

By: Miles

H.B. No. 1723

A BILL TO BE ENTITLED

1 AN ACT  
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 the  
5 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. [~~Neither~~  
14 ~~district may request consent to its creation from the City of~~  
15 ~~Houston until the order dividing the district is adopted.~~]

16           (d) Notwithstanding Section 3860.051(a), [~~(c) After the~~  
17 ~~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) \_\_\_\_\_
- 14 (2) \_\_\_\_\_
- 15 (3) \_\_\_\_\_
- 16 (4) \_\_\_\_\_
- 17 (5) \_\_\_\_\_
- 18 (6) \_\_\_\_\_
- 19 (7) \_\_\_\_\_
- 20 (8) \_\_\_\_\_
- 21 (9) \_\_\_\_\_

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 totaling approximately  
4 2,194 acres in Harris County is added to the territory of the Harris  
5 County Improvement District No. 10:

6 Tract 1 - BEGINNING at a point where the south right of way of  
7 El Paseo Street and east right of way of Cambridge Street intersect  
8 then south southwest along the east right of way of Cambridge Street  
9 to north right of way of Holly Hall Street;

10 THENCE, east along the north right of way of Holly Hall Street  
11 to the right of way centerline of FM 521/Almeda Road;

12 THENCE, south southwest along the right of way centerline of  
13 FM 521/Almeda Road to northwest corner of Harris County Improvement  
14 District (HCID) No. 10 A;

15 THENCE, south southwest along the west boundary of HCID  
16 No. 10 A and the right of way centerline of FM 521/Almeda Road to  
17 south right of way of Holmes Road;

18 THENCE, west southwest along south right of way of Holmes  
19 Road to a point due south of southeast corner of Harris County  
20 Improvement District No. 12 (HCID 12), and southeast corner of 4.5  
21 acre tract (ABST 179 BBB&C RR CO MARTYRS M B U/R TRS 13 14 17 & 18 & S  
22 1/2 OF TR 21 (4.5 AC));

23 THENCE, north across right of way of Holmes Road and along  
24 east boundary of HCID 12 to southeast corner of said 4.5 acre tract;

25 THENCE, west along south boundary of said 4.5 acre tract, and  
26 coincident boundary line of HCID 12 to southeast corner of said  
27 tract;

1           THENCE, north along west boundary of said 4.5 tract, and  
2 coincident boundary line of HCID 12 to northwest corner of said  
3 tract;

4           THENCE, east along north boundary of said 4.5 tract, and  
5 coincident boundary line of HCID 12 to west boundary of approximate  
6 6.1 acre tract (ABST 179 BBB&C RR CO MARTYRS M B U/R TRS 20 & 23 THRU  
7 27);

8           THENCE, south along west boundary of said 6.1 acre tract, and  
9 coincident boundary line of HCID 12 to southwest corner of said  
10 tract and coincident northwest corner of 0.8321 acre tract (ABST  
11 179 BBB&C RR CO MARTYRS M B U/R N 100 FT OF TR 19);

12           THENCE, east along north boundary of said 0.8321 acre tract,  
13 and coincident boundary line of HCID 12 to northeast corner of said  
14 tract and coincident west boundary of 25 acre tract (ABST 179 BBB&C  
15 RR CO ARMSTRONG W E BLKS 2 & 3 TRS A B C1 OF RES G);

16           THENCE, north along west boundary of said 25 acre tract, and  
17 coincident boundary line of HCID 12 to northwest corner of said  
18 parcel;

19           THENCE, east along north boundary of said 25 acre tract, and  
20 coincident boundary line of HCID 12 to a point south of southwest  
21 corner of Bedford Falls Development (BEDFORD FALLS AMEND);

22           THENCE, north along coincident boundary line of HCID 12 and  
23 across right of way of Grand Fountains Drive, to southwest corner of  
24 Bedford Falls Development (BEDFORD FALLS AMEND);

25           THENCE, east along south boundary of Bedford Falls  
26 Development (BEDFORD FALLS AMEND) to west right of way of Lakes at  
27 610 Drive;

