundary line of West Dallas right-of-way to the intersection of the west boundary line of Shepherd Drive right-of-way. Then north along the west boundary line of Shepherd Drive right-of-way to the intersection of the south boundary line of the Memorial Drive right-of-way. Then west along the south boundary line of Memorial Drive right-of-way to the intersection of the west boundary line of Detering right-of-way. Then north along the west boundary line of Detering right-of-way to the intersection of the north boundary line of Memorial Drive right-of-way. Then east along the north boundary line of Memorial Drive right-of-way

1 to the west boundary line of Shepherd Drive right-of-way. Then
2 north along the west boundary line of Shepherd Drive right-of-way
3 to the intersection of the north boundary line of Feagan Street
4 right-of-way. Then east along the north boundary line of Feagan
5 Street right-of-way until the intersection of the the west boundary
6 line of Jackson Hill Street right-of-way. Then north along the west
7 boundary line of Jackson Hill Street right-of-way to the
8 intersection of the north boundary line of Blossom Street
9 right-of-way. Then west along the north boundary line of Blossom
10 Street right-of-way until the intersection of the east boundary
11 line of Heights Boulevard right-of-way. Then north along the east
12 boundary line of Heights Boulevard right-of-way to the intersection
13 of the south boundary line of Washington Avenue right-of-way. Then
14 east along the south boundary line of Washington Avenue
15 right-of-way to the intersection of the west boundary line of the
16 Washington Cemetery. Then south along the west boundary line of the
17 Washington Cemetery to the intersection of the north boundary line
18 of Memorial Drive right-of-way. Then east along the north boundary
19 line of Memorial Drive right-of-way to the intersection of the
20 northeast corner of Memorial Drive right-of-way and the northern
21 bank of Buffalo Bayou. Then curve around the northern bank of
22 Buffalo Bayou to the northeastern corner of the intersection of the
23 north boundary line of Memorial Drive. Then east long the north
24 boundary line of Memorial Drive right-of-way to the west boundary
25 line of Silver and north along the west boundary line of Silver
26 right-of-way to the north boundary line of Memorial Drive Way
27 right-of-way. Then east along the north boundary line of Memorial

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

1 ~~right-of-way and the centerline of West Dallas, then south along~~
2 ~~the west boundary line of Montrose Boulevard right-of-way to the~~
3 ~~south boundary line of U.S. Highway 59 and the west boundary line of~~
4 ~~Montrose Boulevard right-of-way, then in an easterly direction from~~
5 ~~said intersection along the south boundary line of U.S. Highway 59~~
6 ~~to the intersection of the west boundary line of the Main Street~~
7 ~~right-of-way and then proceeding from said intersection in a~~
8 ~~northwesterly direction along the boundary line of the west Main~~
9 ~~Street right-of-way paralleling the boundary line of the Greater~~
10 ~~Southeast Management District to the intersection of the boundary~~
11 ~~line of the south Portland Street right-of-way and the boundary~~
12 ~~line of the west Main Street right-of-way, being the southern~~
13 ~~boundary line of the Midtown Management District, then proceeding~~
14 ~~from said intersection in generally a northeasterly direction the~~
15 ~~boundary line parallels the Midtown Management District boundary~~
16 ~~line to the intersection of the west boundary line of the US Hwy 45~~
17 ~~right-of-way and the north boundary line of the Cleveland Street~~
18 ~~right-of-way, being the western boundary line of the Houston~~
19 ~~Downtown Management District, then north from said intersection~~
20 ~~along the western boundary line of the Houston Downtown Management~~
21 ~~District to the POINT OF BEGINNING].~~

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

24 (a) Except as provided by Subsection (c), the district is
25 governed by a board of nine [~~31~~] voting directors appointed under
26 Section 3820.052 and nonvoting directors as provided by Section
27 3820.053.

