

By: Miles

H.B. No. 1723

Substitute the following for H.B. No. 1723:

By: Zedler

C.S.H.B. No. 1723

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the territory included in, the composition of the board
3 of directors of, and the method of assessment of the Harris County
4 Improvement District No. 10 and to clarifying the law to reflect
5 the prior division of the district.

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

7 SECTION 1. The heading to Chapter 3860, Special District
8 Local Laws Code, is amended to read as follows:

9 CHAPTER 3860. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 10 AND FIVE
10 CORNERS IMPROVEMENT DISTRICT

11 SECTION 2. Section 3860.001(2), Special District Local Laws
12 Code, is amended to read as follows:

13 (2) "District" means the Harris County Improvement
14 District No. 10 or the Five Corners Improvement District, as
15 appropriate.

16 SECTION 3. Section 3860.111, Special District Local Laws
17 Code, is amended to read as follows:

18 Sec. 3860.111. DIVISION OF DISTRICT. (a) As provided by
19 Chapter 968, Acts of the 80th Legislature, Regular Session, 2007,
20 and Chapter 1091, Acts of the 81st Legislature, Regular Session,
21 2009, the district was divided into the Harris County Improvement
22 District No. 10 and the Five Corners Improvement District [~~The~~
23 ~~district shall be divided into two districts only if the district is~~
24 ~~not imposing ad valorem taxes~~].

1 (b) The Harris County Improvement District No. 10 [~~Not~~
2 ~~later than the 60th day after the effective date of the Act creating~~
3 ~~this chapter, the board shall adopt an order dividing the district~~
4 ~~into two districts. The original district]~~ includes all district
5 territory not included in the Five Corners Improvement District
6 [~~new district~~].

7 (c) The Five Corners Improvement District [~~new district~~]
8 includes:

9 (1) all the territory included in state representative
10 district 131 on the date the order of division was [~~is~~] effective;

11 (2) territory added to the district by Chapter 1091,
12 Acts of the 81st Legislature, Regular Session, 2009; and

13 (3) any territory added by other law.

14 (d) Notwithstanding Section 3860.051(a), [~~Neither district~~
15 ~~may request consent to its creation from the City of Houston until~~
16 ~~the order dividing the district is adopted.~~

17 [~~(c) After the division of the district:~~

18 [~~(1)~~] the Harris County Improvement District No. 10
19 [~~original district~~] is governed by a board of nine [~~seven~~] voting
20 directors [~~consisting of the directors appointed to positions 8~~
21 ~~through 14,~~] and

22 [~~(2)~~] the Five Corners Improvement District [~~new~~
23 ~~district~~] is governed by a board of nine [~~seven~~] voting directors
24 [~~consisting of the directors appointed to positions one through~~
25 ~~seven of the original district~~].

26 [~~(d) An order dividing the district must:~~

27 [~~(1) name the new district,~~

1 ~~[(2) describe the boundaries of the new district,~~
2 ~~[(3) name the initial directors of the new district,~~
3 and
4 ~~[(4) divide the assets and liabilities in any manner~~
5 ~~between the new district and the original district.]~~

6 (e) ~~[Not later than the 10th day after the date the board~~
7 ~~adopts the order, the district shall file the order with the Texas~~
8 ~~Commission on Environmental Quality and record the order in the~~
9 ~~real property records of Harris County.~~

10 ~~[(f)]~~ The Harris County Improvement District No. 10 and the
11 Five Corners Improvement District have ~~[new district has]~~ all the
12 powers and duties of the district created by Chapter 968, Acts of
13 the 80th Legislature, Regular Session, 2007, and any applicable
14 subsequently enacted law.

15 SECTION 4. Chapter 3860, Special District Local Laws Code,
16 is amended by adding Subchapter E-1 to read as follows:

17 SUBCHAPTER E-1. FINANCIAL PROVISIONS FOR HARRIS COUNTY

18 IMPROVEMENT DISTRICT NO. 10

19 Sec. 3860.221. APPLICABILITY. This subchapter applies to
20 the Harris County Improvement District No. 10. This subchapter
21 does not apply to the Five Corners Improvement District.

