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A PROFESSIONAL CORPORATION

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February 2, 2017

Via Federal Express

The Honorable Judge Keith Self, County Judge
Collin County Commissioners Court
2300 Bloomdale Road, Suite 4192
McKinney, Texas 75071

RECEIVED
COMMISSIONER'S COURT
2017 FEB -3 AM 8:39

Re: Legislation amending Chapter 3919, Special District Local Laws Code, relating to the powers and duties of Old Celina Municipal Management District No. 1

Dear Judge Self:

Enclosed please find a copy of legislation proposing to amend Chapter 3919, Special District Local Laws Code, relating to the powers and duties of Old Celina Municipal Management District No. 1 (the "District"). The District is located within the corporate limits of the City of Celina.

By this correspondence, we formally give you notice of our intent to offer the referenced legislation in the form of a bill to be filed in the presently pending 85th Legislature of the State of Texas. Please note that the District will be subject to all applicable rules and regulations promulgated by the City relating to districts located in the corporate limits of the City.

Please feel free to contact the undersigned should you have any questions or comments.

Very truly yours,



Mindy L. Koehne

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By: _____

____.B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Old Celina Municipal
Management District No. 1.

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

SECTION 1. Section 3919.051, Special District Local Laws
Code, is amended to read as follows:

(a) The district is governed by a board of five elected
directors. ~~[composed of:~~

~~(1) three directors appointed by the governing body
of the city;~~

~~(2) the city manager; and~~

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

(b) ~~[Appointed directors serve staggered terms of four years,~~

~~with one or two directors' terms expiring May 31 of each even-~~
~~numbered year]~~ Except as provided by Section 3919.060, directors
serve staggered four-year terms, with two or three directors' terms
expiring each odd-numbered year.

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

SECTION 2. Section 3919.052, Special District Local Laws
Code, is amended to read as follows:

QUALIFICATIONS OF DIRECTOR. (a) Section~~[s 375.063 and]~~
375.072~~[(a) and]~~ (c) Local Government Code, does not apply to a
director.

(b) Section 49.052, Water Code, does not apply to the
district.

~~[(c) Notwithstanding any other law:~~

~~— (1) an officer or employee of the city may serve as a~~
~~director of the district;~~

~~———— (2) a member of the governing body of the city may serve as a director of the district; and~~

~~———— (3) a person who qualifies to serve as a director is qualified to participate in all votes pertaining to the business of the district.]~~

SECTION 3. Section 3919.053, Special District Local Laws Code, is amended to read as follows:

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

SECTION 4. Section 3919.059, Special District Local Laws Code, is amended to read as follows:

REMOVAL OF DIRECTORS. ~~[The governing body of the city may remove a director appointed under Section 3919.051(a) at any time~~

~~for cause or at will]~~ (a) The board may remove a director by unanimous vote of the other directors if the director has missed at least half of the meetings scheduled during the preceding 12 months.

(b) A director removed under this section may file a written appeal with the commission not later than the 30th day after the date the director receives written notice of the board action. The commission may reinstate the director if the commission finds that the removal was unwarranted under the circumstances after considering the reasons for the absences, the time and place of the meetings, the business conducted at the meetings missed, and any other relevant circumstances.

SECTION 5. Section 3919.060, Special District Local Laws Code, is amended to read as follows:

~~[For expiration of this section, see Subsection (d).]~~

Sec. 3919.060. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

~~_____ (1) Mike Forman, city manager;~~

~~_____ (2) Jay Toutounchian, city chief financial officer;~~

and

~~_____ (3) three directors appointed by the governing body of the city]~~

1. Matthew Kiran

2. Scott Balch

3. Charles Brown

4. G.A. Moore, Jr.

5. Matt Gold

(b) ~~[Of the initial directors, the term of one director appointed under Subsection (a) (3) expires May 31, 2016, and the terms of the other two directors appointed under Subsection (a) (3) expire May 31, 2014]~~ Initial directors serve until the

earlier of:

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

(2) the fourth anniversary of the effective date of the Act
enacting this chapter.

(c) ~~[The governing body of the city shall determine which
director's term expires May 31, 2016, and which directors' terms
expire May 31, 2014]~~ If permanent directors have not been elected
under Section 3919.051(c) and the terms of the initial directors
have expired, successor initial directors shall be appointed or
reappointed as provided by Subsection (d) to serve terms that
expire on the earlier of:

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

(2) the fourth anniversary of the date of the
appointment or reappointment.

(d) ~~[This section expires September 1, 2016]~~ If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district according to the most recent certified tax appraisal rolls for the county may submit a petition to the commission requesting that the commission appoint as successor initial directors the five persons named in the petition. The commission shall appoint as successor initial directors the five persons named in the petition.

SECTION 6. (a) The 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 under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has

submitted the notice and Act to the Texas Commission on Environmental Quality.

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

(d) 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 are fulfilled and accomplished.

SECTION 7. This Act takes effect September 1, 2017.