

Memorandum

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CITY SECRETARY
DALLAS, TEXAS



DATE 19 October 2012

TO Members of the City Council Legislative Ad Hoc Committee: Pauline Medrano; Tennell Atkins; Jerry Allen, Carolyn Davis, Angela Hunt, Linda Koop; Ann Margolin

SUBJECT **Legislative Ad Hoc Committee Meeting**
Monday, October 22, 2012
3:00 pm – 4:30 pm
Dallas City Hall
1500 Marilla, Room 6ES

AGENDA

1. Discussion of the City's Legislative Program for the 83rd Session of the Texas Legislature

Larry Casto
Assistant City Attorney

Anna Holmes
Legislative Manager
Office of Intergovernmental Services

2. Federal and State Lobbyists Contract Renewals

Larry Casto
Assistant City Attorney

Brett Wilkinson
Managing Director
Office of Intergovernmental Services

Vonciel Jones Hill, Chair
Legislative Ad Hoc Committee
Councilmember
District 5

- c: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
A.C. Gonzalez, First Assistant City Manager
Ryan S. Evans, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Rosa A. Rios, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Stephanie Cooper, Assistant to the City Manager

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

- 1 Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
- 2 The purchase, exchange lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
- 3 A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
- 4 Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
- 5 The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
- 6 Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

Memorandum



DATE October 19, 2012

TO Members of the City Council Legislative Ad Hoc Committee: Vonciel Jones Hill, Chair; Jerry Allen; Tennell Atkins; Carolyn Davis; Angela Hunt; Linda Koop; Ann Margolin; Pauline Medrano

SUBJECT City's Legislative Program for the 83rd Session of the Texas Legislature

On Monday, October 22, 2012, you will be briefed on the proposed state legislative program for the 83rd Session of the Texas Legislature. Attached are the briefing materials for your review prior to Monday's discussion.

Please contact me if you have any questions.



Mary K. Suhm
City Manager

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**CITY OF DALLAS
LEGISLATIVE PROGRAM
FOR THE
83RD SESSION OF THE TEXAS LEGISLATURE**



City of Dallas

Briefing to the Legislative Ad Hoc Committee
October 22, 2012

Purpose of Briefing

- 83rd Session of the Texas Legislature Forecast
- Issues of importance to the City of Dallas
- Milestone dates of the 83rd Session



General Principles

- Support legislation to uphold home-rule authority and provision of services to Dallas residents
- Oppose legislation that diminishes home-rule authority
- Oppose legislation that diminishes resources or the City's ability to serve its residents



Public Safety



- ❑ Secure \$1 million annually for Texas Task Force 2
- ❑ Restore the \$200 fine for driving a vehicle without a license plate
- ❑ Reinstate Law Enforcement Officers Standards and Education funds
- ❑ Increase penalty for graffiti repeat offenders and for those suspects who flee on foot and enter into a building without consent of owner
- ❑ Create an on-premises consumption only license to allow for better regulation of the premises
- ❑ Require completion of a social service program for multiple convictions of public intoxication or disorderly conduct



Economic Vibrancy



- Support permitting of unique reservoir sites
- Support a funding method for the State Water Plan that targets regional resources/contributions toward regional priorities/projects
- Eliminate unreasonable restrictions on the voluntary transfer of surface water
- Reform Property Assessed Clean Energy (PACE) legislation
- Allow municipalities to take equity interest, capped at their investment, in economic development projects
- Amend the TIF statute in Section 311.010(g) Local Government Code to conform to the language in the rest of the section regarding applicability of Chapter 252
- Support funding options for transportation improvements and flexibility in contracting methods



Clean, Healthy Environment



- Maintain Homeless Housing Services Program funding
- Amend the Low Income Housing Tax Credit program and the Urban Land Bank Program Act to enhance provision of affordable housing
- Allow municipality to enforce its animal control ordinance through civil penalties and quasi-judicial hearings
- Increase penalties for illegal dumping