1           THENCE, generally north along west right of way of Lakes at  
2 610 Drive to southeast corner of 7.0721 acre tract (LAKES AT 610 SEC  
3 2 RES E);

4           THENCE, west along south boundary of 7.0721 acre tract to  
5 southwest corner of said tract;

6           THENCE, north along west boundary of said 7.0721 acre tract  
7 to south ROW of W. Bellfort Street;

8           THENCE, generally west along south right of way of West  
9 Bellfort Street to east right of way of South Main Street/US 90 Hwy;

10           THENCE, southwest along east right of way of South Main  
11 Street/US 90 Hwy. to north corner of 0.2167 acre tract (MAINVIEW 14  
12 BLK 4 TRS 1 & 14B ADJ 15X79 FT OF LT);

13           THENCE, southeast along east boundary of said 0.2167 acre  
14 tract to east corner of said tract;

15           THENCE, southwest along south boundary of said 0.2167 acre  
16 tract, and 0.1123 acre tract (MAINVIEW TRS 2 & 14A BLK 4) to south  
17 corner of said 0.1123 acre tract and coincident north corner of  
18 0.4131 acre tract (MAINVIEW TRS 11A 12 13 13C & 14D BLK 4);

19           THENCE, southeast along east boundary of said 0.4131 acre  
20 tract to east corner of said tract;

21           THENCE, southwest along south boundary of said 0.4131 acre  
22 tract, and 1.3895 acre tract (MAINVIEW BLK 4 LTS 5 6 8 9 & 10 & TRS 7B  
23 & 11) to west right of way of Clearview Street;

24           THENCE, northwest along west right of way of Clearview Street  
25 to east right of way of South Main Street/US 90 Hwy;

26           THENCE, southwest along east right of way of South Main  
27 Street/US 90 Hwy. to northeast corner of 6.6694 acre tract (ABST 173



1 BBB&CRR CO TRS 19 & 20);

2       THENCE, south along east boundary of said 6.6694 acre tract  
3 to southeast corner of said tract;

4       THENCE, northeast along north ROW/easement of Old Main Street  
5 Loop Rd. to a point north of 6.6537 acre parcel (R HASSELL  
6 PROPERTIES RES A1 BLK 1);

7       THENCE, south across right of way/easement of Old Main Street  
8 Loop Road and along east boundary of said 6.6537 acre parcel, and  
9 coincident boundary line of HCID 12 to right of way centerline of  
10 Willowbend Boulevard;

11       THENCE, generally west along right of way centerline of  
12 Willowbend Boulevard to west right of way of Stella Link Road;

13       THENCE, north along west right of way of Stella Link Road to  
14 north right of way of Woodfin Street;

15       THENCE, east along north right of way of Woodfin Street to  
16 right of way centerline of Stella Link Road;

17       THENCE, north along right of way centerline of Stella Link  
18 Road to right of way centerline of Interstate 610 (So. Loop Fwy.  
19 W.);

20       THENCE, generally east along right of way centerline of  
21 Interstate 610 (So. Loop Fwy. W.) to right of way centerline of  
22 South Main Street;

23       THENCE, northeast along right of way centerline of South Main  
24 Street to south bank of Brays Bayou;

25       THENCE, east and northeast along south bank of Brays Bayou to  
26 right of way centerline of Fannin Street and coincident boundary of  
27 Greater Southeast Management District;

1           THENCE, south along right of way centerline of Fannin Street  
2 and coincident boundary of Greater Southeast Management District to  
3 south right of way of Old Spanish Trail/US 90 Alternate Hwy.;

4           THENCE, west southwest along south right of way of Old  
5 Spanish Trail/US 90A Hwy. to east right of way of Greenbriar Drive;

6           THENCE, south and east along east right of way of Greenbriar  
7 Drive and across Fannin Street to east right of way of Fannin Street  
8 and coincident northwest corner of 3.2334 acre parcel (HOMESTEAD  
9 VILLAGE-ASTRODOME RES A BLK 1);

