

House Bill 4113
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 to 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 north boundary line of Feagan Street right-of-way. Then east along the north boundary line of Feagan Street

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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 east 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 to 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 north boundary line of Feagan Street right-of-way. Then east along the north boundary line of Feagan Street

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right-of-way until the intersection of the the west boundary line of Jackson Hill Street right-of-way. Then north along the west boundary line of Jackson Hill Street right-of-way to the intersection of the north boundary line of Blossom Street right-of-way. Then west along the north boundary line of Blossom Street right-of-way until the intersection of the east boundary line of Heights Boulevard right-of-way. Then north along the east boundary line of Heights Boulevard right-of-way to the intersection of the south boundary line of Washington Avenue right-of-way. Then east along the south boundary line of Washington Avenue right-of-way to the intersection of the west boundary line of the Washington Cemetery. Then south along the west boundary line of the Washington Cemetery 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 to the intersection of the northeast corner of Memorial Drive right-of-way and the northern bank of Buffalo Bayou. Then curve around the northern bank of Buffalo Bayou to the northeastern corner of the intersection of the north boundary line of Memorial Drive. Then east long the north boundary line of Memorial Drive right-of-way to the west boundary line of Silver and north along the west boundary line of Silver right-of-way to the north boundary line of Memorial Drive Way right-of-way. Then east along the north boundary line of Memorial Drive Way right-of-way to the west boundary line of Sabine Street right-of-way. Then south along the west boundary line of Sabine

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right-of-way until the intersection of the the west boundary line of Jackson Hill Street right-of-way. Then north along the west boundary line of Jackson Hill Street right-of-way to the intersection of the north boundary line of Blossom Street right-of-way. Then west along the north boundary line of Blossom Street right-of-way until the intersection of the east boundary line of Heights Boulevard right-of-way. Then north along the east boundary line of Heights Boulevard right-of-way to the intersection of the south boundary line of Washington Avenue right-of-way. Then east along the south boundary line of Washington Avenue right-of-way to the intersection of the west boundary line of the Washington Cemetery. Then south along the west boundary line of the Washington Cemetery 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 to the intersection of the northeast corner of Memorial Drive right-of-way and the northern bank of Buffalo Bayou. Then curve around the northern bank of Buffalo Bayou to the northeastern corner of the intersection of the north boundary line of Memorial Drive. Then east long the north boundary line of Memorial Drive right-of-way to the west boundary line of Silver and north along the west boundary line of Silver right-of-way to the north boundary line of Memorial Drive Way right-of-way. Then east along the north boundary line of Memorial Drive Way right-of-way to the west boundary line of Sabine Street right-of-way. Then south along the west boundary line of Sabine

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~~Street right-of-way to the north boundary line of Memorial Drive right-of-way. Then east along the north boundary line of Memorial Drive right-of-way to the west boundary line of the Houston Downtown Management District. Then south along the west boundary line of the Houston Downtown Management District to the center line of Allen Parkway, the POINT OF BEGINNING [POINT OF BEGINNING at the intersection of the west boundary line of the Houston Downtown Management District and the north boundary of Memorial Drive right of way, then west along the north boundary of Memorial Drive right of way to the north boundary of Memorial Drive's Heights North exit ramp, then northwest along the north boundary of Memorial Drive's Heights North exit ramp to the east boundary of Heights boulevard right of way, then west across Heights Boulevard from the east boundary of Heights Boulevard right of way to the west boundary of the Heights Boulevard right of way, then south along the west boundary of Heights boulevard right of way to the north boundary of Memorial Drive's Memorial West entrance ramp, then southwest along the north boundary of Memorial Drive's Memorial West entrance ramp to the northern boundary line of Memorial Drive right of way, then west along the northern boundary line of Memorial Drive right of way to the west boundary line of Shepherd Drive right of way, then south along the west boundary line of Shepherd Drive right of way to the centerline of West Dallas, then east along the centerline of West Dallas to the intersection of the west~~

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~~Street right-of-way to the north boundary line of Memorial Drive right-of-way. Then east along the north boundary line of Memorial Drive right-of-way to the west boundary line of the Houston Downtown Management District. Then south along the west boundary line of the Houston Downtown Management District to the center line of Allen Parkway, the POINT OF BEGINNING [POINT OF BEGINNING at the intersection of the west boundary line of the Houston Downtown Management District and the north boundary of Memorial Drive right of way, then west along the north boundary of Memorial Drive right of way to the north boundary of Memorial Drive's Heights North exit ramp, then northwest along the north boundary of Memorial Drive's Heights North exit ramp to the east boundary of Heights boulevard right of way, then west across Heights Boulevard from the east boundary of Heights Boulevard right of way to the west boundary of the Heights Boulevard right of way, then south along the west boundary of Heights boulevard right of way to the north boundary of Memorial Drive's Memorial West entrance ramp, then southwest along the north boundary of Memorial Drive's Memorial West entrance ramp to the northern boundary line of Memorial Drive right of way, then west along the northern boundary line of Memorial Drive right of way to the west boundary line of Shepherd Drive right of way, then south along the west boundary line of Shepherd Drive right of way to the centerline of West Dallas, then east along the centerline of West Dallas to the intersection of the west~~

