

- SUBJECT:** Boundary change for Greater Southeast Management District in Houston
- COMMITTEE:** County Affairs — favorable, without amendment
- VOTE:** 6 ayes — W. Smith, Naishtat, Farabee, Heflin, Leibowitz, T. Smith
0 nays
3 absent — Bolton, Coleman, Harless
- WITNESSES:** For — Dr. Teddy A. McDavid, OST Community Partnership; Jason McLemore, Greater Southeast Management District; (*Registered, but did not testify*: Darrin Hall, City of Houston - Office of Mayor Bill White; Janice M. Sibley-Reid)

Against — None
- BACKGROUND:** Government Code, sec. 313.006 requires a person applying for the establishment of a special management district to provide notice by mail to each person who owns taxable property in the proposed district within 30 days of being considered by the Legislature.

In 2001, HB 3692 by Coleman created the Greater Southeast Management District with boundaries described by Acts of the 77th Legislature, ch. 1476, sec. 1.

In 2005, SB 993 by Ellis created Acts of the 79th Legislature, ch. 891, sec. 4(a) and 4(d), which removed the area of state representative District 146 from the Greater Southeast Management District and instead allowed the residents in the area to join the Harris County Improvement District No. 5, which is now know as the Brays Oaks Management District.
- DIGEST:** HB 1383 would repeal Acts of the 79th Legislature, ch. 891, sec. 4(a) and 4(d), which removed the area of state representative District 146 from the Greater Southeast Management District. It also would validate all acts and proceedings of the Greater Southeast Management District that predated this bill, so long as the matter was not currently or previously in litigation and made invalid by a final court judgment.

Government Code, sec. 313.006, regarding notice for laws establishing management districts, would not apply. The bill instead would affirm that, as provided by law:

- proper and legal notice for this bill had been published and disseminated;
- the TCEQ had filed its recommendations on the act;
- the political subdivisions involved had provided consent; and
- the bill conformed to the requirements for notice, introduction, and passage.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.

**SUPPORTERS
SAY:**

This bill would restore the boundaries of the Greater Southeast Management District as they existed before the 79th Legislature. The 79th Legislature in 2005 removed a portion of the Greater Third Ward with an amendment to SB 993 by Ellis, which created the Brays Oaks Management District.

The Greater Southeast Management District was created in 2001 to provide public safety, visual and economic development, and mobility improvements along the Old Spanish Trail in the inner loop of Houston. Since the amendment in 2005, one-third of the district has been unable to receive improvements, such as trash removal and median maintenance and has not been able to benefit from the proceeds of \$5.2 million in federal funding for sidewalk and curb improvements. Those removed from the Greater Southeast Management District were unaware that they were allowed to join the Brays Oaks Management District and have instead been waiting for the Legislature to make a correction.

When SB 993 became law in 2005, the Brays Oaks Management District was established primarily to provide improvement services to the Fondren Southwest area of Houston, not the Third Ward. Because the Third Ward is quite removed from the Fondren Southwest area, the Brays Oaks Management District did not recruit the Third Ward property owners, and at the same time, the Greater Southeast Management District was unaware that those in its former territory could seek the benefits of another district. As a result, none of the properties in the affected area has received any public improvements for the past two years, resulting in a noticeable

visual degradation. Further, because the Brays Oaks Management District was established only recently, the level of services available has been significantly less than what the property owners received while a part of the Greater Southeast Management District. To that end, the affected property owners are eager to see their original management district restored.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The companion bill, SB 671 by Ellis, passed the Senate on the Local and Uncontested Calendar on April 19 and was reported favorably, without amendment, by the House County Affairs Committee on April 26, making it eligible to be considered in lieu of HB 1383.