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

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

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

8	Pos. No.	Name of Director	
9	1	Kay Crooker	
10	2	<u>Steve Costello</u>	[Mike Carver]
11	3	<u>Barrett Sides</u>	[Jackie Martin]
12	4	<u>William Taylor</u>	[Mark Lee]
13	5	<u>Julie McClure</u>	[John Chase, Jr.]
14	6	<u>Peter Grim</u>	[Adrian Collins]
15	7	Max Schuette	
16	8	<u>Thomas Arcidiacono</u>	[June Deadrick]
17	9	<u>Steve Gibson</u>	[Don Cutrer
18	[10		Raju Adwaney
19	[11		Mike Mark
20	[12		Sia Ravari
21	[13		Cherry Walker
22	[14		John Hansen
23	[15		John Dao
24	[16		William Taylor
25	[17		Karen Domino
26	[18		Kevin Hoffman
27	[19		Jeff Andrews

1	[20	William Paul Thomas
2	[21	Theola Petteway
3	[22	Keith Wade
4	[23	Chryisse Wilson
5	[24	Sadie Rucker
6	[25	Julie McClure
7	[26	Angie Gomez
8	[27	Tom Fricke
9	[28	James Robert McDermaid
10	[29	Kathy Hubbard
11	[30	Marsha Johnson
12	[31	Craig Jackson]

13 (b) The [~~Of the initial directors, the~~] terms of directors
14 appointed for positions 1 through 5 [~~15~~] expire June 1, 2009 [~~2005~~],
15 and the terms of directors appointed for positions 6 [~~16~~] through 9
16 [~~31~~] expire June 1, 2011 [~~2007~~].

17 (b-1) The term of each membership position on the board as
18 the term exists immediately preceding the effective date of the Act
19 adding this subsection expires on that effective date. On that
20 date, a new board is appointed as provided by Subsection (a) to
21 serve terms as provided by Subsection (b).

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

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

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

26 Sec. 3820.105. COMPETITIVE BIDDING. Section 375.221, Local
27 Government Code, applies to the district only for a contract that

1 has a value greater than \$25,000 [~~\$15,000~~].

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

4 (b) The petition must be signed by:

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

8 (2) at least 50 persons who own real property in the
9 district, if more than 50 persons own real property in the district
10 according to the most recent certified tax appraisal roll for
11 Harris County.

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

15 Sec. 3820.160. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.
16 Section 375.161, Local Government Code, does not apply to the
17 district.

18 SECTION 7. The legislature finds that:

19 (1) proper and legal notice of the intention to
20 introduce this Act, setting forth the general substance of this
21 Act, has been published as provided by law, and the notice and a
22 copy of this Act have been furnished to all persons, agencies,
23 officials, or entities to which they are required to be furnished by
24 the constitution and laws of this state, including the governor,
25 who has submitted the notice and Act to the Texas Commission on
26 Environmental Quality;

27 (2) the Texas Commission on Environmental Quality has

1 filed its recommendations relating to this Act with the governor,
2 lieutenant governor, and speaker of the house of representatives
3 within the required time;

4 (3) the general law relating to consent by political
5 subdivisions to the creation of districts with conservation,
6 reclamation, and road powers and the inclusion of land in those
7 districts has been complied with; and

8 (4) all requirements of the constitution and laws of
9 this state and the rules and procedures of the legislature with
10 respect to the notice, introduction, and passage of this Act have
11 been fulfilled and accomplished.

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

ADOPTED

MAY 23 2007

Lotay Spaw
Secretary of the Senate

By: Ellu

H.B. No. 4113

Substitute the following for H.B. No. 4113:

By: Robert M. Lutz

C.S. 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 line of the Houston Downtown Management District, then west along the center line of Allen Parkway to the west boundary line of Montrose right-of-way, then south along the west boundary line of Montrose right-of-way to the south boundary line of West Dallas right-of-way, then west along the south boundary line of West Dallas right-of-way to the intersection of the west boundary line of Shepherd Drive right-of-way. Then north along the west boundary line of Shepherd Drive right-of-way to the intersection of the south boundary line of the Memorial Drive right-of-way. Then west along the south boundary line of Memorial Drive right-of-way to the intersection of the west boundary line of Detering right-of-way. Then north along the west boundary line of Detering right-of-way to the intersection of the north boundary line of Memorial Drive right-of-way. Then east along the north boundary line of Memorial Drive right-of-way

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27 3820.053.