E3 Government



- Oppose State pre-emption of municipal authority in the regulation of payday lenders, unless proposed legislation provides adequate protections from aggressive and harmful lending practices
- Create a statutory right to withhold date of birth information from required public disclosure
- Protect exception of confidential attorney-client communications and factual portion of policy discussions from required public disclosure
- Allow multiple awards under the Professional Services Procurement Act
- Address the high cost of catastrophic injury insurance
- Protect local sales and use taxes and maintain fairness to main street vendors



Culture, Arts & Recreation



- Eliminate interlibrary loan services as criterion for state accreditation of public libraries
- Foster a competitive Texas Film Incentives Program
- Promote development of film studios and media production



Educational Enhancements

- Support funding, certification, and residential housing initiatives for UNT campuses



Opportunities for Collaboration

- Identify opportunities to collaborate with stakeholder and partner organizations, such as:
 - Advisory Boards & Commissions
 - Associations
 - Business Groups
 - Governmental Entities
 - Transportation Organizations



Milestone dates for the 83rd Session of the Texas Legislature

Important dates:

- November 7th – briefing to Dallas City Council
- November 14th – City Council consideration and vote
- January 8, 2013 – 83rd Regular Session Convenes
- March 6, 2013 – City of Dallas/Dallas Regional Chamber Legislative Reception in Austin
- May 27, 2013 – 83rd Regular Session Ends



QUESTIONS?



APPENDIX



Council Resolution

for November 14, 2012

WHEREAS, the Eighty-Third Session of the Texas State Legislature will convene in January 2013; and

WHEREAS, many legislative issues affecting local government will be considered; and

WHEREAS, the City of Dallas has historically adopted a legislative program for consideration by the Legislature;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS;

SECTION 1. That the 2013 State Legislative Program for the City of Dallas is adopted.

SECTION 2. That the City Attorney is directed to communicate the items included in the state legislative program, a copy of which is attached as **Exhibit A**, to members of the Texas Legislature.

SECTION 3. That the City Attorney is directed to support legislation that upholds the City of Dallas' home-rule authority, as well as oppose legislation that diminishes resources or home-rule authority.

SECTION 4. That for those issues that arise during or prior to the Session for which there is no official City position and there is insufficient time to convene a meeting of the Legislative Ad Hoc Committee or the City Council, the Chair of the Legislative Ad Hoc Committee is authorized to represent and protect the interests of the City.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so resolved.



Memorandum



DATE October 19, 2012

TO Members of the City Council Legislative Ad Hoc Committee: Vonciel Jones Hill, Chair; Jerry Allen; Tennell Atkins; Carolyn Davis; Angela Hunt; Linda Koop; Ann Margolin; Pauline Medrano

SUBJECT Federal and State Lobbyists Contract Renewals

On Monday, October 22, 2012, you will be briefed on the renewal of the City's federal and state lobbyists contracts. Attached are the briefing materials for your review prior to Monday's discussion.

Please contact me if you have any questions.



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City of Dallas

FEDERAL AND STATE LOBBYISTS CONTRACT RENEWALS

October 22, 2012

Overview

- **To review the current City of Dallas legislative support process**

- **To review successes and recommend renewal of contracts for legislative services with:**
 - ▣ CapitalEdge Strategies (Ralph Garboushian)
 - ▣ Paul Schlesinger
 - ▣ Hector Alcalde
 - ▣ HillCo Partners
 - ▣ Randy Cain
 - ▣ Kwame Walker
 - ▣ Jesse Romero



CITY OF DALLAS LEGISLATIVE SUPPORT PROCESS



BACKGROUND

- The City of Dallas Intergovernmental Services legislative program is designed to:
 - Enhance the City's ability to influence legislative issues that impact local government
 - Support passage of the City's federal and state legislative programs
 - Maximize federal and state support/resources for programs and special projects unique to the City
 - Increase the City's influence and presence with various organizations, including the National League of Cities (NLC), the U.S. Conference of Mayors (USCM), the Texas Municipal League (TML), the International City/County Management Association (ICMA) and others
 - Link the City with federal and state governments by fully utilizing the City's most effective lobbyists - the Mayor and City Council
- In order to achieve the City's legislative goals, many parties are involved in the legislative process
 - Mayor and City Council
 - City Manager
 - Assistant City Attorney
 - City staff
 - Seven lobbyists (two federal and five state)



