

By: Sanford

H.B. No. 2881

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the board of directors of the Old Celina Municipal
3 Management District No. 1.

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

5 SECTION 1. Section 3919.001, Special District Local Laws
6 Code, is amended to read as follows:

7 Sec. 3919.001. DEFINITIONS. In this chapter:

8 (1) "Board" means the district's board of directors.

9 (2) "City" means the City of Celina, Texas.

10 (3) "Commission" means the Texas Commission on
11 Environmental Quality.

12 (4) [~~(3)~~] "County" means Collin County, Texas.

13 (5) [~~(4)~~] "Director" means a board member.

14 (6) [~~(5)~~] "District" means the Old Celina Municipal
15 Management District No. 1.

16 SECTION 2. Section 3919.051, Special District Local Laws
17 Code, is amended to read as follows:

18 Sec. 3919.051. GOVERNING BODY; TERMS. (a) The district is
19 governed by a board of five elected directors [~~composed of:~~

20 [~~(1) three directors appointed by the governing body of~~
21 ~~the city,~~

22 [~~(2) the city manager, and~~

23 [~~(3) the city's chief financial officer]~~.

24 (b) Directors [~~Appointed directors~~] serve staggered terms

1 of four years, with [~~one or~~] two or three directors' terms expiring
2 May 31 of each odd-numbered [~~even-numbered~~] year.

3 (c) The board shall hold an election for directors on the
4 uniform election date in May in odd-numbered years.

5 SECTION 3. Section 3919.052(a), Special District Local Laws
6 Code, is amended to read as follows:

7 (a) Section 375.072(c) [~~Sections 375.063 and 375.072(a) and~~
8 ~~(c)~~], Local Government Code, does [~~do~~] not apply to a director.

9 SECTION 4. Section 3919.053, Special District Local Laws
10 Code, is amended to read as follows:

11 Sec. 3919.053. VACANCY. If a vacancy occurs on the board,
12 the remaining directors [~~The governing body of the city~~] shall
13 appoint a director to serve [~~fill a vacancy on the board~~] for the
14 remainder of the unexpired term.

15 SECTION 5. Section 3919.056(a), Special District Local Laws
16 Code, is amended to read as follows:

17 (a) The district shall compensate directors as provided by
18 Section 49.060, Water Code[, ~~each director who is not a member of~~
19 ~~the governing body of the city or an employee of the city~~].

20 SECTION 6. Section 3919.059, Special District Local Laws
21 Code, is amended to read as follows:

22 Sec. 3919.059. REMOVAL OF DIRECTORS. (a) The board
23 [~~governing body of the city~~] may remove a director by unanimous vote
24 of the other directors if the director has missed at least half of
25 the meetings scheduled during the preceding 12 months.

26 (b) A director removed under this section may file a written
27 appeal with the commission not later than the 30th day after the

1 date the director receives written notice of the board action. The
2 commission may reinstate the director if the commission finds that
3 the removal was unwarranted under the circumstances after
4 considering the reasons for the absences, the time and place of the
5 meetings, the business conducted at the meetings missed, and any
6 other relevant circumstances. [~~appointed under Section~~
7 ~~3919.051(a)(1).~~]

8 SECTION 7. Subchapter B, Chapter 3919, Special District
9 Local Laws Code, is amended by adding Section 3919.061 to read as
10 follows:

11 Sec. 3919.061. TRANSITIONAL DIRECTORS AND INITIAL
12 PERMANENT DIRECTORS. (a) The transitional board consists of:

	<u>Pos. No.</u>	<u>Name of Director</u>
13		
14	<u>1</u>	<u>Matthew Kiran</u>
15	<u>2</u>	<u>Scott Balch</u>
16	<u>3</u>	<u>Charles Brown</u>
17	<u>4</u>	<u>G. A. Moore, Jr.</u>
18	<u>5</u>	<u>Matt Gold</u>

19 (b) A transitional director serves until the earlier of:

20 (1) the date the initial permanent directors are
21 elected under Section 3919.051; or

22 (2) September 1, 2021.

23 (c) If the initial permanent directors have not been elected
24 under Section 3919.051, and the terms of the transitional directors
25 have expired, the commission shall appoint successor transitional
26 directors as provided by Subsection (d) to serve terms that expire
27 the earlier of:

1 (1) the date initial permanent directors are elected
2 under Section 3919.051; or

3 (2) the fourth anniversary of the date the preceding
4 transitional directors' terms expired.

5 (d) If the initial permanent directors have not been elected
6 under Section 3919.051, the owner or owners of a majority of the
7 assessed value of the real property in the district according to the
8 most recent certified tax appraisal rolls for the county may submit
9 a written petition to the commission requesting that the commission
10 appoint successor transitional directors to serve four-year terms
11 beginning on the date the terms of the transitional directors then
12 serving expire. The commission shall appoint as the successor
13 transitional directors five persons named in a list of nominees
14 included with the petition.

15 (e) The initial permanent directors elected under Section
16 3919.051 shall draw lots to determine which two shall serve
17 two-year terms and which three shall serve four-year terms.

18 SECTION 8. Section 3919.052(c), Special District Local Laws
19 Code, is repealed.

20 SECTION 9. The terms of the members of the board of the Old
21 Celina Municipal Management District No. 1 serving on the effective
22 date of this Act who were appointed under Chapter 3919, Special
23 District Local Laws Code, before the effective date of this Act
24 expire on the effective date of this Act. On the effective date of
25 this Act, the board of directors of the Old Celina Municipal
26 Management District No. 1 is composed of the directors described by
27 Section 3919.061, Special District Local Laws Code, as added by

1 this Act.

2 SECTION 10. (a) The 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
7 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
8 Government Code.

9 (b) The governor, one of the required recipients, has
10 submitted the notice and Act to the Texas Commission on
11 Environmental Quality.

12 (c) The Texas Commission on Environmental Quality has filed
13 its recommendations relating to this Act with the governor, the
14 lieutenant governor, and the speaker of the house of
15 representatives within the required time.

16 (d) All requirements of the constitution and laws of this
17 state and the rules and procedures of the legislature with respect
18 to the notice, introduction, and passage of this Act are fulfilled
19 and accomplished.

20 SECTION 11. This Act takes effect September 1, 2017.