22 Sec. 3860.222. 10-YEAR PLAN. (a) If the board adopts an
23 order under Section 375.116, Local Government Code, before January
24 1, 2017, that grants a petition for improvement projects or
25 services financed through a 10-year assessment period, the board
26 shall create a 10-year plan for the management of the project or
27 service and assessments.

1 (b) The board shall include in an order that levies
2 assessments described by Subsection (a):

3 (1) the amount of annual installments during the
4 10-year assessment period; and

5 (2) penalties and interest the district may collect on
6 delinquent assessments.

7 Sec. 3860.223. ASSESSMENT DISTRIBUTION. To provide
8 sufficient funds for projects and programs dedicated to public
9 improvements in preparation for the 2017 Super Bowl, a 10-year plan
10 adopted under Section 3860.222 must provide that:

11 (1) of the levy from the first 5 years of the 10-year
12 assessment period:

13 (A) 60 percent shall be apportioned to fund
14 services and improvements in the territory added to the Harris
15 County Improvement District No. 10 after March 1, 2015; and

16 (B) 40 percent shall be apportioned to fund
17 services and improvements in the territory of the Harris County
18 Improvement District No. 10 that existed on March 1, 2015; and

19 (2) of the levy from the last 5 years of the 10-year
20 assessment period:

21 (A) 60 percent shall be apportioned to fund
22 services and improvements in the territory of the Harris County
23 Improvement District No. 10 that existed on March 1, 2015; and

24 (B) 40 percent shall be apportioned to fund
25 services and improvements in the territory added to the Harris
26 County Improvement District No. 10 after March 1, 2015.

27 SECTION 5. (a) The change in law made to Section

1 3860.111(d)(2), Special District Local Laws Code, by this Act
2 conforms the law relating to the number of directors serving on the
3 board of the Five Corners Improvement District to reflect the
4 number of directors serving on the effective date of this Act. This
5 Act does not otherwise affect that board.

6 (b) The terms of the members of the board of the Harris
7 County Improvement District No. 10 serving on the effective date of
8 this Act who were appointed under Chapter 3860, Special District
9 Local Laws Code, before the effective date of this Act expire on the
10 effective date of this Act. On the effective date of this Act, the
11 board of directors of the Harris County Improvement District No. 10
12 is composed of the following directors:

- 13 (1) Ed Wolfe
- 14 (2) James Clayton Riley
- 15 (3) Camille Foster
- 16 (4) Tyler Fleming
- 17 (5) Shalette Mitchell
- 18 (6) Rodney Jones
- 19 (7) Steven Valles
- 20 (8) Jeremy Brown
- 21 (9) Brandon Dudley

22 (c) The terms of the directors in positions (b)(2), (4),
23 (6), and (8) of this section expire June 1, 2017.

24 (d) The terms of the directors in positions (b)(1), (3),
25 (5), (7), and (9) of this section expire June 1, 2019.

26 (e) The mayor and members of the governing body of the City
27 of Houston shall appoint successor directors as provided by Section

1 375.064, Local Government Code, and Section 3860.052, Special
2 District Local Laws Code.

3 SECTION 6. The following territory in Harris County is
4 added to the territory of the Harris County Improvement District
5 No. 10:

6 Tract is +/- 2,058 acres (3.21 sq. miles) and beginning at a
7 point where the south right-of-way (ROW) of El Paseo St. and east
8 ROW of Cambridge St. intersect then south southwest along the east
9 ROW of Cambridge St. to north ROW of Holly Hall St.;

10 Then east along north ROW of Holly Hall St. to the ROW
11 centerline of FM 521/Almeda Rd.;

12 Then south southwest along the ROW centerline of FM
13 521/Almeda Rd. to northwest corner of Harris County Improvement
14 District (HCID) 10 A;

15 Then south southwest along the west boundary of HCID No. 10 A
16 and ROW centerline of FM 521/Almeda Rd. to south ROW of Holmes Rd.;

17 Then west southwest along south ROW of Holmes Rd. to a point
18 due south of southwest corner of 12.5087 acre tract (CORPORATE
19 CENTRE KIRBY RES A4 BLK 1);