MAYOR AND CITY COUNCIL

- Provide direction and policy formulation
- Meet with legislators and other parties when necessary
- Participate in NLC, TML, USCM and other groups



CITY MANAGER

- Develops relationships and partnerships with federal, state and local government agencies and officials
- Liaisons with federal, state and local governments, foundations, and various state and national groups (NLC, TML, USCM and ICMA)
- Provides management and legislative coordination for the City on state and federal issues
- Advances miscellaneous special projects and programs
- In conjunction with the City Attorney's Office:
 - ▣ Implements and monitors the City's legislative program
 - ▣ Acts as federal legislative lead
 - ▣ Provides state legislative support



ASSISANT CITY ATTORNEY

- Since the early 1980s, the City Attorney's Office has served in a lobbying capacity for the City
- Develops and implements the City's legislative program
- Advances miscellaneous special projects and programs
- Forms coalitions on legislative matters with state and national groups (NLC, TML, USCM)
- In conjunction with the City Manager's Office:
 - ▣ Implements and monitors the City's legislative program
 - ▣ Acts as state legislative lead
 - ▣ Provides federal legislative backup support



CITY STAFF

- In 1994 the Office of Intergovernmental Services (IGS) was created to develop relationships and partnerships at all levels of government and with other agencies
- Oversees federal legislative initiatives
- Works closely with the City's lobbyists to monitor Congressional activities that affect the City
- Identifies potential programs and projects for funding, which includes determining City Council priorities
- Monitors the Texas State Legislature and works closely with the Assistant City Attorney assigned to legislative activities
- Liaisons with federal, state and local governments, foundations, and various state and national groups (NLC, TML, and USCM)



TEXAS CITIES LEGISLATIVE COALITION (Federal)

- The City joined the Texas Cities Legislative Coalition (TCLC) in 1988
- TLCL is comprised of Dallas, Austin, Arlington, and Denton
- TCLC is represented by CapitalEdge Strategies (Ralph Garboushian)
 - Monitors federal legislation impacting TCLC cities and works with the Texas Congressional Delegation and the Executive Branch to advance TCLC's interests and priorities
 - Works closely with national municipal organizations, including NLC, TML, USCM, and ICMA to ensure awareness of TCLC's positions and agendas
 - Briefs Council Members and staff at annual meetings of NLC, and visits the City annually and at other times requested by the City
 - Works closely with City officials and staff to develop legislative and grant strategies



HECTOR ALCALDE and PAUL SCHLESINGER (Federal)

- When the City initiated a multi-year plan for the Trinity River, it was recognized that many of the federal legislative initiatives associated with the project would require specialized lobbying services.
- The City contracted with Paul Schlesinger and Hector Alcalde of Alcalde & Fay, a government and public affairs lobbying firm based in Arlington, VA. The firm possesses extensive expertise in the fields of transportation and Army Corps of Engineers water projects. To date, the firm has helped secure \$220 million for the Trinity Project.
 - Provides the City with advice, assistance and advocacy services to achieve the following objectives in connection with the Trinity River Corridor Project:
 - Funding for flood control in annual Energy and Water Appropriations bills;
 - Funding for Trinity River transportation components, when necessary, through annual Transportation Appropriations bills and transportation reauthorization legislation;
 - Enactment of necessary provisions in Water Resources Development Act legislation to advance the project;
 - Assistance with other components of the Trinity Project as directed by the City Manager.



HILCO PARTNERS (State)

- Hillco Partners represents the City on water rights and other water issues in the Texas legislature and State agencies
- Offices in Austin and Washington, DC
- Works with the Assistant City Attorney and City Manager in representing the City on state level municipal water and wastewater issues, with a particular emphasis on protecting water sources, revenue streams, permitting authority, and home rule authority
- Advises the City on legislative actions with respect to identified issues and goals, and helps develop both short-term and long-term legislative strategies with respect to municipal water and wastewater services



OTHER LOBBYISTS (State)