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~~boundary of Montrose Boulevard right of way and the centerline of West Dallas, then south along the west boundary line of Montrose Boulevard right of way to the south boundary line of U.S. Highway 59 and the west boundary line of Montrose Boulevard right of way, then in an easterly direction from said intersection along the south boundary line of U.S. Highway 59 to the intersection of the west boundary line of the Main Street right of way and then proceeding from said intersection in a northwesterly direction along the boundary line of the west Main Street right of way paralleling the boundary line of the Greater Southeast Management District to the intersection of the boundary line of the south Portland Street right of way and the boundary line of the west Main Street right of way, being the southern boundary line of the Midtown Management District, then proceeding from said intersection in generally a northeasterly direction the boundary line parallels the Midtown Management District boundary line to the intersection of the west boundary line of the US Hwy 45 right of way and the north boundary line of the Cleveland Street right of way, being the western boundary line of the Houston Downtown Management District, then north from said intersection along the western boundary line of the Houston Downtown Management District to the POINT OF BEGINNING].~~

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

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~~boundary of Montrose Boulevard right of way and the centerline of West Dallas, then south along the west boundary line of Montrose Boulevard right of way to the south boundary line of U.S. Highway 59 and the west boundary line of Montrose Boulevard right of way, then in an easterly direction from said intersection along the south boundary line of U.S. Highway 59 to the intersection of the west boundary line of the Main Street right of way and then proceeding from said intersection in a northwesterly direction along the boundary line of the west Main Street right of way paralleling the boundary line of the Greater Southeast Management District to the intersection of the boundary line of the south Portland Street right of way and the boundary line of the west Main Street right of way, being the southern boundary line of the Midtown Management District, then proceeding from said intersection in generally a northeasterly direction the boundary line parallels the Midtown Management District boundary line to the intersection of the west boundary line of the US Hwy 45 right of way and the north boundary line of the Cleveland Street right of way, being the western boundary line of the Houston Downtown Management District, then north from said intersection along the western boundary line of the Houston Downtown Management District to the POINT OF BEGINNING].~~

Same as House version.

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follows:

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

(b) Voting directors serve staggered terms of four years, with four ~~[45]~~ or five ~~[46]~~ directors' terms expiring June 1 of each odd-numbered year.

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

Sec. 3820.055. BOARD ~~[INITIAL DIRECTORS]~~. (a)

The ~~[initial]~~ board consists of the following persons:

Pos. No. Name of Director

- | | | |
|------|---------------------------|------------------------------|
| 1 | <u>Kay Crooker</u> | |
| 2 | <u>Steve Costello</u> | [Mike Garver] |
| 3 | <u>Barrett Sides</u> | [Jackie Martin] |
| 4 | <u>William Taylor</u> | [Mark Lee] |
| 5 | <u>Julie McClure</u> | [John Chase, Jr.] |
| 6 | <u>Peter Grim</u> | [Adrian Collins] |
| 7 | Max Schuette | |
| 8 | <u>Thomas Arcidiacono</u> | [June Deadriek] |
| 9 | <u>Steve Gibson</u> | [Don Cutrer] |
| [10] | Raju Adwaney | |
| [11] | Mike Mark | |
| [12] | Sia Ravari | |
| [13] | Cherry Walker | |
| [14] | John Hansen | |
| [15] | John Dao | |

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

Sec. 3820.055. BOARD ~~[INITIAL DIRECTORS]~~. (a)

The ~~[initial]~~ board consists of the following persons:

Pos. No. Name of Director

- | | | |
|------|---------------------------|------------------------------|
| 1 | <u>Kay Crooker</u> | |
| 2 | <u>Steve Costello</u> | [Mike Garver] |
| 3 | <u>Ted Kennedy</u> | [Jackie Martin] |
| 4 | <u>William Taylor</u> | [Mark Lee] |
| 5 | <u>Julie McClure</u> | [John Chase, Jr.] |
| 6 | <u>Peter Grim</u> | [Adrian Collins] |
| 7 | Max Schuette | |
| 8 | <u>Thomas Arcidiacono</u> | [June Deadriek] |
| 9 | <u>Steve Gibson</u> | [Don Cutrer] |
| [10] | Raju Adwaney | |
| [11] | Mike Mark | |
| [12] | Sia Ravari | |
| [13] | Cherry Walker | |
| [14] | John Hansen | |
| [15] | John Dao | |

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~~[16 William Taylor
[17 Karen Domino
[18 Kevin Hoffman
[19 Jeff Andrews
[20 William Paul Thomas
[21 Theola Petteway
[22 Keith Wade
[23 Chryisse Wilson
[24 Sadie Rucker
[25 Julie McClure
[26 Angie Gomez
[27 Tom Fricke
[28 James Robert McDermaid
[29 Kathy Hubbard
[30 Marsha Johnson
[31 Craig Jackson]~~

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

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

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

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

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~~[16 William Taylor
[17 Karen Domino
[18 Kevin Hoffman
[19 Jeff Andrews
[20 William Paul Thomas
[21 Theola Petteway
[22 Keith Wade
[23 Chryisse Wilson
[24 Sadie Rucker
[25 Julie McClure
[26 Angie Gomez
[27 Tom Fricke
[28 James Robert McDermaid
[29 Kathy Hubbard
[30 Marsha Johnson
[31 Craig Jackson]~~

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

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

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

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

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

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

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

(b) The petition must be signed by:

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

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

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

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

SECTION 7. The legislature finds that:

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Same as House version.

No equivalent provision.

No equivalent provision.

SECTION 6. Same as House version.

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- (1) proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and laws of this state, including the governor, who has submitted the notice and Act to the Texas Commission on Environmental Quality;
- (2) the Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time;
- (3) the general law relating to consent by political subdivisions to the creation of districts with conservation, reclamation, and road powers and the inclusion of land in those districts has been complied with; and
- (4) all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

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

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SECTION 7. Same as House version.

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