20 Then north across ROW of Holmes Rd. and ABST 179 BBB&C RR CO
21 TR R60, and along west boundaries of said 12.5087 acre tract, and
22 9.766 acre tract (CORPORATE CENTRE KIRBY RES A2 BLK 1) to northwest
23 corner of said 9.766 acre tract and south boundary of 8 acre tract
24 (ABST 179 BBB&C RR CO TRS 3 THRU 10 IN TR 8);

25 Then west along south boundaries of said 8 acre tract, and 1
26 acre tract (ABST 179 BBB&C RR CO TR 1 IN TR 8) to southwest corner of
27 said 1 acre tract and west boundary of 15.47 acre tract (MOORINGS

1 APTS R/P RESERVE BLK 1);

2 Then south along east boundary of said 15.47 acre tract to
3 southeast corner of said tract;

4 Then west along south boundary of said 15.47 acre tract
5 across ROW of Lakes at 610 Dr. to west ROW of Lakes at 610 Dr.;

6 Then generally north along west ROW of Lakes at 610 Dr. to
7 southeast corner of 7.0721 acre tract (LAKES AT 610 SEC 2 RES E);

8 Then west along south boundary of 7.0721 acre tract to
9 southwest corner of said tract;

10 Then north along west boundary of said 7.0721 acre tract to
11 south ROW of W. Bellfort St.;

12 Then generally west along south ROW of W. Bellfort St. to
13 east ROW of S. Main St./US 90 Hwy;

14 Then southwest along east ROW of S. Main St./US 90 Hwy. to
15 north corner of 0.2167 acre tract (MAINVIEW 14 BLK 4 TRS 1 & 14B ADJ
16 15X79 FT OF LT);

17 Then southeast along east boundary of said 0.2167 acre tract
18 to east corner of said tract;

19 Then southwest along south boundary of said 0.2167 acre
20 tract, and 0.1123 acre tract (MAINVIEW TRS 2 & 14A BLK 4) to south
21 corner of said 0.1123 acre tract and coincident north corner of
22 0.4131 acre tract (MAINVIEW TRS 11A 12 13 13C & 14D BLK 4);

23 Then southeast along east boundary of said 0.4131 acre tract
24 to east corner of said tract;

25 Then southwest along south boundary of said 0.4131 acre
26 tract, and 1.3895 acre tract (MAINVIEW BLK 4 LTS 5 6 8 9 & 10 & TRS 7B
27 & 11) to west ROW of Clearview St.;

1 Then northwest along west ROW of Clearview St. to east ROW of
2 S. Main St./US 90 Hwy;

3 Then southwest along east ROW of S. Main St./US 90 Hwy. to
4 northeast corner of 6.6694 acre tract (ABST 173 BBB&CRR CO TRS 19 &
5 20);

6 Then south along east boundary of said 6.6694 acre tract to
7 southeast corner of said tract;

8 Then northeast along north ROW/easement of Old Main Street
9 Loop Rd. to a point north of 6.6537 acre parcel (R HASSELL
10 PROPERTIES RES A1 BLK 1);

11 Then south across ROW/easement of Old Main Street Loop Rd.
12 and along east boundary of said 6.6537 acre parcel, and coincident
13 boundary line of HCID 12 to ROW centerline of Willowbend Blvd.;

14 Then generally west along ROW centerline of Willowbend Blvd.
15 to west ROW of Stella Link Rd;

16 Then north along west ROW of Stella Link Rd. to north ROW of
17 Woodfin St.;

18 Then east along north ROW of Woodfin St. to centerline of
19 Stella Link Rd. ROW;

20 Then north along centerline of Stella Link Rd. ROW to
21 centerline ROW of Interstate 610 (So. Loop Fwy. W.);

22 Then generally east along ROW centerline of Interstate 610
23 (So. Loop Fwy. W.) to ROW centerline of S. Main St;

24 Then northeast along ROW centerline of S. Main St. to south
25 bank of Brays Bayou;

26 Then east and northeast along south bank of Brays Bayou to ROW
27 centerline of Fannin St. and coincident boundary of Greater

1 Southeast Management District;

2 Then south along ROW centerline of Fannin St. and coincident
3 boundary of Greater Southeast Management District to south ROW of
4 Old Spanish Trail/US 90 Alternate Hwy.;