- Randy Cain
- Kwame Walker
- Jesse Romero
 - All lobbyists conduct necessary research, information gathering, and other supporting activities through maximizing the use of legislative contacts
 - Review, analyze and monitor interim committee activities as requested by the City Attorney
 - Study and recommend legislative initiatives for the upcoming State Legislative session
 - Draft legislation as directed by the Assistant City Attorney



STATE & FEDERAL LOBBYISTS CONTRACTS

□ FY 2012-13 Contract Renewals

LOBBYIST	FOCUS	AMOUNT
CapitalEdge Strategies	Federal	\$160,000
Paul Schlesinger	Federal	\$43,650
Hector Alcalde	Federal	\$73,800
Randy Cain	State	\$75,000
HillCo Partners	State	\$86,250
Kwame Walker	State	\$45,000
Jesse Romero	State	\$15,000
Total		\$498,700



RECOMMENDATION

- Recommend renewal of contracts with the City's current lobbyists on the November 14, 2012 City Council Agenda



Questions?



APPENDIX: FEDERAL AND STATE LOBBYISTS FY2011-12 SUCCESSES



Photo by Miguel Casanova

CapitalEdge Strategies (Ralph Garboushian)

- Assisted the City with major federal issues, including:
 - Protecting funding for core local government programs (CDBG, HOME, ESG)
 - Reauthorization of federal surface transportation programs (MAP-21)
 - Reauthorization of the National Flood Insurance Program (NFIP)
 - Public Safety (D-Block & Department of Homeland Security)
 - Advancing the Trinity River Corridor Project – working with Alcalde and Fay
 - Prevention of unfunded mandates and preemption of local authority
 - Funding and general troubleshooting for priority Dallas projects
 - Veterans Affairs-Spinal Cord Injury Center at the Veterans Affairs Medical Center
 - Section 108 Loans for Lancaster Urban Village Project & Continental Building
 - US Postal Service Contraction



Hector Alcalde and Paul Schlesinger (Alcalde and Fay)

- Assisted the City with securing \$2.55 million for the Army Corps of Engineer's Dallas Floodway study, which is over and above the \$670,000 that was included in the President's budget
- Developed strategies to protect the \$459 million authorization for the Dallas Floodway project included in the 2007 Water Resources Development Act
- Ensured that \$7.8 million in earmarked SAFETEA-LU funding for the Margaret McDermott (I-30) Bridge, which was on a list of proposed earmarks to be rescinded by the Administration, was protected
- Continued to keep the Dallas area Congressional delegation informed and aware of the Project



Hillco Partners

- Actively engaged in monitoring and reporting on legislative and regulatory actions resulting from the 82nd Session of the Texas Legislature
- Identified interim charges to both House and Senate Committees
- Attended hearings regarding pertinent interim charges
- Monitored implementation of legislation of interest to the COD by state agencies, including the Texas Commission on Environmental Quality (TCEQ), the Texas Water Development Board (TWDB), and the Texas Parks and Wildlife Department (TPWD)
- Provided communication to the City via advisories and news flashes providing real time discussion of issues and decisions impacting water supply, water quality, water infrastructure, water project funding, permitting and compliance, and water planning.



Randy Cain

- Covered Texas State Legislature Committees, including
 - ▣ Appropriations Committee (House)
 - ▣ Finance (Senate)
 - ▣ Ways & Means (House)
 - ▣ Transportation Committee (House & Senate)
- Attended Texas State Legislative functions
- Assisted City of Dallas staff with issues regarding the Texas Legislature and state agencies
- Coordinated state legislative visits during 2011 TX-OU weekend in Dallas



Kwame Walker

- Covered Texas State Legislature Committees working on Interim Charges, particularly in regards to water issues
- Assisted City of Dallas staff with issues regarding the Texas Legislature and state agencies
- Assisted City of Dallas Assistant Attorney as needed on specific legislative tasks



Jesse Romero

- During 2011, main focus was to monitor issues important to the City during the 82nd Texas Legislature. Romero attended various committee and legislative meetings on the issues, advised superior, Mr. Larry Casto, on all the particulars of the events, the players involved and what it would mean for the City of Dallas.
- Focused on juvenile justice issues
- Monitored the Private Real Property Preservation Act