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

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

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

8	Pos. No.	Name of Director	
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18	[10]		Raju Adwaney
19	[11]		Mike Mark
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22	[14]		John Hansen
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5 ~~[24~~ ~~Sadie Rucker~~
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7 ~~[26~~ ~~Angie Comez~~
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9 ~~[28~~ ~~James Robert McDermaid~~
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12 ~~[31~~ ~~Craig Jackson]~~

13 (b) The [~~Of the initial directors, the~~] terms of directors
14 appointed for positions 1 through 5 [~~15~~] expire June 1, 2009 [~~2005~~],
15 and the terms of directors appointed for positions 6 [~~16~~] through 9
16 [~~31~~] expire June 1, 2011 [~~2007~~].

17 (b-1) The term of each membership position on the board as
18 the term exists immediately preceding the effective date of the Act
19 adding this subsection expires on that effective date. On that
20 date, a new board is appointed as provided by Subsection (a) to
21 serve terms as provided by Subsection (b).

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

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

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

26 Sec. 3820.105. COMPETITIVE BIDDING. Section 375.221, Local
27 Government Code, applies to the district only for a contract that

1 has a value greater than \$25,000 [~~\$15,000~~].

2 SECTION 5. Subchapter D, Chapter 3820, Special District
3 Local Laws Code, is amended by adding Section 3820.160 to read as
4 follows:

5 Sec. 3820.160. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.
6 Section 375.161, Local Government Code, does not apply to the
7 district.

8 SECTION 6. The legislature finds that:

9 (1) proper and legal notice of the intention to
10 introduce this Act, setting forth the general substance of this
11 Act, has been published as provided by law, and the notice and a
12 copy of this Act have been furnished to all persons, agencies,
13 officials, or entities to which they are required to be furnished by
14 the constitution and laws of this state, including the governor,
15 who has submitted the notice and Act to the Texas Commission on
16 Environmental Quality;

17 (2) the Texas Commission on Environmental Quality has
18 filed its recommendations relating to this Act with the governor,
19 lieutenant governor, and speaker of the house of representatives
20 within the required time;

21 (3) the general law relating to consent by political
22 subdivisions to the creation of districts with conservation,
23 reclamation, and road powers and the inclusion of land in those
24 districts has been complied with; and

25 (4) all requirements of the constitution and laws of
26 this state and the rules and procedures of the legislature with
27 respect to the notice, introduction, and passage of this Act have

1 been fulfilled and accomplished.

2 SECTION 7. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2007.

ADOPTED

MAY 23 2007

Lotay Spaul
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: Ellis

1 Amend C.S.H.B. No. 4113 (senate committee printing) by
2 striking SECTION 5 of the bill (page 3, lines 36 through 41) and
3 renumbering subsequent SECTIONS accordingly.

ADOPTED

MAY 23 2007

Atty Gen
Secretary of the Senate
BY:

Ellis

FLOOR AMENDMENT NO. 2

1 Amend C.S.H.B. 4113 (senate committee printing) as follows:

2 (1) In Section 1 of the bill, in amended Section 4, Chapter
3 997, Acts of the 78th Legislature, Regular Session, 2003 (page 1,
4 line 41), strike "west" and substitute "east".

5 (2) In Section 3 of the bill, in amended Section
6 3820.055(a), Special District Local Laws Code (page 2, line 61),
7 strike "Barrett Sides" and substitute "Ted Kennedy".

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 17, 2007

TO: Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4113 by Cohen (Relating to the Buffalo Bayou Management District.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 1, 2007

TO: Honorable Kevin Bailey, Chair, House Committee on Urban Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4113 by Cohen (Relating to the Buffalo Bayou Management District.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 21, 2007

TO: Honorable Kevin Bailey, Chair, House Committee on Urban Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4113 by Cohen (Relating to the Buffalo Bayou Management District.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, DB