5 Then west southwest along south ROW of Old Spanish Trail/US
6 90A Hwy. to east ROW of Greenbriar Dr.;

7 Then south and east along east ROW of Greenbriar Dr. and
8 across Fannin St. to east ROW of Fannin St. and coincident
9 northwest corner of 3.2334 acre parcel (HOMESTEAD
10 VILLAGE-ASTRODOME RES A BLK 1);

11 Then east along north boundary of said 3.2334 acre parcel and
12 3.6393 acre parcel (ASTRODOME OAKS SEC 1 R/P RES A) to west ROW of
13 Knight Rd. and coincident boundary of Greater Southeast Management
14 District;

15 Then south along west ROW of Knight Rd. and coincident
16 boundary of Greater Southeast Management District to south ROW of
17 El Paseo St;

18 Then east along south ROW of El Paseo St. and coincident
19 boundary of Greater Southeast Management District to east ROW of
20 Cambridge St. and point of beginning of +/- 2,058 acre tract.

21 Save and Except Harris County Improvement District No. 8;

22 Save and Except RES A BLK 1 SAMUELS DODGE AT SOUTH LOOP W;

23 Save and Except TR 1L ABST 874 J WALTERS;

24 Save and Except RES A BLK 1 MIKE CALVERT TOYOTA;

25 Save and Except TR 30E & ABANDED ROW PARCEL 596-081 ABST 887 J
26 HAMILTON;

27 Save and Except LOTS 1-24 BLK 1 BUFFALO SPEEDWAY;

1 Save and Except RES A, B & C BLK 1 BUFFALO SPEEDWAY;

2 Save and Except PERMANENT ACCESS ESMT BUFFALO SPEEDWAY BLK 1
3 BUFFALO SPEEDWAY;

4 Save and Except PT RES B BLK 1(POLLUTION CONTROL) (DETENTION
5 POND) R & S PARK;

6 Save and Except PT RES B BLK 1(PC*1200210010003) R & S PARK;

7 Save and Except +/-9.7 acre tract located at southwest corner
8 of intersection of Westridge St. and Hearth Dr. with beginning
9 point at south ROW of Westridge St. and west ROW of Hearth Dr.;