10           THENCE, east along north boundary of said 3.2334 acre parcel  
11 and 3.6393 acre parcel (ASTRODOME OAKS SEC 1 R/P RES A) to west  
12 right of way of Knight Road and coincident boundary of Greater  
13 Southeast Management District;

14           THENCE, south along west right of way of Knight Road and  
15 coincident boundary of Greater Southeast Management District to  
16 south right of way of El Paseo Street;

17           THENCE, east along south right of way of El Paseo Street and  
18 coincident boundary of Greater Southeast Management District to  
19 east right of way of Cambridge Street to the POINT OF BEGINNING;

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

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

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

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

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

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

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

1           Save and Except PERMANENT ACCESS ESMT BUFFALO SPEEDWAY BLK 1  
2 BUFFALO SPEEDWAY;  
3           Save and Except PT RES B BLK 1(POLLUTION CONTROL) (DETENTION  
4 POND) R & S PARK;  
5           Save and Except PT RES B BLK 1(PC\*1200210010003) R & S PARK;  
6           Save and Except +/-9.7 acre tract located at southwest corner  
7 of intersection of Westridge Street and Hearth Drive with beginning  
8 point at south right of way of Westridge Street and west right of  
9 way of Hearth Dr. ;  
10          THENCE, south along west right of way of Hearth Drive to north  
11 right of way of South Bartell Drive;  
12          THENCE, west along north right of way of South Bartell Drive  
13 to east right of way of West Bartell Drive;  
14          THENCE, north along east right of way of West Bartell Drive to  
15 south right of way of Westridge Street;  
16          THENCE, east along south right of way of Westridge Street to  
17 west right of way of Hearth Drive and the beginning point of +/- 9.7  
18 acre tract;  
19          Save and Except HEARTHWOOD CONDO SEC 1;  
20          Save and Except BLDG 1-8 CITY PLAZA CONDO;  
21          Save and Except BRAESWOOD PARK CONDO;  
22          Save and Except THE BRAESWOOD CONDO;  
23          Save and Except BRIAR GREEN CONDO PH 1-2;  
24          Save and Except THE VALENCIA CONDO;  
25          Save and Except LOTS 1-19 BLK 1 NAOMI PLACE SEC 2;  
26          Save and Except LOTS 1-5 BLK 1 NAOMI PLACE SEC 3;  
27          Save and Except LOTS 1-12 BLK 1 NAOMI PLACE;

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

1 1;  
2 Save and Except RES E BLK 5 (OPEN SPACE) CONTEMPORARY MAIN SEC  
3 1;  
4 Save and Except RES F BLK 6 (OPEN SPACE) CONTEMPORARY MAIN SEC  
5 1;  
6 Save and Except RES G BLK 6 CONTEMPORARY MAIN SEC 1;  
7 Save and Except LT 1-6 BLK 1 CHEQUERS COURT;  
8 Save and Except RES A BLK 1 (OPEN SPACE) CHEQUERS COURT;  
9 Save and Except ROW-PRIVATE ACCESS CHEQUERS COURT;  
10 Save and Except LT 1-12 BLK 1 KINGSGATE;  
11 Save and Except RES A-E BLK 1 (OPEN SPACE) KINGSGATE;  
12 Save and Except ROW-PRIVATE ACCESS EASEMENTS KINGSGATE;  
13 Save and Except LT 1-12 BLK 1 CONTEMPORARY PLAZA SEC 1;  
14 Save and Except RES A-D BLK 1 (OPEN SPACE) CONTEMPORARY PLAZA  
15 SEC 1;  
16 Save and Except LT 1-9 BLK 2 CONTEMPORARY PLAZA SEC 1;  
17 Save and Except RES A-D BLK 2 (OPEN SPACE) CONTEMPORARY PLAZA  
18 SEC 1;  
19 Save and Except CONTEMPORARY PLAZA 2 AMEND 1;  
20 Save and Except BLK 1 SILVERSTON PLAZA;  
21 Save and Except CONTEMPORARY PLAZA SEC 9 R/P;  
22 Save and Except ABST 645 P W ROSE TR 34.

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