10 Then south along west ROW of Hearth Dr. to north ROW of S.
11 Bartell Dr.;

12 Then west along north ROW of S. Bartell Dr. to east ROW of W.
13 Bartell Dr.;

14 Then north along east ROW of W. Bartell Dr. to south ROW of
15 Westridge St.;

16 Then east along south ROW of Westridge St. to west ROW of
17 Hearth Dr. and beginning point of +/- 9.7 acre tract;

18 Save and Except HEARTHWOOD CONDO SEC 1;

19 Save and Except BLDG 1-8 CITY PLAZA CONDO;

20 Save and Except BRAESWOOD PARK CONDO;

21 Save and Except THE BRAESWOOD CONDO;

22 Save and Except BRIAR GREEN CONDO PH 1-2;

23 Save and Except THE VALENCIA CONDO;

24 Save and Except LOTS 1-19 BLK 1 NAOMI PLACE SEC 2;

25 Save and Except LOTS 1-5 BLK 1 NAOMI PLACE SEC 3;

26 Save and Except LOTS 1-12 BLK 1 NAOMI PLACE;

27 Save and Except LOTS 1-5 BLK 1 NAOMI PLACE SEC 4 PAR RP AMEND;

- 1 Save and Except LOTS 1-7 BLK 1 NAOMI PLACE SEC 4 R/P AMEND;
- 2 Save and Except LOTS 1-12 BLK 2 NAOMI PLACE SEC 4 R/P AMEND;
- 3 Save and Except LOTS 1-12 BLK 1 NAOMI AVENUE PLACE;
- 4 Save and Except LOT 1 BLK 39 KNIGHTS MAIN STREET;
- 5 Save and Except LOTS 1 and 6 BLK 40 KNIGHTS MAIN STREET;
- 6 Save and Except TR 1 BLK 17 KNIGHTS MAIN STREET;
- 7 Save and Except CONTEMPORARY PLAZA SEC 3;
- 8 Save and Except CONTEMPORARY PLAZA SEC 4;
- 9 Save and Except CONTEMPORARY PLAZA SEC 5;
- 10 Save and Except CONTEMPORARY PLAZA SEC 6;
- 11 Save and Except CONTEMPORARY PLAZA SEC 7 AMEND;
- 12 Save and Except CONTEMPORARY PLAZA SEC 8;
- 13 Save and Except CONTEMPORARY PLAZA SEC 8 & PAR R/P;
- 14 Save and Except CONTEMPORARY PLAZA T/H CONDO AMEND;
- 15 Save and Except BLK 1-6 CONTEMPORARY MAIN SEC
- 16 Save and Except PERMANENT ACCESS ESMNTS CONTEMPORARY MAIN SEC
- 17 1;
- 18 Save and Except RES A BLK 1 (OPEN SPACE) CONTEMPORARY MAIN SEC
- 19 1;
- 20 Save and Except RES B BLK 2 (OPEN SPACE) CONTEMPORARY MAIN SEC
- 21 1;
- 22 Save and Except RES C BLK 3 (OPEN SPACE) CONTEMPORARY MAIN SEC
- 23 1;
- 24 Save and Except RES D BLK 4 (OPEN SPACE) CONTEMPORARY MAIN SEC
- 25 1;
- 26 Save and Except RES E BLK 5 (OPEN SPACE) CONTEMPORARY MAIN SEC
- 27 1;

1 Save and Except RES F BLK 6 (OPEN SPACE) CONTEMPORARY MAIN SEC
2 1;
3 Save and Except RES G BLK 6 CONTEMPORARY MAIN SEC 1;
4 Save and Except LT 1-6 BLK 1 CHEQUERS COURT;
5 Save and Except RES A BLK 1 (OPEN SPACE) CHEQUERS COURT;
6 Save and Except ROW-PRIVATE ACCESS CHEQUERS COURT;
7 Save and Except LT 1-12 BLK 1 KINGSGATE;
8 Save and Except RES A-E BLK 1 (OPEN SPACE) KINGSGATE;
9 Save and Except ROW-PRIVATE ACCESS EASEMENTS KINGSGATE;
10 Save and Except LT 1-12 BLK 1 CONTEMPORARY PLAZA SEC 1;
11 Save and Except RES A-D BLK 1 (OPEN SPACE) CONTEMPORARY PLAZA
12 SEC 1;
13 Save and Except LT 1-9 BLK 2 CONTEMPORARY PLAZA SEC 1;
14 Save and Except RES A-D BLK 2 (OPEN SPACE) CONTEMPORARY PLAZA
15 SEC 1;
16 Save and Except CONTEMPORARY PLAZA 2 AMEND 1;
17 Save and Except BLK 1 SILVERSTON PLAZA;
18 Save and Except CONTEMPORARY PLAZA SEC 9 R/P;
19 Save and Except ABST 645 P W ROSE TR 34;
20 Save and Except LT 1-6 BLK 1 SUMMA T/H;
21 Save and Except ROW - PRIVATE ACCESS EASEMENT SUMMA T/H;
22 Save and Except RES A BLK 1 (OPEN SPACE) SUMMA T/H;
23 Save and Except ROW-PRIVATE ACCESS EASEMENTS CONTEMPORARY
24 PLAZA SEC 1;
25 Save and Except WOODSIDE PLAZA SEC 5 LT 7 BLK 7 (IMPS ONLY)
26 (POLLUTION CONTROL) (MAIN ACCT*0951920000007);
27 Save and Except WOODSIDE PLAZA SEC 5 LT 7 BLK 7 (PC

1 IMPS*0951920000110);

2 Save and Except MAINVIEW LT 4 & TRS 11B & 12A ADJ 80X45 FT OF
3 LTS 11 & 12 BLK 4;

4 Save and Except MEDCENTER PARK RES A, B and C BLK 1;

5 Save and Except MEDCENTER PARK RES A BLK 2;

6 Save and Except MEDCENTER PARK II RES A BLK 1;

7 Save and Except ABST 645 P W ROSE TR 4A;

8 Save and Except SOUTH POINT BUSINESS PARK SEC 2 RES J;

9 Save and Except SOUTH POINT BUSINESS PARK SEC 4 RES D2, RES D3
10 and RES E;

11 SECTION 7. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2015.